

Public Document Pack

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

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: Democratic Services

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Friday, 11 November 2022

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held hybrid in the Council Chamber, Civic Offices, Angel Street, Bridgend, and Hybrid in Council Chamber/Remote on **Thursday, 17 November 2022 at 10:00.**

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. Approval of Minutes 3 - 6
To receive for approval the minutes of the 06/10/2022
4. Site Visits
To confirm a date of Wednesday 28/12/2022 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
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 - 10
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

By receiving this Agenda Pack electronically you will save the Authority approx. £4.38 in printing costs

accommodated.

- | | | |
|-----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 7. | <u>Development Control Committee Guidance</u> | 11 - 14 |
| 8. | <u>P/22/535/RLX - 39 Hunters Ridge, Brackla ,Bridgend CF31 2LH</u> | 15 - 32 |
| 9. | <u>P/20/995/FUL - Island Farm site, Ewenny Road, Bridgend, CF31 3LG</u> | 33 - 80 |
| 10. | <u>P/22/463/FUL - Kenfig Nature Reserve, Kenfig, Bridgend, CF33 4PT</u> | 81 - 96 |
| 11. | <u>A/22/25/ADV - Kenfig Nature Reserve, Kenfig, Bridgend, CF33 4PT</u> | 97 - 102 |
| 12. | <u>Appeals</u> | 103 - 124 |
| 13. | <u>2022 Annual Monitoring Report (Amr) For The Bridgend Local Development Plan (Ldp) 2006 - 2021</u> | 125 - 218 |
| 14. | <u>Training Log</u> | 219 - 220 |
| 15. | <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. | |

Note: This will be a hybrid meeting and Members and Officers will be attending remotely and in the Council Chamber. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

H T Bennett
A R Berrow
N Clarke
RJ Collins
C L C Davies
S Easterbrook

Councillors

RM Granville
H Griffiths
S J Griffiths
D T Harrison
M L Hughes
D M Hughes

Councillors

M R John
MJ Kearns
W J Kendall
J E Pratt
MJ Williams
R Williams

Agenda Item 3

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 6 OCTOBER 2022

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD
REMOТЕLY - VIA MICROSOFT TEAMS ON THURSDAY, 6 OCTOBER 2022 AT 10:00

Present

Councillor RM Granville – Chairperson

H T Bennett	A R Berrow	N Clarke	H Griffiths
S J Griffiths	D T Harrison	M L Hughes	D M Hughes
M R John	W J Kendall	J E Pratt	MJ Williams
R Williams			

Apologies for Absence

RJ Collins, C L C Davies and MJ Kearn

Officers:

Rhodri Davies	Development & Building Control Manager
Jane Dessent	Solicitor
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Julie Jenkins	Team Leader Development Control
Robert Morgan	Senior Development Control Officer
Janine Nightingale	Corporate Director - Communities
Jonathan Parsons	Group Manager Development
Michael Pitman	Democratic Services Officer - Committees
Philip Thomas	Principal Planning Officer

38. DECLARATIONS OF INTEREST

Councillor W Kendall declared a prejudicial interest in agenda item 7. in that he had been involved in exchanging correspondence with one of the parties involved in the application over the past several months. Councillor Kendall left the meeting whilst this planning application was being considered.

Councillor R Williams declared a prejudicial interest in agenda item 8. as he knew an objector to the application. Councillor Williams left the meeting whilst this planning application was being considered.

39. APPROVAL OF MINUTES

RESOLVED: That the minutes of a meeting of the Development Control Committee dated 25 August 2022 be approved as a true and accurate record.

40. PUBLIC SPEAKERS

The following public speakers exercised their right to speak on the undermentioned planning applications:-

P/22/535/RLX – Mr A Ford and K Pardon (objectors), E and G Hooper (applicants)
P/22/118/OUT – Mrs C Thomas (objector), Mr K Griffiths (applicant's agent)
P/22/335/FUL and P/22/337/FUL – Mr L Rees (objector)

41. AMENDMENT SHEET

RESOLVED: The Amendment Sheet was accepted by the Chairperson as an urgent item under Part 4, paragraph 4 of the Council Procedure Rules.

42. DEVELOPMENT CONTROL COMMITTEE GUIDANCE

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

43. P/22/535/RLX - 39 HUNTERS RIDGE, BRACKLA, BRIDGEND, CF31 2LH

RESOLVED: That the Committee were minded to refuse the above application, so a further report will be prepared for the next meeting of the Committee proposing the reasons for such refusal.

Proposal:

Variation of condition 1 of P/21/44/FUL to reflect existing changes and proposed alterations to single storey extension; erection of fence panels.

44. P/21/118/OUT - LAND AT MINFFRWD CLOSE, PENCOED, BRIDGEND, CF35 6SE

RESOLVED: (1) That having regard to the above application, the applicant enters into a Section 106 Agreement to:

- i. Provide a minimum of 20% of the units as affordable housing with the type of unit(s), location within the site and affordable tenure to be agreed by the Council or a financial contribution towards off-site provision of affordable dwellings to an equivalent value.
- ii. Provide a financial contribution of £4,156 on the commencement of development towards the provision/upgrading of children's play space and outdoor sports facilities in the vicinity of the application site.

(2) The Corporate Director Communities be given delegated powers to issue a decision notice granting Outline consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, subject to the Conditions contained in the report of the Corporate Director – Communities, in addition to the standard Reserved Matters Conditions.

Proposal:

Construction of 4 detached houses including external areas and parking.

45. P/22/335/FUL - 26 PANT GLAS, PENCOED, BRIDGEND, CF35 6YL

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

Proposal:

Construction of store to rear garden and garage/store to side of property

46. P/22/337/FUL - 28 PANT GLAS, PENCOED, BRIDGEND, CF35 6YL

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

Proposal:

Construction of garage/store to rear garden; car port to side of dwelling and increase in levels to garden area.

47. APPEALS

RESOLVED:

- (1) That the appeals received since the last meeting of the Committee as shown in the report of the Corporate Director – Communities be noted.
- (2) That the Inspector appointed by Welsh Ministers to determine the following appeal, has directed the Appeal be dismissed:-

Appeal No. - CAS-01667-X6V3GO (1943)

Subject of Appeal – Retention of new agricultural trackway using widened access – Ty Isaf Farm, Shwt.

48. TRAINING LOG

RESOLVED:

- (1) That the report of the Corporate Director – Communities outlining up and coming training sessions on Planning and Development key topics, be noted.
- (2) That it be further noted that the training session planned for 16 November 2022 be postponed, as this clashes with the same date as the November Council meeting.
- (3) That a further training session be set up on a date to be confirmed on the topic of Enforcement.

49. URGENT ITEMS

None.

The meeting closed at 13:47

This page is intentionally left blank

DEVELOPMENT CONTROL COMMITTEE

17 NOVEMBER 2022

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>
8	11	P/22/535/RLX

As well as the Lead Member's comments and Officer's response in the report, the Lead Member provided the additional comments on 11 November 2022:

*"Hunters Ridge 2
Notes*

- 1. The submission was presented as a regularisation of the build work completed under permission P/21/44/FUL. It was stated in the development control meeting at numerous points that the only changes were minor and were solely to deal with the incorrect ground levels in the original submission.*
- 2. The new submission made a number of additional changes unrelated to the ground levels that are material, and so a fresh submission was needed (rather than an amendment under S96A)*
- 3. The fresh submission P/22/535/RLX is thus considered under Section 73*

1. Visual Amenity

Under SPG 02, 6.4 "The form, material, and details of extensions and alterations should match or harmonise with those of the existing house."

The houses of Hunter's ridge have a highly characteristic style and it is highly desirable that this should be maintained. In addition, 39 Hunters Ridge has its own consistent style, and this should be maintained for the proposed extension.

The original permission (P/21/44/FUL) included a specific recommendation (number 2) that

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

The new submission does not state that appropriate materials will be used, and so this submission cannot be accepted without appropriate assurances.

We believe that this condition was correct in 2021 and no evidence has been presented on why this condition has been removed under a section 73 fresh submission.

2. Proximity to adjacent property

Under SPG 2, Note 4, Extensions that overhang the boundary with adjoining property are not advisable unless they are shown to have no effect on residential or visual amenity

The development as proposed is less than 12 cm from the neighbours wall. This is rarely satisfactory and makes maintenance difficult and is already the cause of significant disputes with the neighbour. We note that the original application had a gap of c. 24cm which would have allowed maintenance by both the applicant and the neighbour.

However, this has been halved in the re-submission. SPG 02 (4.4.1).

The application does not state why the extension cannot be contained within the boundary and why it will not damage the amenity of the neighbour's property as is recommended (SPG 02 (4.4.2))."

These points are, to all intents and purposes, a repeat of the original comments. As advised, the extension is substantially complete and is acceptable as it stands. Officers can also remind Members that the majority of the extension cannot be seen from public vantage points and Enforcement action can only be taken if it is expedient to do so in the wider public's interest. However, a condition could be added along these lines:

The materials used to complete the works shall match the remainder of the substantially completed extension and, within 2 months of the date of this consent, the areas of exposed blockwork shall be fitted with a brick slip system to match the brickwork on the side elevations.

Reason: To ensure a satisfactory form of development.

With regard to the gap between extensions, the extension is within the owner's boundary and a gap of 24cm (i.e. slightly more than the length of a brick) would not allow access for maintenance in any case and a gap of that size could potentially lead to water ingress.

9

29

P/20/995/FUL

A Development Control Committee Full site visit was undertaken on Tuesday 15th November 2022.

Cllr Ian Williams – Local Member was unable to attend the site visit but provided the following observations:

'I would like to make the point that the entrance/exit should be through the existing junction to the Science Park. there's also a bus stop there too. The proposed entrance/exit at the junction to Penybont Court Residential Home is a dangerous one, it's concealed and in a 40mph speed limit area and in my opinion is asking for trouble. I would be far happier if the junction for the Science Park was utilised, and the entrance and exit was through there'.

The observations were brought to the attention of Members on the site visit.

The applicant's agent has reviewed the planning conditions listed in the report and has requested amendments to conditions 13 and 24. Condition 13 specifies the number of cycle parking stands required to serve this development, with the figure being based on the Council's Supplementary Planning Guidance. Although the number of stands indicated on the submitted drawings is less than required by the condition, more than sufficient space exists to accommodate additional cycle parking. Condition 13 will be re-worded and will require an agreement of a scheme with no reference to the numbers. The Council will however seek to maximise the provision in accordance with the relevant policies and guidance.

The wording of condition 24 as stated in the report could have the effect of restricting the hours of use of the internal tennis courts for tournaments. It has been requested that the condition makes reference to the external courts only. Officers in Shared Regulatory Services have been consulted and have no objection to the re-wording. Condition 13 and 24 shall read as follows:

13. Notwithstanding the submitted plans no development shall commence until a scheme for the provision of long stay and short stay cycle parking has been submitted to and agreed in writing by the Local Planning Authority. The cycle parking shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

24. All tournament tennis shall only be played on the external courts between 08.00 and 22.00 hours on any day.

Reason: To protect the amenities of the adjoining occupiers.

**JONATHAN PARSONS
GROUP MANAGER – PLANNING & DEVELOPMENT SERVICES
17 NOVEMBER 2022**

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 cannot 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.

N.B. – Due to the Covid 19 pandemic, physical site visits will not be possible for the foreseeable future and virtual site visits will be provided where it is deemed necessary

Frequently Used Planning Acronyms

AONB	Area Of Outstanding Natural Beauty	PEDW	Planning & Environment Decisions Wales
APN	Agricultural Prior Notification	PPW	Planning Policy Wales
BREEAM	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	SUDS	Sustainable Drainage Systems
FCA	Flood Consequences Assessment	TAN	Technical Advice Note
GPDO	General Permitted Development Order	TIA	Transport Impact Assessment
LB	Listed Building	TPN	Telecommunications Prior Notification
LBC	Listed Building Consent	TPO	Tree Preservation Order
LDP	Local Development Plan	UCO	Use Classes Order
LPA	Local Planning Authority	UDP	Unitary Development Plan
PINS	Planning Inspectorate		

REFERENCE: P/22/535/RLX

APPLICANT: Mr G Hooper: 39 Hunters Ridge, Brackla, Bridgend CF31 2LH

LOCATION: 39 Hunters Ridge, Brackla, Bridgend CF31 2LH

PROPOSAL: Variation of condition 1 of P/21/44/FUL to reflect existing changes and proposed alterations to single storey extension; erection of fence panels

RECEIVED: 2 August 2022

UPDATE SINCE DC COMMITTEE MEETING OF 6 OCTOBER 2022

The application and original recommendation were considered by the Development Control Committee on 6 October 2022.

The application was the subject of a Panel Site Visit and the report from the Group Manager – Planning and Development Services recommended that consent be granted to regularise the works that have been carried out and to agree changes to limit the impact of the development on the neighbouring occupiers at 37 (37 and 38 Hunters Ridge has been combined into one property) and the adjoining semi-detached property at 40 Hunters Ridge.

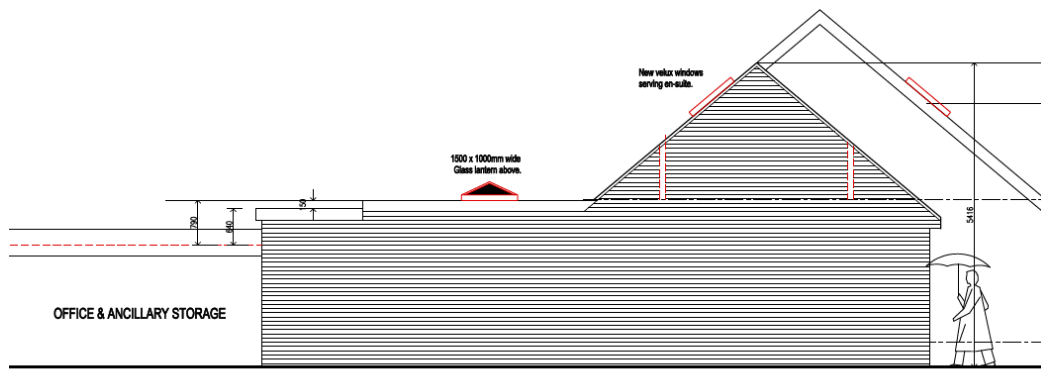
Notwithstanding the above, and after deliberation, Members voted against the recommendation.

Therefore, Committee was minded to refuse the application and, in accordance with the agreed protocol for dealing with applications where the Committee is minded to refuse an application which has been recommended for approval, consideration of the application was deferred to this meeting so that reasons for refusal could be properly considered.

Article 24 (1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) states that when the local planning authority give notice of a decision or determination on an application for planning permission or the application is refused, the notice must—

- (a) **state clearly and precisely the full reasons for the refusal** or for any condition imposed specifying all policies and proposals in the development plan which are relevant to the decision.

Since the last Committee meeting, the plans have been updated to refer to the outbuilding as an office with ancillary storage for the avoidance of doubt and a plan showing the “blown up” northern elevation for ease of reference follows:



PROPOSED SIDE ELEVATION.
(1/50)

Note:- Proposed extensions to be within the boundaries of No.39 & No overhanging to adjacent property No. 37.

CLIENT		
MR & MRS GERAINT HOOPER		
Job title		
PROPOSED SINGLE STOREY SIDE REAR EXTENSION @ 39, HUNTERS RIDGE. BACKLA- BRIDGEND CF31 2L		
drawing title		
AS BUILT - PROPOSED ELEVATIONS		
Job No:	drawing No:	scales:

Members will recall that no reasons for refusal were put forward at the previous meeting.

Officers invited the nominated Lead Member, in liaison with the other six members who voted to refuse the application, to draft reasons of refusal in order for Officers to compile a report. Officers extended the deadline for receiving the reasons to Tuesday 8 November 2022. The Lead Member has submitted his concerns about the development which are as follows:

Notes

1. The submission was presented as a regularisation of the build work completed under permission P/21/44/FUL. It was stated in the development control meeting at numerous points that the only changes were minor and were solely to deal with the incorrect ground levels in the original submission.
2. The new submission made a number of additional changes unrelated to the ground levels that are material, and so a fresh submission was needed (rather than an amendment under S96A).
3. The fresh submission P/22/535/RLX is thus considered under Section 73.

Reasons

1. Original Condition 2

The original permission (P/21/44/FUL) included a specific recommendation (number 2) that

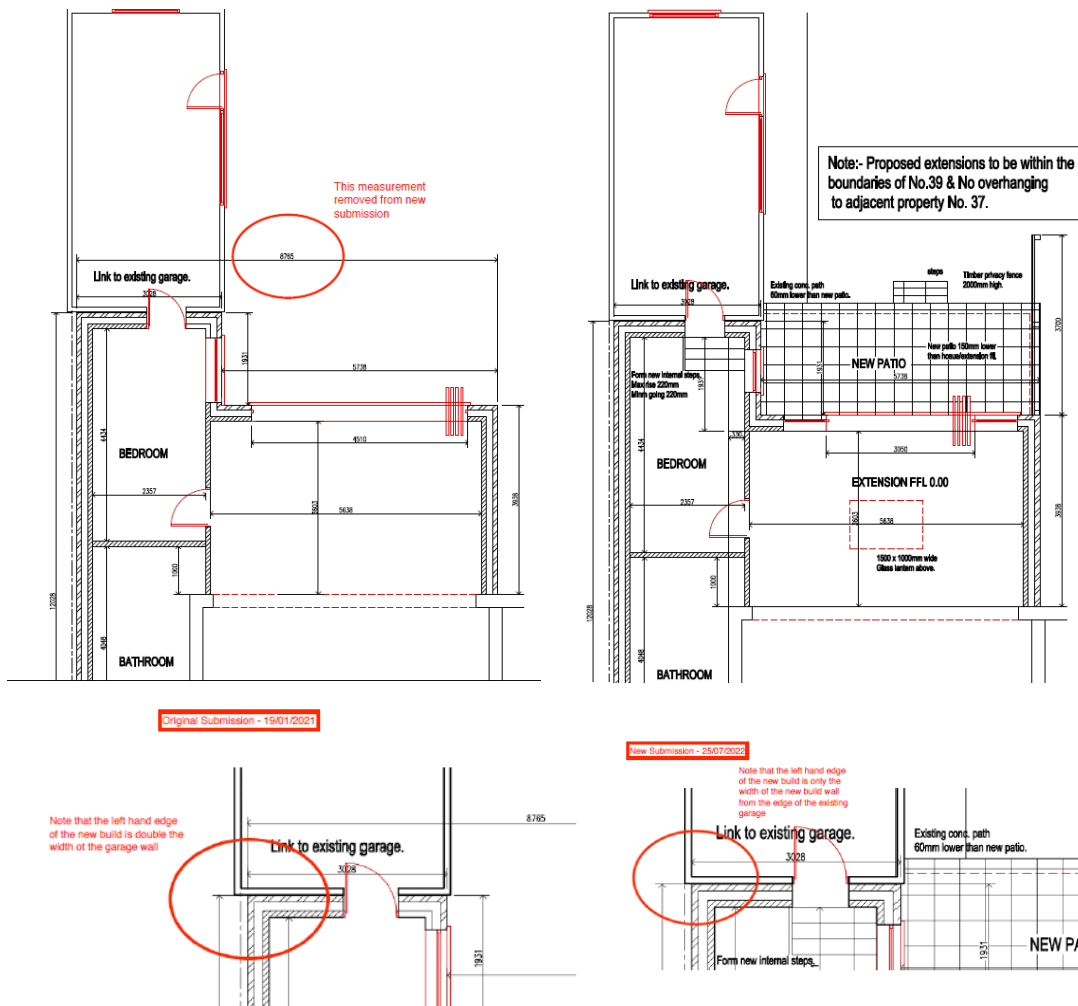
"The materials to be used in the construction of the external surfaces of the extension hereby approved shall match those used in the existing building."

We believe that this condition was correct in 2021 and no evidence was provided as officers as to why this condition was not included in the conditions for this new, fresh submission. We believe that this condition is necessary for the reasons specific in the original submission "To secure the maximum degree of unity between existing and proposed development so as to enhance and protect the visual amenity of the area."

For this reason, we do not feel that the recommendation by officers is acceptable, and given that the committee was told that further amendments were not possible (i.e. the addition of the original condition), we feel that this is sufficient grounds for rejection of the submission.

2. Proximity to adjacent property

Although the submission was presented as only correcting ground levels, there are a number of significant changes in the plans. One of these was the proximity to the neighbours property. This change was not declared by officers to the committee, and furthermore, officers were insistent that there were no changes. However, in the detailed plans (downloaded from the planning portal) this is clear. See in the attached Annex that the left-hand side wall adjacent to 37/38 hunters ridge has been moved by an unspecified distance closer to the boundary. This can only be determined by looking at the line of the wall in comparison to the existing garage. It is clear that the wall has moved closer to the neighbours property between the original and new submissions by a distance equivalent to the width of the garage wall (assumed a single brick)



Although such a small change would not normally be an issue, this reduces the gap between the properties to just a few inches and the result is a number of additional issues with access for maintenance, overhanging guttering etc. In the development control meeting this proximity was a key factor in the objections from neighbours. However, the change (when compared to the original permission) was not noted and certainly not justified.

As this change from the original permission was not explained or dealt with in any way during the development control meeting, we do not feel that a regularisation of such a material change is acceptable. (We also note that such a change in the position of a wall is a material reason why a section 96A would not have been accepted)

Furthermore, we note that the significant difference in the drawing of the submitted plans,

and especially the removal of the overall measurement of the width of the development (see page 1 of annex) makes any comparison of the previous and new submissions very difficult. We see no valid reason why such width measurements should have been deleted from the plans.”

Further clarification has been sought from the Lead Member on the precise nature of the **planning reasons for refusal** and this clarification, if received, will be incorporated into the Amendment Sheet and circulated to Members before the meeting.

In response to the concern about the materials/finishes, the extension has been substantially completed and it is accepted that the materials do not exactly match the existing bungalow.

However, the materials are acceptable in visual amenity terms and the original committee report made reference to the substantially completed extension and the fact that, whilst the materials do not match up entirely with the original property (as required by a condition attached to the original consent) due to likely supply issues and the design of the scheme, the brickwork and tiles will eventually weather to match and are acceptable.

It should also be noted that the exposed concrete blockwork will be treated in matching brickwork to ensure that it performs in accordance with the Building Regulations and it is only the recessed front element that can be viewed from public vantage points.

Members will note that there is a condition (condition 3) on the recommendation requiring the submission of details of the materials for the proposed fence (a detailed specification indicating the position, design, materials, type and appearance of the proposed boundary treatment with 40 Hunters Ridge) and this is required as the fence has not been erected yet.

In summary, the lack of a condition requiring details of the materials to be used in the construction of the external surfaces of the extension is not a valid or justifiable reason for refusal as the extension is substantially completed (and, more importantly, the scheme is acceptable in terms of the materials used) and the majority of the extension cannot be viewed from public vantage points.

In response to the second concern around the proximity of the extension to the boundary, the opening paragraph of the report clearly states “This application seeks to amend the plans as approved under the previous consent (P/21/44/FUL) to regularise the works that have been carried out and to agree changes to limit the impact of the development on the neighbouring occupiers at 37 (37 and 38 Hunters Ridge has been combined into one property) and the adjoining semi-detached property at 40 Hunters Ridge.”

In addition, the application description states “Variation of condition 1 of P/21/44/FUL to reflect existing changes and proposed alterations to single storey extension; erection of fence panels.” The report also advises that “The application has been submitted to regularise the development through the submission of revised plans and a Section 73 application (to remove or vary a condition) is the most suitable mechanism to utilise in this instance.”

Section 73 of the 1990 Act allows applications to be made for planning permission without complying with conditions previously imposed on an extant planning permission. Where a section 73 application is granted, its effect is to grant a new planning permission.

The plans indicate the “as built” changes and the extension is still within the applicant’s

demise.

Therefore, the submission was not presented as only correcting ground levels although this was the principal issue as the extension as constructed appeared to be larger than what was illustrated on the consented plans due to the inaccurate representation of the site levels.

Officers advised Members that the side extension, as built, is closer to the boundary with No 37 than the previously approved plans indicated. This matter was investigated as part of the initial Enforcement complaint against the development and it was concluded that the slight increase in the width was within tolerances and the width was generally in compliance with the approved plans given that both the new extension and the neighbouring side extension had both been approved to be built up to the boundary line.

At the panel site visit, the neighbour also confirmed that the northern elevation of the outbuilding at the rear of 39 Hunters Ridge formed the boundary line between 37 and 39 Hunters Ridge and the extension is set in from that line.

There is still a small gap between the two walls but even with a slightly larger gap, it still would not be possible to access the wall for maintenance purposes. Additionally, even prior to the extension at 39, the occupier of 37 Hunters Ridge would have needed to gain access via 39 Hunters Ridge to carry out any maintenance to the side of his property.

The point about this issue precluding the use of a non-material minor amendment (Section 96A application) is redundant in this case as the other variations from the approved plans have resulted in an overlooking impact on 40 Hunters Ridge which could not be deemed as a non-material minor amendment.

In summary, this concern is not a sustainable reason to refuse the application as the slight increase in width is still within the applicant's land, the increase is classed as being "within tolerances" or *de minimis* in Planning terms and is acceptable. The application merely seeks to regularise this small change as it is acknowledged that there is a difference.

Members are advised that with householder appeals, which will be the case if this application is refused, the Officer's report normally forms the basis for the appeal statement and it is therefore important to have a sound Planning case for going against the Officer's recommendation.

In conclusion, at present the concerns raised cannot be converted into material Planning reasons for refusal that could be sustained at appeal. However, if any reasons are subsequently forthcoming, Members will be advised via the amendment sheet and will be able to discuss at the Committee meeting.

In addition to the above, it has been brought to Officer's attention that Members received another direct representation from an objector to the proposal.

As explained in an email to Members dated 9 November 2022, the correspondence was not copied to Officers although a copy was passed on by a number of DCC Members.

Section 11 of the Planning Code of Practice clearly states that:

If Members are minded to make a decision contrary to the Officer's recommendation the application should be referred to the next meeting of the Committee to enable officers to advise Members further. Where a Member proposes a recommendation contrary to the

Officer's recommendation then the proposer should set out clearly the material Planning reasons for doing so. The Chairperson will ensure that the Officer is given the opportunity to explain the implications of the contrary decision, before a vote is taken."

It goes on to state that "Where Members of the DC Committee are minded to take a decision against Officers recommendation, so that consideration of that matter is deferred to the next meeting of the Committee, Members will receive a further report from Officers upon the strengths and weaknesses of any proposed or possible Planning reasons for such a decision. In cases where Members overturn an Officer's recommendation for approval, the reasons for this will be drafted and reported back to Members at the next Development Control meeting."

Paragraph 9.6.17 of the Welsh Government's Development Management Manual also advises that *"Where necessary, planning committees should defer applications by using a 'cooling off period' to the next committee meeting when minded to determine an application contrary to an officer recommendation. This is in order to allow time to reconsider, manage the risk associated with this action, and ensure officers can provide additional reports and draft robust reasons for refusal or necessary conditions for approval."*

As referred to above, no reasons for refusal were put forward at the original meeting, however, the concerns of the nominated Lead Member have been received and addressed above.

Section 10.3 of the Planning Code of Practice also advises that *Members should not give any significant weight to late submissions put directly to them instead of the LPA (ostensibly in an attempt to influence opinion) where they contain nothing new or merely assert a point without any clear evidence. Any representations sent directly to members of the DC Committee the evening or morning before the scheduled meeting should be passed on to Officers to add to the file.*

Officers are not aware of any Members being "put under pressure to alter their votes" and Members of DC Committee were invited to provide evidence in support of this allegation. Whilst some Members have confirmed that they have not been pressurised in to changing their decision on the matter, no evidence has been received to support the claim. Therefore, it is reasonable to assert that the claims are completely unsubstantiated and should be treated as such.

Other assertions made by the objector were addressed and corrected in the email (dated 9th November 2022) to Members from the Group Manager – Planning and Development Services.

Reproduced below is a copy of the original report with the approved plans condition being amended to refer to updated/re-annotated plans:-

DESCRIPTION OF PROPOSED DEVELOPMENT

This application seeks to amend the plans as approved under the previous consent (P/21/44/FUL) to regularise the works that have been carried out and to agree changes to limit the impact of the development on the neighbouring occupiers at 37 (37 and 38 Hunters Ridge has been combined into one property) and the adjoining semi-detached property at 40 Hunters Ridge.

The new application and amendments were sought following an Enforcement complaint about the works not being carried out in accordance with the approved plans and after realising that the proposed plans did not match the situation on site in terms of site levels.

The original approval related to a single storey side and rear extension and the approved plans were as follows:

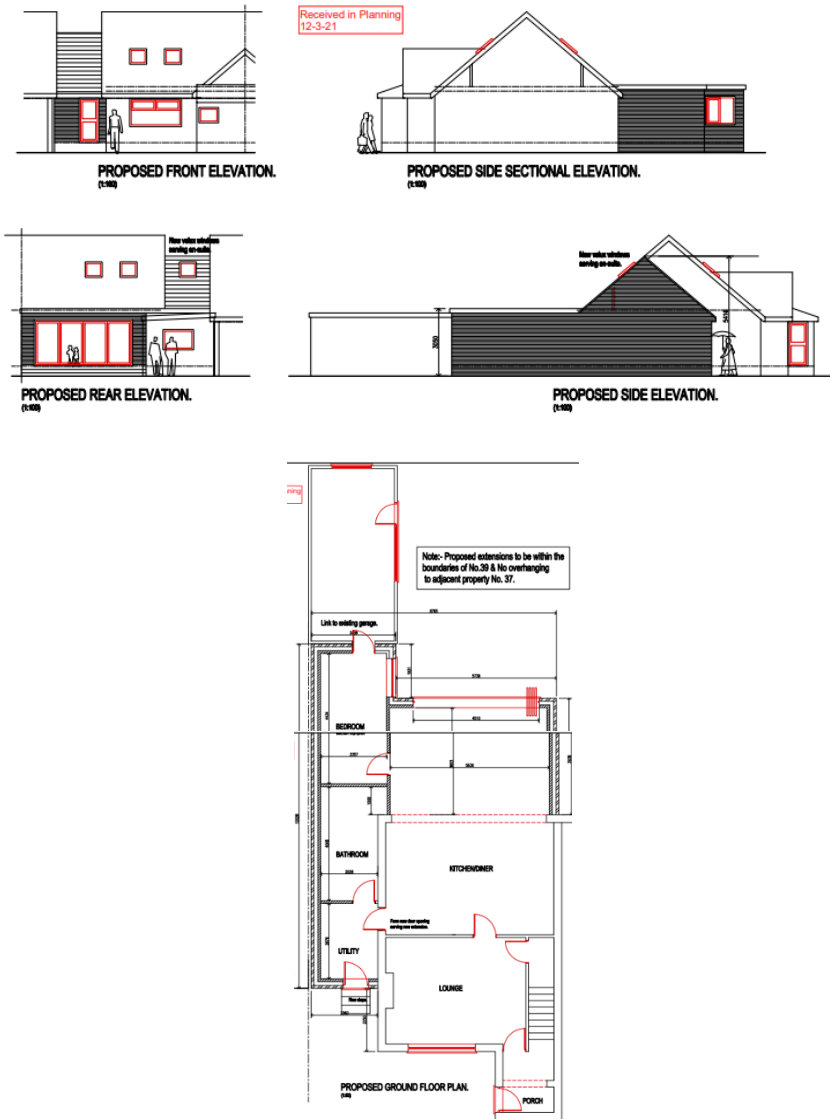
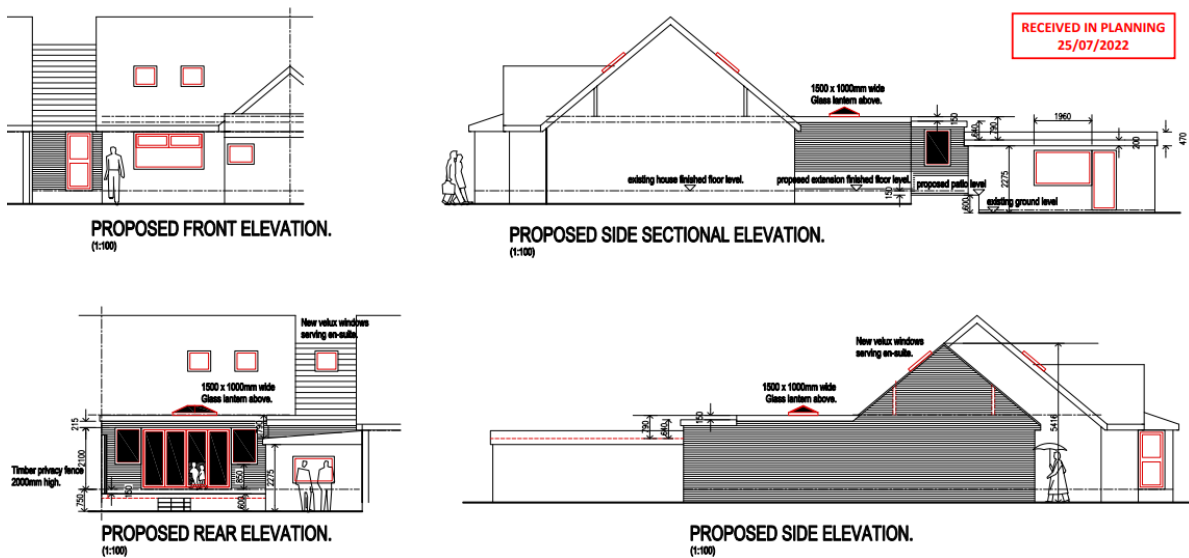


Fig. 1 – Scheme as Approved under P/21/44/FUL

The partially substantially completed and proposed plans are as follows:



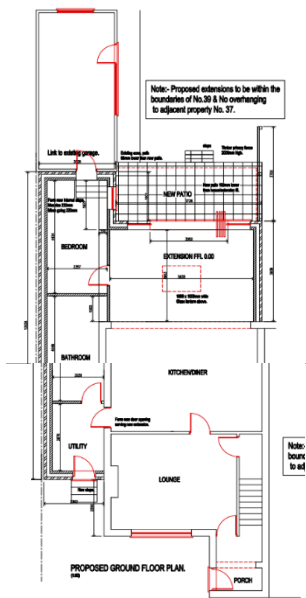


Fig. 2 – Scheme as Proposed

The side and rear extension will project from the northern (side) elevation and eastern (rear) of the existing dormer bungalow and will provide a larger kitchen/dining room, a relocated bathroom, a new utility room and a bedroom at ground floor level and a new ensuite bathroom in the roof space serving bedroom two.

The flat roof extension to the rear will incorporate two sections to step down to the level of the existing outbuilding. It will also incorporate a roof lantern and the rear bi-fold doors will step down to a proposed patio level. New internal steps will provide covered access between the new bedroom and the outbuilding. A new door will allow access from the front (west) of the property to the utility room and a rooflight will be incorporated into the rear (east) facing roofslope of the ensuite element.

In order to protect the privacy of the adjoining occupier’s private garden area from being overlooked from the bi-fold doors and patio area (and the ground floor bedroom window opposite), it is proposed to erect a 2m high fence along the boundary with 40 Hunters Ridge to the south for a distance of 3.7m from the rear wall.

SITE DESCRIPTION

The application site lies within the Primary Key Settlement of Bridgend as defined by Policy PLA1 of the adopted Local Development Plan (2013). It comprises a semi-detached bungalow with three bedrooms in the roofspace. The property lies on the eastern side of Hunters Ridge, to the south of 37 Hunters Ridge and to the north of 40 Hunters Ridge.



Fig. 3 – Site Location Plan

The property is located within a residential area where properties are generally of the same character and appearance with some having been altered and extended over time, including Nos. 37 and 38 to the north of the site, as shown below:



Fig. 4 – Streetscene View from August 2009

RELEVANT HISTORY

P/21/44/FUL - Single storey side rear extension – Approved 29/3/21

Other relevant Planning History:

37 Hunters Ridge

P/06/1027/FUL - Renewal of existing retaining wall - Retrospective Application.
Approved 11/10/06

P/06/1263/FUL – Conservatory to rear.
Approved 05/12/06

P/07/995/FUL - Double two storey extension to rear & two storey extension to side.
Approved 05/11/07

P/08/344/FUL - Proposed extension and alterations.
Approved 09/06/08

38 Hunters Ridge -

P/98/67/FUL - Bedroom extension above garage. Approved 22/12/98

PUBLICITY

This application has been advertised through direct neighbour notification.

Letters of objection were received from the occupiers of 25, 37, 40, 43, 61 and 72 Hunters Ridge.

The properties which object to the scheme are highlighted in the site location map above (Fig. 3). The two other objector's properties (25 and 72) are not close enough to be indicated on the map.

A summary of the objections is as follows:

- The structure is an over development of the site.
- The structure is over bearing and adversely affects light.
- It results in the appearance of terrace housing.
- It is not in keeping with the surrounding area.
- It reduces the amenity of the adjoining properties and neighbourhood in general.

- It is in breach of the Town and Country Planning Act (1990) and fails to comply with the Wellbeing of Future Generations Act (2015).
- The process of a Section 73 submission should be appropriately used to address needs and necessity in variation of conditions prior to the structure being built, or prior to changes or alterations being made. It is not designed to be used as a retrospective planning permission application.
- The size and volume of the development is disproportionate to the original size of the property.
- It fails to meet the objectives of SPG02 (Notes 1, 2, 3, 4, 6, 10, 11,12, 16, 19).
- The second door present on front of the property does not match the surrounding area both in terms of position or height as a result of the drive being built up by a level of 17cm.
- The presence of a separate entry, utility (kitchen) bathroom and bedroom lends itself to be used as a separate dwelling.
- It has been described by residents as an “Eyesore and “Awful” followed with the question of “Why would anyone want that!”
- The size and shape of the front elevation makes the structure highly prominent.
- The current proposal would result in an increase in ground floor space of approximately 126%, would incorporate over looking windows, and is not designed with consideration of its naturally elevated position.
- The lack of appreciation of the slope of the land means that it is imposed and clearly elevated from both the front and the rear.
- The North wall of the structure will sit on and over the line of boundary at both 37 and 40 Hunters Ridge resulting in the structure over shadowing habitable rooms.
- This is clearly a two storey development that should be stepped back from the side boundary by 50cm.
- There is no 9.8cm gap between the northern wall and 37 Hunters Ridge.
- The development results in oversailing both at 37 and 40 Hunters Ridge and would also limit the potential for extending the adjacent property.
- The design of the rear south section of the extension extends to approximately 3 inches from the boundary at 40 Hunters Ridge (and the current structure that is subject to the section 73) with no rainwater goods having yet been installed.
- It would overlook the rear garden of 40 Hunters Ridge.
- The placement of a proposed screening structure would result in overshadowing of number 40.
- If permission is awarded for the development there is no obligation for 39 Hunters Ridge to actually install the privacy screen.
- The proposed bedroom window is only 5.6 meters from the boundary and sits in a raised position.
- The patio is some 600mm in height and will result in a very severe loss of privacy.
- The proposed development fails to address cavity wall sizes to ensure sufficient insulation and weather ingress.
- The development employs contrasting materials including the use of inappropriate porous materials on external wall.
- The second door for the utility room does not match the surrounding area and the presence and design of the additional steps does not match or blend in with the surroundings.
- The surface level of the drive is not evident on the drawings and has also been raised from the original height.
- As the structure sits on or over the boundary a certificate B should have been issued.

- The addition of a full hard stand was never indicated.
- The drawings and form were submitted in error but we believe they are a deliberate attempt to mislead the officers and officials of BCBC.
- The drawings show a structure described as a garage. This has been converted to a work space/habitable room and is incapable of storing a vehicle because it has no access to a highway and planning permission was not sought for the change of use.
- The original semi-detached dormer bungalows included shared water goods with the water goods at the front discharging to one position and the water goods to the rear discharging to the other. The rear roofslope rainwater goods discharges at 39 Hunters Ridge but the rain collected at 40 has nowhere to drain to.
- Damage to the roof and wall at 40 Hunters Ridge.
- The extension contravenes our human rights and has had a significant impact on wellbeing and peace has been shattered.
- Increased surface water run-off from raised driveway.
- The application should be referred to committee and a site visit undertaken.

In addition, a 26-name petition has been lodged against this development on the basis that “we the undersigned wish to object to the Bridgend County Borough Councils (sic.) ignorance and degradation of the appearance and amenity of Hunters Ridge, and Brackla, as exemplified by the proposed development at 39 Hunters Ridge. This is in direct violation of the SPG02 guidelines, the Town and Country Planning Act, and the local development plan. The council should act to prevent such action and maintain the amenity for future generations are required to do so in line with the Wellbeing of Future Generations Act 2015.”

The Ward Member, Cllr W Kendall has requested that “the matter be placed before the Development Control Committee.”

Councillor J Spanswick has advised that “due to the concerns from neighbours about works not being built as per planning approval and the intrusion into adjoining properties, this matter should be reported to the Development Control committee for a decision to be made and ideally a site visit by the committee taking place beforehand.”

RESPONSE TO REPRESENTATIONS RECEIVED

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.

Matters such as general disturbance caused during the construction works are not material in the determination of a Planning application.

The matters raised in the objections received are addressed below.

- The extension is in keeping with the height and scale of the existing house and the size of the individual plot which benefits from a large rear garden.
- The projecting rear extension whilst being constructed close to the boundary with the adjoining occupiers, is single storey in nature and does not impinge on the 45 degree daylight protection zone in elevation and the reduction in sky light by adjoining rear windows will not be significant. The fence on the southern boundary is intended to preserve the privacy of the neighbouring garden which lies to the south of the application site and will not suffer from any adverse overshadowing as a result of the development.
- The side extension is set back and down from the principal elevation and ridge line

and as it is lower than the first-floor extension on the adjacent property to the north, the proposal will retain a degree of air space between the two properties and will not result in a terracing effect.

- The only element of the development that is visible from the public highway is the side extension which is recessed and subservient to the main dwelling with a matching roof slope and no windows of any kind in the front elevation.
- The visual impact of the side extension when viewed from the street will be limited.
- The scheme is of a suitable scale and type and does not breach any elements of the Town and Country Planning Act or the Wellbeing of Future Generations Act.
- The application has been submitted to regularise the development through the submission of revised plans and a Section 73 application (to remove or vary a condition) is the most suitable mechanism to utilise in this instance.
- The separate entry to the utility room is deemed to be a practical measure and the proposed layout of the property, with no internal interconnecting doors linking the ground floor bedroom to the family bathroom, does not equate to a separate unit of accommodation. The creation of a separate unit of accommodation will require separate planning consent.
- The extension is not considered as a two storey development rather it is the same as a bungalow with bedrooms in the roof space, which would not be classed as a two storey dwelling.
- The Planning agent has previously clarified that all development to be undertaken has been done within the boundary and land owned by the applicant and the plans show that the proposed extension does not encroach the boundary with 37 or 40 Hunters Ridge. The development does not limit the potential for extending the next door property 40 Hunters Ridge (37 and 38 Hunters Ridge have already been extended up to the boundary and altered).
- Rainwater goods will be replaced as part of the proposal and as the rear extension is of a flat roof construction, the shared rainwater goods will be attached to the side and rear of the extension to dispose of the water on the application site side, as was the case previously.
- Due to the differences in levels and the continuation of the floor level through to the kitchen/diner and bedroom, the patio doors and bedroom window would overlook the private part of the rear garden at 40 Hunters Ridge and a fence is proposed to overcome that issue. As it is to the north of the garden it would not overshadow it.
- The scheme would have to be constructed in accordance with the approved plans and a condition will be attached to the consent to ensure that the fence is retained in perpetuity.
- The patio is 600mm above existing ground level but is 150mm below the level of the kitchen and the fence will protect the privacy of the neighbouring garden.
- Cavity wall construction and sizes are assessed under different legislation.
- Whilst the materials do not match up entirely due to likely supply issues and the design of the scheme, the brickwork and tiles will eventually weather to match. The exposed concrete block will be treated in matching brickwork to ensure that it performs in accordance with the building regulations.
- The level of the drive can be raised 300mm without the need for Planning permission and this forms part of the revised parking provision for the site.
- The drawings originally assumed that the site was flat. This application attempts to resolve the anomalies.
- The outbuilding is classed a domestic structure within the curtilage of the dwelling. There is no requirement for a change of use application if it is used for domestic purposes.
- Any damage to private property is a civil matter between the two parties/owners.

In response to the comments made by the Local Ward Member and Cllr Spanswick, this agenda item will be the subject of a Panel Site Visit to be undertaken the day before the

Committee meeting.

CONSULTATION RESPONSES

Brackla Community Council (received 28th August 2022).

We have given careful consideration to this application and this has involved revisiting the original planning application P/21/44/FUL submitted originally on 8 February 2021.

1. Our observations on the original Application were restricted due the ongoing issue with the BCBC Planning portal which often restricts access to the documents attached to particular planning applications and the timeline for response as was the case with P/21/44/FUL.
2. A number of past and present members of Brackla Community Council have engaged with the neighbours of this property following approaches for our involvement given their clear dissatisfaction with what has transpired in this case. Unfortunately, this information is not included in what to an observer may appear to be a basic relaxation request to an already approved planning application.
3. Whilst those currently involved remain open minded this is based ultimately upon our partial reliance of the technical expertise and knowledge of the Planning/Building Control Officers. This includes such matters as the interpretation and accuracy of detailed planning drawings and compliance with Building Regulations on Applications such as the above.
4. We understand that there is a live Enforcement case running alongside this application which we presumed would need to be concluded prior to a decision being made. It would appear that despite several breaches of planning and specifically Conditions 1&2 of the original Decision Notice BCBC have not deemed them to have an unacceptable effect on public amenity to warrant meeting the neighbours remedial requests.
5. We are becoming increasingly concerned that the credibility and confidence in the planning system at BCBC is seriously being eroded when planning Conditions seemingly are being flaunted with no serious repercussions of remedial Enforcement action by BCBC. We would welcome an explanation on this given the significant impact that planning decisions often has on those impacted by such breaches.
6. We object to this Application on the basis that the existing extension is not in keeping with the character and appearance of other semi- detached properties in the area and to our mind does not conform with Policy SP2 of the Bridgend Local Development Plan and SPG02 Householder development as it now creates the appearance of terraced housing for properties 37-40 Hunters Ridge.
7. Condition 1 & 2 of the original Decision have been breached and the rear extension clearly has not been finished in the same materials (brick) as the adjoining property. An exposed electrical cable externally to the new extension is also of concern. The current application does not address the breach of Condition 2.

The comments made and the concerns raised by the Community Council are addressed in the appraisal section below.

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 SP12	Housing	
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 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:

Future Wales – The National Plan 2040
Planning Policy Wales Edition 11
Planning Policy Wales TAN 12 Design

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.

The Socio-Economic Duty

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

This application is referred to Members of the Development Control Committee due to the number of objections received from neighbours and the Community Council and at the request of the Local Ward Member.

The application has been the subject of negotiations with the applicant/agent/solicitor acting on behalf of the applicant after it became apparent that the extension could not accord with the approved plans, mainly as a result of an inaccurate interpretation of the site's ground and floor levels.

In response to the comments made by Brackla Community Council, Officers visited the adjoining neighbours and the applicant and his builder on 8 April 2022 and made them aware of the anomalies with the build when compared to the approved plans.

On 14 April 2022 Officers wrote to the applicant to itemise the works that needed to be undertaken to mitigate the effects of the development on the residential amenities of the neighbouring properties through the submission of an amended application.

Despite agreeing an extension of time for the submission of the application the application did not materialise. After further correspondence with the applicant's solicitor and discussions on site with the applicant and his agent and architect, it was agreed that a new application should be submitted to address the changes to the scheme as built when compared to the approved plans and to sufficiently reduce the impact of the development on the adjoining neighbours to an acceptable level.

The amended scheme reduces the height of the end part of the extension whilst retaining sufficient headroom in the proposed ground floor bedroom. It includes for a lower patio level and it incorporates a privacy screen/fence to overcome any potential overlooking of the neighbouring rear garden area. The replacement rainwater goods and the use of brick slips to weatherproof the exposed blockwork on the side elevation fronting 40 Hunters Ridge will be completed to ensure compliance with the Building Regulations.



Fig. 5 – Relationship between the bedroom window and 40, Hunters Ridge

As was the case with the original application, the acceptability of the development as revised is assessed against Policy SP2 of the Local Development Plan (2013) which stipulates that “all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment”. Design should be of the highest quality possible and should be appropriate in scale, size and prominence.

PPW11 states at paragraph 3.9 that “the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations”.

It is acknowledged that the extension is of a significant depth and represents a relatively large addition to the original property however, its scale, siting and design retains the appearance of a semi-detached bungalow with accommodation in the roof space when viewed from the public highway especially as it is set back from the principal building line of the bungalow and is set down from the ridge line, ensuring a level of subservience to the original form.



Fig. 6 – Relationship between the extension and 37, Hunters Ridge part way through construction

The pitched roof element of the side extension (which includes the ensuite in the roof space) is in line with the pitched roof of the original bungalow and does not project beyond that existing bulk. The ground floor element utilises a flat roof design to limit its impact on the neighbours to both sides of the application site. Whilst they are constructed up to the shared boundaries, both elements comply with advice contained within Supplementary Planning Guidance Note 02 Householder Development (SPG02).

The extension is not considered to detract from the character or appearance of the host dwelling and does not have a harmful effect on the character and appearance of the surrounding area to warrant a refusal on such grounds. It is therefore considered to accord with Policy SP2 of the Local Development Plan (2013).

RESIDENTIAL AMENITY

Note 8 of SPG02 states that “any extension should leave adequate garden area for the private use around the house”. It is considered that the property will still benefit from a relatively large private garden area after the extension and lowered patio area is erected and as such, the proposal is considered to be compliant with Note 8.

NEIGHBOUR AMENITY

Note 6 of SPG02 states that any extension should “respect the privacy of neighbouring houses”. The extension has been designed to limit any form of overlooking by only introducing one window to the southern elevation.

Although the rear extension is single storey, the floor level results in the adjoining garden being overlooked by the bedroom window and patio doors. It is not possible to obscurely glaze and fix the only window to the bedroom and it is considered that a 2m high fence for a distance of 3.7m would be sufficient to preserve the privacy of the adjoining occupier without resulting in any overshadowing. Therefore, the latest proposals as put forward by this application are considered to be acceptable in this regard.

HIGHWAYS

Policy PLA11 of the adopted Local Development Plan (2013) stipulates that all development will be required to provide appropriate levels of parking in accordance with the adopted parking standards.

Note 9 of SPG02 states that “off-street parking should be available to meet the County Borough Council’s guidelines for a dwelling of the size after extension” and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a maximum of 3 spaces. Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage.

The Highway Authority did not object to the original scheme and the provision of three off-street parking spaces within the confines of the site and the plans indicate that this can be achieved (see Fig 3 above). The parking area has been implemented in accordance with the approved layout and the three spaces shall be retained in perpetuity to serve the extended dwelling.

The proposed scheme is therefore considered to be acceptable from a highway safety perspective in accordance with guidance contained within SPG17 and Policy PLA11 of the Local Development Plan (2013).

ENFORCEMENT ACTION

Brackla Community Council has raised concerns that there is a live enforcement case on the site and have indicated that this should be resolved prior to the determination of the application and that the neighbour's remedial request has not been addressed.

One of the purposes of Planning enforcement action is to seek to address the breaches of Planning control through the application process and if the application is approved the enforcement action will be closed. Officers have been in dialogue with neighbours and their concerns have been outlined above. The determination of the application must be made on its merit and on sound material Planning considerations notwithstanding the current enforcement case

The Brackla Community Council's comments about the credibility and confidence in the Planning system at Bridgend is not evidenced. The consideration of the Planning applications and enforcement case has been carried out within the bounds of the legislative Planning system taking all material considerations into account.

Compliance with the Building Regulations is governed by separate legislation and is not part of the determination of this Planning application.

CONCLUSION

Having regard to the above, the history of the development and the objections raised by neighbours and the Community Council, it is considered that, on balance, the revisions to the scheme are acceptable in planning terms and will sufficiently limit the impact of the extension on the occupiers on both sides of the development.

The development as currently carried and proposed through this application is considered to be appropriate in terms of its size, scale and prominence in accord with Policy SP2 of the Local Development Plan (2013) and does not detract from the character or appearance of the wider residential area.

The development is acceptable in highway safety terms and having now addressed the potential unreasonable overlooking and overshadowing impact of the development on adjoining properties, the scheme is considered to comply with the relevant policies of the Local Development Plan (2013), and the advice contained with SPG02 – Householder Development.

It is not considered that there are sufficient material planning grounds to refuse consent.

The part retrospective application is therefore recommended for approval subject to the following planning conditions.

RECOMMENDATION

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

1. The development shall be carried out in accordance with the drawing numbers 20.116 05, 20.116 07A and 20.116 17 received on 25 July 2022; 20.116 20 received on 31 October 2022 and 20.116 18A received on 01 November 2022.

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

2. The parking area for three off-street parking spaces shall be retained in perpetuity to serve the extended property.

Reason: In the interests of highway safety and to ensure a satisfactory form of development.

3. Notwithstanding the plans as hereby approved, prior to its installation on site and within 1 month of the date of this consent, a detailed specification indicating the position, design, materials, type and appearance of the proposed boundary treatment with 40 Hunters Ridge shall be submitted to and agreed in writing by the Local Planning Authority. The fence shall be installed in accordance with the agreed scheme within 2 months of this consent and the boundary treatment shall be retained thereafter in perpetuity.

Reason: To ensure a satisfactory form of development and to ensure that the residential amenities of neighbouring occupiers are protected.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None

REFERENCE: P/20/995/FUL

APPLICANT: HD Ltd c/o Savills, 2 Kingsway, Cardiff CF10 3FD

LOCATION: Island Farm site, Ewenny Road, Bridgend CF31 3LG

PROPOSAL: Indoor and outdoor tennis centre, outdoor swimming pool, landscaping, car parking, new access and Active Travel route, new car park and amenity area for the adjacent care home

APPLICATION/SITE DESCRIPTION

HD Ltd has submitted an application for a new Tennis Centre on land at Island Farm, Bridgend. Originally submitted in December 2020, the application has been amended and now proposes the main tennis centre building, with 9 indoor courts and supporting facilities, including social areas, café lounge, gym, studio and health and rehabilitation services. Accommodation for Tennis Wales will also be provided in the new centre.

Six outdoor tennis courts and associated seating areas and enclosures will be constructed on the southern side of the main centre, accessed via a series of walkways. An outdoor terrace and swimming pool will also be provided on the southern side of the main building. Servicing, access and parking facilities will be located on the western side of the building, all served by a new access from Bridgend Science Park. Extensive landscaping will be provided around and throughout the development site with bunded areas and tree planting forming the new boundary with Pen-y-Bont Court Nursing Home and its extended garden and parking area.

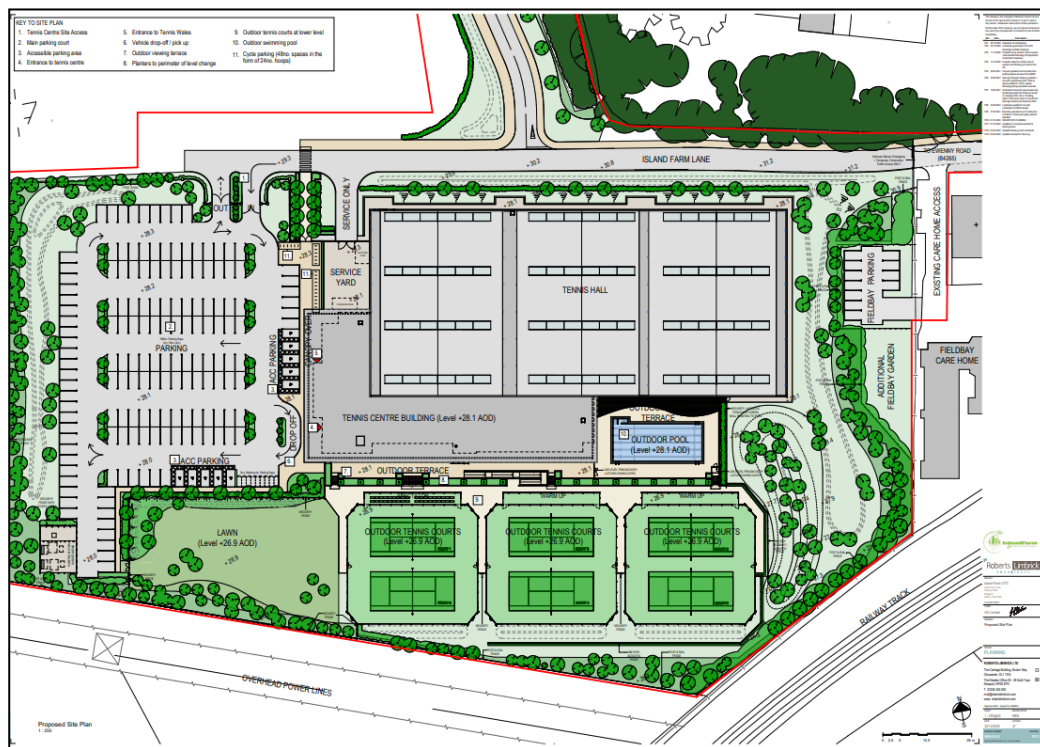


Figure 1 – Proposed Site Plan

The site has an extensive planning history with HD Ltd having secured Outline planning permission in 2008 for a comprehensive sports village development and subsequent Reserved Matters approvals for a tennis centre and access roads in 2014. A substantial proportion of the site has been subject to ground works associated with the previous and now extant planning permission for a tennis centre.

The application site is bound to the west and south by open agricultural land which forms the wider Island Farm site, to the north by Bridgend Science Park and to the east by Island Farm Lane, the Pen-y-Bont Court Nursing Home, former Bro-Ewenni Care Home and several residential properties along the western side of Ewenny Road. The Vale of Glamorgan railway line, in cutting, forms the south-eastern boundary of the site, beyond which are number of other properties on Ewenny Road.

A new access road from Bridgend Science Park will form the principal access to the tennis centre site. The new access with new carriageway, cycle and pedestrian routes traverses the western boundary of the Science Park, linking southwards to the proposed Tennis Centre. It will connect to the main car park via a new section of road that forms an extension of Island Farm Lane.



Figure 2 Access Arrangements

The main car park will incorporate 168 parking spaces, including 10 accessible spaces and 9 motorbike spaces. The 'Accessible' parking spaces will be located close to the main entrance. The car park will be laid out with a one-way circulatory pattern and with a drop-off lane and pull-in directly opposite the main entrance. The layout also incorporates secure cycle parking for 48 cycles. These are located to the side of the main eastern entrance elevation.

Island Farm Lane, the original access point to the development, will be improved with a widened and realigned junction onto Ewenny Road. This includes pedestrian footpaths to the north and south with dropped kerbs and tactile paving to facilitate pedestrian crossing of Ewenny Road. The carriageway from Ewenny Road is formalised and extended up to the tennis centre site. Island Farm Lane will be gated to vehicular traffic at the boundary to the Tennis Centre site, permitting pedestrian and cycle traffic only. Vehicular traffic through this gate will be limited to emergency vehicles and for a limited period to construction traffic for the purposes of constructing the Tennis Centre. The application also includes for the rationalisation and improvement of the current parking arrangements for the Pen-y-Bont Court Nursing Home (Fieldbay Care Home). This will result in the removal of the current informal parking arrangements along Island Farm Lane and the provision of replacement parking dedicated to the Care Home which will be accessible via an extension of their existing car park.

The tennis centre, its car park and outdoor tennis courts will all be located on tiered ground to the south of the new access road. The tennis centre building occupies a land plateau at a level of circa 28.1 AOD, previously formed for the tennis arena approved under P/14/354/RES. The main car park will lie at a similar level to the proposed tennis centre.

The tennis hall will however be partially cut into the ground along its northern edge although this will reduce to the west as existing ground levels gently fall. The tennis hall is wrapped on its western and southern sides by two 2-storey accommodation wings containing ancillary and supporting tennis centre accommodation. The southern elevation extends externally onto a linear terrace overlooking the outdoor tennis courts which, being on the lower side of the site, are located at a level approximately 1.2m (26.9 AOD) lower than the tennis centre external terrace. The outdoor swimming pool is located on the main terrace.

The main tennis hall will be laid out with 9 courts in three banks of 3 courts with an access aisle and corresponding first floor viewing deck providing access and viewing along the central spine of the tennis hall. A 3m zone along the southern side of the tennis hall ensures space for storage, teaching, tennis coaches and warm-up. Court sizes, overruns and clear heights comply with Lawn Tennis Association (LTA)/Tennis Wales requirements. The main hall will measure 116m x 52m with a flat roof reaching a height of 11.3m. The supporting and ancillary accommodation wraps around two sides of the tennis hall in a building measuring 82m x 18.6m with a flat roof reaching a height of 8.53m

The elevation comprising the main access to the centre is 2-storey with a large oversailing roof supported on double height columns. This colonnaded entrance elevation defines the entrances to the tennis centre and Tennis Wales accommodation.

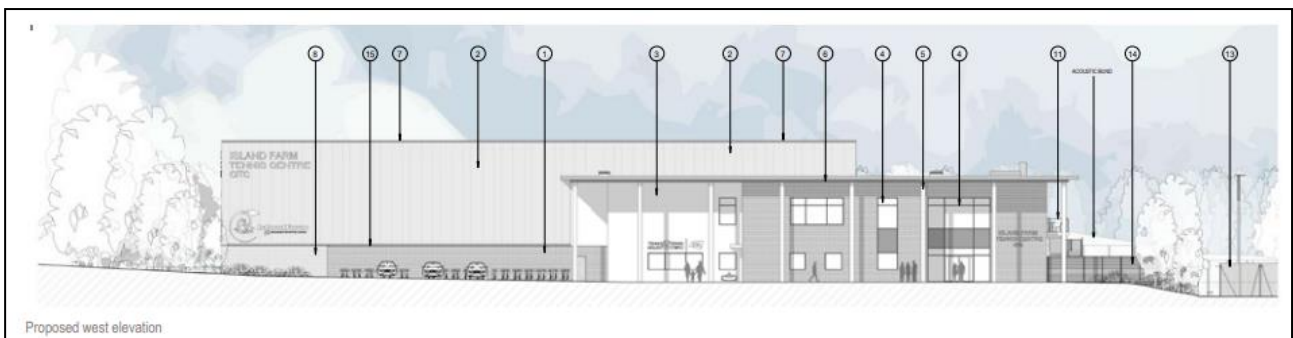


Figure 3 Western Elevation

This 2-storey accommodation wraps around the tennis hall to form the southern elevation which also incorporates an oversailing roof albeit here to shade extensive glazing in this south facing elevation. The oversailing roof is similarly supported by columns forming a linear colonnade and some element of cover to the outdoor terrace below.

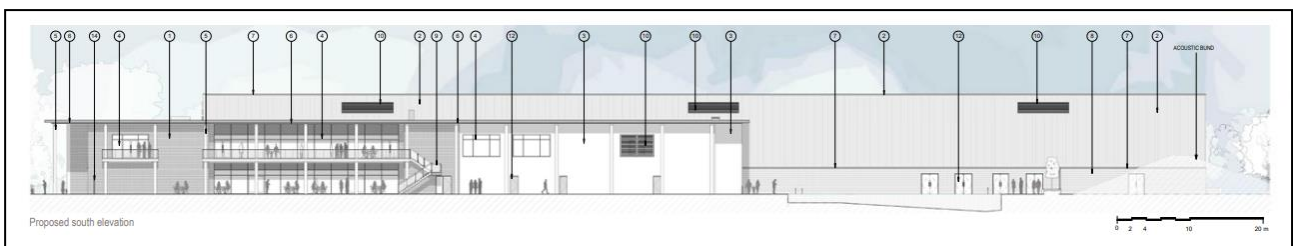


Figure 4 Southern Elevation

The secondary elevations (Figures 5 & 6 below) will face the main access road into the site and Pen-y-Bont Court Nursing Home (Fieldbay Care Home) to the east of the development

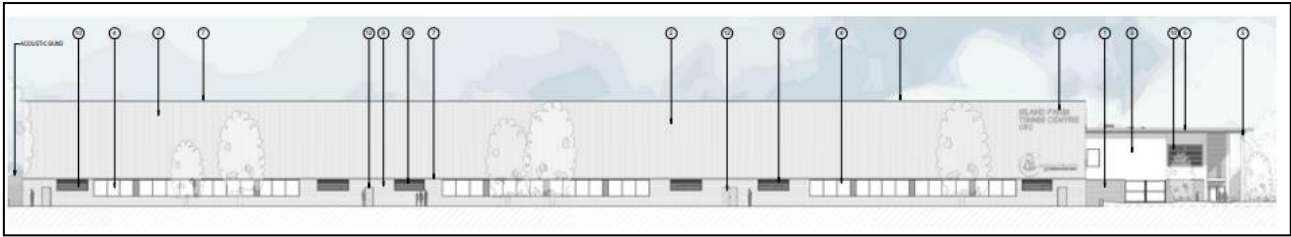


Figure 5 Northern Elevation

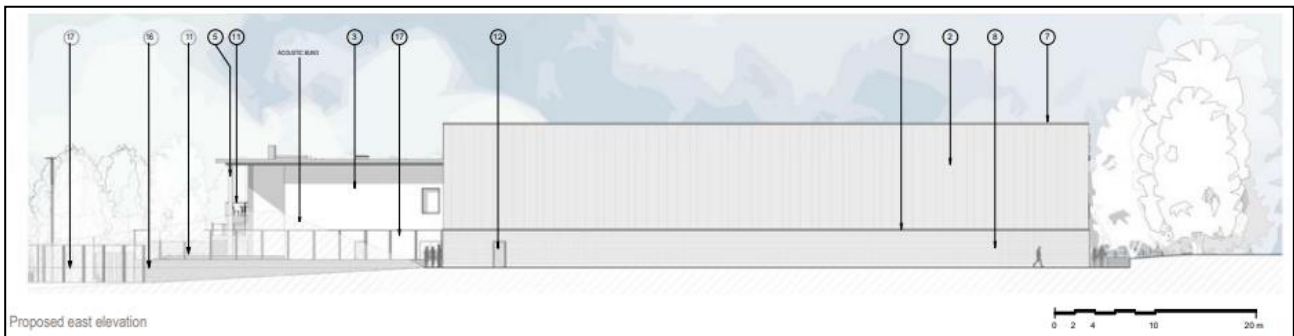


Figure 6 Eastern Elevation

The tennis hall elevation is split one-third/two-thirds in height with a one-third plinth in brickwork, grounding the tennis hall and an upper two-thirds with vertically aligned cladding. Horizontal capping and sill profiles capture the cladding top and bottom and combined with the brickwork plinth, contrast with the verticality of the cladding joints. Windows in the north elevation will allow light into the tennis hall.

A limited range of materials is proposed with the aim to deliver a contemporary design. Three principal building materials are proposed comprising brickwork, render and colour coated cladding. Brickwork to the eastern elevation, service yard enclosure and southern elevation is to be in Petersen brick. Render is proposed in limited elevational areas. The tennis hall has a standard facing brick plinth with colour coated vertically aligned cladding panels. All flat roof edge profiles, balcony edge profiles, cappings, sills and soffit profiles will be grey colour coated aluminium. Windows and curtain walling are grey colour coated and balcony balustrades are fully glazed.

The submitted landscape proposals aim to retain and enhance the tree belt to the north and where interrupted to accommodate the new car park and garden area, the hedgerow to the eastern boundary with the nursing home will be replanted. Significant new tree planting, hedgerows and grassland are proposed to enhance visual amenity, improve biodiversity and provide green infrastructure links around the site as part of wider biodiversity enhancement proposal.

The nature of the site's underlying geology and risk of shallow depth cavities developing, combined with poor permeability of subsoils, limits the viability of soft SuDS features and final surface water discharge via ground infiltration. A hybrid solution combining some soft SuDS conveyance features and underground storage tanks is therefore being proposed.

The external lighting scheme will comprise: -

- Column mounted luminaires for car park and main access road lighting. Some lower-level bollard lighting to Island Farm Lane.
- Low level lighting bollards for pedestrian circulation routes
- Building mounted lighting and low-level lighting bollards to main entrance plaza to eastern arrivals elevation and to south facing external terrace
- Outdoor courts: column mounted luminaires to meet LTA/Tennis Wales recommended lighting standards
- In ground lighting to highlight feature trees

The outdoor tennis courts will be enclosed in sports fencing to recommended standards at 2.75m high. The outdoor terrace and access routes to the outdoor courts are required to be secure and hence short sections of fence link the tennis courts back to the building at each end of the accessible outdoor areas. To manage and control noise breakout, acoustic fence lines are incorporated to the east of the outdoor pool and outdoor tennis courts. The section adjacent the outdoor swimming pool will take the form of a green living wall whilst 3.0m high acoustic fencing will be positioned between the tennis courts and large landscaped mound to the east. This fencing will also extend across the southern boundary of four of the outdoor tennis courts.

The perimeter boundaries will be defined by a combination of low timber post and rail fences and higher elements of security fencing. In time, the boundary treatment will largely be screened by the hedgerows and proposed tree planting.

A foul water sewer exists to the north of the tennis centre site running along the boundary with Bridgend Science Park and towards the residential area to the north. A private pumping station (not adopted) will pump wastewater from the tennis centre development to the north of the site where a standard gravity connection will be made to the public sewer.

The proposed tennis centre and its building services will also be designed to reduce their carbon footprint through the effective use of energy and by using energy efficiently. A three-stage sequential approach has been set out in the supporting planning statements: -

- Reduce energy demand in the first instance through passive design measures
- Reduce energy consumption in use via efficient plant systems and controls
- Appropriate consideration of renewable energy sources to reduce energy demand, pollution, and CO2 emissions further

The application has been accompanied by a series of technical reports, some of which have been updated to reflect the proposed revisions to the scheme:

- Planning Statement
- Pre-Application Consultation Report
- Transport Assessment and Transport Notes (May 2022 & September 2022) (Corun Associates)
- Bat Survey Report (September 2021) Addendum to Ecological Assessment (Ethos Environmental Planning)
- Protected Species Report (July 2022) (Addendum to Ecological Assessment) (Ethos Environmental Planning)
- Noise Impact Assessment (May 2022) (Acoustics & Noise Ltd)
- Storm Water Drainage Strategy (20th September 2021) (WLS); and
- Landscape Management Plan (May 2022)

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/08/1114/OUT	<p>Outline permission for the following forms of development:</p> <ul style="list-style-type: none">• 21,000 sq. extension to the Science Park.• 15,000 seat stadia.• 5,000 seat stadia. (Rugby Union).• 2,000 seat stadia (Football).• Indoor tennis centre (including 10 outdoor courts); and• Indoor 4G Training facility and sports centre. <p>The proposed sports village was to be accessed via a new junction off the A48 and associated link road which would serve the wider sports village development.</p>	Conditional Consent.	14/3/2012
P/14/354/RES	<p>Reserved Matters were subsequently approved in August 2014 for a tennis centre development in accordance with the Outline permission. This consent required that access to the tennis centre, once operational, as per the wider Outline Sports Village proposals came via a new access from the A48. However, it should be noted that Council granted permission for the use of Island Farm Lane as a temporary access to serve the construction process for the development (P/17/29/FUL refers). All pre-commencement conditions relating to the tennis centre development were discharged and the permission for the tennis centre was lawfully implemented with the undertaking of various aspects of ground works. The permission is therefore extant and the tennis centre could be constructed in accordance with the August 2014 Reserved Matters permission.</p>	Conditional Consent.	22/08/2014
P/14/824/RES	<p>Reserved Matters approval has also been obtained for the highways works envisaged in the Outline Planning permission including the site access from the A48 and the spine road</p>	Conditional Consent.	12/06/2015
P/14/823/RES	<p>Full Planning permission was granted for a series of advanced ecological mitigation works including the enhancement of the south-west field (which includes a new bat house) and hedgerow relocation and landscaping This permission was</p>	Conditional Consent.	01/05/2015

implemented by virtue of this mitigation being carried out in 2015/16.

CONSULTATION RESPONSES

CONSULTEE

**Merthyr Mawr
Community Council**

COMMENTS

Original Comments:

Whilst this development proposal lies outside our area, it is on land that comprises part of the greater Island Farm site and as such is of concern to this council. We will limit our comments to issues that could impact upon the Merthyr Mawr community council area.

Traffic: The proposed access off Ewenny Road is obviously sub-optimal. It is basically an upgraded field access lane and will lead to the slowing of traffic towards Bridgend but more particularly traffic travelling towards Ewenny from the Bridgend direction, where visitors to the tennis academy have to cross the other carriageway. It appears from the traffic report that it is working on an estimated 150 movements a day in and out of the academy inclusive. Does this mean that an average of 75 visitors a day are expected? With a parking capacity of around 75, that would appear to be a very conservative estimate. Currently New Inn Road is becoming really quite dangerous as it is used as a means to avoid Ewenny roundabout and it struggles to accommodate 2 vehicles passing in places, far less the cyclists and riders who use it. Further delays on Ewenny Hill would only exacerbate the problem. We note that the developer acknowledges that the impact of traffic is forecast to exceed road capacity around Ewenny roundabout by 2026.

The presence of a traffic light system on Ewenny Hill during the construction period would be enormously disruptive and impact heavily on the surrounding road network we therefore think it imperative, given how long the development may take to complete, that further assessment be carried out as to the impact this may have on the road network particularly if construction takes place during the summer months when there is a marked increase in traffic going to and from the coast.

Everyone living in the area is aware of the weight of traffic on the A48 and Ewenny roundabout without any further development. In responding to this application, it is hard to entirely separate it from the stated ambition within the Design and Access Statement to work towards the development of the rest of the site to deliver 700 houses and a link road. In the original plan for the site, all development was predicated on the building of a relief road to take the pressure off Ewenny roundabout. The developer alludes to their ongoing efforts to deliver a 700-house development with relief road, working with the council to include this in the next LDP. Whilst they have stated that the two things should be viewed separately, we are concerned that the possibility of a link road at some point in the future does not in any way influence the

acceptability of this application.

Landscape Values: We are disappointed that the application does not include a ZTV (zone of theoretical visibility). We strongly support the notion that not only are Merthyr Mawr and the Sand Dunes areas of outstanding historical, ecological and recreational importance but the whole lower Ogmore valley and estuary should be seen in this context. The tennis academy would be visible from the top of the dunes, Ogmore Down, and the well-used footpath across Verville. Full consideration of the impact of such a large structure within in this landscape should be given. It is notable how the low-rise development and landscape contouring of the science park intrudes very little into the otherwise traditional rural landscape of the valley as seen from scenic viewpoints. There is no detail in the application which addresses the blending of this development into the wider landscape with the use of contours. It is noted however that the Design and Access Statement point out the excellent views from the balcony. This obviously indicates that the building would be very visible from further down the valley. Without printing out the plans, it is hard to say but our assumption is that the building will be the height of a 4-storey building and the floor space of around 8 tennis courts. The impact on the surrounding landscape could therefore be extremely detrimental and out of scale. We strongly urge any decisions on such developments also take into account the special nature of this area which is rich in footpaths and informal places interest and recreation. The area to the south and on down to the coast, attracts many visitors on foot, bike and by car and great care should be taken to preserve not just the bricks and mortar but the wider context.

We are also concerned about the impact of a sports development on the night-time sky. The issue comes down to the ability to illuminate tennis courts after dark particularly on Winter evenings without impact the dark sky. The other issue is security lighting. This often causes huge light pollution both in term of brightness and the fact that it is kept on all night. Whilst this is undoubtedly an issue for bats, it is also an issue for the character of the area and all the residential properties surrounding it including the care home next door.

Ecology: Lesser horseshoe bats – Whilst the area covered by this application does not have as high an ecological value as the rest of the Island Farm site, it should be seen in the context of the wider site particularly with regard to bats and dormice. Lesser horseshoe bats are particularly sensitive to light pollution. We would expect the developer to create a detailed lighting strategy to take into account the LHS bat activity in the area, as recommended in their Ecological Assessment and specified in the response from NRW. In the absence of a discreet LHS bat lighting strategy, the impact on the wider bat population cannot be assessed. This council is concerned that this development does not impact on the

prevalence of LHS bats in the wider Merthyr Mawr area.

Dormice: Dormice are present within the larger Island Farm site. To protect the greater population, we would assume that a pre-construction check is carried out wherever there is to be disturbance to potential dormice habitat, that new hedgerow is planted following the best advice regarding dormice habitat and that continuity of habitat is maintained.

Water run-off: Water run-off and storm drains emptying into the Ogmore River are already impactful and action should be taken to ensure that any development does not add to the impact on either Ogmore or Ewenny rivers.

Archaeology: Attention should be given to the presumed presence of the old Roman road that links Cowbridge in the east and Neath in the west and the possible presence of the settlement of Bovium in the area. It is therefore assumed that an accredited archaeologist will make an assessment as to the requirement for a watching brief during soil removal.

Comments on Revised Scheme:

Whilst there is much in this application that could be of benefit to Bridgend and the wider community, there are omissions that prevent this council from offering our support at this stage as outlined below. We would also like to note that impact of this project is hard to assess on its own merits given the plans laid out in the draft LDP for the wider Island Farm site. From the point of view of the road network, ecology, visual impact and impact on the current residents of Island Farm Road and Island Farm Close, the tennis academy is one part of a much larger development the cumulative impacts of which are of concern to this council.

This council objects to the application P/20/995/FUL on the following grounds:

The plans do not include any buffer or screening between the end of Island Farm Close and the new access road from the Science Park to the Tennis Academy. It is assumed that this access road is also intended to feed into the road network for the housing development proposed in the LDP and which is under the aegis of the same developer. It is important that landscape plans are included at this stage to mitigate against the effects of a new road on existing residents.

The application does not include any visual impact assessment or appraisal or ZTV. The land to the south is of high landscape value and the Design and Access Statement acknowledges the visibility of the tennis centre building from the countryside to the south. It is stated that a line of existing trees behind the building will break up the line of the building. Given the size of the building and the high landscape value to the south (SLA (9) lies just to the south of "New inn Road) a more detailed assessment of how it will sit within in the

landscape should be required. Careful consideration should be given to the design elements of the proposal such as the siting, orientation, layout to ensure that the special qualities and characteristics for which the SLA has been designated are protected.

The application does not include a specific assessment of the lighting scheme on protected species and mitigations. Given the sensitivity of bats to light pollution a specific assessment of the effects of the lighting on the protected species within the site should be required. For the protection of UK BAP priority protected species.

The traffic survey does not appear to take account of any increase in traffic along New Inn Road. The report assesses that the practical reserved capacity of Ewenny Roundabout will increase during the PM period from a projected – 17.9% without the tennis academy in 2023 to – 32.8% with the tennis academy. By 2028 the PRC will be at -48.7% with the tennis academy and the delay on Ewenny roundabout will be 156 seconds as opposed to 91.6 seconds without the development.

The greatest degree of saturation by far at 133.8%, is traffic approaching the roundabout Ewenny Road south. The obvious knock-on effect of this will be an increase in traffic heading west on New Inn Road to avoid congestion on Ewenny Roundabout. This will also affect traffic trying to turn onto Ewenny Road from New Inn Road. This impact is not referenced anywhere within the Traffic Assessment. The draft LDP does however cite the previous Tennis Academy application as increasing the “flows at the B4265/Ewenny Road junction.” New Inn Road is essentially a country lane going over a single-track bridge which is a Scheduled Ancient Monument and extremely well used in the warm summer months by local children as a recreation area. The stretch of road between New Inn Bridge and the junction going down to Merthyr Mawr Village is very well used by walkers as it is the main walking route from Bridgend Town (through Newbridge Fields) to Merthyr Mawr Village, Merthyr Mawr Nature Reserve and the Coast. Rush hour traffic has certainly increased on this road in recent years as people seek to avoid delays on Ewenny Roundabout. Further increases will present serious safety issues for other Road users as well as degrading the rural nature of this route. (We note that the delay times at Ewenny Roundabout during Summer weekends especially for traffic approaching from the south is already excessive and this is also when the area around New Inn Bridge is very busy with pedestrians. This seasonal variation is however not referred to within the assessment). For these reasons we seek (a) an assessment of the impact of the Tennis Academy on New Inn Road and its junction with Ewenny Road and (b) proposals for mitigations against any increase in traffic on this route as a result of this application. To ensure safety for all Road users, to ensure the

conservation of a scheduled ancient monument, to protect a very well used local beauty spot and recreation area, to protect the rural character.

Bridgend Town Council:

Original Comments:

No objection however, Bridgend Town Council request that consideration is given to the comments included in the footnote below. Bridgend Town Council also reserve the right to be invited to any site meeting and to speak at the Development Control meeting as may be appropriate.

The original outline application for the whole site received support from Bridgend Town Council for the general concept back in 2012. This application is for a reduced Tennis Only project – down to 50% of original size and moved to the east side of the site on land which now falls wholly with the Bridgend Town Council area.

The original concept had access to the complex off the A48 with a possible additional access through the existing Science Park via B4265.

It was not envisaged using an agricultural lane off Ewenny Road (B4265), past the former Bro – Ewenni Care Home – now badly derelict.

Access via this lane would be off a very busy highway with very poor entrance/vision splay. There is no pavement on one side of the highway and very narrow on the other side.

The B4265 is served by an hourly bus service (303), Monday – Saturday and two hourly on a Sunday. It is a long walk from current nearest bus stops in either direction and would need at the very least new bus stops by the access point but there is room for a full lay-by on the Bridgend-bound side on open verge.

The access lane in question is shown as Island Farm Lane yet this name has no valid status as it is not recognised by either the Town Council or Royal Mail – and any new naming would be for those two bodies to agree upon – and not a third party.

Any new recognised access to the development must be fully adopted and owned by BCBC for the future sake of other properties served by this lane.

Bro-Ewenni Care Home along the lane has been badly derelict for over a decade and is in a hazardous condition. What will be done about this situation?

The Town Council considers a more suitable route into the Tennis Centre would be via Technology Drive from the B4265 with access directly through the south-west perimeter of the Science Park which would provide a safe and prestigious

route for such a major complex.

This would eliminate the need for the narrow lane to be used; nor for a northern 'dog leg'.

The 'dog leg' shows close alignment with the Southern boundaries of both Island Farm Close and Island Farm Road and my Council could never support any form of access from those roads in any future development of land. We fully support and endorse the comments of our neighbouring Merthyr Mawr Council whose views we are aware of in the context of this application.

On the naming of the development, we contend that as the Centre has now been sited wholly within the Bridgend Town Council area, it should at the very least promote the name of Bridgend in its title to give gravitas to the complex and our Town of Bridgend. It is now remote from Island Farm Camp itself and will fall within the CF35 post code area for Ewenny Road (B4265). Island Farm falls within the CF31 post code area for the A48. Visitors to the area will have heard of Bridgend but would probably not know of Island Farm – or if they did, would head for the Camp Site on the A48. Confusion could reign and cause delays and traffic disruption on the A48.

The environment of this area is of huge importance and no existing trees or hedgerows should be removed – unless absolutely essential.

Similarly, wetland areas should be created within the complex wherever possible to show the green credentials of the development.

Facility for visiting minibuses, coaches should be allocated. 72 car parking spaces seems excessive.

Wherever the access to the complex might be determined, strong visual signage will be required and we urge proposals for designs be submitted together with identified locations of directional/brown tourist signs along nearby highways.

Not directly linked to the 'Tennis Centre', mention is now made in the document of "Educational Facilities and 700 dwellings in the future". We have no knowledge of this in the 2012 application for the entire site. We therefore seek information on these new aspects of the overall concept for the area and the impact it may have on the Tennis Centre.

In conclusion, we continue to support the concept of a Tennis Centre of Excellence in principle on this site but NOT the current suggested access which needs more consideration.

Comments on Revised Scheme:

The Town Council acknowledges the revised access

proposals via Technology Drive and welcomes this move. The Town Council continues to urge that recognition is given to the Town of Bridgend in the naming of the complex. The Town Council reserves the right to be invited to any site meeting that may be called and to speak at the development control meeting as may be appropriate.

**Cllr Anthony Berrow
(Local Member -
Bryntirion, Laleston
and Merthyr Mawr)**

To my certain knowledge this site has been in contention for nearly 25 years. It will affect everyone who uses the A48. Therefore, I request a site visit so that new members can be fully aware of all the issues.

**Former Cllr Lyn Walters
(Local Member -
Oldcastle)**

I have concerns with this proposal as listed below and request this is sent to the full Development Control Committee in view of the scale and impact on the local community.

Access – the proposed access off Ewenny Road is concerning. We already have long queues from Ewenny up to the roundabout in the afternoons and traffic to the enlarged tennis centre will exacerbate this. The road is used by heavy quarry lorries so any cyclist will be taking their lives in their hands – there is no ability in my opinion to provide a safe cycle and pedestrian path on this route. This means the majority of users will need to access the facility by car.

Ecological impact – I cannot see the hours of operation but anticipate lighting of the outside courts will have an adverse impact on the local wildlife

**Transportation Officer
(Highways)**

No objection subject to conditions.

Biodiversity and Policy

No objections subject to conditions.

Land Drainage

No objection subject to conditions.

**Shared Regulatory
Services –
Neighbourhood
Services**

No objections subject to conditions.

**Shared Regulatory
Services – Environment
Team (Pollution
Control)**

The planning application does not require an air quality assessment. I would encourage the applicant to take note that for any future proposal as part of the wider development, air quality impacts should be considered where possible and applicable, especially given the current climate that surrounds the topic area of air quality. In terms of the aspirations for the wider development site, please note that it will be viewed that in terms of air quality impacts expected, the traffic movements associated with the tennis centre proposal will be viewed cumulatively when it comes to assessing threshold criteria.

Shared Regulatory Services – Environment Team (Contaminated Land) No objection subject to conditions.

Dwr Cymru/Welsh Water No objection subject to conditions.

Natural Resources Wales We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching conditions requiring the submission of a light monitoring scheme prior to the installation of any lighting on site and a condition listing the approved plans and documents as submitted.

Network Rail Whilst there are no objections in principle to the development the drainage plans indicate a stormwater lagoon within close proximity to the railway. The developer will need to confirm the distance of this from the Network Rail boundary. For this to be acceptable to Network Rail, Soakaways/attenuation ponds/septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property or infrastructure.

The tennis netting should be 5m in height to prevent all potential sports equipment i.e., tennis balls from over-sailing the railway boundary and falling into the path of trains. The applicant must consider the foundations of the netting which could undermine or destabilise Network Rail's land. Equally, netting erected on land next to the operational railway could topple over in high winds and fall onto Network Rail's land, onto the path of trains or onto safety critical equipment (e.g., signals, telecoms cabinets) if above the level of the railway.

National Grid No objections.

REPRESENTATIONS RECEIVED

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

Four letters of objection were received in response to the consultation on the original site layout and design from the following properties:

- Milnhome, Island Farm Road
- Gwynfa, Island Farm Road
- Raheen, Island Farm Road
- 13 Island Farm Close

The following is a summary of the objections received:

Transport Impacts:

- Development will lead to an increase in traffic on the road network – existing

infrastructure struggling to cope with existing levels

- Traffic survey carried out was during the Covid Restrictions - it shows that at present Ewenny roundabout and road have not reached capacity but will exceed capacity in 2026. A more sustainable route through the Technology Centre, as in the previous planning application and which received approval should be used.
- Access via Island Farm Lane would be off a very busy highway, with very poor entrance/vision splay. There is no pavement on one side of the highway and very narrow on the other side. Bus stops are distant from the site.
- Ewenny Road has long queues at peak times that will be exacerbated by this development
- No safe cycle and pedestrian routes to the site.

Ecological Impacts:

- No existing trees or hedgerows should be removed – unless essential. Wetland areas should be created within the complex wherever possible to show the green credentials of the development. The target should be to achieve a biodiversity net gain from the development.
- Polecats have been sighted in the area - this animal has a conservation status Protected in the UK under the Wildlife and Countryside Act, 1981, and is classified as a Priority Species in the UK Biodiversity Action Plan, a Priority Species under the UK Post-2010 Biodiversity Framework.
- Lighting of the outside courts will have an adverse impact on the local wildlife

Scale of Development and Wider Visual Impact:

- The height and size of development out of scale with the local environment and will constitute a serious visual intrusion in the landscape. A proper assessment of the landscape and visual impacts should have been submitted.
- Given the visual intrusion of the building and the fact that it is very specific in its purpose, being extremely high, with no windows, the developer should pay a bond to enable the dismantling of the large building in the eventuality that the indoor tennis courts are a white elephant.

Noise Disturbance and Lighting Pollution:

- The area is in a known " Dark Area" with the proposed outdoor tennis facilities having flood lighting that will cause light pollution to the surroundings. How will the lighting be minimised to prevent pollution on neighbouring homes?
- Construction vehicles along Island Farm Lane would pass by existing residential care homes causing unnecessary disruption to the residents nearby. By only allowing access only via Technology Drive would alleviate some of these concerns.

Loss of Employment Opportunities:

- As the original approved plan has changed dramatically, we must presume that none of the promises made to provide Highly Skilled long-term employment will come to fruition.

Naming of the development:

- As the Centre is sited within the Bridgend Town Council area, it should at the very least promote the name of Bridgend in its title to give gravitas to the complex and our Town of Bridgend.

References to potential major development on the adjoining land:

- The town council note references future development on the adjoining land but notes that it is not part of this application.

Letters of support have been received from the owners of Fieldbay & Penybont Nursing Home and Mr Jon Bockelmann-Evans, the father of a top ranked Junior Tennis Player who maintains that, at a time when wellbeing and health, both physical and mental has never been more important, this outstanding facility would vastly improve the likelihood of many more families and individuals taking up the game with all the benefits it brings to them and the local economy.

REPRESENTATIONS RECEIVED IN RESPONSE TO REVISED PLANS AND ACCESS ARRANGEMENTS

Four letters of objection were received in response to the re-consultation on the revised access arrangements from the following properties:

- Milnhome Island Farm Road
- Parkhof, Ewenny Road
- Highwinds, Ewenny Road
- 131 Ewenny Road

The following is a summary of the objections received:

- The size and nature of the proposed development is out of keeping with the quiet rural character of the area, being on agricultural land.
- The proposal will have an adverse effect on the flora and fauna of a locally recognised area of natural beauty - the building height will be imposing and dominate the skyline for the neighbouring area.
- The proposed access route will lead to an increase in traffic on the roads around the Ewenny roundabout which is already congested with traffic often backing up regularly on the A48, Ewenny Road and Pottery Hill. Residents of Ewenny Road have significant problems accessing the network. Surprised you are contemplating adding further traffic to the network – particularly long queues in the summer months.
- How will the additional traffic be regulated and what mitigation is being proposed?
- The lighting from the flood lights will cause light pollution in the locality and beyond. The development will be seen by night from miles around.
- The outdoor courts are likely to cause a noise nuisance to neighbouring properties because of their close proximity.
- This increased traffic will lead to high levels of pollution especially when cars remain stationary.
- The development and proposed traffic route will lead to an increase in noise in the local area and for residents of Island Farm Close and Road.
- The development will lead to further facilities being located outside the town centre, where a tennis club is already located. It will include gym facilities when several gyms already exist in town.

REPRESENTATIONS RECEIVED IN RESPONSE TO REVISED BUILDING DESIGN (ENLARGED BUILDING) AND REVISED LAYOUT

Three letters of objection have been received in response to the re-consultation on the revised building design from the following properties

- Milnhome Island Farm Road
- 13 Island Farm Close
- Highwinds, Ewenny Road

The following is a summary of the objections received:

- Ewenny Roundabout is at its maximum capacity – additional traffic will add to pollution levels to the detriment of residents
- Development will add to queuing traffic on Ewenny Road
- The scale of development will affect the surrounding environment and affect the

amenity of residents

- The outdoor courts and other facilities will cause a noise and lighting pollution problems to the detriment of residents
- The area also houses Bats – advise should be sought from NRW

RESPONSE TO COMMENTS RECEIVED FROM THE TOWN AND COMMUNITY COUNCIL AND LOCAL RESIDENTS

Many of the objections offered by residents and the Town/Community Councils and summarised above are key to the consideration of the application and will be addressed in the appraisal section of the report. The following commentary addresses other issues raised:

Loss of Employment Opportunities: Objectors have referenced the loss of land previously consented for employment uses under the original Outline planning consent. The proposed access to the tennis centre will pass through the land that was to be developed as an extension to the Science Park – Area 10 on the extract plan below:

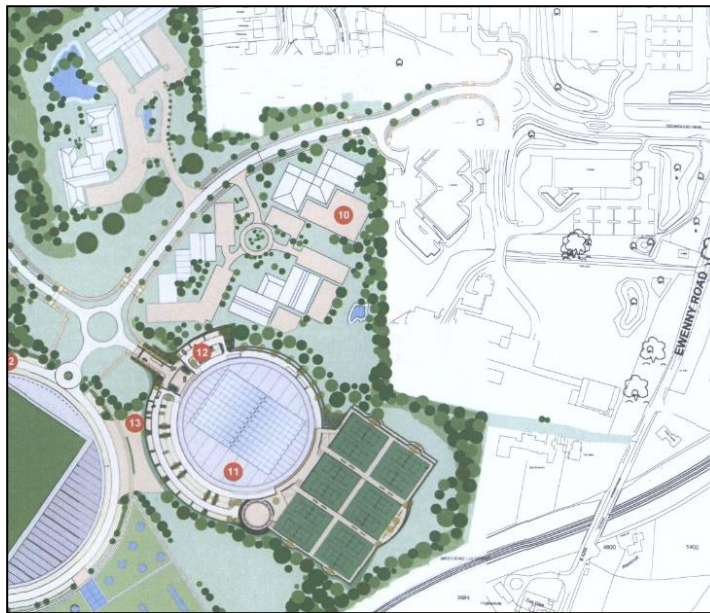


Figure 7 Extract from Masterplan that accompanied application P/08/1114/OUT

The access road will cross land that is one of the four strategic employment allocations in the Bridgend Local Development Plan, (Policy SP9 (2) refers).

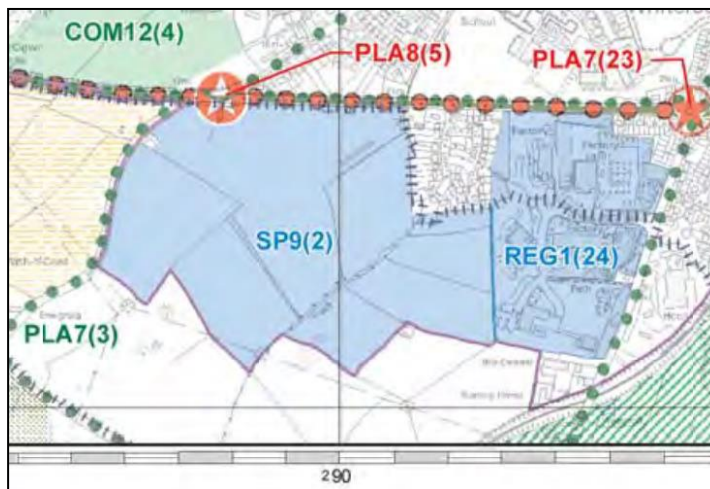


Figure 8 Extract from Bridgend Local Development Plan 2013

The alignment of the road as shown on Figure 2 on page 2 of this report does differ from that on the masterplan above but would not prejudice the development of the land to the west for employment purposes were that to be proposed in the future albeit in a different configuration than indicated on the earlier consent.

A comprehensive review of the land allocated for employment purposes has been undertaken and has informed the policies within the Deposit Consultation Document of the Replacement Bridgend County Borough Local Development Plan 2018-2033. The objective will be to 'create productive and enterprising places' by providing sufficient employment land and a variety of sites to support a diversity of employment opportunities. The current allocation for strategic employment purposes is not however proposed in the Replacement Plan.

Naming of the development: This is not a matter that can be controlled through the planning process. The applicant will however be made aware of the Town Council's request.

References to potential major development on the adjoining land: Documents submitted in support of the application, reference the tennis centre being part of a larger mixed-use allocation in the emerging Replacement Local Development Plan, (RLDP). The RLDP has been approved by Council and has been formally submitted to Planning and Environment Decision Wales for examination in public. The appointed Inspector will consider the soundness of the whole plan in the context of national policy and all other matters which are material to it. In considering the weight to be given to the specific policies in the replacement LDP, it has been necessary to consider carefully the underlying evidence and background to the policies as well as national planning policy. After such an assessment, it is considered that the proposed development will not prejudice the new Plan, the growth and spatial strategy or the wider site allocation under Policy PLA2 of the replacement plan.

RELEVANT POLICIES

Local Policies

The Bridgend Local Development Plan 2006-2021 (LDP) was formally adopted by the Council in September 2013, within which the following policies are relevant:

Policy SP1	Regeneration Led Development
Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA4	Climate Change and Peak Oil
Policy SP3	Strategic Transport Planning Principles
Policy PLA5	Development in Transport Corridors (Pencoed-Pyle)
Policy PLA7	Transportation Proposals (Improved Links to the Vale of Glamorgan)
Policy PLA8	Development Led Improvements to the Transportation Network - Access to Island Farm Strategic Employment Site.
Policy PLA11	Parking Standards
Policy SP4	Conservation and Enhancement of the Natural Environment
Policy ENV1	Development in the Countryside
Policy ENV5	Green Infrastructure
Policy ENV6	Nature Conservation
Policy ENV7	Natural Resource Protection and Public Health
Policy SP5	Conservation of the Built and Historic Environment – Historic Landscapes
Policy SP14	Infrastructure

National Policies

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:

Future Wales – the National Plan 2040

Planning Policy Wales Edition 11

Planning Policy Wales TAN 5

Nature Conservation and Planning

Planning Policy Wales TAN 11

Noise

Planning Policy Wales TAN 12

Design

Planning Policy Wales TAN 16:

Sport, Recreation and Open Space

Planning Policy Wales TAN 18

Transport

Planning Policy Wales TAN 23

Economic Development

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 because of the proposed development.

THE SOCIO-ECONOMIC DUTY

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

This application is referred to committee for determination in view of the objections received from the Town Council, Community Council and local residents.

The main issues to be considered in the assessment of this application are as follows:

- Whether the proposed development is acceptable on a matter of principle having regard to local and national and planning policy
- Whether the scale of the development is acceptable given its context in the countryside and having regard to the surrounding developments and uses
- Whether the existing road infrastructure can accommodate the development traffic and whether the proposed access arrangement for pedestrians, cyclists and vehicles are acceptable in terms of highway safety and the related policies and guidance

- Whether the proposed development and the future use will have any adverse impact on the living conditions of the occupants of the nearest properties and to what extent could any impacts be mitigated through planning controls
- Whether the proposed development will result in any significant loss of habitats or populations of species and provide a net benefit for biodiversity.
- Whether the development would have any impact on any archaeological remains.
- Whether the proposed arrangements for site drainage are acceptable

Whether the proposed development is acceptable on a matter of principle having regard to local and national planning policy

The planning system manages the development and use of land in the public interest contributing to improving the economic, social, environmental and cultural well-being of Wales as required by the Well-being of Future Generations (Wales) Act 2015 and as stated in paragraph 1.2 of Planning Policy Wales (Edition 11, February 2021) (PPW11).

The proposed tennis centre building and associated parking areas and outside courts are located outside any settlement boundary as defined by Policy PLA1 of the Bridgend Local Development Plan 2013 (LDP). The site is therefore located in the countryside where Policy ENV1 states that development will be strictly controlled. The Proposals Map shows that the site is just outside but directly adjacent to the Settlement Boundary of Bridgend but is otherwise on white land that is not subject to other land use allocations. Land to the north and incorporating the proposed access arrangement is identified as an Employment Site (Policy SP9 (2) refers).

Policy ENV1 represents the starting point for the assessment of all development proposals in the countryside but also recognises that certain developments may be appropriate where they will encourage rural enterprise and bring wider community benefits to the County Borough. Such developments will however still need to meet other policies in the Plan, particularly those in relation to nature and environmental protection.

Policy ENV1 establishes ten forms of development that may be acceptable in principle and that includes 'Outdoor Recreational and Sporting Activities'. As the application seeks to develop an indoor and outdoor tennis centre with associated access, parking and landscaping, an element of the development would accord with Policy ENV1. The indoor court provision which represents that largest element of the proposed built development would not however strictly comply with the Policy.

The applicant's supporting statement maintains that neither the Policy nor its subtext provides guidance on whether a degree of indoor provision can be provided alongside "outdoor recreational and sporting activities" and suggests that the reason for the identification of outdoor sporting and recreational facilities as an exception appears to be to provide a supportive framework for sporting and leisure uses where, due to requiring large amounts of land, location within an established settlement is difficult. Available land is more likely to be found in rural or urban fringe locations. A development comprising solely of outdoor tennis courts is not considered viable with indoor court provision and supporting facilities required to create a comprehensive package that is deliverable, meets the identified need and will have the greatest impact for the community. The applicant maintains that whilst part of the recreation use is indoors, the proposal remains well suited for the proposed urban fringe location and it is well related to the established settlement of Bridgend.

Paragraph 3.20 of Technical Advice Note 16: Sport, Recreation and Open Space considers 'Major Sport and Recreation Facilities' and confirms that wherever possible major sport and recreation facilities should be located in or adjacent to town centres, on sites which can contribute to town centre vitality and viability and are accessible by a

range of transport modes. Opportunities to deliver a facility of this scale in Bridgend are limited and the technical note indicates that where such sites are not suitable or available, consideration can be given to edge of centre sites. As indicated above, the site does lie just beyond the settlement of Bridgend and could reasonably be considered an edge of town centre site. Such support by the policy guidance is not unconditional and any such location should have good access to public transport. Furthermore, wherever possible, walking should be the primary means of access to such facilities followed by cycling and the use of public transport with private transport the least favoured option.

Alongside the vehicular access to the site will be a new active travel route that will connect the centre to Technology Drive. Beyond this, improvements to the pedestrian links will be secured by condition to ensure that the existing links are upgraded and the development will contribute and prioritise walking, cycling and the use of public transport.

In seeking to offer material reasons why this development should on a matter of principle be considered favourably, the applicant's agent has submitted an Economic and Wellbeing Benefits Statement which outlines the core benefits of the development. They include:

- Delivering a facility that will provide health and wellbeing benefits, providing opportunities for all to play whilst also providing a centre of training excellence
- Delivering a facility that will host LTA tournaments which, combined with it acting as the administrative hub for Tennis Wales, will mean that Bridgend becomes a headquarters for tennis in Wales
- Creating a significant number of new jobs both at construction phase and when operational
- Providing improvements to Island Farm Lane to the benefit of the nursing homes that are served by this access road

As indicated in the previous section of this report, the Well-being of Future Generations Act 2015 identifies a number of well-being goals that this proposal would address. 'A healthier Wales' - there would be physical benefits of playing tennis and accessing the gym and other related facilities and 'A prosperous Wales' - the development will support local employment opportunities, resulting in the creation of 75 construction jobs over an 18-month period and 50 permanent full and part time jobs when operational.

In considering the matter of policy compliance, the applicant's statement draws attention to a further material consideration and the weight that should be given to the fallback position whereby the previous tennis centre approved under consent P/14/354/RES could be lawfully implemented.

The revised access arrangements which propose the construction of a new access road from the Science and Technology Park to the tennis centre site will traverse land allocated as a Strategic Employment site under Policy SP9 (2) of the LDP. Such sites, according to the LDP must be developed in accordance with a development brief/masterplan and to the highest design and environmental standards. Although the access has been designed and engineered to serve the tennis centre development, it could be adapted to serve as a route to serve the much wider allocation. Its position does not prejudice the delivery of the strategic employment site should an application be proposed for such a development under the policies of the current Plan.

Overall, it is considered that the principle of developing this major sport and recreational facility site in the countryside but on the edge of the settlement of Bridgend is acceptable. The development is not a departure and does not compromise the integrity of the adopted

LDP. Members should also be aware that the Replacement Local Development Plan has now been formally submitted to Planning and Environment Decision Wales for examination in public. As such, the proposed development is not considered to prejudice the new Plan, the growth and spatial strategy or the wider site allocation under Policy PLA2 Land South of Bridgend (Island Farm).

Whether the scale of the development is acceptable given its context in the countryside and having regard to the surrounding developments and uses

Policy SP2 confirms that all development must contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located. Having a design that respects and enhances local character by being of an appropriate scale, size and prominence is the test for any development. If the principle of this development is acceptable in this countryside location, it should where possible utilise existing buildings and previously developed land and/or have an appropriate scale, form and detail for its context.

Both residents and Merthyr Mawr Community Council have suggested that the height and size of development is out of scale with the local environment and will constitute a serious visual intrusion in the landscape. The Community Council have gone further and suggested that the developer pay a bond to cover the costs of removing the building should the tennis centre close in the future. Concerns have been expressed about a failure to submit a proper assessment of the landscape and visual impacts. This concern was brought to the attention of the applicant's agent but no detailed appraisal has been submitted. On this point, there is no statutory requirement to submit such a study with an application although they can be effective tools in identifying the effects of new developments on views and the landscape itself.

The earlier section of the report details the scale of the proposed building with the main hall measuring 116m x 52m with a flat roof reaching a height of 11.3m and supporting and ancillary accommodation wrapping around two sides of the tennis hall in a building measuring 82m x 18.6m with a flat roof reaching a height of 8.53m. At the dimensions proposed the building will be significant in scale and considerably larger than the plans of the development that were originally submitted with this application.

The Design and Access Statement provides an overview of the key elements of the building's design and the factors that have influenced how the site is laid out. The scale of the building is determined by the size of the tennis courts and their required side/back run and clearance height and the need to provide ancillary and supporting facilities. The applicant suggests that the design and elevational treatment have responded to the more distant views of the development. The site is relatively well screened from most directions by rising ground and tree lines from the north or by intervening buildings to the east. Views of the building from properties on Island Farm Road and Close will be limited and over some 250m. For these residents, the view will be of the new access road rising over the intervening land to the tennis centre building. The existing buildings within the Science Park are less sensitive receptors with any landscape and visual impacts from the development being limited by the extensive and mature tree belt that adjoins the estate.

As suggested by the objectors and Community Council, views from the valley to the south and south-west are more open albeit interrupted by a significant electricity pylon and overhead power lines. The Community Council have referenced the Merthyr Mawr Warren Special Landscape Area that lies to the west of the application site. Under Policy ENV3 of the LDP, the settings of such areas are protected with any new development being designed to provide an attractive transition between the urban area and the countryside.

In the Design and Access Statement submitted with the application, the applicant has

attempted to review the landscape and visual impacts and has drawn attention to the mature tree line separating the site from the adjacent Science and Technology Park and rising some 20 to 25m above ground level which will provide the backdrop for the tennis centre building which will also be partially cut into the ground below. It is suggested that this 'imposing tree line' will provide the backdrop for the development and will visually contain the building when viewed from the south and west. The two storey wrap around colonnaded accommodation which will also be viewed from the south and west, will to some degree, ameliorate the height and scale of the tennis hall.

The more immediate views of the development are from the nursing homes to east of the site. The distances between the eastern elevation of the tennis centre and the side elevation of Penybont Nursing Home (Field Bay Care Home) have been markedly reduced as a consequence of the enlarged tennis hall building. Some 38m and 46m will separate the development from the side elevation of the two nursing homes (one operational, the other dilapidated but subject to consents for re-development) with the intervening land to be re-profiled to create a contoured landscape zone of land and additional car parking and a dedicated garden area for the Penybont Nursing Home. Part of the existing hedgerow that forms the eastern boundary will be removed to accommodate the works. This section of hedgerow will be replaced with an extensive tree planting belt and earth bunds. In the short term, the visual impact of the development on the nursing homes will be significant but this will reduce as the new landscaping matures and filters views of the building. The more direct impacts on outlook and daylight will be considered later in this report.

A number of properties lie to the south-east of the site on Ewenny Road but few appear to have direct views of the development. Any landscape and visual impacts from these receptors are considered to be minor to moderate.

For the residents of Island Farm Close and Lane, the visual impact of the development will be from the new access road and active travel route that will rise over the intervening land to the tennis centre building. This is an issue that was specifically referenced by residents and Merthyr Mawr Community Council in their observations. Native hedgerows and new tree planting will line this route to provide a green corridor which will assist in minimising its impact on the landscape. Whilst some buffer planting has been provided on the northern side of the bend closest to the properties on Island Farm Close, this could be enhanced further and a condition will be imposed on any consent granted requiring the submission of a revised landscaping scheme. The benefits of additional screen planting will however be more about minimising the impact of the road on the living conditions of the residents than on adding significant value to the landscape.

Overall, the landscape and visual amenities of this development will be significant in the short to medium term, particularly during construction and for a number of years before the extensive landscaping matures. Those impacts do diminish over distance and the use of a sensitive palette of materials with the use of grey tones in the cladding and brickwork should allow the building to assimilate within its setting whilst also providing some visual interest. The concerns of residents and the Community Council are not without merit but even accounting for the scale of this development which is significant and its location on the edge of the settlement boundary, in the countryside, the impacts are not so great as to warrant a refusal of permission. In reaching this view, weight has been given to mitigating factors such as the extant permission for a tennis centre on and adjacent to this site, the prospect of future development on the surrounding land as detailed in the Replacement Bridgend Local Development Plan and the extensive landscaping works that will be secured through the permission.

Whether the existing road infrastructure can accommodate the development traffic and whether the proposed access arrangement for pedestrians, cyclists and

vehicles are acceptable in terms of highway safety and the related policies and guidance

In terms of transport, the planning system should be enabling people to access jobs and services through shorter, more efficient and sustainable journeys by walking, cycling and public transport. Enabling more sustainable travel choices, managing the capacity of the network and reducing travel demand are the main objectives. Developments must be sited in the right locations where they can be easily accessed by sustainable modes of travel and without the need for a car and designed in a way that integrates them with existing land uses and neighbourhoods and make it possible for all short journeys within and beyond the development to be easily made by walking and cycling. Although the publication of Edition 11 of Planning Policy Wales postdates the Bridgend Local Development Plan, the national policy objectives generally accord with Policies SP2 and SP3 of the plan.

The wider road network serving the site is one of the strategic transport routes (A48) and is safeguarded from development that would adversely affect safe and efficient movements and the environment (Policy PLA5 refers). Highway, walking and cycling improvements are also identified along the A48 and B4265 under Policy PLA7. It is against this policy framework that the application has been assessed

Transport Assessments and an addendum report have accompanied the application that have sought to demonstrate that the site can take advantage of local sustainable infrastructure with the proposed improvements in pedestrian/cycling connectivity through the new access road and associated active travel links. In this regard the access has been relocated and revised to enable the provision of meaningful linkages with the Active Travel Route identified in the Authority's Integrated Network Map (Route INM-BR-46) along Ewenny Road. The access proposal provides for a dedicated active travel route along its length to Technology Drive. An assessment of the traffic flows and design of Technology Drive confirms that it would be appropriate for cyclists to use the carriageway along Technology Drive. Whilst there are existing pedestrian footways provided along Technology Drive an audit of the route along the northern side indicates that the route is not acceptable in its current form although with the provision of tactile paving crossings of the accesses to Plot 2 (Severn Trent) and Plot 3 (3M) on Technology Park, this could be overcome. Conditions will be imposed to secure these improvements. It should be noted that the provision of additional cycle infrastructure beyond this point would be considered unreasonable based upon the scale of the development. This provision could be considered in future if other developments sought to increase movements along this route.

The nearest bus stops to the site are on Ewenny Road and given traffic volumes on this route, crossing can be difficult. In order to make the development more attractive and accessible by public transport, a pedestrian crossing on Ewenny Road (in the proximity of junction of Priory Road) is considered necessary and is the subject of a planning condition below. The provision of a crossing point will need to be supported by parking/loading restrictions in the immediate vicinity and a financial contribution via a S106 Agreement will be required in the sum of £8,000 to cover the costs associated with the legal process and provision of the signs and road markings. The Council's Public Transport Officer has also identified a need for the bus stops on Ewenny Road to be improved through additional signage, markings and an upgrade to the shelter. Monies will be secured for these works through the S106 Agreement. Altogether the measures proposed through the application and secured by the Agreement and conditions will promote sustainable travel and together with a requirement for a Travel Plan will aid modal shift in travel patterns to the development.

A number of the objectors have highlighted the potential for the development to add traffic to an already congested network and the difficulties already experienced by residents

accessing/egressing Ewenny Road. The development traffic is however predicted to have a minimal impact on the surrounding highway network and is not expected to cause any capacity issues at the existing Technology Drive/B4265 Ewenny Road junction.

With regard to the Ewenny Road signalised roundabout junction, the submitted Transport Assessments and Transport Notes have come to the same overall conclusion. This junction is already at operating capacity. An independent review of the latest Transport Assessment confirms the assessment to be robust, offering a 'worse case' scenario and showing a greater impact on the Ewenny Roundabout junction than is likely to occur.

The key issue therefore is whether the development flows will create a material adverse highway impact. It is estimated that the actual impact of the development would equate to approximately 67 vehicle trips in the PM peak hour. The traffic distribution suggests that an average of 7% would arrive/depart south and therefore avoid Ewenny Roundabout. Therefore, there would be 62 vehicle trips through Ewenny Roundabout. This equates to an additional one vehicle every minute or two vehicles every cycle of the traffic signals. The impact of such a negligible increase would be difficult to evidence beyond the natural daily fluctuations in traffic and therefore difficult to justify a refusal of planning permission. The development is however likely to result in increased queue lengths on Ewenny Road on the northbound and southbound approaches to the roundabout. Consideration has been given to measures to mitigate the increased flows on the network but it is evident that this would require major physical improvement to the signalised junction which would be costly and disproportionate to the scale of the development. Furthermore, at this current time there are no other developments with which the costs of any such improvement could be shared. Accordingly, the determination of this application must be made on the understanding that there is likely to be an impact on vehicular traffic on the highway network but that would be to some extent offset by the measures to encourage modal shift away from private car travel. The Council's independent consultant has recommended that a specialist be engaged to review and adjust the Ewenny Roundabout signal controller configuration to maximise capacity for the revised traffic patterns associated with the development. Monies will again be secured through the S106 Agreement towards this work.

An assessment of both the cycle and car parking arrangements for the tennis centre and nursing homes has been undertaken. Car parking numbers generally accord with the Council's Supplementary Planning Guidance, although a slight adjustment to the parking numbers for the nursing home will be required, (condition 15 refers). Additional cycle parking will be required but that can be accommodated within the grounds of the tennis centre. A condition will be imposed to ensure that the delivery of spaces accords with policy and guidance.

In summary, despite the objections received there is no convincing evidence before the Council to suggest that the application should be rejected on highway and transportation grounds.

Whether the proposed development and the future use will have any adverse impact on the living conditions of the occupants of the nearest properties and to what extent could any impacts be mitigated through planning conditions

One of the measures for achieving a high-quality development is to ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected. (SP2 (12) refers). Policy ENV7 considers all forms of pollution (light, noise air etc) and confirms that development should only be permitted where it can be demonstrated that it would not cause a new or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity.

There are many aspects of this development that could impact on living conditions at various stages from construction to operation. From the representations received, loss of outlook, impacts on privacy, excessive noise from the construction, operation of the tennis centre and light pollution are the main concerns.

Impacts on outlook and privacy are particularly relevant to the nearest properties to the development which would be the nursing homes to the east of the site and the dwellings to the south-east, including Highwinds. The properties on Ewenny Road, namely Bryn Derwen (formerly 'The Patch') and Belvedere, are screened from the development by the nursing homes and a dense copse of trees that exist between the former Bro-Ewenni Home and Penybont Nursing Home. Although glimpses of the building will be possible from those properties, the distances between which exceed 100m should ensure that outlook will not be dominated and privacy will not be significantly compromised.

Highwinds is a large detached property on Ewenny Road that is located to the south-east of the development site and is separated by a deep cutting along which runs the Vale of Glamorgan rail line. Trees on the side of the cutting and the boundaries of the development site and the property itself offer screening.

Whilst the property does not appear to have habitable room windows that directly face the site, given the scale of the building, views will be possible. Again, with some 90m separating the main tennis centre building from the neighbouring dwellinghouse, any arguments concerning loss of outlook, light and privacy would be difficult to sustain.

Noise impacts from the development and the relationship with this property will be discussed again but as part of the mitigation works, earth bunds and landscaped areas proposed as part of the development. Extracts from the relevant drawing are re-produced below:

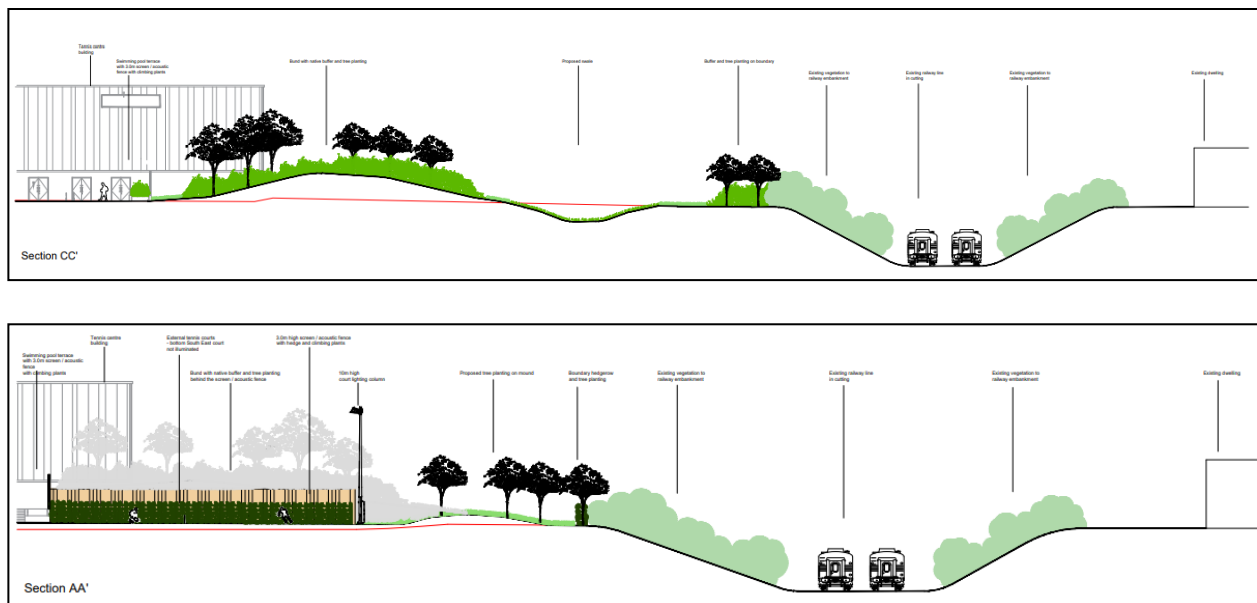


Figure 9 Cross Section Showing the Tennis Centre Building/Proposed Earth Works/Landscaping/Railway Cutting and Highwinds

The sections are drawn at two different angles and show the outline of the Highwinds on the right-hand side and the outline of the main tennis centre building on the left. They seek to demonstrate the relative levels of the development and the proposed earth works and landscaping (existing and proposed) that will seek to minimise the impact of the built form and its operation on the living conditions of the residents of Highwinds. The mitigation proposed is considered sufficient and should ensure that the policy test is met.

The two nursing/care homes are the closest properties to the development site and as stated above, with the footprint of the tennis centre being increased in the latest plans, the separating distance has correspondingly decreased.



Figure 10 Extract from Site Landscaping Plan showing relationship of Tennis Hall to Nursing Homes

Based on the plans submitted for earlier applications on the Penybont Nursing Home, the elevation contains ground floor windows serving single bedrooms and lounge areas with a similar configuration on the floor above.



Figure 11 Photo of Side Elevation of Nursing Homes

Site levels and existing vegetation already limit the outlook from the ground floor windows to some degree. Views, principally from the bedrooms above are over the fields and hedgerows of Island Farm and the dunes of Merthyr Mawr in the distance. This will be completely transformed by this development with the outlook being of the side elevation of the main tennis hall and the outside playing areas. Members should be mindful that such views cannot be protected through the planning legislation.

Whether the standards relating to overdominance and overshadowing which are applied to new extensions and new houses are relevant to this development is debatable however, they would not be compromised and despite the scale of the tennis centre building, it is not considered to be so close to windows in the care homes to be unduly overbearing and

oppressive. From the submitted plans, it is noted that the areas to the east of the tennis hall will be contoured and landscaped to minimise the impact of the development. When mature the trees will frame the development when viewed from the homes and will help to minimise the mass and form of the tennis centre building.

Privacy standards are generally applied when new housing developments are being considered. The standard 21m would be achieved although there are no windows in the tennis hall building facing the nursing homes. This new use of land and its associated outdoor recreational activities will bring the participants/players closer to the occupants of the nursing homes but this should not significantly impact on the living conditions of the residents. Measures to mitigate the impacts of noise and lighting on the occupants of the homes will be secured through the planning consent. It should be noted that no objections have been received from the operators of the nursing home to the latest drawings and indeed the nursing home offered support for the application when originally submitted.

For the residents on Island Farm Road and Close, the impact from the development on their living conditions will be from the new access road. The main tennis centre building will be over 250m from the rear and side elevations of the nearest properties.

The proposed access road, as it turns east to enter Technology Drive will be a minimum of 18m from the side boundary of 21 Island Farm Close. A 2.4m high acoustic fence with hedge planting either side and additional landscaping in the intervening spaces is offered as mitigation to off-set the impact of the road. An opportunity does appear to exist to provide additional areas of planting to screen the development from the side boundary of 22 Island Farm Close and the properties at the southern end of Island Farm Road. A condition will be imposed to secure these works.

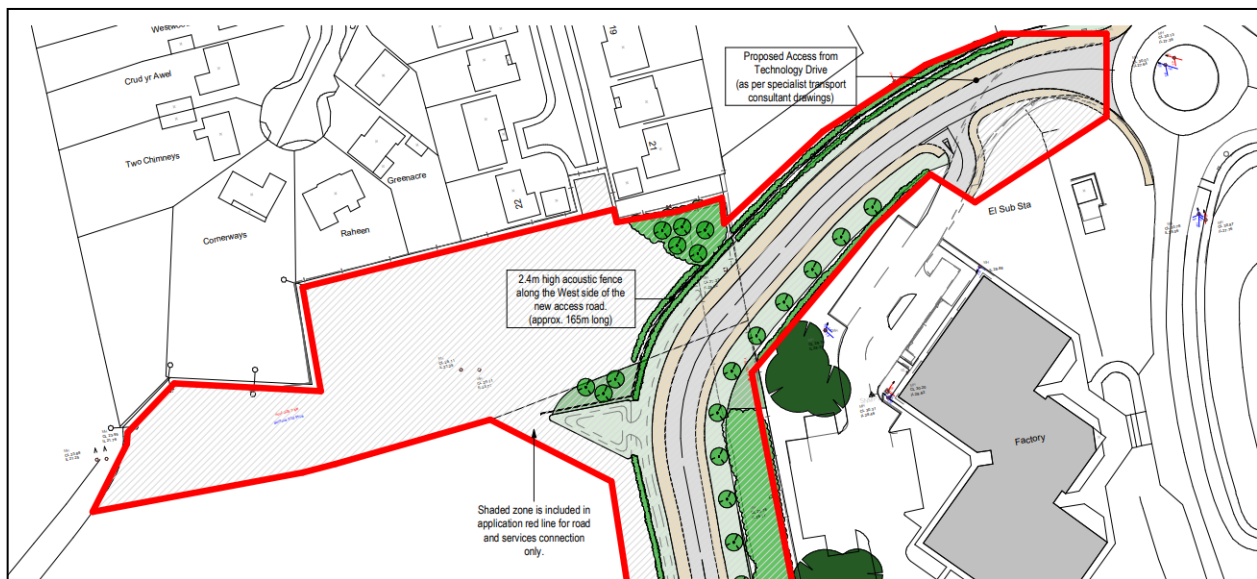


Figure 12 Extract of Plan Showing relationship of access road To Island Farm Close and Island Farm Road

Members should be mindful that an extant consent does exist to create an access road into Technology Drive to serve the previously approved Island Farm Sports Village. It is considered that subject to the implementation of the landscaping and acoustic fence, the living conditions of the nearest residents on Island Farm Close and Road should be reasonably protected.

The buildings on Science Park are commercial and not residential and have been discounted in terms of this assessment.

Recognising that the development will generate noise, an assessment has been undertaken to identify any adverse impacts and whether any potential solutions to mitigate noise would be required. The primary noise sources associated with the development are identified as plant noise, racquet striking ball, human voices from the swimming pool area, spectator noise during a limited number of tournaments and vehicle movements associated with visitors to the development. Informed by the initial noise modelling work, the development proposes to incorporate a number of acoustic mitigation measures to minimise the operational noise impact at the nearest sensitive receptors. The following measures are included in the submitted design:

- Minimum 3m high acoustic barrier at the eastern boundary of the swimming pool extending south and west along the perimeter of Courts 4, 5 and 6.
- A landscaped earth bund located between the tennis courts and the care home and garden. The height of the bund varies along its length with a maximum height of 4m at the northern extent.
- A minimum 2.4m high acoustic barrier located along the northern extent of the development access route at the northern extent.

The development proposal incorporating the mitigation has been assessed using 3D modelling techniques to determine the noise immission levels due to the development and ensure that adverse impact is avoided at neighbouring noise sensitive receptors. In the absence of specific criteria for this type of development, noise impact from the facility has been assessed by comparing the change in noise levels due to the introduction of the proposed development.

Any plant and machinery associated with the Tennis Centre is to be housed within a plant room in the main building. The plant is anticipated to be used 24/7 and as details of the plant are not available at this stage, a maximum operational criterion has been recommended based on the representative background sound levels. The recommended criterion will be used to inform the M&E design and purchasing decisions for any plant associated with the proposed development. A condition can be imposed that will limit plant noise levels.

Whilst it is expected that all external courts will only be in use at the same time on an infrequent basis, the submitted noise assessment considers the worst-case impact based on the assumption that all external courts are in use at the same time.

As the tennis centre is not yet operational and in the absence of a similar British Guideline document, noise emission levels for the tennis activities were obtained from a German Standard. The proposed opening hours of the Tennis Centre are 06:00 – 22:00 hours with the majority of activity on the outdoor courts expected to occur during the period 09:00 – 20:00 hours. Spectators will only be present during a limited number of organised tournaments with the capacity to accommodate a maximum of 80 spectators at any one time. The assessed noise effects during a tournament represent the worst-case situation for when the maximum of 80 spectators are in attendance and where all external courts are in use at the same time. It is understood that this situation would rarely occur and typically less than 80 spectators are expected during the majority of tournaments and that all courts would only be in use during early rounds. These tournaments will only occur during the period 09:00 – 20:00 hours.

The results of the assessment indicate that the immission levels at all residential dwellings and the occupants of the care home are below the assessment criteria agreed with the Council and any potential impact will be low. An adverse effect does not occur in

accordance with the aims of Planning Policy Wales. This conclusion also applies during the limited number of tournaments with up to 80 spectators.

The noise assessment has also considered any impacts from development traffic on the nearest residential properties. The result of this assessment indicates that the magnitude of the impact from the noise associated with the proposed development road traffic, is 'Negligible' for all receptors subject to the implementation of the mitigation set out above.

The noise assessment has been considered by Shared Regulatory Services and there is no objection to the amended scheme subject all mitigation works being implemented and controls being imposed on the future use of the site.

The noise assessment does not consider the issue of construction traffic only the noise impact of the additional traffic generated by the development on the wider road network. Construction access to the site is proposed via Island Farm Lane which will be improved with a widened and realigned junction onto Eweny Road. The lane will be gated to vehicular traffic at the boundary to the Tennis Centre site but will permit construction traffic. This will pass by the existing properties causing some disruption to the residents. The Council does recognise that construction operations by their nature are noisy and impacts on those living and working in the vicinity must be minimised as far as is reasonably practicable. This is generally achieved through the agreement of a Construction Management Plan or indeed through other legislation (Environmental Protection Act 1990 etc.) and that is proposed for this development.

As part of the Construction Management Plan, the developer will be required to submit a phasing plan for the construction with the intention being that only the initial phases of construction will utilise Island Farm Lane and that works on the construction of the access to the Science Park commence as soon as possible within the build contract. This will have benefits in terms of highway safety which will be discussed again in the report but also limiting the impact of construction traffic on residents.

Planning Policy Wales recognises the need to balance the provision of lighting to allow sport and recreation activities to take place with the need to protect the natural and historic environment including wildlife and features of the natural environment, retain dark skies where appropriate, prevent glare and respect the amenity of neighbouring land uses and reduce the carbon emissions associated with lighting. Planning Authorities are invited to impose conditions that require the agreement of the design and operation of lighting systems to ensure they are energy-efficient and prevent light pollution.

The statements supporting the application suggest that the proposed external lighting has been designed with safety and functionality in mind. Illumination levels will be controlled to recommended standards without over-illumination. Good lighting design principles are incorporated to mitigate wider light pollution and skyglow effects via appropriate locational and light fitting specifications. The column mounted fittings are specified as the 'dark sky' type with low upward light spillage. Lamps will be appropriately specified with effective beam control, spill shields and baffles using LED technology. Daylight control and time switches will also be used to control external lighting to appropriate levels at all times of the day.

Particular attention has been focussed on limiting light spill into the perimeter hedgerows and woodland areas in order to protect bat foraging routes. It is understood that this scheme is indicative and may be subject to change. Conditions will therefore be imposed requiring the agreement of the final details of the lighting scheme prior to their installation. The lux levels at the closest residential properties will not be able to exceed the levels set out in condition 31. A post installation survey will also be required to ensure that the

installed lighting has not resulted in excessive sky glow, glare and light trespass onto any wildlife corridors.

Overall, the impacts of the development on the nearest residential properties and the occupants of the nursing homes are not considered to be so excessive as to warrant a refusal of planning permission. This view is reached on the basis of the details set out above, the mitigation offered as part of the development and the opportunity to secure controls, particularly with regard to noise and lighting through the grant of planning permission.

Whether the proposed development will result in any significant loss of habitats or populations of species and provide a net benefit for biodiversity.

Policies SP2, SP4, ENV5 and ENV6 provide the local policy framework for assessing the impact of the development on biodiversity interests. The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) on Welsh public authorities in the exercise of their functions. The presence of a species protected under European or UK legislation or under Section 7 of the Environment (Wales) Act 2016 is also a material consideration when a Planning Authority is considering a development proposal which if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained.

The application has been accompanied by a series of Ecological Appraisals that provide an overview of the site's baseline ecological conditions from previous and new ecology survey work. The conclusions reached in the baseline analysis is that the site is not subject to any statutory or non-statutory ecological designations. The habitats in the centre of the site were assessed to hold low ecological value whilst the boundary features were assessed as having moderate value for foraging/commuting bats.

The proposed access road running north-south along the eastern boundary runs parallel to an existing strip of trees and vegetation. The detailed location, landscape and lighting design for this road has been informed by the results of the bat surveys with the principal objective of retaining a dark corridor along this north south route. Previous surveys have also identified the presence of dormice on site. The proposed new access will cross the boundary with Bridgend Science Park where there is an existing gap in the tree line. Some scrub vegetation will need to be removed although much of the area has been colonised almost entirely by Himalayan Balsam. The proposed access road should not result in the loss or severance of dormice habitat. Proposals to remove the Himalayan Balsam and replanting areas of scrub at this access point can be secured by condition. Further planting is also proposed along the entirety of the eastern boundary of the new access road which will result in a significant net gain in habitat suitable for dormouse.

In the consultation responses received, the Council's Ecologist has requested that the recommendations in the Ecological Assessment be included in the conditions of approval. Furthermore, should the application be granted, consideration be given to the provision of nest boxes within the development for bat and bird species. The incorporation of bat bricks, bat tiles and bat boxes into the development, would provide summer roosting opportunities for bats and would contribute to the environmental sustainability of the development. Such enhancements would also demonstrate Local Authority compliance with Section 6 of the Environment (Wales) Act 2016.

In their consultation response to the revised scheme and in particular the new access road, Natural Resources Wales (NRW) have welcomed the submission of the updated 'Protected Species Report'. On the matters of dormice, it is noted that two sections of hedgerow on the eastern boundary with the care homes are to be removed. This

hedgerow consists of the original retained hedgerow bolstered with translocated planting secured under a licence issued by NRW as mitigation for the hedgerow removal works carried out in the centre of the larger site.

As mitigation is legally secured under licence, the removal of this section of hedgerow will require the existing licence to be amended. In addition, given the change to the scope of the works since the licence was issued, a number of aspects of the licence will also require amending to accurately reflect the work carried out on the site to date and to ensure that any outstanding requirements that were conditioned under a new licence are more proportionate to the reduced level of works now proposed. The developer will need to discuss the new licence with NRW's species permitting team. It should be noted that replacement tree and hedge planting is proposed along the revised and re-aligned eastern boundary.

On the matter of bats, NRW note that the majority of the bat activity occurred off site along the railway corridor that runs alongside the south-east corner of the site. The latest surveys recorded an increase in Lesser Horseshoe Bat (LHB) in June 2022 and there is already known to be a LHB maternity roost near the site. Given the apparent sensitivity of this species to lighting, it is important that the south-eastern corridor remains dark. The latest lighting plans indicate that no light spill in excess of 1 lux will illuminate boundary vegetation along the railway corridor. NRW have however requested the imposition of a condition that will agree a scheme and measures to monitor light spillage once the development is operational to ensure that the light levels proposed by the development are achieved. This condition has been included within this report – condition 32 refers.

Tree and vegetation clearance in site is limited to three locations. Firstly, the point where the access road will cross from the site into Technology Drive as detailed above. The second location is the eastern boundary of the site where a section of hedgerow will be removed to allow the formation of the new car park and garden for the adjacent nursing home. Extensive re-planting is proposed around the revised site boundaries to mitigate the loss. This work will also be the subject of a revised licence that will need to be issued by Natural Resources Wales before any development commences.

The final area relates to the access improvement proposed on the junction of Island Farm Lane and Ewenny Road. A group of Holly trees and a single Bay Laurel tree will be removed to allow for the junction re-alignment. The proposed landscaping scheme incorporates a new native hedgerow along the amended side boundary of Bryn Derwen (formerly 'The Patch'). The loss of trees is regrettable but justified on the basis of the highway safety gain from the revised access arrangements.

On the basis of the observations received from Natural Resources Wales and the Council's Ecologist and subject to the imposition of conditions that will tie the development to the submitted landscaping works and management plans, mitigation measures will be required as recommended in the protected species reports to be implemented along with the controls on the lighting to ensure the development proposal will accord with Policies SP2, SP4, ENV5 and ENV6 and Section 6 of the Environment (Wales) Act 2016. Overall, the development will not result in any significant loss of habitats or populations of protected species and through the agreement of a Landscape Ecological Management Plan will provide a net benefit for biodiversity.

Whether the development would have any impact on any archaeological remains

This matter was referred to in the comments received from Merthyr Mawr Community Council in recognition that the application site is located within an Archaeological Sensitive Area of 'Island Farm Bovium' as defined by Policy SP5(4) Sites or Areas of Archaeological

Significance of the LDP. Policy SP5 states that development should conserve, preserve or enhance the built and historic environment of the County Borough and their setting.

As part of the original Island Farm development, a programme of archaeological work was agreed with Glamorgan Gwent Archaeological Trust through a written scheme of archaeological investigation that would be carried out as part of the development, (condition 41 of P/08/1114/OUT refers). The document identified that intrusive groundworks could disturb previously unknown archaeological remains, in particular the fabric of the Glanwenny/Caerleon-Loughor Roman Road, an additional Trackway, three possible cairns, a Pond and other buildings on site. From the plans that accompanied the agreed Scheme of Investigation, the main tennis centre building will be outside the potential remains. The proposed access will however cross the possible line of the Roman road.

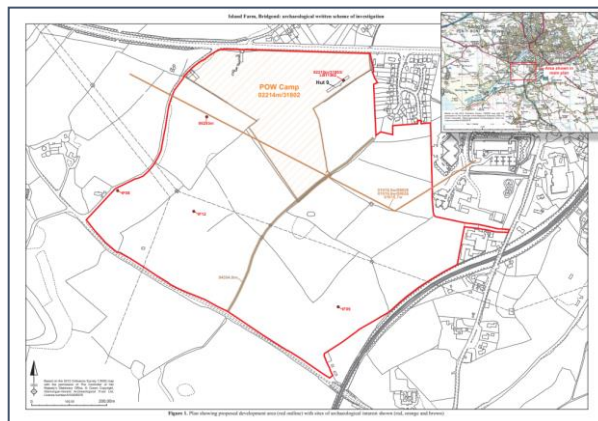


Figure 13 Extract from Island Farm, Bridgend - Archaeological Written Scheme of Investigation

All works will therefore have to be carried out in accordance with the Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd - (GGAT Projects) - May 2015 - Project No P1774 - Report No. 2015/041. Subject to the developer complying with the requirements of the above document, Policies SP5 and ENV8 should be appropriately addressed by the development and any archaeological asset recorded.

Whether the proposed arrangements for site drainage are acceptable

The application site lies within Flood Zone A on the NRW advice map and the site is therefore classed as being at low risk of flooding. A foul water sewer exists to the north of the tennis centre site running along the boundary with the Science and Technology Park and towards the residential area to the north. A private pumping station (not adopted) will pump waste from the tennis centre development to the north of the site where a standard gravity connection can be made to the public sewer.

Surveys have confirmed that ground infiltration rates on site are low and the site is subject to naturally occurring cavity formations. Accordingly, alternative surface water drainage solutions will be required. A surface water drainage layout and drainage strategy report has been provided which identifies that surface water will be disposed to the DCWW public sewer via attenuation ponds and permeable paving that drains to a private surface water pumping station. It is a requirement that the surface water drainage systems are designed and built in accordance with standards for sustainable drainage and that these systems must be approved by the Bridgend SUDs Approval Body before construction work begins.

No adverse comments have been received from the Land Drainage Section and Dwr

Cymru Welsh Water. Conditions will however be imposed to require the agreement of the drainage works before works commence.

CONCLUSION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. Factors to be taken into account in making planning decisions (material considerations) must be planning matters, that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

Having regard to the above and weighing up all the material considerations, it is considered that this proposed sporting and recreational facility is, on a matter of principle, acceptable in this rural but urban fringe location. The development is not a departure and does not compromise the integrity of the adopted LDP. Opportunities to deliver a facility of this scale in Bridgend are limited and national policy does acknowledge that such sites may be acceptable where they are accessible by a range of transport modes. Active Travel routes will be provided along with improvements to the existing pedestrian links as part of the development. In reaching a view on the principle of the development being acceptable, consideration has been given to the extant planning consent for a tennis centre on this site and the economic and wellbeing benefits of the development which are detailed in the report.

The landscape and visual impacts of this development have been carefully considered and whilst in the short term they will be significant from certain viewpoints, the extensive landscaping that is proposed will as the years pass minimise its impact. The building at its scale will never be hidden but it will become more integrated with its surroundings over time. As detailed in the report, the impacts of the development on the nearest residential properties and the occupants of the nursing homes are not considered to be so excessive, in part due to the mitigation works that will be delivered as part of development and the opportunity to secure controls, particularly with regard to noise and lighting through the grant of planning permission.

The submitted proposal demonstrates that the site can take advantage of local sustainable infrastructure with a new Active Travel link that will be constructed as part of the new access road and improvements to the pedestrian route beyond the site boundary, connecting to public transport routes. Such measures which also include enhancements to the bus stop facilities are considered proportionate to the development proposed. The potential for the development to add traffic to an already busy network along the A48 and Ewenny Road has been considered in the various Transport Assessments and Transport Notes that have accompanied the application.

An independent review of the latest document confirms the assessment to be robust, offering a 'worse case' scenario and showing a greater impact on the Ewenny Roundabout junction than is likely to occur. There will however be additional traffic on the network and consideration has been given to measures to mitigate the increased flows but it is evident that this would require major physical improvement to the signalised junction which is beyond the scope of this application. The impacts would to some degree be offset by measures to encourage modal shift away from private car travel and through adjustments to the Ewenny Roundabout signal controller configuration to maximise capacity for the revised traffic patterns associated with the development. In summary, despite the objections received, there is no convincing evidence before the Council to suggest that the application should be rejected on highway and transportation grounds.

Matters of detail concerning ecology, archaeology and site drainage have been fully assessed and subject to a number of pre-commencement conditions being imposed, impacts can be controlled and mitigation secured.

RECOMMENDATION

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

(i) Contribute a total sum of £25,266, paid on the commencement of development towards:

- Bus stop improvements, including bus stop signs, markings, and bus shelter roofing upgrades - £6,600.
- Traffic Orders required in connection with the required pedestrian crossing on Ewenny Road - £8,000.
- Improvements to the Microprocessor Optimised Vehicle Actuation (MOVA) system on Ewenny Roundabout - £10,666.

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

1	<p>The development hereby permitted shall be carried out in accordance with:</p> <p>(a) the following approved plans and documents:</p> <p>9806-PL01 P05 (Site Location Plan) 9806-PL02 P013(Block Plan) 9806-PL03 P013 (Proposed Site Plan) 9806-PL04 P03 (Proposed Ground Floor Plan) 9806-PL05 P03 (Proposed First Floor Plan) 9806-PL06 P03 (Proposed Roof Plan) 9806-PL07 P03 (Proposed GA Elevations) 9806-PL08 P05 (Proposed GA Sections 1) 9806-PL09 P04 (Proposed GA Sections 2) 9806-PL10 P04 (Proposed 3D Views) 9806-PL11 P03 (Proposed 3D Visualisation).</p> <p>DLA-2002-L-10 P04 (Hard Landscape Plan 1 of 2) DLA-2002-L-11 P04 (Hard Landscape Plan 2 of 2) DLA-2002-L-12 P04 (Soft Landscape Proposals Sheet 1 of 2) DLA-2002-L-13 P04 (Soft Landscape Proposals Sheet 2 of 2) DLA-2002-L-14 P04 (Boundary Treatment) DLA-2002-L-15 P02 (Vegetation Removal/Protection) DLA-2002-RPT-LMP-01 Revision 4 (Landscape Management Plan) (May 2022) DLA-2002-L-21 P01 Outdoor Terrace Details DLA-2002-L-22 P01 Tree Pit Details DLA-2002-L-23 P01 Bund Sections DLA-2002-RPT-LUX-01 1(Selux Light Information) DLA-2002-L-16 P02 (General Lighting Lux Level Plan). DLA-2002-L-17 P03 (Circulations Lighting Lux Level Plan 1 of 2) DLA-2020-L-18 P03 (Circulations Lighting Lux Level Plan 2 of 2) DLA-2002-L-19 P03 (Sports Court Lighting Lux Level Plan) DLA-2002-XX-ZZ-DR-L-20-01Access Road – Dark Corridor</p>
---	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>D001 Rev B (Foul Water Drainage Strategy) (WLS) D100 Rev C (Storm Water Drainage System) (WLS) Storm Water Drainage Strategy (20th September 2021) (WLS)</p> <p>(b) The Active Travel Route and Access Road as detailed on Drawings 9806-PL01 P05 (Site Location Plan), 9806-PL02 P013 (Block Plan) and 9806-PL03 P013 (Proposed Site Plan) shall be constructed prior to the tennis centre being brought into beneficial use.</p> <p>(c) The mitigation measures set out in the documents listed below shall be carried out as prescribed in the documents before the development is brought into beneficial use:</p> <ul style="list-style-type: none"> • Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd (GGAT Projects) - May 2015 Project No P1774 - Report No. 2015/041 • Bat Survey Report (September 2021) Addendum to Ecological Assessment (Ethos Environmental Planning) • Protected Species Report (July 2022) Addendum to Ecological Assessment (Ethos Environmental Planning) • Noise Impact Assessment (May 2022) (Acoustics & Noise Ltd) <p>(d) In accordance with conditions 1 (a) and 5, all works comprised in the approved details of landscaping shall be implemented in accordance with a programme of works that shall be submitted to and agreed in writing by the Local Planning Authority before any development works commence on site.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
2	<p>The premises shall be used as an Indoor and Outdoor Tennis Centre with ancillary facilities only and for no other purpose including any other purpose in Class D2 (Assembly and Leisure) 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/or re-enacting that Order.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of highway safety.</p>
3	<p>No above ground works shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.</p> <p>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.</p>
4	<p>No above ground works shall take place 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 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 commencing.</p>

	<p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.</p>
5	<p>Notwithstanding the submitted landscape plans, no above ground works shall take place until a scheme for landscaping and noise mitigation works has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall relate to the land that separates the access road from the boundaries of 21 and 22 Island Farm Close and shall include existing and finished site and road levels, full details of the noise mitigation measures (including the required 2.4m high acoustic barrier) and details of any earth works and associated tree and shrub planting. The agreed scheme shall be implemented before the road and/or the tennis centre is brought into beneficial use and shall be retained in perpetuity.</p> <p>Reason: To safeguard the amenities of the residents of Island Farm Close.</p>
6	<p>Notwithstanding the approved layout plans, no development shall commence in respect of the access road until a scheme for a revised Active Travel arrangement at the north-eastern tie-in point of the access road with Technology Drive has been submitted to and approved in writing by the Local Planning Authority. The active travel tie-in arrangements shall be implemented as agreed in permanent materials before the development is brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p>
7	<p>No development shall commence in respect of the access road until a scheme for the provision of a pedestrian refuge crossing on Ewenny Road in the vicinity of the junction with Technology Drive has been submitted to and agreed in writing by the Local Planning Authority. The pedestrian crossing facility shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety and promoting active travel.</p>
8	<p>No development shall commence in respect of the access road until a scheme for the provision of tactile pedestrian crossing facilities on the access of Plot 2 Technology Drive (Severn Trent Laboratories) has been submitted to and agreed in writing by the Local Planning Authority. The pedestrian crossing facilities shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety and in promoting active travel.</p>
9	<p>Notwithstanding the submitted plans, no development shall commence in respect of the emergency access until a scheme for the emergency access adjacent to Penybont Nursing home has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for a restriction for vehicles from the site (unless in an emergency) whilst allowing through access for active travel journeys and shall be implemented as agreed in permanent materials before the development is brought into beneficial use and retained in perpetuity.</p> <p>At no time, other than in an emergency or the for the initial ground works on site shall the Island Farm Lane/Ewenny Road junction be used to serve this development.</p>

	Reason: In the interests of highway safety..
10	Notwithstanding the approved layout plans no development shall commence in respect of the access road until a scheme of horizontal and vertical alignment details together with localised widening on bends has been submitted to and approved in writing by the Local Planning Authority. The access road shall be implemented as agreed in permanent materials before the development is brought into beneficial use. Reason: In the interests of highway safety.
11	The proposed amended access junction from Ewenny Road adjacent to the empty former nursing home shall be laid out with vision splays of 2.4m x 100m to the south and 2.4m x 93m to the north and implemented as agreed in permanent materials before the commencement of works on the Tennis Centre or the additional parking for Penybont Nursing home. Reason: In the interests of highway safety.
12	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.
13	Notwithstanding the submitted plans no development shall commence until a scheme for the provision of 5 long stay cycle parking stands (10 spaces) and 32 short stay cycle parking stands (64 spaces) has been submitted to and approved in writing by the Local Planning Authority. The stands shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity. Reason: In the interests of promoting sustainable means of travel to/from the site.
14	The proposed Tennis Centre car parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity. Reason: In the interests of highway safety.
15	No development shall commence in respect of the Penybont Court Nursing Home car park until a scheme for the provision of no more than 12 off-street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity. Reason: In the interests of highway safety.
16	Within 3 months of the date of the erection of the main tennis centre superstructure, a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the site. Such a plan shall be subject to periodic review with the first to be undertaken after 6 months of the use commencing with monitoring and annual reports

	<p>prepared thereafter by the operator to be submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>
17	<p>Prior to the beneficial use of the new facilities commencing, a scheme of direction signage from the A48 and B4265 (Ewenny Road) shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the beneficial use of the new facilities commencing.</p> <p>Reason: In the interests of highway safety.</p>
18	<p>Upon completion of the development but prior to its beneficial use, a Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicles movements to the facility shall be made in accordance with approved Management Plan.</p> <p>Reason: In the interests of highway safety.</p>
19	<p>No development shall commence on site until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Construction Management Plan shall be divided into phases of construction and include: -</p> <ul style="list-style-type: none"> • Phasing of construction of Penybont nursing home car park, tennis centre, emergency access and new access road • The routeing/timing of HGV construction traffic to/from the site in order to avoid New Inn Road and the AM and PM peak hours at Ewenny roundabout • the parking of vehicles of site operatives and visitors • loading and unloading of plant and materials • storage of plant and materials used in constructing the development • wheel washing facilities • measures to control the emission of dust and dirt during construction • the provision of temporary traffic and pedestrian management along Ewenny Road and Technology Drive • temporary parking for Penybont Nursing Home during construction period • Hours of construction (which must not be outside the following hours 8am-6pm Monday- Friday, 8am -1pm Saturdays with no working Sundays or Bank Holidays) • Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites to minimise noise disturbance from construction works. • A scheme for mitigation measures for construction noise, noise and vibration monitoring <p>The construction works shall thereafter be undertaken in accordance with the agreed Construction Management Plan throughout the construction phases.</p> <p>Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.</p>
20	<p>No development shall take place (including demolition, ground works, vegetation clearance) until the Landscape Ecological Management Plan (LEMP) has been submitted to and agreed in writing by the Local Planning Authority. The LEMP shall include the following:</p> <ol style="list-style-type: none"> a) Description and evaluation of features to be managed.

	<p>b) Ecological trends and constraints on site that might influence management.</p> <p>c) Aims and objectives of management.</p> <p>d) Appropriate management options for achieving aims and objectives including mitigation detailed in the ecology report submitted with the application namely that for:</p> <ul style="list-style-type: none"> • protection and enhancement of bat feeding and commuting corridors and protection and enhancement of hedgerows and the deciduous woodland • dormice • nest boxes for birds • bat boxes <p>e) Prescriptions for management actions</p> <p>f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)</p> <p>g) Details of the body or organisation responsible for implementation of the plan</p> <p>h) On-going monitoring and remedial measures.</p> <p>The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.</p> <p>The site shall be developed in accordance with the agreed details.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation</p>
21	<p>No development shall commence on site (including demolition ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:</p> <ul style="list-style-type: none"> • Risk assessment of potentially damaging construction activities • Identification of 'biodiversity protection zones' • A method statement for eradicating invasive species in accordance with best practice guidance • Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction • The location and timing of sensitive works to avoid harm to biodiversity features • The times during construction when specialist ecologists need to be present on site to oversee works • Responsible persons and lines of communication • The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person • Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details.</p> <p>Reason: To protect biodiversity and to preserve the amenities of the countryside and adjoining occupiers.</p>
22	<p>The tennis centre, swimming pool and external tennis courts (excluding external courts 5 and 6) shall only be in operation between the hours of 06.00 and 22.00.</p>

	Reason: To protect the amenities of the adjoining occupiers.						
23	<p>External tennis courts 5 and 6 (as indicated in the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022) shall only be in operation between the hours of 07.00 and 22.00.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
24	<p>All tournament tennis shall only be played between 08.00 and 22.00 hours on any day.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
25	<p>The designated external spectator areas shall not be in operation outside the hours of 08.00 and 22.00.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
26	<p>The combined maximum noise rating level from all fixed plant and equipment when assessed in accordance with BS 4142:2014+A1:2019 shall not exceed the following noise levels as measured or where that is not possible, a combination of measurement and calculation at any noise sensitive receptor:</p> <table border="1" data-bbox="411 976 1091 1099"> <thead> <tr> <th>Time</th> <th>Noise rating level</th> </tr> </thead> <tbody> <tr> <td>Day (07:00-23:00)</td> <td>35 dB Laeq, 1 hour</td> </tr> <tr> <td>Night (23:00-07:00)</td> <td>32 dB Laeq, 15mins</td> </tr> </tbody> </table> <p>Reason: To protect the amenities of the adjoining occupiers.</p>	Time	Noise rating level	Day (07:00-23:00)	35 dB Laeq, 1 hour	Night (23:00-07:00)	32 dB Laeq, 15mins
Time	Noise rating level						
Day (07:00-23:00)	35 dB Laeq, 1 hour						
Night (23:00-07:00)	32 dB Laeq, 15mins						
27	<p>Prior to any fixed plant and equipment coming into beneficial use, a further noise assessment shall be undertaken to demonstrate either by measurement or where this is not possible by calculation or a combination of both measurement and calculation, that the noise rating levels specified in condition 26 have been complied with. The report shall be submitted to and agreed with the Local Planning Authority. Where the noise limits have not been achieved, the report shall contain a scheme of mitigation which shall be completed prior to any fixed plant and equipment becoming operational and an updated report shall be submitted to the Local Planning Authority to demonstrate compliance with condition 26.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
28	<p>The following acoustic barriers shall be installed at the development:</p> <p>(i) An acoustic barrier with a minimum height of 3m shall be installed at the eastern boundary of the swimming pool, extending south and west along the perimeter of courts 4, 5 and 6 (as shown on Figures 4-6 of Appendix 5 of the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022)</p> <p>(ii) A landscaped earth bund shall be located between the tennis courts and the care home and garden (as shown on Figures 4-6 of Appendix 5 of the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022). The height of the bund varies along its length and</p>						

shall be in accordance with that as shown on plan 9806-PL03 Rev P010-Proposed Site Plan with a maximum height of 4.5 m at the northern extent. The figures shown in red on plan 9806-PL03 Rev P010 equate to the following barrier heights:

	Datum	AOD	Barrier Height (metres)
1	28.10	28.12	0.02
2	28.10	32.60	4.50
3	28.10	31.90	3.80
4	28.10	30.40	2.30
5	28.10	29.60	1.50
6	28.10	29.30	1.20
7	28.10	27.20	-0.90

(The above data is extracted from the noise model. AOD refers to the red figures in the drawing. The first and last points refer to the base height of the ground at start and finish of the bund. The height of the bund between the points is extrapolated by the software (assumed linear).

(iii) An acoustic barrier with a minimum height of 2.4m shall be located along the northern extent of the development access route at the northern extent (as shown on Figures 7-8 of Appendix 5 of the noise assessment entitled, 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022)

For the modelling, the AOD heights were input as absolute height with height of the bund being the difference between the AOD and a reference height (datum) which for the above table is taken as the Finished Floor Level of the swimming pool area (28.1m)

All acoustic barriers/bunds should be contiguous throughout their length with a minimum superficial mass of 15 kg/m². For an acoustic barrier to achieve the calculated sound reduction performance, there must be no holes or weaknesses in the structure of the barrier. There must also be no gaps between the barrier and the ground in order to prevent sound passing underneath the barrier.

The design details of the barriers, including type of acoustic barrier, materials and exact location/height of each type of barrier shall be submitted to and approved by the Local Planning Authority in writing prior to installation of the acoustic barriers and must demonstrate that the minimum superficial mass of 15kg/m² will be achieved. The barrier design scheme shall be implemented as agreed and prior to the development being brought into beneficial use. The barriers shall be maintained and retained in perpetuity.

Reason: To protect the amenities of the adjoining occupiers.

29 Within six months following the first use of the external tennis courts and swimming pool or at the request of the Local Planning Authority upon receipt of a justified complaint whichever comes first, an Acoustic Review Report shall be submitted to the Local Planning Authority to demonstrate that the predicted noise levels specified in Table 12 of the noise assessment entitled ' Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022 for the Care Home and NSP1 and NSP2 Receptors have been achieved. The Acoustic Review

Report shall include a review of the mitigation measures completed under the terms of Condition 27 to ensure that the barriers achieve the level of attenuation that has been included in the noise modelling contained within the Noise Report dated 19 May 2022.

Should the noise levels from the external courts, spectators and swimming pool exceed the predicted levels within tables 12-15 of the Noise Impact Assessment dated 19 May 2022, their use shall cease immediately until such time as a scheme of mitigation has been submitted to, agreed in writing by the Local Planning Authority and implemented on site.

Reason: To protect the amenities of the adjoining occupiers.

30 No fixed public address systems shall be used externally at the tennis centre. Prior to the use of any temporary public address system, full details of the system including timings and noise levels shall be submitted to and agreed in writing by the Local Planning Authority. Any temporary public address system shall only be operated in accordance with the agreed details.

Reason: To protect the amenities of the adjoining occupiers.

31 Prior to the installation of any external lighting, final details of the lighting scheme shall be submitted to and agreed with the Local Planning Authority. The scheme shall include the following:

- A plan showing the location, height and orientation of the lights, as well as what type of lights are to be erected at what locations
- The predicted levels in lux at the closest residential receptors following final choice of design, location and height of lighting columns and information to demonstrate that the levels do not exceed The Institution of Lighting Engineers recommendations in the Guidance Notes for the Reduction of Obtrusive Light' for obtrusive lighting in E2 – Rural areas as reproduced in Table 1 below:

Environmental Zone	Sky Glow ULR [Max %] ⁽¹⁾	Light Trespass (into Windows) Ev [Lux] ⁽²⁾		Source Intensity I [kcd] ⁽³⁾		Building Luminance Pre-curfew ⁽⁴⁾ Average, L _[cd/m²]
		Pre- curfew	Post- curfew	Pre- curfew	Post- curfew	
E1	0	2	1*	2.5	0	0
E2	2.5	5	1	7.5	0.5	5
E3	5.0	10	2	10	1.0	10
E4	15.0	25	5	25	2.5	25

ULR = Upward Light Ratio of the Installation is the maximum permitted percentage of luminaire flux for the total installation that goes directly into the sky.

Ev = Vertical Illuminance in Lux and is measured flat on the glazing at the centre of the window

I = Light Intensity in Cd

L = Luminance in Cd/m²

Curfew = The time after which stricter requirements (for the control of obtrusive light) will apply; often a condition of use of lighting applied by the local planning authority. If not otherwise stated - 23.00hrs is suggested.

* = From Public road lighting installations only

- Specify operational hours for each type of lighting i.e. lighting for signage, lighting for external tennis courts, lighting for swimming pool, lighting for car park and general low-level lighting and mode of operation as to how the lights are activated and turn off

	<ul style="list-style-type: none"> Specify any necessary mitigation measures to reduce light spillage beyond the site boundary and to ensure there is no direct glare from any optics into any residential properties (e.g., baffles and screening and specify which lights are to have baffles) and upward light spillage) <p>The lighting scheme shall be implemented as agreed.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>
32	<p>Prior to the installation of lighting on the site, full details of a lighting monitoring scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting monitoring scheme shall include:</p> <ul style="list-style-type: none"> Measures to monitor light spillage once the development is in operation, Detail of consistent/accurate method to record light levels in proximity to sensitive features Details of remedial measures and additional monitoring should light levels not be within the required levels <p>The lighting monitoring scheme shall be implemented as agreed.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.</p>
33	<p>Should the Local Planning Authority make such a request in writing, a post-operation survey shall be undertaken and submitted to the Local Planning Authority within one month of such request being made to demonstrate that the lighting does not exceed the approved specifications. If the survey demonstrates that it does not meet the approved specifications, any remedial action necessary to achieve such approved levels shall be undertaken within one month of such request being made in writing by the Local Planning Authority.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>
34	<p>No development or site clearance shall commence until the Local Planning Authority has 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 in accordance with 'Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd (GGAT Projects) - May 2015. 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.</p> <p>Reason: In the interests of protecting heritage assets.</p>
35	<p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop and no further development shall take place until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a</p>

	<p>verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.</p> <p>Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.</p>
36	<p>Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
37	<p>Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
38	<p>Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
39	<p>*THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS*</p> <p>i. 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:</p> <ul style="list-style-type: none"> • determining the extent and effects of such constraints • ensuring that any imported materials (including, topsoils, subsoils, aggregates and

recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management licence. 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

- The safe development and secure occupancy of the site rests with the developer.
 - ii. Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.
 - iii. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.
 - iv. The Highway Authority will require the Developer to enter into legally binding Section 111 Licence Agreement including an appropriate bond to secure the proper implementation of the proposed highway works and the adoption of the same as part of the maintainable highway. The commencement of the works on or abutting the existing maintainable highway will not be permitted until such time as the Agreement has been concluded.
 - v. To satisfy the condition 4 above the applicant must:
 - Provide details of the proposed private foul & surface water pumping stations
 - Provide a maintenance plan associated with the private foul and surface water pumping stations
 - Provide an agreement in principle from DCWW for foul and surface water disposal to the public sewer
 - Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).
 - vi. The following advisory notes have been provided by Network Rail:
Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing/wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

DRAINAGE

Soakaways/attenuation ponds/septic tanks etc as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property/infrastructure. Ground levels, if altered, to be such that water flows away from the railway. Drainage is not to show up on buried service checks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

EXCAVATIONS/EARTHWORKS

All excavations/earthworks carried out in the vicinity of Network Rail's property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of failure it will not fall on to Network Rail land.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to

	the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

REFERENCE: P/22/463/FUL

APPLICANT: G24 Ltd
10 Buckingham House, Station Road, Gerrard Cross, Bucks SI9 8FI

LOCATION: Kenfig Nature Reserve, Kenfig, Bridgend CF33 4PT

PROPOSAL: Installation of tickets kiosk machines x 3 and ANPR cameras, laying of CAT 6 and armoured cable to each car park kiosk/camera and reception

RECEIVED: 30 June 2022

APPLICATION/SITE DESCRIPTION

The application seeks retrospective consent for the installation of three parking meters/ticket kiosk machines and three ANPR cameras (Automatic Number Plate Recognition) along with the associated laying of power cabling to each car parking kiosk/camera and the main reception building at Kenfig Nature Reserve, Kenfig.

A number of signs have also been erected at the site in respect of the newly introduced parking fees at the car park(s) with a separate advertisement application (A/22/25/ADV refers) submitted in this regard.



Fig. 1 – Site Location Plan

As illustrated above (Figure 1), two of the kiosk machines have been sited within the established car parking areas at the site with a further machine sited directly alongside the main building on the site/visitor centre, facing toward the car parking space. The two kiosks sited within the car parking areas have been enclosed in small plastic cubicles with metal frames to provide weather protection, as illustrated in Figure 2, below. The cameras have been mounted on 4m high posts towards the entrance point of each car parking area as also illustrated below.





Fig. 2 – Photographs of Site

Supporting information submitted with the application explains that the cabling has been laid under paving slabs and along curb edges to minimise the visibility and reduce cutting. The cutting of the tarmac has also followed existing lines and the cable trench has not exceeded 4cm widths with depths of at least 10 cm.

Further information submitted in support of the application by the Chairman of the Trustees of Kenfig highlights that, as the Trustees, they are the managers and the custodians of the Land in Kenfig Nature Reserve.

The owners are the Charity Commission who entrust the Trustees/management to manage the land via a management document called 'The Scheme'. The Scheme is to ensure the Reserve is managed as best it can in the interests of all parties. The Trustees have recognised that without the difficult decision to put in car park charges, there are insufficient funds to keep the Reserve open and it would have to close. The Trustees consider this would be more detrimental to the Parish than paying for charges.

Furthermore, the Trustees consider the inability to fulfil the management agreements with Natural Resources Wales would result in a catastrophic decline and the eventual loss of some endangered species that live at the SSSI site... *"We want to do everything we can to support a smooth transition to planning approval so we can continue to protect the finances that are required to keep open this wonderful SSSI site that we all enjoy."*

The application site comprises the large car parking areas associated with Kenfig National Nature Reserve/Kenfig Visitor Centre that is situated within the countryside of Kenfig, near Pyle. The car parking areas are largely flat areas defined by tarmac areas and concrete/grasscrete parking spaces. The main visitor centre building is situated beyond the car parking spaces to the west, south-west of the site. A number of Public Rights of Way cross the site. There are a number of residential properties situated to the east of the site beyond the main public highway and points of vehicle access to the car parking areas.

The application site sits within a Special Landscape Area and the National Nature Reserve although, as illustrated below, the car parking areas largely fall outside the identified boundaries of the Site of Special Scientific Interest (SSSI) and the Special Area of Conservation (SAC) (hatched red areas).

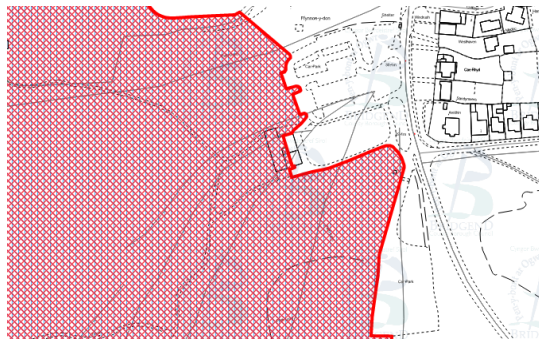


Fig. 3 – SSSI and SAC

RELEVANT HISTORY

A/22/25/ADV - Non-illuminated pole mounted parking signs
Pending

P/21/327/FUL - Alterations and adaptations to form a cafe area
Conditional Consent 21/07/2022

P/05/824/BCB – Extension to Visitor Centre
Conditional Consent 05/08/2005.

P/04/1528 – Extension to Nature Centre
Approved 01/02/2005.

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 has expired.

CONSULTATION RESPONSES

Cornelly Community Council

- The members of Cornelly Community Council wish to submit the following objections to the above mentioned planning application:
- The site of the application is a National Nature Reserve (NNR), a site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The number, height and appearance of the posts that have been installed to date, in particular those erected to display parking notices, is excessive. The poles, signage and kiosks related to this application have an adverse effect on the character and appearance of a conservation area.
- Visitors to the Nature Reserve may refuse to pay parking fees, as there is currently local debate upon the status of the car park as common land. Also, some people may not have the means to pay by debit or credit card, which it is believed will be the only payment method available. These issues will mean displacement of vehicles to local streets, grass verges and pavements, causing obstruction and presenting a road safety hazard for pedestrians and drivers. Vehicles parked either side of the junction would be especially problematic as vision both into and out of the junction will be impaired, presenting a road safety hazard.
- It should be noted that during the COVID19 pandemic, when the car park at the reserve was cordoned off to prevent people visiting the site illegally, there were major problems with displacement of vehicles in and around the Kenfig area, necessitating a police presence in the area on a daily basis.

Natural Resources Wales (NRW)

We have no objection to the proposed development as submitted and provide the following advice.

Protected Sites

The application site is within the Kenfig Site of Special Scientific Interest (SSSI) and Kenfig Special Area of Conservation (SAC). We consider that, given the small scale and the nature of the development, that the proposed development is not likely to damage the features for which the SSSI and SAC are of special interest.

Protected Species – Bats and Great Crested Newt

We note the presence of bats and great crested newts (GCN) within vicinity of the site. We recommend you seek the advice of your in-house ecologist to determine if there is a reasonable likelihood of bats or GCN, both of which are a European Protected Species, being present within the application site. If so, in accordance with Technical Advice Note 5: Nature Conservation and Planning (paragraph 6.2.2) a species survey may be required. Any survey should be carried out in accordance with best practice guidance, for example 'Bat Surveys; Good Practice Guidelines 3rd Edition' published by the Bat Conservation Trust 2016.

An advisory note is requested in respect of pollution prevention.

Highways

It is considered that there is potential for concerns and complaints with regard the application due to visitors undertaking inappropriate parking and also reversing manoeuvres onto the live carriageway to the detriment of highway safety.

Notwithstanding this it is recognised that the nature reserve car park has existed as a car park for a considerable time and as such is a lawful use for parking. It is understood that charging for parking does not constitute a change in the land use and as such there is no requirement for further planning consent in this respect. As such any concerns in respect of instances of drivers seeking alternative parking (potentially inappropriately on the highway network) cannot be reasonably considered as part of this proposal. Furthermore it is noted that in order to reduce the instances of drivers stopping at the entrances and reversing onto the main highway through Kenfig the applicant is prepared to give a grace period of 10 minutes which will allow vehicles to enter and exit without incurring an excess charge. Suitable signage is being proposed under the accompanying application Ref A/22/25/ADV.

Given the above the highway merits of the application are considered purely in terms of the impact of the physical elements or the proposal (CCTV cameras, pay stations and associated cabling). These features are standard fare in a car park and their provision does not affect the safety of the access points onto the highway or indeed alter the number of parking spaces and accordingly observations of no objection are considered to be appropriate in this case.

REPRESENTATIONS RECEIVED

A total of 25 objections/letters of representation have been received in respect of the Planning application following the neighbour consultation exercise and advertisement of the Planning application. The objections and comments raised are summarised as follows:

Trustees' Rights

- The land forming the application is Common Land and as such, must have consent from the Secretary of State for Wales for 'Change of Designation' BEFORE consent can be considered
- A trust shouldn't be able to charge for parking
- The application documents and attached photographs show signage indicating the land is 'PRIVATE LAND' - this is totally incorrect.

- At the present moment in time, an ongoing investigation into the activities of the KCT and the appointment of the board of trustees is currently underway and until that investigation process has been concluded there is no guarantee that the current board of trustees have the legal right to give their permission for this development to take place. On this point alone this planning application needs to be set aside until the results of the ongoing investigation have been arrived at and been published.
- How can a trust authorize a "for" profit private concern and seek to implement a business initiative on the site.
- The trustees have not bothered to follow due process and the parking machines, notices and cameras have already been installed and have been working since August 2022 with charges are being enforced before planning has been approved.

Legalities

- This planning application has been inadequately advertised to the general public and not advertised on the Council's website.
- A Section 38 application should be made to allow the developers to carry out works on Common Land. Given the absence of any Section 38 permission being in place none of the works that have taken place so far to date should have been undertaken.
- There are a set of Bye Laws which are legally in force at the Kenfig Site. These Bye Laws came into effect on the 15th May 1990 and they were put in place by BCBC's predecessors Mid-Glamorgan County Council. Whilst these Bye Laws may well appear to be archaic they are still in place and they are dealt with via the local magistrates courts and the maximum fine for breaking any of the Bye Laws appears to be £500. Specifically, Bye Law 21 appears to prohibit the use of the ANPR cameras that are required as a key part of the infrastructure of the proposed planning application. The question needs to be asked if BCBC were to approve planning permission for this development would BCBC then become co-defendants in breaking the Bye Law.
- Legality of the land and whether the trust is actually 'allowed' to charge for this car parking facility.
- The site comprises common land and from the High Court Ruling in 1971 is held in trust for residents to use freely. The Charity Commission Bylaws also clearly state that no cameras are to be erected on any of the land. Also, any monies raised on the reserve must not leave the parish. As G24 Ltd is a registered company in Buckinghamshire this breaches the High Court ruling and the Bylaws, making it illegal.
- It appears that the Trustees of Kenfig Corporation are trying to reclassify the Common Land as Private Land without any regard to the legality of such actions, including, but not limited to, the Bye Laws and High Court Ruling.
- Incorrect Certificate being served.

Visual Amenity

- There is absolutely no mention in the application of the 'forest' of galvanised steel posts that have already been erected around the whole of each parking zone, they are a ghastly intrusion into what is a National Nature Reserve and more importantly, a Site of Special Scientific Interest.
- The visual impact of the project is totally out of keeping with the ethos of a Nature Reserve and it presents a very intimidating outlook to drive into the car park. This application has turned the history of Kenfig back to the early 1940s when the US Infantry had a training base at Kenfig.
- The site, subject of the application is a National Nature Reserve (NNR), a site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC), I

consider the number, height and appearance of the posts that have been installed and in particular those to carry parking notices is excessive. The poles, signage and kiosks installed as part of this application have an adverse effect on the character and appearance of the area.

- Development is an eyesore and not at all pleasing
- The plethora of signs, posts and ancillary equipment are an invasive intrusion into a nationally important SSSI, and National Nature Reserve and are a truly ghastly addition to the Reserve and should be removed immediately.
- The structures, posts, signs and kiosks have an adverse effect on the character and appearance of a conservation area.
- Structures do not blend with their surroundings and a greener solution should be found with the structures having an undesirable impact on the surroundings.
- This beautiful place has been free to park for generations and it should not be allowed to install these hideous parking meters in an area of absolute beauty. To do this in the current financial crisis is absurd.

Ecology

- The application makes no mention of the bee orchids which have been spotted and recorded in the grassed areas outside the Reserve building for many years.
- The location as its name shows is a nature reserve, the area from road to beach is one of the very few unspoilt areas of beauty in the immediate vicinity, a complete rural getaway from roads, buildings, telecoms masts and electronic equipment installations, I'd like to see it remain as a natural haven and not see its boundaries pushed so that the land that holds the flora and fauna progressively diminished. It is a small treasure in keeping its simple surroundings. The nearer it can be kept to a natural habitat without adding machines and telecoms the better.

Highway Safety

- Adverse impact on highway safety with vehicles now parking in the streets around the site.
- Oppose the application on the grounds of the obstruction that this will create on the highways surrounding the proposed site. There are strong indications that the majority of the public will not use the car park if they have to pay and will use the public highways. I noted an increase of members of the public parking on grass verges and on the highway surrounding the car park when the charges to the proposed site were brought into force on 24/09/2022.
- There is no bus service through Kenfig and no suitable paths in KENFIG. Therefore those wishing to walk to the area are forced to walk on the main road. The dangers of this are that when the public are parked on grass verges surrounding the site, those wishing to walk to Kenfig are forced to walk in the road. If this proposal is granted there will be risk to the public, both those using vehicles and those on foot.
- The proposal would result in more on street parking in the area and measures should be put in place to address this. The parking on the pavement in front of properties (an adopted highway) and on the grass verges neighbouring the site is an offence derived from Section 72 of the Highways Act and Section 34 of the Road Traffic Act. The proposals contained in the application will undoubtedly encourage continued and further unlawful car parking to occur. The Trust should accept responsibility for its actions and implement remedial measures itself rather than pass responsibility for enforcement action on to the Local Authority. Consequently, consent should not be granted without it being made a condition of that consent that alleviation measures be implemented effectively in the surrounding vicinity before the parking charges are introduced.
- Those who 'use' the car park are dog walkers, horse riders, walkers, those using Kenfig Pool, those using Sker Beach, birdwatchers, naturists aswell as some social

meetings. Those users are able to park in the car parks completely free. When a charge is levied, those users are likely to seek alternative parking areas if they still wish to continue to use the area. A place near enough, and convenient enough, and the next best thing is the streets and verges of Kenfig.

- Scheme would result in cars parked in inappropriate places. There are horses and animals in the surrounding countryside, so vehicles for horses regularly move through to get to the fields where the horses and other animals live. There are many horse riders, and crowded parking on the verges and roads poses an additional danger to those. The Farmlands need to be accessible to large farm vehicles, trailers, tractors, combine harvesters, to bring animals and crops, land and animal tending, in and out of Kenfig, this is a daily occurrence. These vehicles cannot navigate parked cars and blocked roads easily.
- Knock on effect of displacing cars onto the highway.
- People won't want to pay for the cost of parking in Kenfig as they have never been required to do so in all the years the car parks have been there and will therefore park in Heol Ton making it dangerous for residents using their drives, as proven in lock down.

General

- Residents have not received any chance to object to the land being used as a car park.
- A condition of the lease highlights that all monies raised from parking must be retained and contributed towards the upkeep of the Reserve.
- Any money generated is meant to be given back to the community, we have not been explained how the 'car park' fees and their inevitable fines from non-payer or late payers will even come back to the community funds.
- Charging to park will put this life and health giving common land out of reach of the common people - the only beneficiaries are the car park machine company.
- Object to the installation of parking meters on common land and to victimise people who just want to enjoy the countryside - once again the motorist has to pay to park its wrong.
- Morally wrong to charge the public to use Kenfig dunes and nature reserve. The general South Wales public should have the right to freely travel to this area for exercise and family days out. In these already financially challenging times it seems absurd that companies want to make profit out of this without putting the money back into the reserve. It will detract people from visiting and slow passing trade for businesses who have stalls there.
- It is likely to deter people from visiting the area and hence deter tourism and business coming to the area.
- Poor management of the site by the trust and are they really fit to run this operation.
- Facility should not be lost to the community because of costs.

COMMENTS ON REPRESENTATIONS RECEIVED

Section 70(2) of the Town & Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 indicate that to the extent that Development Plan policies are material to an application for Planning permission, the decision must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

With respect to the Certificate, the land ownership was raised with the applicant and on 25 October 2022 the correct Certificate was submitted, however, Trustees rights, the morality and legality of the works and the charging of persons to park are not matters which can be considered by a Planning application as they are not material to the use of land for Planning purposes. There is no change to the land use of the site as a car park. In this

case the material considerations will include visual amenity, ecology and highway safety/parking and these matters are considered in the Appraisal section below.

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 SP4	Conservation and Enhancement of the Natural Environment
Policy SP5	Conservation of the Built and Historic Environment
Policy ENV1	Development in the Countryside
Policy ENV3	Special Landscape Areas
Supplementary Planning Guidance 19	Biodiversity and Development

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:

Future Wales – The National Plan 2040

Planning Policy Wales Edition 11

Planning Policy Wales TAN 5	Nature Conservation and Planning
Planning Policy Wales TAN 6	Planning for Sustainable Rural Communities
Planning Policy Wales TAN 12	Design

Well-being of Future Generations 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.

The Socio Economic Duty

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and, whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

The application is referred to the Development Control Committee to consider the objections received from local residents and the wider public against the proposal.

As referred to above, the application seeks retrospective permission for the siting of car

parking kiosks and cameras and associated power cabling at the established car parking area associated with Kenfig Nature Reserve, Kenfig.

Key material Planning considerations in the determination of this application are the principle of the development, the impact on visual and residential amenities, the impact on pedestrian and highway safety and the biodiversity/ecological implications of the scheme.

Principle of the development

The site is located outside of any settlement boundary as defined by Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted 2013 and is, therefore, located in the countryside where Policy ENV1 Development in the Countryside of the LDP ensures that development is strictly controlled. Development may be acceptable where it can meet one of the following ten criteria:

- 1) Agriculture and/or forestry purposes;
- 2) The winning and working of minerals;
- 3) Appropriate rural enterprises where a countryside location is necessary for the development;
- 4) The implementation of an appropriate rural enterprise/farm diversification project;
- 5) Land reclamation purposes;
- 6) Transportation and/or utilities infrastructure;
- 7) The suitable conversion of, and limited extension to, existing structurally sound rural buildings where the development is modest in scale and clearly subordinate to the original structure;
- 8) The direct replacement of an existing dwelling;
- 9) Outdoor recreational and sporting activities; or
- 10) The provision of Gypsy traveller accommodation.

Where development is acceptable in principle in the countryside it should where possible, utilise existing buildings and previously developed land and/or have an appropriate scale, form and detail for its context.

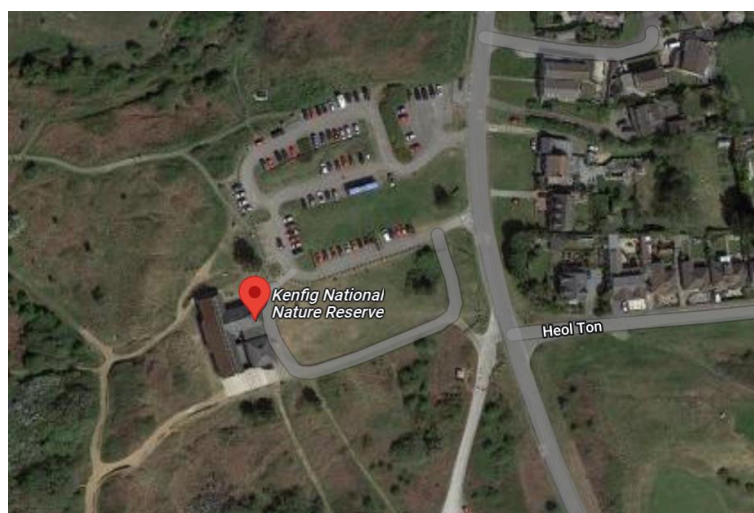


Fig. 4 – Aerial View of Site

LDP Policy ENV1 seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development. The development proposal seeks the installation of 3 car parking kiosk machines and ANPR cameras along with the laying of CAT 6 and armoured cable to each car park kiosk/camera and reception. Whilst the scheme does not strictly fall into any of the criteria set out by Policy ENV1, the proposal is located within a historically established use and is considered to have no substantial or

negative impact upon the countryside. The scheme comprises relatively small-scale modest structures erected on previously developed land within the boundaries of this established car parking area. The proposal has resulted in no material change of use of the land with the land use remaining as a car park. As such, the principle of the development can be supported in planning terms in this case.

Visual Impact

PPW11 states at paragraph 3.9 that “the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important Planning considerations”.

Policy SP2 of the LDP 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”.

Having regard to the above, this retrospective application is considered to comprise appropriately scaled structures which have a minimal impact on the surrounding area and as such are acceptable from a visual perspective within this environment.



It is acknowledged the site is situated within the ‘Kenfig Burrows’ Special Landscape Area (SLA) where Policy ENV3 (9) states that development will only be permitted where:

1. It retains or enhances the character and distinctiveness of the SLA;
2. The design of the development reflects the building traditions of the locality in its form, materials and details, and or assimilates itself into the wider landscape; and
3. The proposed development is accompanied by a landscape assessment which takes into account the impact of the development and sets out proposals to mitigate any adverse effects.

The settings of SLAs will be protected with consideration of the views from those areas to the settlements of the County Borough. New development within settlements should be designed to provide an attractive transition between the urban area and the countryside. In this case given the modest and small-scale nature of the physical changes undertaken and added to this established large scale car park, it is considered the scheme does not adversely impact on the qualities and character of the wider SLA.



Fig. 5 – Internal Site Photographs

In addition, the site lies within the National Nature Reserve of Kenfig Pool & Dunes (SP4(3)). LDP Policy SP4 seeks to prevent inappropriate development which directly or indirectly impacts upon areas having a high and or unique environmental quality. Development proposals will not be permitted where they have an adverse impact upon:

- The integrity of the County Borough’s countryside;
- The character of its landscape;
- Its biodiversity and habitats; and
- The quality of its natural resources including water, air and soil.

Given the modest and small-scale nature of the physical changes undertaken and added to this established large scale car park, it is considered the scheme does not significantly impact on the character of its landscape, its biodiversity and habitats or the quality of its natural resources including water, air and soil.



Fig. 6 – More Photographs of the Site

Residential Amenity

The development site is set in a relatively remote location in the countryside and therefore raises no serious residential amenity or privacy concerns. There is a cluster of properties situated towards the east of the site although these are offset from the new development such as to experience no serious loss of amenity and privacy, particularly in comparison to those previously enjoyed in the locality prior to the installation of the structures.

The letters of objection received in respect of the development raised comments with regard to the appearance of the kiosks rather than any concerns with any direct loss of privacy or amenity as a result of the scheme.

In summary, given the position of the development site and the very nature of the scheme, no concerns are raised which relate to neighbouring amenity.

Highway Safety

The Highways Officer has carefully considered the proposal and advises that there is potential for concerns and complaints due to visitors undertaking inappropriate parking and also reversing manoeuvres onto the live carriageway to the detriment of highway safety. However, it is recognised that the Nature Reserve car park has existed as a car park for a considerable period of time and, as such, is lawfully used for parking.

The Highways Officer acknowledges that charging for parking does not constitute a change in the land use and as such there is no requirement for further Planning consent in this respect and any concerns in respect of instances of drivers seeking alternative parking (potentially inappropriately on the highway network) cannot be reasonably considered as part of this proposal.

Furthermore, the Highways Officer notes that in order to reduce the instances of drivers stopping at the entrances and reversing onto the main highway through Kenfig, the applicant is prepared to give a grace period of 10 minutes which will allow vehicles to enter and exit without incurring an excess charge and suitable signage is being proposed under the accompanying application Ref A/22/25/ADV to advise in this respect.

Given the above the highway merits of the application have been considered purely in terms of the impact of the physical elements of the proposal (CCTV cameras, pay stations and associated cabling). These features are standard fare in a car park and their provision does not affect the safety of the access points onto the highway or indeed alter the number of parking spaces and accordingly, the observations are considered to be appropriate in this case.

Ecology/Biodiversity Impact

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

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

The application site is situated within the National Nature Reserve of Kenfig Pool & Dunes (SP4(3)) with LDP policies seeking to prevent inappropriate development which directly or indirectly impacts upon areas having a high and or unique environmental quality (the car parking area is also outside but adjacent to the Special Area of Conservation of Kenfig (SP4(1)), and the SSSI of Kenfig (SP4(2)).

In recognition of the above, and the status of the application site, consultation on the application has been undertaken with both Natural Resources Wales and the Council's Ecologist who both, raise no objection against the application.

Natural Resources Wales (NRW) highlight that given the small scale and the nature of the development, the proposed development is not likely to damage the features for which the SSSI and SAC are of special interest. The Council's Ecologist has nothing to add to the comments of NRW.

On the basis of the above, 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.

Other Matters

The scheme, given its nature and scale raises no adverse land drainage concerns and has no adverse implications for the Public Rights of Way that cross the site.

The site is also located within an Archaeological Sensitive Area of Kenfig and Mawdlam as defined by Policy SP5(4) Sites or Areas of Archaeological Significance of the LDP and within an Historic Landscape of Kenfig and Margam Burrows as defined by Policy SP5(5) Historic Landscapes, Parks and Gardens of the LDP. Policy SP5 states that development should conserve, preserve or enhance the built and historic environment of the County Borough and its setting. Development proposals will only be permitted where it can be demonstrated that they will not have a significant adverse impact.

Glamorgan Gwent Archaeological Trust has been consulted on the scheme and whilst to date no comments have been received, it is considered that the development does not have a significant adverse impact on the area.

CONCLUSION

Having regard to the above and the nature of the objections to the scheme, on balance, the development is considered acceptable from a Strategic Planning perspective and compliant with Policies ENV3(6), SP4(3), SP5(4), SP5(5) and SP2 of the Local Development Plan.

As such, this application is recommended for approval because the development complies with Council policy and guidelines and raises no 'in-principle' concerns, does not adversely affect the character of the application site or wider countryside setting, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities. The proposal is also considered to have no adverse impact on biodiversity.

The concerns raised by a number of residents are acknowledged however, Trustees rights, the morality and legality of the works and the charging of persons to park are not matters which can be considered by a Planning application as they are not material to the use of land for Planning purposes. Their comments/objections in respect of material considerations have been addressed above and it is considered that in this case they don't outweigh other material considerations to justify a refusal of Planning permission.

Furthermore, the proposal can be supported as it would not detrimentally impact the National Nature Reserve and, on balance, is considered a scheme that raises no serious or material Planning issues to justify refusal of the development.

RECOMMENDATION

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

1. Within 1 month of the date of this consent the development shall be carried out in strict accordance with the details included in the updated Site Evaluation Sheet for Kenfig Nature Reserve (undertaken by Andrius Savelskis on 10 October 2022) received 25 October 2022 and the development shall be retained and maintained as such in perpetuity.

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

2. No charge shall be imposed on any vehicle which enters the car park and which leaves the car park within 10 minutes of original entry.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

3. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *
 - a. The development is considered acceptable from a Strategic Planning perspective and compliant with Policies ENV3(6), SP4(3), SP5(4), SP5(5) and SP2 of the Local Development Plan. As such, this application is recommended for approval because the development complies with Council policy and guidelines and raises no 'in-principle' concerns, does not adversely affect the character of the application site or wider countryside setting, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities. The proposal is also considered to have no adverse impact on biodiversity.

The concerns raised by a number of residents are acknowledged however, Trustees rights, the morality and legality of the works and the charging of persons to park are not matters which can be considered by a Planning application as they are not material to the use of land for Planning purposes and their comments/objections in respect of material considerations have been addressed above and it is considered that in this case they don't outweigh other material considerations to justify a refusal of Planning permission.

Furthermore, the proposal can be supported as it would not detrimentally impact the National Nature Reserve and on balance is considered a scheme that raises no serious or material Planning issues to justify refusal of the development.

- b. The developer is advised that during any construction phase any precaution to prevent contamination of surface water drains and local watercourses should be taken. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please

refer to GPP 5 and PPG 6 at the following link:

<http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

REFERENCE: A/22/25/ADV

APPLICANT: G24 Ltd 10
Buckingham House, Station Road, Gerrards Cross, Bucks SL9 8EL

LOCATION: Kenfig Nature Reserve, Kenfig, Bridgend CF33 4PT

PROPOSAL: Non-illuminated pole mounted parking signs

RECEIVED: 16 September 2022

SITE INSPECTED: 14 October 2022

APPLICATION/SITE DESCRIPTION

Retrospective advertisement consent is sought for an external signage scheme within the large car parking area of Kenfig Nature Reserve, Kenfig.



Fig. 1 – Layout and siting of the signs.

Following discussion and negotiation with the applicant/agent, and the subsequent removal of signs and poles from the site, the application now seeks consent for the siting of thirty signs in total.

These comprise both English and Welsh signage, back to back signs, signs erected on the pay kiosks and signs on the main building at the site. The scheme includes tariff signs, entry signs and terms and conditions signs, each measuring 450mm x 650mm. None of the metal/aluminium signs are illuminated in nature and the signs are largely pole mounted. Three of the signs are yet to be erected/sited toward the car park entrances which are intended to highlight a ten minute 'grace period' for users of the car parking facility.

The signs were erected in September 2022 and advertise the fees being charged to users of the car park that have recently been introduced. A separate planning application has been submitted for the kiosk structures and cameras also recently erected at the site, P/22/463/FUL refers.



Fig. 2 – Examples of the signs erected

The application site comprises the large car parking areas associated with Kenfig National Nature Reserve/Kenfig Visitor Centre that is situated within the countryside of Kenfig, near Pyle, Bridgend.

The car parking areas are largely flat areas defined by tarmac areas and concrete/grasscrete parking spaces. The main visitor centre building is situated beyond the car parking spaces to the west, south-west of the site. There are a number of residential properties situated to the east of the site beyond the main public highway and points of vehicle access to the car parking areas.

The application site sits within a Special Landscape Area and the National Nature Reserve although the car parking areas fall outside the identified boundaries of the Site of Special Scientific Interest and the Special Area of Conservation.



Figure 3 – Photographs of the erected signs at the site.

RELEVANT HISTORY

P/22/463/FUL - Installation of tickets kiosk machines x 3 and ANPR cameras, laying of CAT 6 and armoured cable to each car park kiosk/camera and reception - Pending

P/21/327/FUL - Alterations and adaptations to form a cafe area – Conditional Consent 21/07/2022

P/05/824/BCB – Extension to Visitor Centre – Conditional Consent 05/08/2005.

P/04/1528 – Extension to Nature Centre – Approved 01/02/2005.

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 has expired.

CONSULTATION RESPONSES

Cornelly Community Council comment as follows:

- The height of the poles appears to be excessive.
- The application does not include poles that have already been installed, after the date the application was submitted

Highway Officer – no objection subject to condition

REPRESENTATIONS RECEIVED

It is acknowledged the associated planning application at this site, P/22/463/FUL refers, has generated a level of neighbour objection, with comments relating to the adverse visual impact of the development (pay kiosks and cameras) including the visual impact of the erected signage at the site. Although in particular reference to this advertisement application there has been one specific letter of objection received against the proposal from the occupiers of Penylan Lodge, Ton Kenfig who have also registered a request to speak at Committee.

The objections raised are summarised, as follows:

The site subject of the application is a National Nature Reserve (NNR), a Site of Special Scientific Interest(SSSI), and a Special Area of Conservation (SAC) I consider the number, height and appearance of the posts with signage (advertisements) attached to them is excessive, and has an adverse effect on the character and appearance of a conservation area.

It would appear in order to reduce the visual impact by these poles and signs on the area the applicant has doubled up the signs on the poles so they are back to back with each other to reduce the visible surface area of the advertisement unlike the photographs that accompanied the original application of 21/9/22. It is quite concerning that all the English signs are now clearly visible whereas the Welsh version display away from the car park and are not clearly visible to visitors. The Welsh language sign is being treated less favourably to the English version as you have to walk to the back of the sign in order to read it.

COMMENTS ON REPRESENTATIONS RECEIVED

The visual impact of the scheme is fully considered in the appraisal section of this report and whilst needing careful consideration given the context of the application site and its siting effectively within the Kenfig National Nature Reserve, the advertisements have been erected largely within the boundaries of the car parking areas associated with the site. The

scheme has been amended to reduce the overall number of pole mounted signs at the site and does include the provision of both Welsh and English signage. The signage scheme, on balance, is not considered overly obtrusive within its setting and is not considered to have such an adverse impact on the wider setting and character of the Nature Reserve to warrant the refusal of the advertisement application in this respect.

PLANNING POLICY

Local Policies

The Bridgend Local Development Plan 2006-2021 (LDP) was formally adopted by the Council in September 2013, within which Policy SP2 Design and Sustainable Place Making is relevant:

National Policies

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:

Future Wales – the National Plan 2040

Planning Policy Wales Edition 11

Planning Policy Wales TAN 7

Planning Policy Wales TAN 12

Outdoor Advertisement Control
Design

Well-being of Future Generations 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.

APPRAISAL

The application is reported to Development Control Committee given the objections received against the scheme and for Members to duly consider this application in line with the full planning application also submitted at the site, P/22/463/FUL refers.

The Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) and Technical Advice Note 7 'Outdoor Advertisement Control' ('TAN 7', November 1996) requires that, in considering applications for the display of advertisements, Local Planning Authorities shall exercise their powers only in the interests of amenity and public safety, taking account of any material factors, and in particular, in the case of amenity, the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Therefore, in considering and determining this advertisement application, the primary considerations are the effect on the amenity of the area taking account of the general characteristics of the locality and the impact on public/highway safety.

In terms of the amenity impact, whilst the context of the application site is fully recognised and acknowledged in this case with the site being situated in the countryside and effectively within Kenfig National Nature Reserve, the signage scheme has been erected within the long-established car parking facility that largely supports users of the wider site. Following a level of negotiation and discussion with the applicants and agents the overall number of signs has been reduced at the site and certain signs clustered together (back-to-back) and attached to the pay kiosks to reduce their overall visual impact. The general scale and siting of the signs that carry information on the recently introduced car parking fees at the site, are on balance, therefore considered visually acceptable and generally appropriate to the large car parking facility that they relate.

None of the signs are considered to be of an overly obtrusive or visually jarring nature with other signage being erected within and around the main nature reserve building and it is not considered uncommon to have such a large car parking facility benefit from a level of signage detailing the parking fees and conditions associated with the use of such a facility. The signs are not considered disproportionate to the size and nature of the car parking facility they relate and are not considered overly excessive with an appropriate prominence.

As detailed a level of negotiation has been undertaken with the applicants to reduce the visual impact of the advertisement proposal and on balance, it is considered the new signs do not seriously or harmfully erode the character and appearance of the area to such a harmful degree to warrant the refusal of this advertisement application.

With regard to the potential impact on public and highway safety, given the nature and siting of the signs, it is considered the scheme does not create a hazard or endanger people within the vicinity of the signs. The Council's Transportation Officer has also carefully considered the scheme and raised no objections against the application, subject to condition. It is advised that the erected signs are not considered to affect the safety of the car park or the adjacent highway and are acceptable from a highway safety perspective. It is noted however that the three grace period signs (Ref 23/24 & 25) have yet to be erected at the site. These signs are considered necessary to minimise the risk of drivers entering the car park and suddenly stopping or undertaking reversing manoeuvres to the detriment of highway safety, upon seeing the car park charging signs beyond. Accordingly, to ensure that these signs are erected in suitable locations which are visible to drivers and do not affect the safety of the accesses onto the highway, it is considered that a scheme could be sought via condition. As such, the Highways Officer raises no objection against the application subject to condition.

The scheme is considered to be acceptable from a public safety perspective and no concerns are raised in this respect.

CONCLUSION

The signage scheme, whilst requiring careful consideration given the number of signs being proposed and the wider setting and context of the application site, is, on balance, considered acceptable from both an amenity and public safety perspective.

The amended proposal does not introduce such prominent or incongruous advertisements to the locality and is considered appropriate in this instance. Subject to condition there is no highway safety concern to the scheme and therefore, when taking a balanced approach

to the determination of this advertisement application, the scheme is recommended for approval.

RECOMMENDATION

(R06) That Advertisement Consent be GRANTED subject to the following conditions, in addition to the standard advertisement conditions:-

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

Proposed site plan - Installation Overview/Signs (As amended) - Received 25 October 2022

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

2. Notwithstanding the requirements of condition 1, within 1 month of the date of this consent a scheme for the locations of signs 23, 24 & 25 shall be submitted in writing for the agreement of the Local Planning Authority. The signs shall be erected in accordance with the approved layout within 3 months of the date of consent and shall be retained thereafter in perpetuity.

Reason: In the interests of highway safety.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

APPEALS

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

APPEAL NO.	A/20/3265375 (1909)
APPLICATION NO.	P/20/433/FUL
APPELLANT	HENRY & MARGARET PRICE & HENDRY & COLLEEN PRICE
SUBJECT OF APPEAL	THE CREATION OF ONE GYPSY FAMILY PITCH COMPRISING OF TWO STATIC RESIDENTIAL GYPSY CARAVANS, TWO DAY/ UTILITY ROOMS, TWO TOURING CARAVANS, IMPROVED ACCESS, RETENTION OF HARDCORE AREA AND INSTALLATION OF A PACKAGE TREATMENT PLANT LAND AT NO. 2 GYPSY LANE STABLES, WERN TARW ROAD, RHIWCEILIOG, PENCOED
PROCEDURE	HEARING
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposal, by reason of its siting, layout, design and scale, represents an inappropriate and unjustified form of development in this countryside location that fails to retain or enhance the character and distinctiveness of the Mynydd y Gaer Special Landscape Area, would generally detract from the rural character and appearance of the area contrary to Policy ENV3-Special Landscape Areas, Policy COM6-Gypsy and Travellers Sites and Policy SP2 – Design and Sustainable Place Making of the Bridgend County Borough Council Local Development Plan 2006-2021; and advice contained in Planning Policy Wales Ed.10 (December, 2018), TAN12-Design and Welsh Government Circular 30/2007 Planning for Gypsy and Traveller Caravan Sites (December 2007).
2. The proposed development, by reason of its siting in a remote, unsustainable location that is not accessible by a range of different transport modes, will wholly rely on the use of private motor vehicles contrary to policy SP2 (6) of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 10, 2018).
3. The proposed development, by reason of its form, type and location, would generate pedestrian movements along Church Road towards Brynna and Minffrwd Road, towards Pencoed where there are no pedestrian footways, generating a risk of pedestrian/vehicular conflict to the detriment of highway safety. The proposal is therefore contrary to Policies SP2 and SP3 of the Bridgend Local Development Plan (2013), advice contained within Planning Policy Wales, Edition 10, 2018 and Circular 005/2018.
4. Insufficient information has been provided on the proposed method of supplying sufficient drinking water to this development to comply with Criterion 4 of Policy COM 6 of the Bridgend Local Development Plan 2013.

APPEAL NO. C/21/3269224 (1950)
ENFORCEMENT NO. ENF/114/20/ACK

APPELLANT MR & MRS HENDRY PRICE

SUBJECT OF APPEAL UNAUTHORISED GYPSY/TRAVELLER SITE:
LAND EAST OF ZOAR CHAPEL (SITE 2) CHAPEL ROAD,
RHIWCEILIOG, PENCOED

PROCEDURE HEARING

DECISION LEVEL ENFORCEMENT NOTICE

APPEAL NO. CAS-02086-N7G7S9 (1942)
APPLICATION NO. P/21/915/FUL

APPELLANT MR G WILSON

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE OF DWELLING AND SINGLE
STOREY EXTENSION TO REAR OF DWELLING
8 PRIORY ROAD, BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, due to its scale and its location at the boundary of the property, as well as the forecourt parking proposed, represents an unacceptable design that would be detrimental to the character and appearance of the host dwellinghouse and the wider street scene, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).

This appeal has now been decided and the decision is attached as Appendix A

APPEAL NO. CAS-02029-Z3F8M4 (1954)
APPLICATION NO. P/22/923/FUL

APPELLANT TRIPLE JERSEY LIMITED

SUBJECT OF APPEAL THE ERECTION OF A CLASS A3 RESTAURANT AND DRIVE-THRU
(BURGER KING) TOGETHER WITH ASSOCIATED EXTERNAL
COVERED TERRACE, SCREENED REFUSE STORE, PARKING,
LANDSCAPING AND ASSOCIATED WORKS
LAND AT WICKES CAR PARK, WATERTON, BRIDGEND

PROCEDURE HEARING

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed development, by reason of its form and location, will increase the levels of use of the sub-standard pedestrian crossing points, increasing traffic hazards to the detriment of highway and pedestrian safety. The proposed development is also in a location that is not accessible by a range of different transport modes and will rely on the use of the private motor vehicle, contrary to the provisions of Policy SP3 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 11, February 2021).
2. Insufficient detail has been submitted in respect of the proposed traffic levels and highway capacity on the Picton Court/A48 and A48/A473 (Waterton) roundabouts to enable an assessment of available highway capacity and safety considerations to be made.

The development, by reason of its constrained internal layout and siting, would result in an inefficient use of the car park leading to the displacement of vehicles to the detriment of highway safety, contrary to the provisions of Policy SP3 of the Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 11, February 2021).

APPEAL NO.	CAS-02023-V5Z2N6 (1956)
APPLICATION NO.	P/22/110/FUL
APPELLANT	MR C LEWIS
SUBJECT OF APPEAL	RETENTION OF SHED, COVERED AREA AND 2M HIGH BOUNDARY WALL, NEW RAISED LAWN WITH UNDERGROUND WATER STORAGE TANK, REMOVAL OF EXISTING TREES AND NEW LANDSCAPING WITHIN FRONT GARDEN 3 CLEVIS CRESCENT, PORTHCAWL
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The development, by reason of its nature, siting, scale and design, represents incongruous and prominent additions to the streetscene to the detriment of local visual amenities, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11 - 2021).

APPEAL NO.	CAS-02021-G5L2F4 (1957)
ENFORCEMENT NO.	ENF/414/21/ACK
APPELLANT	MRS G LEWIS
SUBJECT OF APPEAL	ALLEGED UNAUTHORISED BUILD 3 CLEVIS CRESCENT PORTHCAWL
PROCEDURE	WRITTEN REPRESENTATIONS

DECISION LEVEL **ENFORCEMENT**

APPEAL NO. CAS-02095-L3N9F0 (1962)
APPLICATION NO. P/21/914/FUL

APPELLANT MR & MRS BEDESHA

SUBJECT OF APPEAL CONVERSION OF EXISTING GARAGE INTO GAMES ROOM AND
BASEMENT CINEMA WITH GLAZED LINK TO THE MAIN
DWELLING AND ASSOCIATED WORKS
LONGACRE, OLD COACHMANS LANE, COURT COLMAN,
BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its size, scale and design, represents an excessively incongruous and overly prominent form of development within a countryside location that will have a detrimental impact on the character and appearance of the host dwelling and the surrounding rural context, contrary to Policies SP2 and ENV1 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).
-

APPEAL NO. CAS-02083-H6T1M9 (1963)
APPLICATION NO. P/22/179/FUL

APPELLANT MR C DALEY

SUBJECT OF APPEAL REMOVE REAR EXTENSION; CONSTRUCT SINGLE STOREY
REAR EXTENSION WITH BALCONY OVER; ALTERATION TO
FRONT DORMER AND PROVISION OF BALCONY
7 GORDON ROAD PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its siting and design, would constitute an insensitive and unsympathetic form of development that would have an unacceptable impact on the character of the host dwelling to the detriment of the existing visual amenities of the locality which fails to preserve or enhance the character and appearance of the nearby Porthcawl Conservation Area, contrary to Policies SP2 and SP5 of the Bridgend Local Development Plan (2013), the principles of SPG02 - Householder Development (2008) and Technical Advice Note 12 Design (2016) and advice contained within Planning Policy Wales (Edition 11, Feb. 2021).

This appeal has now been decided and the decision is attached as Appendix E

APPEAL NO. CAS-02097-T1X2Y0 (1964)
APPLICATION NO. P/22/346/FUL

APPELLANT MR D BAKER

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE AND REAR OF EXISTING HOUSE, PORCH TO FRONT AND NEW RENDERED BLOCKWORK EXTERNAL SKIN
1 MOUNT EARL CLOSE, BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, due to its design, scale and siting, represents an unacceptable and overly prominent addition that would be detrimental to the character and appearance of the host dwellinghouse and the wider street scene, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).

APPEAL NO. CAS-02162-X2D1M5 (1969)
APPLICATION NO. P/22/268/RLX

APPELLANT MR K FIELD

SUBJECT OF APPEAL REMOVE CONDITION 2 OF P/17/456/FUL (OBSCURE GLAZING)
SEAWYNDS, CARLTON PLACE, PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed removal of the condition, by reason of that it would result in a revised form and the introduction of a non-obscurely glazed bedroom window in this location, would have an unreasonable and direct overlooking impact on the neighbouring residential property, known as 14 Carlton Pace, to the detriment of the residential amenities enjoyed by the occupiers of that property. The proposal is therefore contrary to Policy SP2 of the Bridgend Local Development Plan (2013), the principles of Supplementary Planning Guidance 02: Householder Development (2008) and advice contained within Planning Policy Wales (Edition 11, 2021).

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

APPEAL NO. CAS-02086-N7G7S9 (1942)
APPLICATION NO. P/21/915/FUL

APPELLANT MR G WILSON

SUBJECT OF APPEAL TWO STOREY EXTENSION TO SIDE OF DWELLING AND SINGLE STOREY EXTENSION TO REAR OF DWELLING
8 PRIORY ROAD, BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

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

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

APPEAL NO. CAS-02006-Q7B8M6 (1953)
APPLICATION NO. A/22/8/ADV

APPELLANT WILDSTONE ESTATES LIMITED

SUBJECT OF APPEAL FREESTANDING HOARDING SIGN (48 SHEET) 6M X 3M
LAND OPPOSITE 65 BETHANIA STREET, (SOUTH OF SCOUT HALL), MAESTEG

PROCEDURE ADVERT APPEAL

DECISION LEVEL DELEGATED OFFICER

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

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

APPEAL NO. CAS-01997-N2P6M0 (1955)
APPLICATION NO. P/22/143/FUL

APPELLANT MR R DAVIES

SUBJECT OF APPEAL CONSTRUCT GARDEN ROOM TO REAR GARDEN
16 SHELLEY DRIVE BRIDGEND

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

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

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

APPEAL NO. CAS-02071-B9C1R9 (1960)
APPLICATION NO. P/22/195/FUL

APPELLANT MR G MORGAN

SUBJECT OF APPEAL REMOVAL OF EXISTING ROOF; ROTATION OF ROOF PITCH; INCREASE OF ROOF PITCH; TWO NEW PITCHED ROOF DORMERS TO FRONT; FLAT ROOF DORMER EXTENSION TO REAR
15 ANGLESEY WAY, PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

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

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

APPEAL NO. CAS-02083-H6T1M9 (1963)
APPLICATION NO. P/22/179/FUL

APPELLANT MR C DALEY

SUBJECT OF APPEAL REMOVE REAR EXTENSION; CONSTRUCT SINGLE STOREY REAR EXTENSION WITH BALCONY OVER; ALTERATION TO FRONT DORMER AND PROVISION OF BALCONY
7 GORDON ROAD PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

DECISION THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL DECISION BE AS FOLLOWS:

**The appeal is dismissed insofar as it relates to the alteration to the front dormer and provision of a balcony.

**The appeal is allowed insofar as it relates to the removal of the rear extension and construction of a single-storey rear extension with balcony

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

APPEAL NO. CAS-02190-V5X2C2 (1972)
APPLICATION NO. P/22/152/FUL

APPELLANT MR N EVANS

SUBJECT OF APPEAL CONSTRUCTION OF A ROOF TOP EXTENSION
11 REST BAY CLOSE, PORTHCAWL

PROCEDURE HOUSEHOLDER

DECISION LEVEL DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed roof extension, by reason of its scale and location, represents an excessive form of development that would be detrimental to the character and appearance of the host dwellinghouse and out of keeping with the immediate area, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).
2. The proposed development, by reason of its scale, orientation and design, would result in an excessively dominating and overlooking impact on the adjoining property to the north, resulting in a significant loss of residential amenity through overbearing impact as well as a loss of privacy, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and Paragraph 2.7 of Planning Policy Wales (Edition 11, February 2021).

Since this appeal was submitted, PEDW advised:

*As the above appeal was not received within 12 weeks of the date of the refusal, the appeal has been found to be **invalid** and PEDW cannot take any further action on the appeal.*

RECOMMENDATION

That the report of the Corporate Director Communities be noted.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers (see application reference number)



Penderfyniad ar yr Apêl	Appeal Decision
Ymweliad â safle a wnaed ar 24/10/22	Site visit made on 24/10/22
gan R Duggan BSc (Hons) DipTP MRTPI	by R Duggan BSc (Hons) DipTP MRTPI
Arolygydd a benodir gan Weinidogion Cymru	an Inspector appointed by the Welsh Ministers
Dyddiad: 01.11.2022	Date: 01.11.2022

Appeal Ref: CAS - 02086

Site address: 8 Priory Road, Bridgend CF31 3LA

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr George Wilson against the decision of Bridgend County Borough Council.
- The development proposed is a 2-storey extension to side of dwelling and proposed single storey extension to rear of dwelling.

Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue to be the impact of the development on the character and appearance of the street scene.

Reasons

3. The appeal property is a two-storey, hipped-roof, semi-detached property located in a residential area containing mainly semi-detached dwellings which display uniformity in terms of architectural style, proportions and spacing. The separation distances and spaces between properties are relatively constant and set a regular pattern of built development which creates a strong uniform layout to the area. The character and appearance of well spaced properties is maintained by the use of single storey garages to the side of some of the houses and the distinctive hipped gable roofs. There is a strong pattern of pairs of semi-detached houses on this side of the street and the pattern repeats itself elsewhere in the area.
4. It is proposed to erect a two-storey extension on the side elevation with a hipped roof and a single-storey flat roof extension to the rear, creating additional accommodating in the form of an enlarged kitchen and a storage area on the ground floor and an additional bedroom and en-suite at first floor level.
5. The Council has referred me to its Supplementary Planning Guidance (SPG) Note 02 Householder Development. Note 3 of SPG02 states that “*Two-storey extensions ...*

which are built up to the boundary with adjoining property are not advisable unless it is shown that they have no adverse effect on residential or visual amenity". In addition, Note 16 of the SPG goes on to state that *"No side extension should have a design that, if repeated on adjoining property, would create the appearance of terraced housing"*. Paragraph 6.9.1 goes on to state that *"Extensions to the side of houses are a particular problem in areas of similar semi-detached properties. The spatial character of the area can be substantially changed as extensions to adjoining houses almost meet, creating the appearance of terraced development. To minimise this adverse effect an extension should be set back at least 1 metre from the front elevation of the house (see Note 18) and 0.5 metre in from the site boundary (see Note 3)"*. Although the proposed development would run counter to the general thrust of the advice contained within the Council's SPG, I have treated the document as providing no more than guidance which can assist in the assessment of planning applications including the application of the policies of the development plan. I consider that the advice set out in the SPG should not be treated as prescriptive.

6. Nevertheless, in the context that I have described and by reason of its siting on the boundary, the side extension would fill the gap that currently separates the appeal property and No 10 Priory Road. It would contribute towards a terracing effect by eroding the spacing and separation between the properties that is a key attribute of the character of the area. It would also harmfully unbalance the appearance of the semi-detached pair and disrupt the uniform qualities of the street scene. I recognise that care has been taken to design an extension which would complement the existing house in terms of being set back from the front wall of the house and with a lower roof line, thus complying with some elements of the design guidance set out within the Council's SPG. Notwithstanding this, I consider that this does not overcome the fundamental issue of the closure of the gap between the pairs of houses.
7. As a result of the proposed extensions the property would increase from a three-bedroom house to a four-bedroom dwelling, and in order to satisfy the Council's car parking requirements (as set out within Supplementary Planning Guidance Note 17 Parking Standards) a total of three off-street car parking spaces must be provided within the site. Due to the extension being to the side of the house a large portion of the existing driveway would be lost, as such, it is proposed that the three car parking spaces would be provided at the front of the property. As a result, the frontage of the dwelling would be dominated by the parking spaces and hardstanding. I find this would be an incongruous layout that would be in contrast with the majority of other properties in the locality that have front gardens and forecourts enclosed by dwarf walls and soft landscaping. These features currently provide a visual break between the highway and the houses and is an important characteristic of the street scene.
8. Having regard to the above, I conclude that the development would have a harmful impact on the character and appearance of the street scene and would conflict with Policy SP2 of the Adopted Bridgend Local Development Plan (LDP) 2013. This policy requires all development to contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment by having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character (criterion 2).
9. The appellant has drawn my attention to a number of other side extensions in the area. However, whilst I accept that these developments exist, I have been provided with limited information relating to their planning history. Nevertheless, whatever the background, their existence is not an appropriate justification for permitting the proposed development here.

Equally I consider that examples of disharmonious development should not be used to justify further similar proposals.

10. I appreciate that the scheme would provide the additional living accommodation required by the Appellant and his family. However, this does not carry sufficient weight to overcome the concerns already identified in respect of the appeal.
11. The Council confirms that the single-storey extension to the rear would be acceptable, and I agree. Based on the information before me, I agree that the proposed rear extension would be acceptable in terms of its effect on the character and appearance of the dwelling and street scene, but as it would be connected to the side extension it would not be possible for me to separate them in my decision.
12. Having regard to the above and considered all other matters raised, I conclude that the appeal should be dismissed.
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 objectives of building a stronger, greener economy as we make maximum progress towards decarbonisation, making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

R Duggan

INSPECTOR



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/10/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 04/11/2022

Appeal Decision

Site visit made on 20/10/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 04/11/2022

Appeal Ref: CAS-02006-Q7B8M6

Site address: Land opposite 65 Bethania Street (south of Scout Hall) Maesteg
CF34 9ET

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

- The appeal is made under Regulation 15 of the Town and Country Planning (Control of Advertisements) Regulations 1992 against a refusal to grant express consent.
 - The appeal is made by Wildstone Estate Limited against the decision of Bridgend County Borough Council.
 - The advertisement is a freestanding hoarding sign (48 sheet) 6m x 3m.
-

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposed advertisement on the visual amenity of the area.

Reasons

3. The appeal relates to part of a larger area of grassed open space, adjacent to a busy road in a predominantly residential area on the outskirts of Maesteg town centre. It is an attractive verdant site with a backdrop of trees and provides visual relief to the built-up character of the area.
4. The surrounding area is generally devoid of advertisements and commercial paraphernalia. On the open space near the appeal site, there are directional signs and a freestanding board that identifies the entry to the Ewenny Road Industrial Estate, but these are modest and typical features of the transport network that blend with their environment. I accept that the proposed advertisement hoarding would not result in visual clutter, but it would stand conspicuously alone in front of trees and a modest single storey community building. In particular, compared to the simple gable end wall of the adjacent building, the advertisement would be a tall and broad structure rising above the eaves and obscuring trees that contribute positively to the area. Although it would be unilluminated, having regard to its scale and siting, as well as its commercial nature, it would form a

brash and visually dominant feature that would fail to harmonise with its setting. I accept that the site is not a sensitive one in terms of heritage assets, but this does not justify visual harm in other locations where there is a clear discord with the characteristics of the area. Similarly, the fact that there was a hoarding on the site some years ago does not mean that the harm I have identified should be allowed.

5. I note that the advertisement would be orientated side on to the dwellings that face the site, but although this would limit views of the sign's frontage, the general bulk and utilitarian form of the structure would still be evident as a visual reminder of its wider harm. In any event, to others walking or travelling in the area, or enjoying the open space, the advertisement's incongruous and dominant impacts would be readily apparent.
6. I conclude that the proposed advertisement would be harmful to the visual amenities of the area. Whilst not decisive to the determination of the appeal, it is also material to note that the proposal would conflict with Policy SP 2 of the Bridgend Local Development Plan.

Conclusion

7. 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 one or more of the Welsh Ministers' well-being objectives.
8. For the above reasons and having regard to all matters raised, the appeal is dismissed.

P J Davies

Inspector



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 20/10/22

gan P J Davies BSc (Hons) MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 04/11/2022

Appeal Decision

Site visit made on 20/10/22

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 04/11/2022

Appeal Ref: CAS-01997-N2P6M0

Site address: 16 Shelley Drive, Cefn Glas, Bridgend CF31 4QA

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr R Davies against the decision of Bridgend County Borough Council.
- The development is described as 'construct garden room to rear garden'.

Decision

1. The appeal is allowed, and planning permission is granted for a garden room to rear garden at 16 Shelley Drive, Cefn Glas, Bridgend CF31 4QA in accordance with the terms of the application, Ref P/22/143/FUL dated 14 February 2022, subject to the following condition:

1. Within three months of the date of this permission, a scheme for biodiversity enhancement and a timetable for its implementation shall be submitted to and agreed in writing by the local planning authority. The biodiversity enhancements shall be implemented in accordance with the approved details and timetable.

Reason: Future Wales and Planning Policy Wales require all development to maintain and enhance biodiversity.

Procedural Matter

2. The development has been carried out and I have therefore considered the appeal on the basis that it seeks retrospective planning permission.

Main Issues

3. These are the effects of the development on the character and appearance of the locality and on the living conditions of the occupants of No 14 Shelley Drive.

Reasons

4. The appeal relates to the rear garden of a semi-detached house which narrows towards the rear boundary. The garden room takes a triangular form that infills the back corner of

the garden, extending on or very close to the side and rear boundaries. The garden also rises away from the house and the garden room sits on an area of slightly raised decking.

5. The garden room is a modest structure with a flat roof and a recessed front elevation which is mostly glazed. It is not unduly large or high and sits proportionately within the rear garden without dominating or detracting from its size or layout. It is constructed largely from timber and chipboard and the front elevation has been painted to an acceptable finish. It also contains modern fenestration of typical domestic appearance. Whilst it is elevated above the existing boundaries, its low height and simple design ensure that it remains visually subservient and unobtrusive, especially in the context of other outbuildings in the neighbouring gardens. In essence the garden room is of a scale, appearance and form of a typical domestic outbuilding and causes no material harm to local visual amenity.
6. I note that the existing boundary treatment includes timber constructed on top of a wall which the Council maintain is unauthorised and could be removed or reduced in height. However, it remains the case that some form of mutual boundary treatment is inevitable given the clear value attached to privacy by the appellant and the occupants of No 14. The probability of there being no boundary screening or it being significantly reduced is limited and I therefore give this little weight.
7. I viewed the development from No 14, and saw that whilst the development is visible, it is not visually dominant or oppressive. It is set well away from the principal windows on the rear of No 14 and is offset from them. From within the garden of No 14, much of the visual impact of the development is countered by an existing shed and a tree. I have no reason to believe that the tree is in poor health or would be removed by the owner. I accept that there would be a full view of the development from an upstairs bedroom window, but given my contextual findings above, I do not equate this with any harm to the living conditions of the occupants concerned.
8. The garden room has extensive glazing on its front elevation and sits on an elevated plateau. The garden level of the appeal property is also higher than No 14, but the differences are not significant, and I saw that views from the development are indirect and not unusual in residential built-up situations such as this. Given the strong likelihood of there being some form of boundary screening I am satisfied that there would be no direct or invasive views over the neighbouring property, perceived or otherwise.
9. I conclude that the development does not cause any material harm to the character or appearance of its locality or harm the living conditions of the occupants of No 14. It therefore complies with Policy SP2 of the Bridgend Local Development Plan (LDP) and the objectives of the Council's Supplementary Planning Guidance 02: Householder Development. The latter reflect national planning policy set out in Planning Policy Wales Edition 11 and Technical Advice Note 12 'Design' with which the development is also compliant.
10. As the development is built, it is not necessary to impose conditions relating to commencement or plan compliance. A condition requiring matching materials would not be reasonable given the detached ancillary nature of the development. I have attached a biodiversity enhancement condition which is necessary to ensure the development maintains and enhances biodiversity in line with national policy.

Other Matters

11. I note concerns with the height and appearance of the boundary fence; however, this is not part of the development as described and applied for, and there are no substantive details before me. It is therefore outside the scope of this appeal. I have had regard to all

other matters raised but I find nothing of overriding significance that leads me to alter my decision.

Conclusion

12. 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 one or more of the Welsh Ministers' well-being objectives.

13. For the above reasons, the appeal is allowed.

P J Davies

Inspector

**Penderfyniad ar yr Apêl**

Ymweliad â safle a wnaed ar 10/10/22

gan Nicola Gulley MA MRTPI

Arolygydd a benodir gan Weinidogion
Cymru

Dyddiad: 01.11.2022

Appeal Decision

Site visit made on 10/10/2022

by Nicola Gulley MA MRTPI

an Inspector appointed by the Welsh
Ministers

Date: 01.11.2022

Appeal Ref: CAS-02071-B9C1R9**Site address: 15 Anglesey Way, Porthcawl, Bridgend CF36 3TL**

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Gareth Morgan against the decision of Bridgend County Borough Council
- The development proposed is the removal of existing roof, the rotation of the roof pitch, the increase of roof pitch, two new pitched roof dormers to front and flat roof dormer extension to rear.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the development on the appeal form differs from that on the application form. The Council has determined the proposal on the basis of the description on the application form and I shall do the same.

Main Issue

3. The Council raises no objection to the proposed development on the basis of residential amenity. The main issue is therefore the impact of the proposal would have on the character and appearance of the appeal dwelling and surrounding area.

Reasons

4. The appeal site is situated on a modern residential estate in the settlement of Porthcawl. The site comprises a substantial detached dwelling set in a prominent position at the junction of Anglesey Way and the short cul-de-sac of Steepholm Close. The appeal dwelling has a partially recessed front elevation and a pitched roof line which is orientated so that the gable end of the property faces Anglesey Way. Although the design and form of the appeal dwelling mirrors that of the neighbouring property of No. 13, the surrounding area is characterised by a wide range of different types and styles of dwellings.

5. Policy SP2 of the Adopted Bridgend Local Development Plan (LDP) (2013) seeks, amongst other things, to ensure that all new development contributes towards creating high quality, attractive and sustainable places which respect and enhance local character and distinctiveness. Additional guidance in relation to the design and siting of dormer windows and alterations to existing roof structures is contained in the Council's adopted Householder Extension Supplementary Planning Guidance (2008) (SPG).
6. To allow for the creation of an additional storey, the development proposes to rotate the pitch of the existing roof by 90 degrees, raise the existing ridge height of the property and, in doing so, increase the gradient of the roof, insert two small gabled dormer windows in the front, and a box dormer window in the rear, roof plane. In addition, a narrow two storey extension would be constructed in the front elevation of the dwelling.
7. Whilst I note the appellant's comments, I consider that the height and steep gradient of the proposed roof, which would visually occupy just under half of the front and rear elevations of the appeal dwelling, would, when considered in conjunction with its prominent siting, result in an incongruous form of development that would fail to respect the scale and form of the appeal dwelling and the properties in the immediate locality. Similarly, the scale of the rear dormer window, which would occupy approximately three quarters of the roof plane, would, in my view, result in a disproportionate addition that would dominate the rear elevation of the appeal dwelling. Consequently, I consider that the proposed development would have a harmful effect on the character and appearance of the appeal dwelling and surrounding area.
8. With regard to the suggestion that there are similar developments within the vicinity, whilst I note the examples provided by the appellant, I am conscious that the scale and visual prominence of the developments cited differ from that of the appeal dwelling.
9. As such I consider that the proposed development would have a harmful effect on the character and appearance of the appeal dwelling and surrounding area and be contrary to the objectives of Policy SP2 of the LDP and the adopted SPG.

Conclusion

10. 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 making our cities, towns and villages even better places in which to live and work.
11. I have also had regard to all other matters raised in support of the scheme. However, none of these factors are sufficient to alter my overall conclusions that the proposal would have an adverse impact on the character and appearance of the area.
12. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Gulley

Inspector



Penderfyniad ar yr Apêl	Appeal Decision
Ymweliad â safle a wnaed ar 24/10/22	Site visit made on 24/10/22
gan R Duggan BSc (Hons) DipTP MRTPI	by R Duggan BSc (Hons) DipTP MRTPI
Arolygydd a benodir gan Weinidogion Cymru	an Inspector appointed by the Welsh Ministers
Dyddiad: 08/11/2022	Date: 08/11/2022

Appeal Ref: CAS - 02083

Site address: 7 Gordon Road, Porthcawl CF36 3AA

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Carl Daley against the decision of Bridgend County Borough Council.
- The development proposed is 'Remove rear extension, construct single-storey rear extension with balcony over, alteration to front dormer and provision of balcony.

Decision

1. The appeal is dismissed insofar as it relates to the alteration to the front dormer and provision of a balcony. The appeal is allowed, however, insofar as it relates to the remainder of the application and planning permission is granted for the removal of the rear extension, construct a single-storey rear extension with balcony over at 7 Gordon Road, Porthcawl CF36 3AA in accordance with the terms of the application Ref: P/22/179/FUL, dated 10 March 2022, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The description of the proposed development set out in the banner heading above has been taken from the Council's decision notice as this more accurately describes the proposed development. The description has been replicated on the appeal form.

Main Issues

3. I consider the main issues to be the impact of the development on the character and appearance of the host dwelling and street scene. and whether it would preserve or enhance the character or appearance of the adjoining Porthcawl Conservation Area (CA).

Reasons

4. The appeal property is an end of terrace dwelling located within a predominantly residential area. It forms part of a terrace of three largely identical three-storey dwellings with symmetrical bay windows on the ground and first floor levels and two smaller dormer

windows within the roof space. The site is situated adjacent to the boundary of the extended Porthcawl Conservation Area that lies to the immediate south of the application property. In my opinion, the prominent position of the appeal property and the adjoining two properties make a significant positive contribution to the character and appearance of the street scene especially when viewed from within the designated CA.

5. It is proposed to undertake alterations to the front dormer window on the second floor by replacing the window with a new patio style double door allowing access onto a newly created balcony area, as well as inserting a new large window on the side elevation. The balcony would be located above the existing projecting first-floor bay window and would measure approximately 3.3m in width with a 1.1m projection, and it would be enclosed by a modern glass balustrade.
6. Whilst I have had regard to the specific objections of the Council in terms of the symmetry of the three dwellings, I note from the evidence submitted by the Appellant that the building originally had double doors leading out from the dormer onto a balcony, and the scheme aims to restore the original balcony feature. From the historic images provided by the Appellant, it is clear that a front balcony feature was part of the original design and architecture of the house and the principle of restoring this feature is to be welcomed.
7. However, I consider that the glass balustrade with the use of such modern materials would contrast unfavourably with the front elevation of the appeal property and the houses along the terrace and those found on Esplanade Avenue. The proposal would fail to replicate the finesse and integrity of hand painted timber joinery and wrought iron which would be integral to the sincerity of the building's traditional appearance and local architectural features. This is especially pertinent given the site directly adjoins the boundaries of the conservation area and can be viewed prominently from within it. It is of course critical to ensure the safety of persons using the balcony. Nevertheless, there is nothing to demonstrate that alternative materials have been explored which could have been designed and painted to mimic the design of the original balcony and balustrade.
8. When viewed in the context of other dwellings in the area, the use of the modern glass balustrade would harm the overall appearance of the appeal property and would not be in-keeping with the local vernacular. Therefore, I consider that it would be seen as an incongruous addition to the front of the house causing visual harm to the host property and street scene. In addition, having regard to the duty imposed by Section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, having regard to the prevailing character of the area, I find that the proposal would not preserve or enhance the character and appearance of the adjoining conservation area. For these reasons, I consider that this aspect of the scheme would be at odds with Policies SP2 and SP5 of the Adopted Bridgend Local Development Plan (LDP), 2013.
9. The development also proposes the removal of the existing single-storey upvc rear extension and its replacement by a single-storey flat roof extension with a balcony above enclosed by a 1.8m high privacy screen, together with two off-street car parking spaces at the rear of the property. It is clear from the Council Officer's delegated report that the replacement of the existing extension with the proposed single-storey flat roof extension does not raise any objections and *"is unlikely to introduce an overly prominent or noticeable addition to the property"*. It would appear that the Council's principal concerns relate to the introduction of a raised terrace enclosed by planting/screening as this would be visually unacceptable and not in keeping with the general character and appearance of the area.
10. During my visit I saw that the rear of many of the properties in the terrace (No's 1 – 7 Gordon Road) have been altered and extended, and there is a mix of differing sizes and

styles of rear extensions and garages. There is also an existing rear first floor balcony/terrace at the appeal property. As such, I consider that the rear of the appeal property does not currently make a positive contribution to the character and appearance of the area or to the adjoining conservation area. Removing the upvc extension and replacing it with the proposed extension and other alterations would, in my opinion, improve the appearance of the property when viewed from the rear access lane and neighbouring properties.

11. Although the neighbouring property would have direct views of the raised terrace, I do not consider that it would be so harmful as to warrant refusal. I also note the concerns of the Council in terms of the contrived nature of the planting/screening. However, the privacy screen can be subject to a condition where the materials to be used in the development would be agreed by the Council prior to the commencement of works.
12. Having regard to the above and considered all matters raised by the Council in objection to the proposal, I conclude that the proposed removal of the existing single-storey rear extension and its replacement by a single-storey flat roof extension with a balcony above would be sympathetic additions to the appeal property that would enhance its form and character. As such, no material harm would be caused to the character and appearance of the host property or the street scene, and the proposal would also preserve and enhance the character and appearance of the adjoining conservation area. For these reasons, I consider this part of the development would comply with the provisions of Policies SP2 and SP5 of the LDP. As these elements of the scheme can be clearly severed from the proposals on the front elevation of the appeal property it is possible for me to separate them in my decision.

Conditions

13. I have considered the suggested conditions put forward by the Council having regard to the advice in Welsh Government Circular 016/2014: *The Use of Planning Conditions for Development Management* (October 2014). In addition to the standard conditions, I shall impose a condition requiring the materials on the development to be agreed with the Council to safeguard the visual amenity of the area. I have also added a condition regarding ecological enhancement measures. Both parties were given the opportunity to comment on this additional condition, and it was agreed that the condition is necessary to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales

Conclusions

14. Having regard to the above, I conclude that the appeal should be dismissed insofar as it relates to the alteration to the front dormer and provision of balcony. However, the remainder of the proposed development, namely the removal of the rear extension, the construction of a single-storey rear extension with balcony over, would be acceptable and I shall allow these elements of the proposal subject to the schedule of conditions attached to this decision.
15. 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 objectives of building a stronger, greener economy as we make maximum progress towards decarbonisation, making our cities, towns and villages even better places in which to live and work and embedding our response to the climate and nature emergency in everything we do.

R. Duggan

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2) The development shall be carried out in accordance with the following approved plans and documents: Existing Plans 01; Existing Elevations 02; Proposed Plans 03 Rev A; Proposed Elevations 04 Rev A; Proposed Site Layout 05; Location Plan 06.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

- 3) Prior to the commencement of the development hereby approved, details of the external materials to be used in the construction of the development, including the 1.8 metre privacy screen on the balcony above the rear extension, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development hereby permitted does not have a detrimental impact on the character and appearance of the area as required by Policies SP2 and SP5 of the Adopted Local Development Plan.

- 4) Prior to the commencement of development, a scheme of Ecological Enhancement Measures and a Detailed Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and Policies SP4 and ENV6 of the Adopted Local Development Plan.

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO DEVELOPMENT CONTROL COMMITTEE

17 NOVEMBER 2022

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

2022 ANNUAL MONITORING REPORT (AMR) FOR THE BRIDGEND LOCAL DEVELOPMENT PLAN (LDP) 2006 - 2021

1. Purpose of report

- 1.1 The purpose of this report is to update the Development Control Committee on the findings of the 2022 AMR (attached as Appendix 1), notably that housing delivery is failing to keep pace with the housing requirement and new deliverable housing allocations are urgently needed to relieve growing housing supply pressure. It is imperative that the Local Planning Authority continues to progress with the Replacement LDP to prevent ad-hoc development coming forward outside the Development Plan system. The Planning system is based on a 'plan-led' principle as this approach is the best way to manage land use change and ensure the most sustainable and well-connected development is forthcoming for our communities.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**:-
- 2.2 **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.

3. Background

- 3.1 The Council has a statutory obligation under Section 61 of the Planning and Compulsory Purchase Act 2004 to keep all matters under review that are expected to affect the development of its area. In addition, Section 76 of the Act requires the Local Planning Authority to produce information on these matters in the form of an AMR for submission to the Welsh Government. This is the seventh AMR to be prepared since the adoption of the Bridgend LDP and is based on the period from 1 April 2021 to 31 March 2022, the first year outside of the existing LDP period (2013-2021).
- 3.2 The 2022 AMR must be submitted to the Welsh Government prior to the 31 October 2022.

- 3.3 The main aim of the AMR is to assess the extent to which the LDP Strategy and Policies are being achieved. Therefore, the AMR has two primary roles - firstly, to consider whether the policies identified in the monitoring process are being implemented successfully and secondly to consider the Plan as a whole against all of the information gathered to determine whether a complete or partial review of the Plan is necessary.

The Requirement for Monitoring

- 3.4 In order to monitor the LDP's performance, it needs to be considered against a set of monitoring aims and indicators. Chapter 7 of the LDP sets out the Monitoring Framework that forms the basis of the AMR and provides information that is required to be included by LDP Regulation 37.
- 3.5 In this context the AMR is required to identify policies that are not being implemented and for each such policy:
- Outline the reasons why the policy is not being implemented;
 - Indicate steps that can be taken to enable the policy to be implemented;
 - Identify whether a revision to the plan is required;
 - Demonstrate housing delivery through a housing trajectory; and
 - Specify the number of net additional affordable and general market dwellings built in the LPA area for that year, and for the full period since the adoption of the plan.
- 3.6 The AMR also assesses seven factors, in accordance with Welsh Government requirements, to determine:
- Whether the basic strategy remains sound (if not, a full plan review may be needed);
 - What impact the policies are having globally, nationally, regionally and locally;
 - Whether the policies need changing to reflect changes in national policy;
 - Whether policies and related targets in the LDP have been met or progress is being made towards meeting them, including publication of relevant supplementary planning guidance (SPG);
 - Where progress has not been made, the reasons for this and what knock on effects it may have;
 - What aspects, if any, of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the strategy and/or sustainable development objectives; and
 - If policies or proposals need changing, the suggested actions that is required to achieve them.

- 3.7 Edition 3 of the Development Plans Manual 2020 (DPM) also outlines a new housing delivery monitoring system which replaces the previous Joint Housing Land Availability Study. As the Bridgend LDP was adopted prior to the publication of Edition 3, the Council is required to use the Annual Average Requirement (AAR) method as the primary indicator to measure housing delivery and to include a housing trajectory within the AMR. This new process has established two new monitoring indicators. The first is the annual level of housing completions monitored against the AAR set out in the plan (ie. housing requirement/15 years = AAR). The second is the total cumulative housing completions monitored against the cumulative AAR set out in the plan.
- 3.8 The AAR Build Rate and the Housing Development Trajectory are designed to monitor rates during the existing LDP period (2006-2021) however, as this AMR is being undertaken beyond the existing LDP period, the trajectory can no longer be updated in the manner outlined within the DPM. Nevertheless, consensus between the Council and a Housing Trajectory Stakeholder Group on completions for the existing LDP period and forthcoming commitments are included which helps to provide an accurate overview of the current housing supply within the Borough. The Council must include commentary on the results and implications and set out clearly what action (where relevant) is being undertaken to address any housing shortfall/under delivery on the plan strategy.
- 3.9 Monitoring the Plan also accords with the requirements for monitoring the sustainability performance of the plan through the Strategic Environmental Assessment/Sustainability Appraisal (SEA/SA).

4. Current situation/proposal

- 4.1 There have been many changes since 2013 that have influenced successful implementation of the LDP. Changes brought about by the pandemic, the evolving regional context and the variable Welsh economy are all notable. The AMR therefore considers whether the development strategy that underpins the LDP remains valid and assesses whether or not the Strategy Policies contained in the LDP are being effective in delivering the Development Strategy and meeting the objectives of the plan.

Key findings of the Annual Monitoring Process

- 4.2 An overview of the LDP Monitoring Data for the seventh AMR provides an interesting insight into the implementation of the LDP. The key findings are set out below:
- There has been an annual shortfall in housing delivery against the AAR. In 2020/21, completions were 300 dwellings below what was anticipated (there were 346 actual dwelling completions compared to an AAR of 646 dwellings, a shortfall of -46%).
 - The cumulative average annual housing requirement from the start of the plan period to 31 March 2021, the end of the existing LDP period, was 9,690 units. Actual cumulative completions have been 6,770 dwellings. This represents a

2,920 dwelling shortfall in housing delivery over the plan period to date (-30%).

- Within the 2021/2022 monitoring period 44 affordable housing units were delivered, providing a total of 1,580 units since adoption of the existing LDP.
- 0.8ha of vacant employment land was developed from 1 September 2020 to 31 August 2021.
- Within Bridgend Town Centre, of the 378 commercial properties surveyed 78 were vacant – representing a vacancy rate of 20.63%;
- Within Porthcawl Town Centre, of the 204 commercial properties surveyed 17 were vacant – representing a vacancy rate of 8.33%.
- Within Maesteg Town Centre, of the 168 commercial properties surveyed 16 were vacant – representing a vacancy rate of 11.38%.
- A refreshed draft Gypsy and Traveller Accommodation Assessment (GTAA) has been completed and was approved by Cabinet on 15 December 2020 for submission to Welsh Government. This draft GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total (draft) estimated pitch provision needed for Gypsies and Travellers is therefore 7 pitches up until 2033 (from three separate families). Since the draft GTAA was completed, Family A have met their accommodation needs (for one pitch) by relocating to an existing authorised site in the County Borough. Family B have also received Planning consent to intensify their existing authorised site and meet their accommodation needs (for three pitches). This leaves a remaining need for three pitches for Family C. The GTAA is awaiting approval from Welsh Government. Any unmet need for sites will need to be met through the Replacement LDP to ensure the plan can be found sound through the examination process and is able to be adopted.

4.3 The previously published LDP Review Report (2018) already recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level. For these reasons, a Replacement LDP has been prepared and approved by Council and will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan. This AMR further justifies the need to review the existing LDP for the same reasons already outlined in the Review Report (2018). Most notably, the shortfall in housing delivery is now even more acute and is failing to keep pace with the housing requirement. It is therefore fundamental to include sufficient, deliverable sites within the Replacement LDP to relieve growing housing supply pressure otherwise, the gap between housing delivery and the housing requirement will continue to widen and extra housing sites will be needed to ensure the County Borough's housing requirements can be delivered. Failure to act on this situation could also result in 'planning by appeal' and ad hoc development coming forward out of accord with the Plan's strategy.

- 4.4 Chapter 5 of the AMR provides a detailed analysis of the success of the plan to date against the monitoring indicators and factors in terms of delivering sustainable development.

Conclusions

- 4.5 The findings of the AMR provide an important opportunity for the Council to assess the effectiveness of the adopted LDP and to determine whether or not it needs to be reviewed. The previously published LDP Review Report (2018) already recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level. Once adopted the Replacement LDP will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan.
- 4.6 The development that has taken place since adoption of the existing LDP has levied significant investment into the County Borough and delivered new homes and jobs for our communities. Evidence collected through the monitoring process clearly suggests that good progress has been made in the delivery of the majority of LDP targets which must be seen as a positive however, a number of key housing provision policy targets are not being met which indicates that these policies are not functioning as intended. Housing delivery is ultimately failing to keep pace with the housing requirement and new deliverable sites are urgently needed to relieve growing housing supply pressure. The longer this situation remains unaddressed, the greater the need will be to include extra housing provision within the Replacement LDP or risk ad hoc development and 'planning by appeal'. This further reinforces the need for a plan review as the annual housing requirement will not pause for housing delivery to catch up. The Local Planning Authority is continuing to progress the Replacement LDP to address the shortfall in housing delivery and facilitate the identification/allocation of additional housing land. Once adopted the Replacement LDP will provide the Council with a refreshed basis to guide and manage development, providing a basis for consistent and appropriate decision-making.
- 4.7 Further investment into the local economy is required and the Replacement LDP will stimulate take up of new employment land, mixed-use sites and regeneration opportunities (including sites in the Council's ownership). This will bring forward new schemes, masterplans and development briefs to enable development.

5. Effect upon policy framework and procedure rules

- 5.1 Following the adoption of the Bridgend LDP, the Council has a statutory obligation under Section 76 of the Planning and Compulsory Purchase Act 2004 to produce an Annual Monitoring Report (AMR) to identify whether the policies identified in the monitoring process are being implemented successfully and to consider the Plan as a whole against all of the information gathered to determine whether a complete or partial review of the Plan is necessary.
- 5.2 The Planning and Compulsory Purchase Act 2004 and regulations of the Town and Country Planning (Local Development Plan) (Wales Regulations 2005) requires

that a Local Planning Authority (LPA) must commence a full Review of its LDP every 4 years.

6. Equality Act 2010 Implications

- 6.1 There are no direct implications associated with this report however, the proposed policies and allocations contained within the Replacement LDP are subject to equalities impact assessment and the social economic duty. An initial Equalities Impact Assessment Screening of the Replacement LDP was carried out on 30 October 2020. This identified that the Replacement LDP could have a high to medium impact on people from the following protected characteristics: Age, Disability, Race and Welsh Language. As such, it was determined that a full EIA was required to support the Deposit Plan prior to it being published for public inspection and consultation. This was completed in April 2021 and the recommendation of the EIA is to continue with the Deposit Plan in its current form as no negative impacts were identified. An updated EIA was also carried out in July 2022 which identified no new negative impacts arising as a result of the Plan.
- 6.2 Social Economic Duty: The Replacement LDP is intended to help to eliminate inequality and disadvantage in people's lives. The evidence gathered during the preparation of the Replacement LDP has been used to ensure that the policies contained within have a positive impact on people living in socio-economic disadvantage or contain measures to ensure that any negative impact is mitigated.

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

- 7.1 This AMR will help inform development of the Replacement LDP which has been prepared in accordance with the 7 Wellbeing goals and the 5 ways of working as identified in the Act.

8. Financial implications

- 8.1 Officer time and cost associated with the data collection and analysis of the monitoring indicators and preparation of the AMR will be met from the Strategic Planning Policy budget and carried out by existing staff.
- 8.2 The cost of the LDP Review will be met from the Strategic Planning Policy budget and carried out by Strategic Planning staff with expert advice and evidence procured from consultants and through collaboration with neighbouring authorities as required.

9. Recommendations

- 9.1 That Development Control Committee note the content of the AMR Report.

Janine Nightingale

Corporate Director Communities

17 November 2022

Contact officer: Brett Holdsworth, Strategic Planning Policy Officer

Telephone: (01656) 643016

Email: brett.holdsworth@bridgend.gov.uk

Postal address: Strategic Planning Policy
Communities Directorate
Civic Offices, Angel Street
Bridgend
CF31 4WB

Background documents: Appendix 1 – 2022 Annual Monitoring Report

Local Planning Authority Bridgend County Borough Council

Cyngor Bwrdeistref Sirol



Annual Monitoring Report 2022 Local Development Plan (2006 – 2021)

1. INTRODUCTION

- 1.1 The Bridgend County Borough Local Development Plan (LDP, 2006 – 2021) was formally adopted by the Council on the 18th September 2013. Following the adoption of the Bridgend LDP, the Council has a statutory obligation under section 76 of the Planning and Compulsory Purchase Act 2004 to produce an Annual Monitoring Report (AMR). This is the seventh AMR to be prepared since the adoption of the Bridgend LDP and covers a one-year period (1st April 2021 to 31st March 2022). The Council is required to submit the AMR to Welsh Government by the 31st of October 2022.
- 1.2 The main aim of the AMR is to assess the extent to which the LDP Strategy and Policies are being achieved. Therefore, the AMR has two primary roles; firstly, to consider whether the policies identified in the monitoring process are being implemented successfully; and secondly to consider the plan as a whole against all of the information gathered to determine whether a complete or partial review of the plan is necessary.
- 1.3 The previously published LDP Review Report (2018) already recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites, whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level. For these reasons, a Replacement LDP is now being prepared and will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan. This AMR further justifies the need to review the existing LDP for the same reasons already outlined in the Review Report (2018). This will form part of the ongoing evidence base that will underpin the new Replacement LDP and will supplement the information contained within the LDP Review Report.
- 1.4 This AMR will also assess whether the existing LDP remains fit for purpose up until the Replacement LDP is adopted.

The Requirement for Monitoring

- 1.5 In order to monitor the LDP's performance, it needs to be considered against a set of monitoring aims and indicators. Chapter 7 of the LDP sets out the Monitoring Framework that forms the basis of the AMR and provides information that is required to be included by LDP Regulation 37.
- 1.6 In this context the AMR is required to identify policies that are not being implemented and for each such policy:
- Outline the reasons why the policy is not being implemented;
 - Indicate steps that can be taken to enable the policy to be implemented;
 - Identify whether a revision to the plan is required;
 - Demonstrate housing delivery through a housing trajectory; and
 - Specify the number of net additional affordable and general market dwellings built in the LPA area for that year, and for the full period since the adoption of the plan.
- 1.7 The LDP Manual (Edition 3, 2020) supplements this requirement by setting out additional factors that should be assessed in the AMR:
- Whether the basic strategy remains sound (if not, a full plan review may be needed);
 - What impact the policies are having globally, nationally, regionally and locally;

- Whether the policies need changing to reflect changes in national policy;
- Whether policies and related targets in the LDP have been met or progress is being made towards meeting them, including publication of relevant supplementary planning guidance (SPG);
- Where progress has not been made, the reasons for this and what knock-on effects it may have;
- What aspects, if any, of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the strategy and/or sustainable development objectives; and
- If policies or proposals need changing, the suggested actions that is required to achieve them.

1.8 Monitoring the Plan also accords with the requirements for monitoring the sustainability performance of the plan through the Strategic Environmental Assessment / Sustainability Appraisal (SEA/ SA) (Strategic Environmental Assessment Regulations (2004) and the Conservation of Habitats and Species Regulations 2017.

Format and Content

1.9 The structure of the AMR is as follows:

Chapter 2: Executive Summary (page 5) - provides a succinct written summary of the key monitoring findings;

Chapter 3: Monitoring Framework (page 13) – explains the process of monitoring the LDP, how to quantify the resulting data and if necessary, determine whether a review of the LDP and Sustainability Appraisal (SA) is required;

Chapter 4: Contextual Change (page 18) – analyses the potential impact of factors such as changes to national planning policy, the economic climate and local issues on the implementation of the LDP;

Chapter 5: LDP Monitoring (page 22) – analyses the effectiveness of the LDP policy framework in delivering the plans targets;

Chapter 6: Sustainability Appraisal Monitoring (page 73) – analyses the impact the LDP is having on the social, economic and environmental well-being of Bridgend and;

Chapter 7: Conclusions and Recommendations (page 80) – provides an overview of the findings of the AMR and makes recommendations about issues that require further consideration.

2. EXECUTIVE SUMMARY

2.1 Section 76 of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to monitor the implementation of their adopted LDPs by preparing an AMR. This is the seventh AMR to be prepared since the adoption of the Bridgend LDP and covers a one-year period (1st April 2021 to 31st March 2022). The Council is required to submit the AMR to Welsh Government by the 31st of October 2022.

Background

- 2.2 The Council formally adopted the Bridgend County Borough LDP on the 18th September 2013. Following the adoption of its LDP, the Council has a statutory obligation under section 61 of the Planning and Compulsory Purchase Act 2004 to keep all matters under review that are expected to affect the development of its area. In addition, as stated above, section 76 of the Act requires the Council to produce information on these matters in the form of an AMR for submission to the Welsh Government.
- 2.3 There have been many changes since 2013 that have impacted the successful implementation of the LDP; the most notable are the changes in the Welsh Economy, changes in the regional context and the ramifications of the global pandemic. The AMR will consider whether the development strategy that underpins the LDP remains valid. It will also assess whether or not the policies contained in the LDP are being effective in delivering the Development Strategy and meeting the objectives of the plan.
- 2.4 The LDP Regulations and the LDP Manual specify what the AMR is required to include:
- An Executive Summary;
 - A review of changes to national and regional policy and guidance and their implications for the LDP;
 - SEA/SA Monitoring based on the SEA/SA Monitoring Framework;
 - LDP Monitoring based on the LDP Monitoring Framework;
 - Statutory Indicators; and
 - Recommendations on the course of action in respect of policies and the LDP as a whole.

Key findings of the Annual Monitoring Process

External Influences

2.5 The AMR considers the external factors that have had, or could have, an influence on the implementation of the plan and thus on development in the County Borough. These include changes in:

- Policy and legislation;
- National statistics;
- External conditions; and
- Local development context.

Policy and Legislation

2.6 The AMR is required to identify documents, at national and regional level, that may have implications for the policies in the LDP and to assess them to identify their implications. During the current monitoring period, the Welsh Government introduced a national legislative change in the form of a new version of Technical Advice Note 15 (TAN 15), containing a revised Flood Map for Planning. This was made available on 28 September 2021 and was due to come into effect on 1st December 2021. In November 2021, however, in order to enable local planning authorities to consider fully the impact of the climate change projections contained within TAN15 on their respective areas, the coming into force of the new legislation was suspended until 1st June 2023. As a result of this, the existing TAN 15, published in 2004, and the Development Advice Map will continue in the meantime as the framework for

assessing flood risk. The impacts of the revised TAN 15 and Flood Map for Planning have nevertheless been duly considered as part of Replacement LDP preparation.

- 2.7 Welsh Government also published the Town and Country Planning (Strategic Development Plan) (Wales) Regulations 2021 during the current monitoring period, which came into force in February 2022. Strategic Development Plans will enable a more consistent, cost effective and efficient approach to plan-making, with key decisions taken once at the strategic level. This will allow larger than local issues to be planned for in an integrated and comprehensive way. This includes placemaking, housing numbers, strategic market and affordable housing allocations, strategic employment sites, strategic green infrastructure and supporting sustainable transport infrastructure, all of which cut across a number of Local Planning Authority areas (LPAs).. This will result in more efficient and effective planning outcomes for communities and will be a more effective use of financial and staffing resources for LPAs.
- 2.8 The Office for National Statistics (ONS) published the first results from the 2021 Census for Wales and England on 28th June 2022. These first results include rounded population and household estimates for local authorities in Wales, by sex and five-year age groups. The first release of data from the 2021 Census has shown that towns and cities on the M4 corridor in South-East Wales are growing rapidly, with Bridgend's population growth (4.5%) being the third highest in Wales after Newport (9.5%) and Cardiff (4.7%). In absolute terms, the County Borough had a population of 139,178 at the time of the 2011 Census, which increased to 145,500 at the time of the 2021 Census. The Replacement LDP will become the tool to manage future growth and ensure it is located in sustainable areas with supporting infrastructure.

External Conditions

National Context

- 2.9 The UK economy had been recovering at a relatively strong rate since early 2013, although there was a slight slowdown in growth in late 2014 due to slower global growth (before the EU referendum), until the catastrophic impacts of the global pandemic occurred in 2020. According to PWC (July 2021), the UK economy was one of the hardest hit major economies by the COVID-19 pandemic in 2020, with annual GDP declining by 9.8% compared to 2019. This was due to the UK's high incidence of COVID-19 and death rate, as well as its service-based economy, for which it is harder to implement social distancing, and its dependence on consumer spending, which was hit hard by restrictions. By the end of 2020, UK GDP was 6.3% below its pre-pandemic level in February 2020.
- 2.10 Since then, the UK economy had confidently grown beyond its pre-pandemic size and most sectors of the economy were growing. The UK labour market was strong, with the unemployment rate dropping below 4% and the Bank of England starting to raise its base rate back to levels experienced before the pandemic. However, the war in Ukraine has presented a significant shock to the global economy and is expected to impact the UK economy for a considerable period (PWC, April 2022).
- 2.11 UK GDP growth is now expected to average between 2.8% - 3.8% this year, compared to a previous consensus GDP growth of 4.5%. The main driver of this revision is slower household consumption which is, in turn, driven by higher commodity prices. Real earnings are already contracting in the UK and are expected to continue to do so until at least the end of this year, with lower

income households being disproportionately impacted. UK inflation is also projected to hit a 40 year high of around 11% in Q4 of 2022, with the energy price cap to also increase by around 75% (PWC, April 2022).

The Local Development Context & Economic Conditions

- 2.12 Land Registry Price Paid data shows that the median price paid for residential properties across the County Borough rose from £173,699 at year ending March 2021 to £194,097 at year ending March 2022; an increase of 11.2%. The same data source indicates that the median price paid for properties in Bridgend was below the national median price in Wales of £184,807 at year ending March 2021 and £210,551 at year ending March 2022.
- 2.13 Analysis of the monitoring data indicates that take up of employment land has been running at an average of 2.5ha per annum since 2013/14. Take up of employment land was 0.8ha during the September 2020 and August 2021 monitoring period. It should be noted that this figure covers a period in which national lockdown conditions were imposed as a result of the COVID-19 pandemic.

Strategic Environmental Assessment/Sustainability Appraisal Monitoring

- 2.14 The Strategic Environmental Assessment Directive requires local authorities to undertake Strategic Environmental Assessment (SEA) as part of the preparation of the LDP. In addition to this the LDP Regulations requires a Sustainability Appraisal (SA) to be undertaken.

- 2.15 The SEA Directive also requires that the council monitor the state of the environment through monitoring the sustainability objectives set out in the SEA/SA Report. This forms an integral part of the AMR and is contained in Section 6. The SEA/SA monitoring indicates a positive change to the environment thus far in the plan period.

LDP Policy Monitoring

- 2.16 An overview of the LDP Monitoring Data for the seventh AMR period provides an interesting insight into the implementation of the LDP over the past 12-month period. The key findings are set out below:
- There has been an annual shortfall in housing delivery against the AAR. In 2020/21, completions were 300 dwellings below what was anticipated (there were 346 actual dwelling completions compared to an AAR of 646 dwellings, a shortfall of -46%).
 - The cumulative average annual housing requirement from the start of the plan period to 31st March 2021, the end of the existing LDP period, was 9,690 units. Actual cumulative completions have been 6,770 dwellings. This represents a 2,920-dwelling shortfall in housing delivery over the plan period (-30%).
 - To date 1,580 affordable units have been delivered since adoption of the existing LDP in 2013.
 - During the monitoring period 1st September 2020 - 31st August 2021 a total of 0.8ha of vacant employment land was developed.

- During the monitoring period 1st April 2021 – 31st March 2022, of the 378 commercial properties surveyed within Bridgend Town Centre, 78 were vacant – representing a vacancy rate of 20.63%.
- During the monitoring period 1st April 2021 - 31st March 2022, of the 204 commercial properties surveyed within Porthcawl Town Centre, 17 were vacant – representing a vacancy rate of 8.33%.
- During the monitoring period 1st April 2021 – 31st March 2022, of the 167 commercial properties surveyed within Maesteg Town Centre, 19 were vacant – representing a vacancy rate of 11.38%.
- A refreshed draft Gypsy and Traveller Accommodation Assessment (GTAA) has been completed and was approved by Cabinet on 15th December 2020 for submission to Welsh Government. This draft GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total (draft) estimated pitch provision needed for Gypsies and Travellers is therefore 7 pitches up until 2033 (from three separate families). Since the draft GTAA was completed, Family A have met their accommodation needs (for one pitch) by relocating to an existing authorised site in the County Borough. Family B have also received planning consent to intensify their existing authorised site and meet their accommodation needs (for three pitches). This leaves a remaining need for three pitches for Family C. The GTAA is awaiting approval from Welsh Government. Any unmet need for sites will need to be met through the Replacement LDP to ensure the plan can be found sound through the examination process and is able to be adopted.

- 2.17 Chapter 5 of the AMR provides a detailed analysis of the success of the plan to date against the monitoring indicators and factors in terms of delivering sustainable development.

3. MONITORING FRAMEWORK

- 3.1 The Monitoring Framework comprises 2 key elements. These are the monitoring of:

- The LDP strategy, policies and proposals; and
- The Sustainability Appraisal (SA) which includes the Strategic Environmental Assessment (SEA).

- 3.2 The on-going success of these documents and the policies within them are to be measured against a set of targets identified as part of the LDP process. Indicators have been formulated to determine whether these targets have been met. Where the results conclude that the targets are not being met, and that the effectiveness of the LDP documents (or parts or policies of it), are falling significantly below the level required, then consideration will be given to the need for a review of the LDP.

LDP Monitoring Aims, Indicators, Targets, Triggers and Outcomes

- 3.3 The LDP monitoring framework identifies 13 monitoring aims based on the Policies which deliver the strategy of the Plan; these monitoring aims are assessed against 31 indicators. It should be noted that whilst the targets and indicators relate to each Strategic Policy, the framework has been designed to ensure that linkages are made between the Strategic Policies, relevant objectives

and Development Management and Allocation policies. Monitoring the delivery of the Strategic Policies therefore provides a mechanism for monitoring the LDP as a whole.

- 3.4 Trigger levels have been set which identify where a policy has diverged from the monitoring target to such an extent that the policy is failing to be implemented or needs to be amended. Where this happens the analysis in the monitoring table identifies the issue and, where necessary, the actions required to address it.

The Sustainability Appraisal Objectives and Indicators

- 3.5 The Sustainability Appraisal (SA) of the LDP identifies a set of objectives and significant effect indicators which are intended to measure the social, economic and environmental impact of the LDP. The SA identifies 4 objectives and 15 indicators specifically designed to monitor the environmental credentials of the LDP.

Monitoring Progress

- 3.6 The analysis of the monitoring process will be in the form of detailed written assessment of the indicator results and a subsequent view on the success of the targets and effectiveness of the policies. This will be provided in the respective monitoring sections of this report for the LDP and SA.
- 3.7 As a visual aid in showing the monitoring outcomes, a simple colour coded system has been formulated and will be included in the individual tables of Strategic Policies and SA results, as shown below:

Continue Monitoring
Where indicators are suggesting that LDP policies are being implemented effectively and there is no cause for a review.
Officer / Member Training Required
Where indicators associated with planning applications suggest that policies are not being implemented as they were intended and further officer or Member training is required.
Supplementary Planning Guidance (SPG) / Development Briefs Required
Whilst the Council will be preparing SPG and Development Briefs throughout the Plan period, indicators may suggest that further guidance should be provided to developers on how a policy should be properly interpreted. Additionally, should sites not be coming forward as envisaged; the Council will actively engage with developers / landowners to bring forward Development Briefs on key sites to help commence the development process.
Policy Research
Where the indicators suggest that the LDP policies are not being effective as they should; further research and investigation, including the use of contextual indicators and comparisons with other local authorities and national statistics where appropriate may be required.
Policy Review
Where indicators suggest that a LDP policy is failing to implement the strategy of the Plan and a formal review of the policy is required. Further research and investigation, including comparisons with other local authorities and national statistics where appropriate will be required before a decision to formally review the policy is made.
Plan / Strategy Review

Where indicators suggest that the LDP strategy is failing and a formal review of the Plan is required. The decision to review the Plan will not be taken lightly, and this trigger will not apply to the majority of policy areas.

Review of the Plan

- 3.8 Notwithstanding the outcome and findings of this seventh AMR, the Local Planning Authority is currently preparing a Replacement LDP. The previously published LDP Review Report (2018) already recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites, whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level. Once adopted, the Replacement LDP will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan.
- 3.9 The Submission Version of the Replacement LDP builds upon the Deposit Plan, which was consulted on between 1st June 2021 and 27th July 2021 in accordance with Regulation 17 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005. Once adopted, this will provide the Council with a refreshed basis to guide and manage development, providing a basis for consistent and appropriate decision-making.
- 3.10 On the 19th October 2022, Council agreed that the amended Replacement Local Development Plan should be submitted to Welsh Government and Planning and Environment Decisions Wales for independent examination.

Development Plans Manual (Edition 3, 2020)

3.11 The requirements set out within the Development Plans Manual 2020 (page 190) include the following guidance;

- The AMR should assess the extent to which the plan's strategy and key policies, sites and infrastructure requirements are being delivered. Each AMR will be based on the results and commentary of the preceding year.
- Identify key findings and conclusions in relation to the delivery of the strategy, setting out clear conclusions on whether a plan review is required.
- What new issues have occurred in the plan area, or changes to local/national policy?
- How relevant, appropriate and up to date is the LDP strategy and its key policies and targets?
- What sites have been developed or delayed in relation to the plan's expectations at both places and in the phasing programme (as set out in the trajectory)?
- What is the degree of variance from the anticipated annual and cumulative build rate? Is there a two-year trend of under delivery (annual completions not number of AMRs submitted)?
- What has been the effectiveness of delivering policies and preventing inappropriate development?

4. CONTEXTUAL CHANGE

- 4.1 The findings of the AMR Monitoring Framework are fundamental in determining how the implementation and delivery of the LDP is progressing. However, it is equally important to understand how the implementation of the LDP has been influenced by local, regional, national and international social and economic factors. By seeking to understand how different factors have affected the delivery of the LDP, the Council will gain a better understanding of what it can do to support the Plan's implementation. In focussing on those factors, it can influence and better support delivery of its objectives and shape any future strategy within the Replacement LDP.
- 4.2 The following section looks specifically at the external factors that have had, or could have, an influence on the implementation of the plan and thus on development in Bridgend County Borough. These include changes in:
- Policy and legislation;
 - National statistics;
 - External conditions; and
 - Local development context.

Policy and Legislation

- 4.3 The Council needs to consider, through its AMR, whether changes to national planning policy have any implications for the LDP. If the implications are significant, the Council will need to determine how it addresses the issues.

Legislative Changes

SDP for South-East Wales

- 4.4 The Town and Country Planning (Strategic Development Plan) (Wales) Regulations (SI 2021/360) (2021 Regulations) were made on the 18th March 2021 and came into force on the 28th February 2022. The 2021 Regulations set out the procedure for the preparation of strategic development plans (SDPs). The policy intent is to introduce a more strategic approach to plan making at a scale greater than individual LDPs. SDPs will provide a more consistent, cost effective and efficient approach to plan making, with key decisions taken once at the strategic level and cutting across a number of LPA areas. This will allow larger than local issues such as housing numbers, strategic housing allocations, strategic employment sites, strategic green infrastructure routes, supporting transport infrastructure be considered and planned for in an integrated and comprehensive way. This will result in more efficient and effective planning outcomes for communities. Regional Corporate Joint Committees (CJCs) will undertake strategic development and regional transport planning in the future, including preparing SDPs. Although Bridgend County Borough Council is proceeding with a Replacement LDP, simultaneous collaborative working will be undertaken with neighbouring authorities and the broader region to prepare an SDP. A joint evidence base will also be shared wherever possible to this end.

External Conditions (National Context)

Economy

- 4.5 In terms of the UK economy, the latest OECD Economic Report (June 2022) notes that the projected economic growth for the latter half of 2022 is projected to be around 3.64%, down from 4.75% projected in December 2021. This is as a result of the ongoing conflict in Ukraine and the supply-chain disruptions exacerbated by shutdowns in China due to a zero-COVID policy.
- 4.6 The report outlines that global GDP growth is also now projected to slow sharply this year, to around 3%, and remain at a similar pace in 2023. This is well below the pace of recovery projected in December 2021 before the outbreak of war in Ukraine. Many of the hardest-hit countries are in Europe, which is highly exposed to the war through energy imports and refugee flows.
- 4.7 Countries worldwide are being hit by higher commodity prices, which add to inflationary pressures and curb real incomes and spending, further dampening the recovery. The report suggests this growth slowdown is a price of war which will be paid through lower incomes and fewer job opportunities.
- 4.8 According to KPMG's Economic Outlook published in June 2022, UK inflation is forecast to average at 8.1% for the year 2022, following a high of 9.1% in May 2022. The report suggests that the outlook for inflation is expected to be largely dependent on the evolution of future wholesale gas prices. Inflation is then projected to begin to normalise from 2023 Q2 onwards, and to return to the Bank of England's 2% target in 2024 Q2.

- 4.9 According to the same report, the unemployment rate in the UK was 3.8% in the three months to April 2022, down 4.9% a year earlier. The demand for staff has been growing since the gradual lifting of COVID-19 restrictions in 2021, but the availability of workers hasn't kept up pace with the job openings. Recent data shows that job vacancies continue to match the number of unemployed people, with the vacancy rate at its record high of 4.3%. The report suggests that a key question ahead of the coming months will be whether the squeeze on household budgets will result in a lower demand for employees as businesses adjust their hiring needs against the backdrop of weaker activity. The report forecasts a gradual pickup in the unemployment rate, averaging 4.2% in 2022 and 4.6% in 2023.
- 4.10 In Wales, according to the National Institute of Economic and Social Research's spring economic outlook, GVA (Gross Value Added) has now recovered and surpassed pre-pandemic levels and is projected to grow faster than the UK average. Employment growth in Wales also continues to outperform the UK average; while the apprenticeship programme introduced by the Welsh Government provides a positive path towards the employment of younger workers. However, persistently high and growing inactivity rates remain a source of concern.
- 4.11 Rising inflation still presents a critical challenge to many Welsh households, however, with nearly 50,000 households (3.5%) estimated to spend more on food and energy than they have in disposable income in 2022-23. Meanwhile, the combined effect of Covid-19, the war in Ukraine, rising prices of necessities and tight fiscal policy presents a unique challenge for many households. This is particularly relevant for Wales, due to its above average concentration of low-income households.
- 4.12 Given that Cardiff has become the driver for economic activity for the Welsh economy, there is a need to harness this growth to the Cardiff Capital Region and beyond. This will need to be supported with infrastructure investment, including completion of the electrification of the main line to Cardiff in and delivery of the South Wales Metro.

5. LDP MONITORING

To Produce High Quality Sustainable Places			
Strategic Development Distribution		Primary Policy: Strategic Policy SP1	LDP Objectives: 1a, 1b, 1c, 1d
Monitoring Aim: Development to be distributed according to the Regeneration-Led Sustainable Development Spatial Strategy			Other Policies:
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
1. 85% or more of housing development on allocated sites takes place within the SRGAs by 2021.	Percentage of the total housing allocation in the Plan developed in the SRGAs.	By 2016 38% or more of the total proposed housing development on allocated sites takes place within the SRGAs.	By 2016 less than 38% of the total proposed housing development on allocated sites takes place within the SRGAs.
2. 80% or more of employment development on Policy REG1 and SP9 sites takes place within the SRGAs by 2021.	Percentage of the total annual employment development on Policy REG1 and SP9 sites located within the SRGAs.	80% of the annual employment development takes place within the SRGAs and Strategic Employment Sites.	Less than 80% of the annual employment development takes place within the SRGAs and Strategic Employment Sites.
3. To ready the Strategic Employment Sites for delivery.	Strategic Employment Sites status in the annual	By 2016 all the Strategic Employment Sites are	By 2016 all the Strategic Employment Sites are not classified by the Annual

	<p>Employment Land Review study.</p>	<p>classified by the Annual Employment Land Review as immediately or short term available.</p> <p>By 2016 all Strategic Employment sites will have a planning consent or approved development brief.</p>	<p>Employment Land Review as immediately or short term available.</p> <p>By 2016 all Strategic Employment Sites do not have a planning consent or an approved development brief.</p>
--	--------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Analysis of Results

In order to Produce High Quality Sustainable Places, Strategic Policy SP1 aims to ensure that development is distributed according to the LDP’s Regeneration-Led Sustainable Development Strategy. To assess how effective the LDP is in implementing its overall Strategy, a number of indicators and targets have been devised by the Council that measure the ‘spatial distribution’ of housing and employment development. Policy Target 1 measures the spatial distribution of housing growth and requires that 85% or more of housing development, on allocated sites takes place within the Strategic Regeneration Growth Areas (SRGAs) by 2021.

At a base date of 2009, Housing Policies COM1 and COM2 of the LDP allocated 7,894 housing units across the County Borough. 6,358 of these allocated housing units are located within the 4 SRGAs of Bridgend, Maesteg and the Llynfi Valley, Porthcawl and the Valleys Gateway.

Strategic Employment Sites

SP9(4) Ty Draw Farm – This strategic allocation was originally part of a larger (6 ha) employment land allocation. As part of the plan review, planning permission was granted in 2014 for a mixed-use development with a reduced quantum (2.23 ha) of new employment land (application P/12/796/FUL, granted 22/01/14). The balance of the site was released for housing with the intention that this would enable the delivery of the remaining employment land. The residential elements (for 94 dwellings associated access, open space) have now been built out and commercial property agent's Lambert Smith Hampton have been advertising the remaining 2.2 hectares employment site. The marketing details explain the envisaged quantum of space is around 6,000 sqm of B1 space. The proximity of this employment space to the residential dwellings render office accommodation a suitable complementary use.

The 2019 Economic Evidence Base Study comments that there may be potential for light industrial as an alternative to a 100% office scheme on this site. The Study also recommends re-designating the small quantum of remaining employment land as a 'normal' employment site within the Replacement LDP as opposed to a 'strategic site'. The rationale for this recommendation is that a strategic site allocation would seek to deliver high value uses, and, while the site is accessible to the motorway and may attract high value uses, it is not deemed sensible to limit the site's scope to only 'high value'. The location and remaining scale of the site is considered to be more conducive to delivery of local offices and some lighter industrial uses within the B1 use class. The 2021 Economic Evidence Base Study Update concurs that this site is needed for employment uses and should not be released for other uses. The current position and the higher need requirement have made the situation more acute, and more land, not less is now needed to meet the need, and the Borough cannot afford to lose either sites in existing employment use nor allocated sites. The site has been proposed for retention within the Replacement LDP.

SP9(2) Land at Island Farm, Bridgend – The site benefits from an outline planning application, P/08/1114/OUT, granted for mixed-use sport, leisure, commercial and offices on 14/03/12. P/14/824/RES – Highway infrastructure, green bridge and drainage infrastructure, was also granted on 12/06/15 at Island Farm. A further planning application, P/15/318/NMA has been approved for amendments to conditions relating to

P/08/1114/OUT, to enable ecological mitigation to take place. HD limited has started work on site. The 2019 Economic Evidence Base Study recommended reconsidering the role of Island Farm, suggesting that this site may be better suited for re-designation as a mixed used scheme comprising residential, sport, leisure, commercial and offices. The site has been re-considered as part of the Replacement LDP.

SP9(1) Brocastle, Waterton – The site is owned by Welsh Government. Planning permission has been granted for a development of up to 71,441sq.m of B1, B2 and B8 employment floorspace, including access, car parking, diversion of public rights of way, site remediation, drainage, landscaping and associated engineering operations. The approved development complies with the Council's planning policies and will deliver national and local policy objectives of achieving a sustainable development by minimising impact on ecology and habitats, supporting existing green infrastructure and using the site's natural features to provide a layout that responds to its semi-rural location thus creating a high-quality development. The development will also support inclusive access and active travel and provide connectivity to Bridgend Town Centre and links to the Vale of Glamorgan. Furthermore, the development can be designed to minimise its potential visual impact and any impacts on the amenity of those residents that adjoin the site (Planning application reference P/16/549/OUT refers). It is hugely positive that planning permission is in place and it is considered that this site is available for employment development in the short to medium term.

The 2019 Economic Evidence Base Study comments that the site is 46.2 gross hectares, but due to its topography and shape, there is 20.4 net hectares available for employment uses. Within the 20.4 ha, the Welsh Government, as owner, is promoting a scheme for 71,441 sqm of employment space. This is currently laid out as several rows of terraces assumingly to fit the topography of this site, which may dictate the type of occupier that could take the site in the future Given Welsh Government support, and the site's location close to the main (and generally successful) Bridgend estates, the Study consider this site to be a key strategic employment site for re-allocation in the Replacement LDP. This is expected to be the Borough's main inward investment site within the Replacement LDP, supported by the Welsh Government and the remaining land for further expansion of the successful wider area. The 20.4ha is under preparatory construction.

SP9(3) – Pencoed Technology Park is also owned by Welsh Government. The site straddles the eastern administrative boundary of Bridgend and RCT. The site is identified and the focus of High-Quality Life Sciences and manufacturing and is already the home of a number of high profile investments. Welsh Government have extended their ownership at the site by acquiring the brownfield former Sony land holding. Substantial infrastructure is in place, including ‘road stubs’ to undeveloped parcels, including the land within Bridgend’s administrative area, and the site is considered to be immediately available for development. In January 2017, planning permission was granted to NHS Wales for a change of use of the former Sanken Power Systems building to create a National Imaging Academy offering a state-of-the-art facility to train Consultant Radiologists and ancillary office workspace (planning application P/17/39/FUL refers). This site was chosen by the NHS for its strategic location in the heart of ‘South Wales’ and proximity to the strategic road network. The creation of National Academy is extremely positive as it demonstrates that the Technology Park is in the right location to attract new business but also has the potential to become a hub for office headquarters for both the public and private sectors.

The 2019 Economic Evidence Base Study comments that Pencoed Technology Park presents a good opportunity in bringing forward new office units given the existing neighbouring uses and motorway access. As referred to above the site is in both Bridgend County Borough and neighbouring Rhondda Cynon Taf, with plots totalling some 17 ha currently being marketed, including 5 ha in Bridgend. The study concludes that ‘together with the 1 ha left to come forward at Bocam Park, this location represents the Borough’s most attractive location for out of centre office’ and advocates re-allocating the site as a strategic site in the Replacement LDP.

Performance	
-------------	--

Action

Policy Targets 1, 2 and 3 are broadly on track, however the indicators suggest that LDP Policy SP1 is not being effective as it should. In terms of Policy Target 1, the underperformance in housing delivery within Porthcawl, Maesteg and the Llynfi Valley SGRAs is largely attributed to historic delays with Porthcawl Waterfront Regeneration Area (which the Council has resolved to render the site deliverable within the Replacement LDP period) and due to site-specific issues with Llynfi Valley allocations. Market viability issues within the latter SRGA are notable,

as is the need to overcome various site constraints including land reclamation and land assembly. However, these site-specific issues do not indicate that the spatial distribution of new residential development in the LDP is fundamentally flawed.

To Produce High Quality Sustainable Places			
Design and Sustainable Place Making		Primary Policy: Strategic Policy SP2	LDP Objectives: 1f, 1g, 2a, 2b, 2c
Monitoring Aim: All development to meet Sustainable Place Making Criteria			Other Policies: PLA4
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
4. No highly vulnerable development will take place within the C1 and C2 floodplain area.	Amount of development (by TAN15 paragraph 5.1 development category) permitted in C1 and C2 floodplain areas not meeting all TAN15 tests (paragraph 6.2 i-v).	No applications permitted for highly vulnerable development permitted within the C1 and C2 floodplain area.	1 or more planning applications for highly vulnerable development permitted in C1 and C2 floodplain areas not meeting all TAN 15 tests (paragraph 6.2 i-v).

5. No development will adversely impact on water quality or quantity.	Number of planning applications approved in any given year, contrary to the advice of Natural Resources Wales/Dwr Cymru Welsh Water on water quality or quantity grounds.	No planning applications approved in any given year, contrary to the advice of Natural Resources Wales/Dwr Cymru Welsh Water on water quality or quantity grounds.	1 or more planning applications approved in any given year, contrary to the advice of Natural Resources Wales/Dwr Cymru Welsh Water on water quality or quantity grounds.
6. All development proposals will give consideration to Climate Change adaptation techniques within a Design and Access Statement.	Number of planning applications which consider Climate Change adaptation techniques with a Design and Access Statement.	All planning applications give consideration to Climate Change adaptation techniques within a Design and Access Statement: 2015 Revision of Climate Neutral Development SPG.	1 or more major planning application fails to give consideration to Climate Change adaptation techniques within a Design and Access Statement in any given year. Revision of Climate Neutral Development SPG is not complete by 2015.
7. By 2021 60% of the permitted residential development is on previously developed land.	Amount of new residential, development (ha) permitted on previously developed land expressed as a percentage of all residential development permitted.	By 2016 21% or more of new residential development is permitted on previously developed land.	By 2016 less than 21% of new residential development is permitted on previously developed land.

Analysis of Results

The aim of Strategic Policy SP2 is to ensure that all development contributes to Sustainable Placemaking.

In order to monitor whether development is meeting Sustainable Placemaking criteria set out in Policy PLA4, the Council considers 4 Policy Targets (4, 5, 6 and 7) to ensure that no vulnerable development takes place within the C1 and C2 floodplain (Policy Target 4); no development will adversely impact on water quality and quantity (Policy Target 5); all development proposals give consideration to climate change (Policy Target 6) and that by 2021 60% of permitted residential development is on brownfield land (Policy Target 7).

In terms of Policy Target 4, between 1st April 2021 and 31st March 2022, 4 developments for highly vulnerable (residential) development were permitted within a C1 & C2 Flood Zone. However, 3 out of the 4 planning applications did not receive any objections from NRW. Only 1 planning application, for a development of 24 apartments, received an objection from NRW (P/20/214/FUL refers). NRW's objection was on the basis that the site is within a C2 Flood Zone & the proposal does not technically comply with advice contained within TAN15. As such the assessment 'trigger' was breached. However, the proposal was granted conditional consent following advice from NRW that providing there are no proposed changes to the ground levels within the area of land identified as being within the effluvial floodplain, the proposal is considered acceptable.

With respect to Policy Target 5, during the monitoring period 1st April 2021 – 31st March 2022 no development was permitted contrary to NRW and/or Dwr Cymru/Welsh Water's advice that would adversely impact on water quality or quantity.

Policy Target 6 requires all development proposals to consider climate change adaptation techniques within a Design and Access Statement. Part of the interim target for this indicator is that by 2015 there should be a revision of SPG12 – Climate Neutral Development which was originally adopted in 2007. This SPG was updated and replaced by SPG 12 – Sustainable Energy on the 30th April 2014.

Furthermore, of the 6 qualifying developments approved during the monitoring period 1st April 2021 to 31st March 2022, 3 planning applications failed to give consideration to environmental sustainability matters, sustainable building techniques and/or energy usage within a Design and Access Statement. This issue will be considered as part of the Replacement LDP process.

In terms of Policy Target 7, this target was reported annually during each monitoring period of the existing LDP. However, as this period has now passed, and in line with the wording set out in Policy Target 7, this target should now be reported cumulatively, providing a figure for the amount of new residential, development permitted on previously developed land expressed as a percentage of all residential development permitted during the existing LDP period.

For the existing LDP period (2013-2021), of the 3,138 units that were permitted, 1,684 or 53.6% were on previously developed land. The Plan has therefore not met its target with respect of achieving 60% of permitted residential units on previously developed land by 2021, the end of the Plan period. However, this is largely attributed to landownership, assembly and viability issues with existing remaining brownfield allocations, especially within the upper areas of the Llynfi Valley. Such sites have been re-considered as part of the Replacement LDP.

Performance	
<u>Action</u>	
Continue monitoring.	

To Produce High Quality Sustainable Places		
Strategic Transport Planning	Primary Policy: Strategic Policy SP3	LDP Objectives: 1f, 1g, 2a, 2b, 2c

Monitoring Aim: All development required to meet Strategic Transport Planning Principles			Other Policies: PLA4
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
8. To increase sustainable forms of transport and reduce overall levels of traffic congestion, the Council will aim to implement the strategic transport improvement schemes detailed in Policy PLA7.	Progression of Regional Transport Plan developments detailed in Policy PLA7, in accordance with the Regional Transport Plan delivery timetable.	PLA7 proposals being implemented in accordance with the Regional Transport Plan delivery timetable.	Regional Transport Plan developments detailed in Policy PLA7, are not being implemented in accordance with the Regional Transport Plan delivery timetable.
<p><u>Analysis of Results</u></p> <p>Delivering development that meets the requirements of the 'Strategic Transport Planning Principles' set out in Strategic Policy SP3 of the LDP is central to the aim of Producing High Quality Sustainable Places.</p> <p>The transportation and improvement schemes set out by Policy PLA7 will increase sustainable forms of transport and reduce overall levels of traffic congestion, as well as contributing to the requirements of the new Active Travel (Wales) Act 2013.</p> <p>Policy Target 8 monitors the schemes set out by Policy PLA7 against the delivery timetable of the Regional Transport Plan (RTP). However, since the LDP was adopted in September 2013, the Regional Transport Plan (RTP) has been replaced by Bridgend's Local Transport Plan (LTP) 2015-2030, and the various schemes included within Policy PLA7 have been 're-set' accordingly. It is therefore against this new delivery</p>			

timetable set out in the LTP that Policy Target 8 should be considered with respect to this and future AMRs, in particular those schemes programmed in the first phase of the LTP 2015-2020/21, which coincides with the LDP Plan period.

It should be noted that the LTP includes many additional schemes to those originally proposed in the RTP and set out in PLA7, many of which (up to 13 separate schemes) relate to 'bridge' replacements associated with the electrification of the railway line between Cardiff and Swansea. However, since the recent Government announcement that this phase of electrification will not be funded in the foreseeable future, such schemes will need to be reviewed in the context of the next Local Transport Plan.

A number of 'rail' proposals included within Policy PLA7, relating to improvements to the capacity of the Maesteg – Bridgend Railway line and a new railway station at Brackla, are now investment proposals reserved for the Welsh Government, and not the LTP. Welsh Government are now the coordinating body for investment in all railway related matters, including all new rail services, rail infrastructure and railway stations.

All remaining proposals included within Policy PLA7 have been re-scheduled within the LTP and fall for delivery beyond the LDP Plan period.

Performance	
-------------	--

<u>Action</u>	
---------------	--

Continue monitoring within the context of schemes set out within the Local Transport Plan.	
--------------------------------------------------------------------------------------------	--

To Protect and Enhance the Environment			
Natural Environment		Primary Policy: Strategic Policy SP4	LDP Objectives: 2a, 2b, 2c
Monitoring Aim: To protect sites and buildings of acknowledged natural, built and historic interest			Other Policies: ENV1, ENV2, ENV4, ENV5, ENV6, ENV7, ENV8
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
9. No inappropriate development takes place in the countryside of the County Borough.	Amount of land in the countryside (ha) lost to development which is permitted by way of a departure application to Policy ENV1.	No land in the countryside lost to development which is permitted by way of departure applications to Policy ENV1.	> 0 ha of land in the countryside lost to development which is permitted as a departure application to Policy ENV1.
10. No inappropriate development in Green Wedges which would contribute to the coalescence of settlements.	Planning permissions given for inappropriate development within Green Wedge designations (Policy ENV2) which contributes towards the coalescence of settlements.	No planning permissions given for inappropriate development within Green Wedge designations (Policy ENV2) which contributes towards the coalescence of settlements.	1 or more planning permissions granted for inappropriate development within Green Wedge designations (Policy ENV2) which contributes towards the coalescence of settlements.

11a. No development will take place which adversely affects a Special Landscape Area.	Number of developments permitted with the potential to adversely affect a Special Landscape Area.	No planning permissions approved contrary to the advice of NRW or the Council's Countryside section / Landscape Officer.	1 or more planning permissions granted contrary to the advice of NRW or the Council's Countryside section / Landscape Officer.
11b. No development will take place which affects the integrity of a designated site for nature conservation.	Number of developments permitted which adversely affect the features of a protected site for nature conservation.	2014: Production of a Green Infrastructure SPG.	Green Infrastructure SPG is not in place by 2014.
11c. No development will take place which results in detriment to the favourable conservation status of European protected species, or significant harm to species protected by other statute.	Number of developments permitted with the potential to result in detriment to the favourable conservation status of European protected species, or significant harm to species protected by other statute.		

Analysis of Results

Strategic Policy SP4 of the LDP aims to conserve and enhance the natural environment of the County Borough. The Monitoring Framework sets out 5 Policy Targets (9, 10, 11a, 11b and 11c) to measure how effective the Plan has been in terms of achieving this outcome. These targets relate to monitoring whether inappropriate or detrimental development has taken place within the countryside (Policy Target 9), in Green

Wedges (Policy Target 10) within Special Landscape Areas (Policy Target 11a), designated sites of nature conservation (Policy Target 11a) and whether development is detrimental to protected species (Policy Target 11c).

In terms of Policy Target 9, 'inappropriate' development in the countryside, between 1st April 2021 and 31st March 2022 there were no planning applications granted that could be classified as potential departures' from Policy ENV1 of the LDP:

In terms of Policy Target 10 'inappropriate' development within a 'Green Wedge' (defined by Policy ENV2 of the LDP) which would contribute to the coalescence of settlements, there were 6 planning applications permitted within the Green Wedges between 1st April 2021 to 31st March 2022 that had the potential to be contrary to Policy ENV2. However, when assessed none of these proposals were classified as inappropriate or contributed to the coalescence of settlements. Policy ENV2 is therefore working successfully.

In terms of Policy Target 11a, development adversely affecting Special Landscape Areas (defined by Policy ENV3), 5 proposals were approved within Special Landscape Areas during the period 1st April 2021 and 31st March 2022. However, none were the subject of 'objection' from the Council's Countryside and/or Landscape Officer or were approved contrary to the advice of NRW.

With respect to Policy Targets 11b and 11c, during the period 1st April 2021 and 31st March 2022 no proposals have been granted within the County Borough, contrary to the advice of NRW or the Council's Countryside Section that would be detrimental to the conservation of designated sites of nature conservation or would adversely affect the protection and conservation of European protected species (or species protected by other statutes). Those applications which may have the potential to detrimentally effect protected species or designated sites of nature conservation were required to adhere to specific conditions and submit method statements of work to the Council before any work commences.

The Council is therefore on target to achieve its aim of protecting and enhancing the natural environment.	
Performance	
<u>Action</u>	
Continue monitoring.	

To Protect and Enhance the Environment			
Built and Historic Environment		Primary Policy: Strategic Policy SP5	LDP Objectives: 2a
Monitoring Aim: To protect sites and buildings of acknowledged natural, built and historic interest			Other Policies: ENV8
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
12. Development proposals do not adversely impact upon buildings and areas of built or historical interest and their setting.	Occasions when development permitted would have an adverse impact on a Listed Building; Conservation Area; Site/Area of Archaeological Significance; or Historic	No Planning consents are issued where there is an outstanding objection from the Council's Conservation and Design team, CADW or Glamorgan Gwent Archaeological Trust (GGAT).	1 or more planning consents are issued where there is an outstanding objection from the Council's Conservation and Design team, CADW or Glamorgan Gwent Archaeological Trust (GGAT).

	Landscape, Park and Garden or their setting.	2015: Production of Built Heritage Strategy.	Built Heritage Strategy is not in place by 2015.
<p><u>Analysis of Results</u></p> <p>Strategic Policy SP5 of the LDP aims to Conservation conserve, preserve or enhance the built and historic environment of the County Borough and its setting. Policy Target 12 measures how effective Policy SP5 has been in achieving this outcome, by monitoring whether developments have been permitted which would have an adverse impact on a Listed Building, Area, Site/Area of Archaeological Significance or Historic Landscape, Park and Garden or their setting.</p> <p>The assessment is undertaken by analysing whether planning consents have been issued where there are outstanding objections from the Council's Conservation and Design Team, CADW or Glamorgan Gwent Archaeological Trust (GGAT). Analysis for the monitoring period 1st April 2021 to 31st March 2022 shows that of those planning applications where these bodies have been specifically consulted, no proposals were permitted that had any 'outstanding' objections.</p> <p>In this respect the Council is therefore on target to achieving its aim of protecting sites and buildings of acknowledged built and historic interest. Interim Monitoring Target 12 is to produce a Built Heritage Strategy by 2015 and to adopt the Strategy as Supplementary Planning Guidance (SPG). This target has not been achieved to date and will be addressed as part of the Replacement LDP process.</p>			
<p>Performance</p>			
<p><u>Action</u></p> <p>Progress Built Heritage Strategy and adopt as SPG.</p>			

To Protect and Enhance the Environment			
Minerals		Primary Policy: Strategic Policy SP6	LDP Objectives: 2d
Monitoring Aim: Safeguard areas of aggregates and coal resources			Other Policies: ENV10, ENV11, ENV12
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
13. Maintain a minimum 10-year aggregate landbank throughout the plan period.	Aggregates landbank for Bridgend County Borough in years.	Maintain a minimum 10-year supply of aggregates resource.	Less than a 10-year supply of aggregates resource.
14. No permanent, sterilising development will be permitted within a mineral buffer zone or a mineral safeguarding area.	Number of planning permissions for permanent, sterilising development permitted within a mineral buffer zone or a mineral safeguarding area.	No permanent, sterilising development will be permitted within a mineral buffer zone or a mineral safeguarding area.	1 permanent, sterilising development permitted within a mineral buffer zone or a mineral safeguarding area.
<u>Analysis of Results</u>			
Strategic Policy SP6 aims to provide a contribution to national, regional and local demand for a continuous supply of minerals. LDP Policy Targets 13 and 14 have a particular focus on monitoring whether the LDP maintains a minimum landbank for aggregates (Policy Target 13)			

and also safeguarding against permanent sterilising development within mineral buffer zones and mineral safeguarding areas (Policy Target 14).

Policy Target 13 specifically requires the maintenance of a minimum 10-year aggregate landbank throughout the plan period within the County Borough. The 2019 SWRAWP Annual Report (finalised in May 2021 due to delays caused by the pandemic) calculated the 10-year aggregate landbank as more than 50 years. As such the LDP is meeting its target of providing a minimum 10-year supply.

With respect to Policy Target 14, analysis of planning applications show that no permanent sterilising developments have been approved in the monitoring period 1st April 2021 to 31st March 2022, within mineral safeguarding areas or mineral buffer zones, that did not comply with the criteria of LDP Policies ENV9 or ENV10.

The LDP is therefore meeting its monitoring target with respect to Policy Target 14.

Performance	
<u>Action</u>	
Continue monitoring.	

To Protect and Enhance the Environment			
Waste		Primary Policy: Strategic Policy SP7	LDP Objectives: 2d
Monitoring Aim: Seeks to meet the County Borough's contribution to regional and local waste facilities		Other Policies: ENV14, ENV15, ENV16	
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
15. Provide 7.7 to 11.9 hectares of available land (or consented for that purpose) on sites identified under Policy SP7 for the provision of new waste treatment facilities to meet the regionally identified need to treat up to 228,000 tonnes of waste per annum.	The availability of 7.7 to 11.9 hectares of land (or consented for that purpose) on sites identified under Policy SP7 to meet the identified need to treat up to 228,000 tonnes of waste per annum.	7.7 to 11.9 hectares of land is provided (or consented for that purpose) on sites identified under Policy SP7 for the provision of new waste treatment facilities.	The availability of land on the sites identified under Policy SP7 falls below 7.7 hectares (or has not been developed for that purpose).
<u>Analysis of Results</u>			
Strategic Policy SP7 aims to make provision for new waste treatment facilities to meet regional (and local) waste treatment needs.			

Strategic Policy SP7 identifies 5 sites where waste facilities will be favoured at Heol y Splott, South Cornelly, Brynmenyn Industrial Estate, Village Farm Industrial Estate, Brackla/Litchard Industrial Estate and Waterton Industrial Estate. Waste proposals on other appropriate sites or land allocated for industrial purposes may also be permitted, provided the proposal meets the criteria set out in Policy ENV16 of the LDP.

In order to satisfy regional (and local) waste treatment needs, Policy Target 15 requires the availability of 7.7 to 11.9 hectares of land (or land consented for that purpose), on the 'favoured' sites set out in SP7. At the monitoring date of 31st March 2022, the table below illustrates that 30.73 hectares of land remained available on SP7 sites.

SP7(1)	Land at Heol-y-Splott, South Cornelly	3.68 ha
SP7(2)	Brynmenyn Industrial Estate, Brynmenyn	6.97 ha
SP7(3)	Village Farm Industrial Estate, Pyle (cumulative total)	2.40 ha
SP7(4)	Brackla/Litchard Industrial Estate, Bridgend	7.70 ha
SP7(5)	Waterton Industrial Estate, Bridgend	9.98 ha
Total		30.73 ha

The analysis indicates that the Council is therefore achieving its requirement to contribute to identify regional (and local) waste treatment needs and facilities.

Performance

Action

Continue monitoring.

To Protect and Enhance the Environment			
Energy Generation, Efficiency and Conservation		Primary Policy: Strategic Policy SP8	LDP Objectives: 2d
Monitoring Aim: That the County Borough contributes towards the country's renewable energy requirements		Other Policies: ENV17, ENV18	
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
16. All major planning applications assess the potential for onsite Renewable / Low Carbon Energy technologies.	Major planning applications which are accompanied by a Renewable / Low Carbon Energy Assessment in accordance with Policy ENV17.	100% of all major planning applications are accompanied by a Renewable / Low Carbon Energy Assessment in accordance with Policy ENV17. 2014: Production of Energy Opportunities Plan SPG.	<100% of all major planning applications are accompanied by a Renewable / Low Carbon Energy Assessment in accordance with Policy ENV17 in any year. Energy Opportunities Plan SPG is not in place by 2014.
17. To increase the amount (in MW) of energy produced in the	Permitted and installed capacity (MW) of renewable	Annual increase in the permitted or installed capacity of renewable electricity and	No annual increase in the permitted or installed capacity of renewable electricity and heat projects within the County

County Borough from renewable sources.	electricity and heat projects within the County Borough.	heat projects within the County Borough through the Plan period. 2014: Production of Energy Opportunities Plan SPG.	Borough. Energy Opportunities Plan SPG is not in place by 2014.
18. 35MW of renewable energy generated in the refined Strategic Search Areas (Policy ENV18) by the end of the Plan period.	The capacity of renewable energy developments (MW) installed inside the refined Strategic Search Areas (Policy ENV18).	If planning applications which would cumulatively meet the 35MW target are not submitted by 2018.	If planning applications which would cumulatively meet the 35MW target are not submitted by 2018.

Analysis of Results

The monitoring aim of Strategic Policy SP8 is to ensure that development proposals within the County Borough contribute to meeting national renewable energy efficiency targets. The Monitoring Framework sets out 3 targets (16, 17 and 18) to measure how effective the Plan has been in achieving this aim.

Policy Target 16 requires that all major planning applications assess the potential for on-site renewable/low carbon energy technologies and this is measured by analysing whether each major application is accompanied by a renewable/low carbon energy assessment – this is a requirement of Policy ENV17. Of the ‘qualifying’ developments, no major planning applications submitted (and granted) for the monitoring period 1st April 2021 to 31st March 2022 were accompanied by a ‘specific’ energy assessment. However, many were accompanied by Energy

Statements and/or addressed renewable energy and low carbon issues in their accompanying Planning Statements or Design and Access Statements.

This is the eighth consecutive year that the Council has failed to meet the requirements of Policy Target 16, however, it must be recognised that energy efficiency in new development is achieved by strict adherence to Building Regulations. This issue has been scrutinised in detail during the statutory LDP review and consideration given as to whether the policy approach needs to be amended and whether it is appropriate going forward, given the regulatory changes that have occurred since the adoption of the LDP.

Notwithstanding the fact that not all major planning applications have been accompanied by an Energy Assessment the Council has achieved its 'interim target' of producing an Energy Opportunities Plan SPG by 2014. The Council originally produced its Energy Opportunities Plan in November 2011, and this has been updated and subsequently been incorporated into the Sustainable Energy SPG adopted by Council on 2nd May 2014.

Although Policy Target 16 has not been met, the LPA is committed to ensuring that the County Borough contributes towards the country's renewable energy requirements. Renewable Energy technology continues to be actively promoted in Bridgend with the selection of two demonstrator schemes: - the Bridgend Town Heat Network and the Upper Llynfi Valley Heat Network (Caerau Minewater) Projects. The Caerau Minewater Heat Project was announced in August 2017 as the third prize winner in the NEA and British Gas Energy Impact Awards 2017-18. Bridgend CBC is working with the Energy Technology Institute (ETI) who is developing an Energy Path Networks tool which will identify the most cost-effective local energy systems (heat and power) for Bridgend to a lower carbon energy system as part of a Low Carbon Transition Plan. Acting as a catalyst for energy project investment in the Bridgend borough, the heat network projects SSH Programme has attracted additional studies to be carried out such as an analysis of the Bridgend Gas Network by Wales and West Utilities to inform the future of the

gas debate, identifying opportunities for Community Renewable Energy Schemes in Rural Bridgend. The Council has also prepared a Renewable Energy Assessment to underpin the Bridgend Replacement LDP.

The aim of Policy Target 17 is to increase the amount of energy produced from Renewable Sources within the County Borough. Success is judged by monitoring whether there has been an annual increase in the permitted or installed capacity of renewable electricity and heat projects. During the monitoring period 1st April 2021 to 31st March 2022, 1.5MW of renewable additional electricity capacity was permitted. This figure included schemes involving new biomass boilers and a solar panel rooftop installation. The LDP has therefore annually increased the amount of energy produced from renewable sources for each monitoring period since 2009 except for the 2020-2021 period, with the global pandemic a mitigating factor during this period.

Policy Target 18 aims to generate 35MW of renewable energy within the refined Strategic Search Areas (SSAs) by 2021. Parts of Bridgend County Borough lie within the Strategic Search Area (SSA) for large scale wind energy projects outlined in TAN8. As part of a consortium, Bridgend County Borough carried out a refinement exercise in these areas in 2006. The refinement carried out by Ove Arup and partners, calculated the generation capacity of parcels of land, included in the SSA. For those 'refined' areas of the SSA in Bridgend County Borough the capacity was calculated as:-

- Zone 20 North East of Maesteg 19MW
- Zones 31-34 North of Evanstown 31MW

During the 1st April 2021 to 31st March 2022 monitoring period, no applications have been approved within the refined Strategic Search Areas (SSAs). However, it is important to note that within zones 31-34 the Council has already consented planning applications at Pant Y Wall and Fforch Nest wind farms totalling 35MW – thereby exceeding this capacity. All of this capacity is already installed and operational. It should be

noted that Zone 20 was excluded from the capacity assessment on the basis of the operational Ffynon Oer wind farm in Neath Port Talbot. The Plan has therefore met its target with respect of the generation of 35MW of renewable energy by the end of the Plan period.

In addition, the Pant Y Wal extension, comprising of an additional 10 wind turbines with a generating capacity of 3MW each was consented on 28/02/15. Although not located within the refined SSA boundary, the turbines are located immediately adjacent to it and within the wider SSA. 8 of these consented wind turbines have been built and became operational, exporting electricity to the grid in December 2017. As such an additional 24 MW of capacity has been added.

Furthermore, whilst also not inside the refined SSA, the previously approved Development of National Significance on Land north at Felindre Road (P/19/797/DNS) will provide additional capacity of 40mw for a 25-year period.

As such the generating capacity from large-scale wind turbines (within and immediately adjacent to the refined SSA) is 99 MW. The County Borough is therefore making a significant contribution to national renewable energy targets.

Performance – Policy Target 16

Action

Policy Research

This is the seventh year that the Council has failed to meet the requirements of monitoring target 16. This issue and Policy ENV17 have been the subject of rigorous testing during the statutory LDP review to determine whether the policy remains appropriate, the outcome of which will be considered as part of the Replacement LDP process.

Performance – Policy Targets 17
& 18

Action

Continue monitoring.

To Spread Prosperity and Opportunity through Regeneration			
Employment Land Development		Primary Policy: Strategic Policy SP9	LDP Objectives: 1a, 1b, 1d, 3a, 3b, 3c
Monitoring Aim: Protect 164 hectares of vacant employment land			Other Policies: REG1
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
19. 72.5 ha of employment land allocated by Policies SP9 and REG1 are developed over the Plan period.	Employment land development on Policies SP9 and REG1 sites in hectares.	6.3 ha of employment land allocated by Policies SP9 and REG1 are developed per year for employment uses.	<6.3 ha of employment land allocated by Policies SP9 and REG1 are developed per year for employment uses.
20. A readily available supply of land for development for employment purposes.	Proportion (%) of remaining allocated vacant employment land (SP9 and REG1 sites) which is classed as immediately available or available in the short term in the annual employment land survey.	30% or more of remaining vacant land allocated by Policy SP9 and REG1 is classed as immediately available or available in the short term in the annual employment land survey throughout the plan period.	<30% of remaining vacant land allocated by Policy SP9 and REG1 is classed as immediately available or available in the short term in the annual employment land survey.

Analysis of Results

The LDP's employment land is safeguarded for employment purposes, by Policies SP9 and REG 1. The future prosperity of the local economy is facilitated by ensuring that the County Borough can offer a range and choice of employment sites and premises for employment uses. To achieve the objective of a prosperous local economy Policy Target 19 aims to develop 72.5 ha of employment land during the Plan period up to 2021 and Policy Target 20 aims to ensure that the identified employment allocated by Policy SP9 and REG 1 is readily available.

Policy Targets 19 and 20 are monitored by an annual employment land survey which monitors the take-up of vacant land on all of the County Borough's allocated employment sites together with the land's status in terms of availability.

The monitoring target associated with Policy Target 19 is that 6.3 hectares of employment land is developed annually on allocated sites. The monitoring period for this Policy Target differs from the remainder of the AMR. The AMR generally uses data collated within the financial year from 31st March to 1st April., whereas the data for this Policy Target is instead monitored between 1st September – 31st August.

During the monitoring period 1st Sept 2020 – 31st August 2021 a total of 0.8ha of vacant employment land was developed.

The LDP's strategic aim of delivering 6.3 ha of employment land per annum allocated by Policies SP9 and REG1 per annum has not been fully met for the seventh consecutive year with respect to Policy Target 19 and take up is running at 2ha per annum on average.

In terms of providing a readily available supply of land for development for employment purposes, the monitoring target associated with Policy Target 20 is that 30% or more of vacant land allocated by Policies SP9 and REG 1 is classed as immediately available or available in the short term. The August 2021 Employment Survey demonstrates that 31.2ha of land is immediately available and a further 24.93ha is available in the short term.

The Plan is therefore on target with respect to Policy Target 20 by providing a readily available supply of employment land.

Performance – Policy Target 19	
<u>Action</u>	
<p>Contextual indicators and comparisons with other local authorities show that notwithstanding the lower than expected take up of employment land, the ‘real’ economy is relatively buoyant and that the failure to meet this target is the result of the recent very deep recession and the regaining of previous lost capacity. The Council’s Economic Development Section has highlighted that few empty units remain on the boroughs industrial estates and there is pent up demand for small to medium sized units. Bridgend retains its locational advantages for business and can expect higher levels of employment land take-up in the latter part of the Plan period. The formal review of employment land (i.e. the Economic Evidence Base Study) supports a smaller need for employment land and recommends re-allocating some of the strategic sites. This evidence will be considered as part of the Replacement LDP preparation process.</p>	
Performance – Policy Target 20	
<u>Action</u>	
Continue monitoring.	

To Spread Prosperity and Opportunity through Regeneration		
Retailing and Commercial Centres	Primary Policy: Strategic Policy SP10	LDP Objectives: 1a, 1b, 1d, 3e, 3f, 3g
Monitoring Aim: Directs new retail and leisure development to the town and district centres of the County Borough		Other Policies: REG6, REG7, REG8, REG9, REG11

Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
21. To ensure that vacancy rates within the town centres of the County Borough do not increase to a level that would adversely impact on the vitality of those centres.	Annual vacancy rates of commercial properties within the town centres of the County Borough.	Vacancy rates of commercial properties in the town centres of Bridgend, Maesteg or Porthcawl remain below 15% throughout the plan period.	Vacancy rates of commercial properties in the town centres of Bridgend, Maesteg or Porthcawl increase to more than 15%.
22. The integrity of the Primary Shopping Frontages are maintained.	Proportion of A1 retail uses in the Primary Shopping Frontages designated by REG6.	60% or more of units within the Primary Shopping Frontages are in an A1 use. 2014: Preparation of a Primary Shopping Frontages SPG.	<60% or more of units within the Primary Shopping Frontages are in an A1 use. Primary Shopping Frontages SPG is not in place by 2014.
23. The town centres of the County Borough are regenerated by the development of key sites.	Amount (sqm) of major retail, office and leisure development permitted in town centres.	2014: Planning consents in place for Porthcawl retail development. 2014: Completion of Maesteg Outdoor Market, Bus Station and Riverside Scheme.	Planning consents for Porthcawl Regeneration Area retail development not in place by 2014. Maesteg Outdoor Market, Bus Station and Riverside Scheme is not completed by 2014.

		2016: Development Briefs prepared for sites highlighted in Bridgend Town Centre Masterplan.	Development Briefs for the sites highlighted in the Bridgend Town Centre Masterplan have not been prepared by 2016.
--	--	---------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------

Analysis of Results

The overall aim of Strategic Policy SP10 is to focus and direct new retail, commercial and leisure developments within the County Borough Retail and Commercial Centres in order to maintain and protect their vitality and viability. A key strand of the LDP's Sustainable Regeneration-Led Spatial Strategy is to promote the County Borough's 3 main town centres as part of the LDP Vision, which seeks to create a successful regional employment, commercial and service centre in Bridgend, a vibrant waterfront and tourism destination in Porthcawl and a revitalised Maesteg.

In order to measure how successful Policy SP10 is in directing appropriate new retail and leisure development to the County Borough's town and district centres to maintain their vitality and viability, the monitoring framework looks at 3 Policy Targets relating to vacancy rates of commercial properties within town centres (Policy Target 21), the integrity of the Primary Shopping Streets within the town centres (Policy Target 22) and progress on the regeneration of key sites within the town centres (Policy Target 23).

The annual monitoring target for Policy Target 21 is to ensure that the vacancy rates of commercial properties within the 3 town centres of Bridgend, Porthcawl and Maesteg remain below 15% throughout the plan period.

The 2021-22 annual retailing and commercial centre survey indicates that:-

- Within Bridgend Town Centre of the 378 commercial properties surveyed 74 were vacant – representing a vacancy rate of 20.63%.
- Within Porthcawl Town Centre of the 204 commercial properties surveyed 21 were vacant – representing a vacancy rate of 8.33%.
- Within Maesteg Town Centre of the 167 commercial properties surveyed 19 were vacant – representing a vacancy rate of 11.38%.

The LDP's strategic aim of maintaining and protecting the vitality and viability of town centres has not been fully met for the 1st April 2021 to 31st March 2022 monitoring period with respect to Policy Target 21. The monitoring target has been missed for Bridgend Town Centre specifically.

The global pandemic must be noted as a contributor to the increased vacancy rate observed during the 2021-22 monitoring period, with the UK economy still in a process of recovery following a series of national lockdowns imposed around the beginning of the monitoring period.

The 2021 Retail Study emphasises that there is the potential to consider greater flexibility through secondary shopping areas at the periphery of the existing centre, where A1, A2 and A3 uses are unlikely to be forthcoming due to the form of existing building stock.

The Bridgend Town Centre Masterplan, published in October 2020, provides an update to the sites that should be the focus of regeneration efforts over the Replacement Plan period. The mixed-use regeneration of Southside is one of the projects in the Bridgend Masterplan, which together account for the provision of 23,000m² of reconfigured, refurbished and new retail and food & drink proposals.

The annual monitoring target relating to Policy Target 22, to maintain the integrity of the Primary Shopping Frontages of Bridgend, Porthcawl and Maesteg is to ensure that 60% or more units are in A1 (Retail) use.

The 2021-22 annual retailing and commercial centre survey indicates that:-

- Within Bridgend Town Centre of the 110 units within the Primary Shopping Frontages 64 were in A1 use – representing 58.18%.
- Within Porthcawl Town Centre of the 93 units within the Primary Shopping Frontages 60 were in A1 use – representing 64.52%.
- Within Maesteg Town Centre of the 87 units within the Primary Shopping Frontages 45 were in A1 use – representing 51.72%.

The current data highlights a relatively significant increase in the proportion of units in A1 use within the Primary Shopping Frontage of Bridgend Town Centre compared to the previous monitoring period, with Maesteg Town Centre seeing a 3% decrease. At less than 60%, the annual target has not been met in Bridgend or Maesteg. The data highlights the significant structural change that is taking place within the retail sector, coupled with the effects of the Coronavirus pandemic on retail and the local and national economy.

The proportion of units occupied by A1 uses in Porthcawl's primary shopping frontages has stayed at roughly the same level, which reflects the resilience of the town centre linked to its status as a tourist resort.

To mitigate against the ongoing adverse economic conditions and structural change that is taking place across the country and to ensure the vitality of the Borough's town centres, the Council has also chosen to exercise sufficient flexibility when applying LDP Policy REG6, to allow changes of uses to non-A1 uses in Primary Shopping Frontages where an applicant can provide robust evidence to demonstrate that there is insufficient demand for A1 units and its loss would not materially dilute the continuity of the Primary Shopping Frontage. It is the view of this authority that permitting a small number of changes of uses is more conducive to sustaining the viability of the town centre rather than allowing empty units to stand idle.

The interim target for Policy Target 22 is that a Primary Shopping Frontage SPG should have been prepared and in place in 2014, as such the Council has not met its target with respect to this interim indicator for the seventh consecutive year although a draft officer document exists.

Updated retail evidence, as part of the ongoing preparation of the Replacement LDP will inform this SPG and future retail policy to ensure that the vitality and vibrancy of town centres is maintained in the future.

Policy Target 23 aims to regenerate ‘Key Sites’ identified in the LDP within our town centres and is monitored by whether these sites have had development briefs or masterplans prepared. The Council has now published the Town Centre Masterplan, which provides an update to the sites that should be the focus of regeneration efforts over the Replacement Plan period.

Performance – Policy Target 21 & 23



Action
Policy Research

The LDP’s strategic aim of maintaining and protecting the vitality and viability of town centres has not been partially met for the monitoring period 1st April 2021 to 31st March 2022 with respect to Policy Target 21. The issue will be scrutinised in detail as part of the LDP Replacement Plan process, using the 2019 Retail Study and 2022 Update to provide clarity on the appropriate policy direction. The Council has now published the Town Centre Masterplan as a means of implementing town centre wide environmental improvements, including green and blue infrastructure improvements, active travel links, new public spaces to facilitate social distancing, tree planting, heritage trails and building character and street art improvements.

Performance – Policy Targets 22



Action
Prepare Supplementary Planning Guidance and consider LDP Replacement Plan retail policy relating to Primary Shopping Frontages based on updated evidence from the 2021 Retail Study.

To Protect and Enhance the Environment			
Tourism		Primary Policy: Strategic Policy SP11	LDP Objectives: 1c, 3c, 3d
Monitoring Aim: Encourage high quality Sustainable Tourism			Other Policies: REG2, REG13
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
24. To increase year on year the number of visitors to the County Borough.	Annual number of visitors to the County Borough.	Year on year increase of visitors to the County Borough.	Decrease in visitors to the County Borough compared to previous year.
<p><u>Analysis of Results</u></p> <p>Strategic Policy SP11 aims to promote and encourage high quality sustainable tourism, through the implementation of various appropriate projects relating to activity-based tourism, business, events and cultural tourism.</p> <p>Policy Target 24 measures how effective the Plan is in promoting and encouraging tourism and the indicator is to increase the annual number of visitors to the County Borough.</p> <p>The 2021 STEAM figures for Bridgend indicate that the total number of visitors to the County Borough in 2021 was 2.08 million. This figure demonstrates a relatively significant increase of 49.2% on total visitor numbers in 2020 which was 1.4 million. However, the figure is still</p>			

considerably below pre-pandemic figures in 2019 of 3.7 million. This decrease is attributed to the fact that the County Borough was still affected by the COVID-19 pandemic during the early part of 2021, where national lockdown conditions were imposed.

The STEAM data highlights that the number of staying visitors within the Borough totalled 0.32 million, which represents a 57.9% increase on 2020's figures, consistent with the aims and objectives of the Borough's tourism strategy and LDP policies.

The effects of the global pandemic and subsequent national lockdowns have resulted in a 41% decrease in tourism-related employment, from 4,242 jobs in 2019 prior to the pandemic, to 2,482 in 2021. However, the 2021 figure still represents a 15% increase on figures for 2020, demonstrating progress towards pre-pandemic levels as the economy emerges from the pandemic. Whilst the County Borough's tourism offer is continually being enhanced and schemes that have progressed since the previous monitoring period include a scheme at Rest Bay Porthcawl, watersports facility at the former Malc's Café and implementation of the new flood defence works at Porthcawl's town beach, the significant negative impacts of the pandemic on the County Borough's economy are still evident within the data.

The Plan is therefore not on target with respect to Policy Target 24.

Performance	
-------------	--

<p><u>Action</u></p> <p>Continue monitoring.</p>

To Create Safe, Healthy and Inclusive Communities			
Housing and Affordable Housing		Primary Policy: Strategic Policy SP12	LDP Objectives: 1c, 3c, 3d
Monitoring Aim: Requires 9,690 market (including 1,370 affordable) dwelling units to be accommodated in the County Borough during the Plan period		Other Policies: COM1, COM2, COM3, COM5, COM6	
Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
25. Annual dwelling completions to match the Annual Average Requirement (AAR) within the borough.	Deliver the Annual Average Requirement (AAR) of 646 dwellings per annum.	Annual completions to match Annual Average Requirement within the borough	A shortfall for two consecutive years.
26. Provide 9,690 new dwellings by 2021 (cumulatively)	Total cumulative completions akin to the cumulative completion rate.	Total cumulative completions monitored against the cumulative completion rate.	Shortfall of cumulative completions for two consecutive years.
27. Develop COM1 and COM2 Residential Allocations at or above the estimated number of units specified.	Number of units permitted on COM1 and COM2 Residential Allocations.	Residential Allocations developed at or above the estimated number of units specified in Policies COM1 and COM2.	Residential Allocations developed below the estimated number of units specified in Policies COM1 and COM2.

28. Develop Small and Windfall sites, over 0.15 hectares, at a density of 35 dwellings per hectare or more.	Average density of Small and Windfall sites over 0.15 hectares.	Small and Windfall sites over 0.15 hectares developed at a density of 35 dwellings per hectare or more.	Small and Windfall sites over 0.15 hectares developed at a density of less than 35 dwellings per hectare.
29. Provide 1,370 affordable dwellings by 2021 through the planning system as secured by condition or S106.	Annual affordable housing completions.	By 2011 provide 295 dwellings. By 2016 provide 703 dwellings. By 2021 provide 1,370 dwellings.	Dwelling completions fall below specified requirement.
30. Monitor the need for a permanent or transit Gypsy & Traveller site.	The annual number of authorised and unauthorised Gypsy & Traveller encampments in the County Borough.	Approve the Bridgend County Borough protocol for the management of unauthorised gypsy and traveller encampments by April 2014. No increase in the average of 3 unauthorised Gypsy and Traveller Sites recorded in 1 year by the biannual Gypsy and Traveller Caravan Count and / or the Gypsy and Traveller Protocol.	The Bridgend County Borough protocol for the management of unauthorised Gypsy and Traveller encampments is not approved by 2014. An increase above 3 unauthorised Gypsy and Traveller Sites recorded in 1 year by the biannual Gypsy and Traveller Caravan Count and / or the Gypsy and Traveller Protocol for 2 consecutive years will require the identification of a site.

Analysis of Results

The Development Plans Manual (DPM, Edition 3) outlines a new housing delivery monitoring system, which replaces the previous Joint Housing Land Availability Study process. The guidance advises those LPAs who adopted their LDP prior to the publication of the DPM to use the Annual Average Requirement (AAR) method as the primary indicator to measure housing delivery. A trajectory must also be created for inclusion within the AMR where delivery will be compared against the AAR. This is subject to mandatory stakeholder engagement through the involvement of a Housing Stakeholder Group.

Bridgend's AAR is 646 dwellings (i.e. the housing requirement of 9,690 dwellings / the 15-year plan period). The DPM states that, "a housing trajectory should be included within the AMR (supported by Tables 19-21) prepared with the best information available which will place LPAs who have just commenced or are due to commence a plan review in the future in a stronger position moving forward" (para. 8.15).

Bridgend's housing trajectory has been developed through effective collaboration with a Housing Trajectory Stakeholder Group. A series of meetings have previously been held, with a subsequent meeting held on 27th May 2022 to ensure that the trajectory is as robust as possible and based on the latest information available. There were three separate components for discussion; completions data, the existing housing land bank (sites with planning consent or with a resolution to grant), and, potential new sites for allocation in the Replacement LDP (2018-2033). The purpose of the Stakeholder Group was specifically to:

- Ensure past completion figures are up to date and recorded correctly for large and small sites
- Consider the existing housing land bank and anticipated annual delivery rates for sites with planning permission
- Consider the anticipated annual delivery rates for potential new housing allocations within the Replacement LDP

For the purposes of this AMR, there were no outstanding matters of disagreement on the completion figures over the existing LDP period or the timing and phasing of sites moving into the Replacement LDP period (including those sites with planning permission and potential new housing allocations). This consensus is demonstrated in the form of a Statement of Common Ground (June 2022) between the Council and the Stakeholder group.

The AAR Build Rate and the Housing Development Trajectory are designed to monitor rates during the existing LDP period (2006-2021). However, as this AMR is being undertaken beyond the existing LDP period, the trajectory can no longer be updated in the manner outlined within the DPM. Nevertheless, consensus between the Council and the Stakeholder Group on completions for the existing LDP period and forthcoming commitments helps to provide an accurate overview of the current housing supply within the Borough.

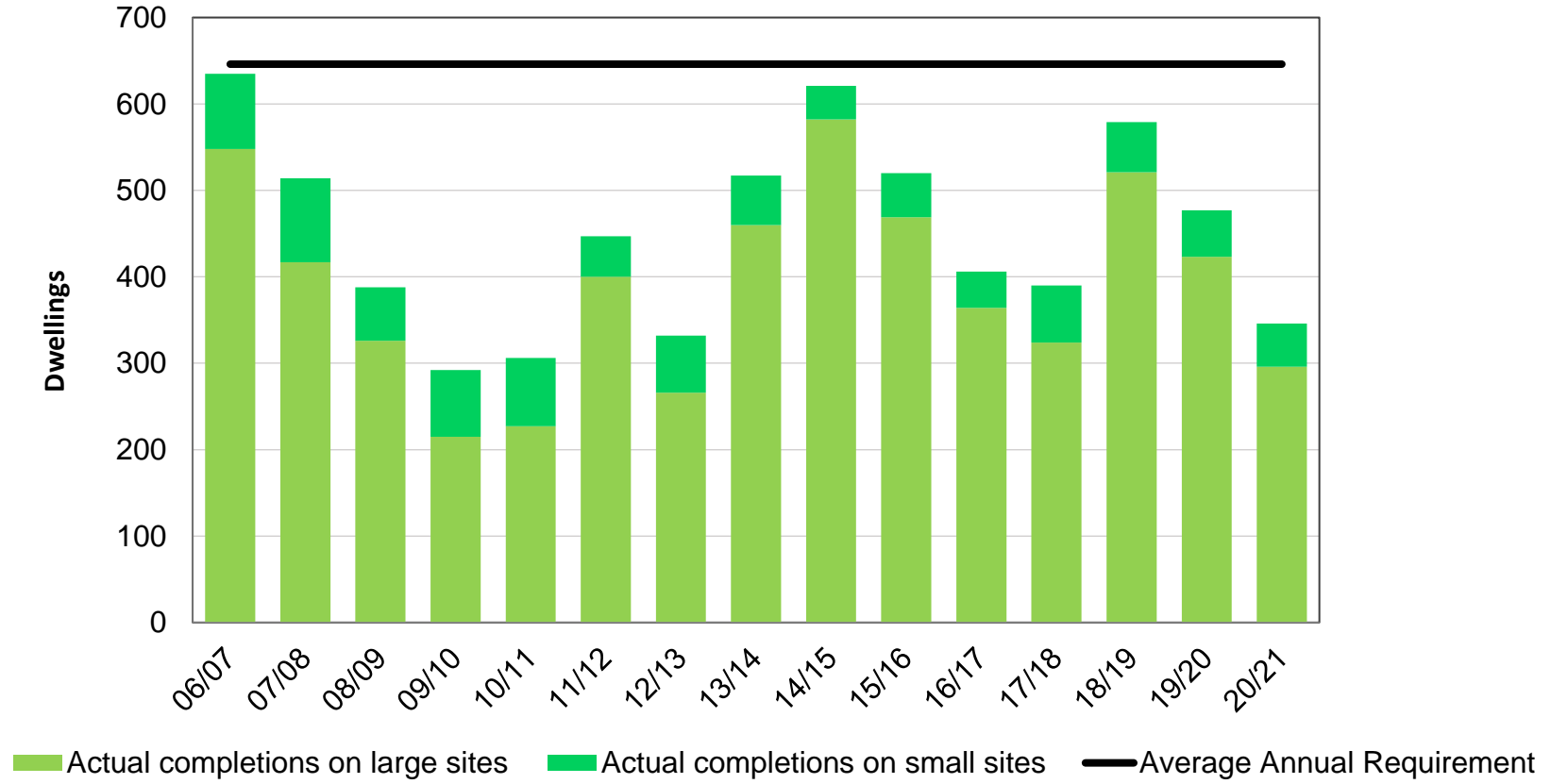
The DPM methodology provides templates (Tables 19-21 and Diagram 16) to be used within the AMR to monitor the delivery of housing. Table 1 (AAR Build Rate, based on DPM template Table 21) and Figure 1 (Housing Development Trajectory, based on DPM template Diagram 16) are shown below for the existing adopted LDP plan period 2006-2021.

Table 1: AAR Build Rate, Existing Adopted Bridgend LDP

LDP Year	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Year	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Remaining Years	15	14	13	12	11	10	9	8	7	6	5	4	3	2	1
Total Housing Provision	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726	10726
Total LDP Housing Requirement	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690	9690
Actual completions on large sites during year	548	417	326	215	227	400	266	460	582	469	364	324	521	423	296
Actual completions small sites during year	87	97	62	77	79	47	66	57	39	51	42	66	58	54	50
Anticipated completions on allocated sites during year	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Anticipated land bank completions during year	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Anticipated completions large windfall during year	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Anticipated completion small windfall during year	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total completions	635	514	388	292	306	447	332	517	621	520	406	390	579	477	346
Average Annual Requirement	646	646	646	646	646	646	646	646	646	646	646	646	646	646	646
Total projected cumulative completions	635	1149	1537	1829	2135	2582	2914	3431	4052	4572	4978	5368	5947	6424	6770
Remaining housing completions	9055	8541	8153	7861	7555	7108	6776	6259	5638	5118	4712	4322	3743	3266	2920

Average Annual Rate (AAR) = 9,690 LDP Housing Requirement / 15-year plan period = 646 p.a.

Figure 1: Housing Development Trajectory, Existing Adopted Bridgend LDP (as at 01/04/2021)



Both Table 1 and Figure 1 show housing delivery over the entirety of the 15-year plan period:

- Table 1 shows there has been an annual shortfall against the AAR 'black line'. In 2020/21, completions were 300 dwellings below what was anticipated (646 AAR, compared to 346 actual completions, or -46%).
- The cumulative average annual housing requirement from the start of the plan period to 31st March 2021 was 9,690 units. Actual completions have been 6,770 dwellings within the plan period. This represents a 2,920 dwelling shortfall in housing delivery over the plan period (-30%). A further 248 dwellings were delivered in 2021/22, but these are outside of the existing LDP period. Future delivery will be monitored as part of the Replacement LDP's housing trajectory.

This annual and cumulative shortfall in housing delivery is recognised by the Council. The existing LDP was adopted on 18th September 2013 and the Council is statutorily required, under Section 69 of the Planning and Compulsory Purchase Act 2004, to undertake a full review of the adopted LDP at intervals not longer than every 4 years from the date of adoption. The LDP Review Report (2018) recognised an urgent need to address the shortfall in the housing land supply through the identification of additional housing sites, whilst identifying other significant contextual changes in circumstances and policy at a national, regional and local level. For these reasons, a Replacement LDP is now being prepared and will express, in land-use terms, the wellbeing objectives and priorities of the Bridgend Public Services Board's Well-being Plan.

On 19th October 2022, Council agreed that the amended Replacement Local Development Plan should be submitted to Welsh Government and Planning and Environment Decisions Wales for independent examination.

It must be recognised that this AMR has been published one year beyond the existing LDP period and there are no future 'supply bars' within the remaining plan period as shown in Figure 1. In order to demonstrate that housing supply will not 'run out' before the Replacement LDP (2018-2033) is adopted, DPM template Tables 19-20 have been combined into Table 2 below. This is based on the data approved by the

Housing Trajectory Stakeholder Group on 27th May 2022 and shows the timing and phasing of large housing sites (10 or more dwellings) with planning permission that form part of the existing landbank and are expected to be delivered within the next five years. It also shows the expected contribution from small and windfall sites over this period, combined with potential Replacement LDP allocations (included within the Submission Plan Written Statement). **However, it must be noted that the potential Replacement LDP allocations contained within Table 2 have no status at present and have only been included within this report for purposes of monitoring as required by Welsh Government.**

Table 2: Timing and Phasing of Sites, 2022/23 – 2026/27

Settlement	Planning Application	Site Name	2022-23	2023-24	2024-25	2025-26	2026-27
Existing Land bank: Sites with Planning Permission (Based on DPM template Table 20)							
Valleys Gateway	P/19/915/RES	Land off Maesteg Road, Tondu	60	60	60	60	60
Bridgend	P/19/624/FUL P/19/656/RES	Parc Derwen, Bridgend	71				
Bridgend	P/18/145/RES	Land at Llangewydd Road, Cefn Glas, Bridgend	34				
Bridgend	P/18/1006/FUL	Ysgol Bryn Castell (Phase 2), Bridgend	60	54			
Bridgend	P/18/983/FUL	Sunnyside Road (Land Off), Bridgend		59			
Pen-y-fai	P/17/1073/FUL	All Saints Way (Land South of), Penyfai	3				

Cefn Cribwr	P/18/286/NMA	Bedford Road, Cefn Cribbwr	10				
Bettws	P/19/147/FUL	Heol Dewi Sant (Rear of), Bettws	1				
Pencoed	P/09/435/OUT	Land South of Hendre Road, Pencoed	1				
Bridgend	P/15/693/FUL	Cowbridge Road (Rear of), Bridgend	5	5			
Bridgend	P/16/610/FUL	Park Street, Coed Parc, Bridgend	6	5			
Porthcawl	P/20/263/FUL	Former St. John's School, Netwon, Porthcawl	57				
Valleys Gateway	P/19/182/RES (Phase 2)	Parc Tyn Y Coed, Bryncethin	9				
Porthcawl	P/19/352/RES	St Clares Convent, Clevis Hill, Porthcawl	11				
Porthcawl	P/16/609/FUL	47 - 49 Woodland Avenue (Land Between), Porthcawl	10				
Bridgend	P/14/185/FUL	Waterton Manor & Lane (Land at) Waterton, Bridgend	26	13			
Pyle, Kenfig Hill and North Cornelly	P/18/829/FUL	Land at Croft Goch Road, Kenfig Hill		21			
Pencoed	P/20/214/FUL	Former Pencoed Raob Social Club Heol Y Groes, Pencoed		24			

Pencoed	P/20/99/FUL	Trinity Chapel, Penybont Road, Pencoed	12					
Valleys Gateway	P/18/1012/FUL	The Old Bakehouse, Maesteg Road, Tondu	10					
Maesteg and the Llynfi Valley	P/14/390/FUL P/21/547/RLX	Land at Nantyfyllon RFC, Blosse Street, Maesteg	13	13	10			
Ogmore Valley	P/04/252/FUL P/21/831/NMA	Cwrt Ty Mawr, North Road, Ogmore Vale	7					
Replacement LDP Potential Allocations*								
(Based on DPM template Table 19)								
Bridgend	N/A	Land South of Bridgend	0	0	0	0	68	
Bridgend	N/A	Land West of Bridgend	0	0	30	100	100	
Bridgend	N/A	Craig y Parcau, Bridgend	0	0	0	10	50	
Porthcawl	N/A	Porthcawl Waterfront	0	0	0	0	60	
Pencoed	N/A	Land East of Pencoed	0	0	0	0	84	
Pyle	N/A	Land East of Pyle	0	0	0	0	70	
Maesteg and the Llynfi Valley	N/A	Land South West of Pont Rhyd-y-cyff	0	0	10	45	45	

Maesteg and the Llynfi Valley	N/A	Land South East of Pont Rhyd-y-cyff	0	0	10	25	40
Maesteg and the Llynfi Valley	N/A	Land South of Pont Rhyd-y-cyff	0	0	0	15	25
A) Total Sites with Planning Permission			406	254	70	60	60
B) Total Replacement LDP Potential Allocations*			0	0	50	195	542
C) Replacement LDP Large Windfall Site Allowance			0	0	44	44	44
D) Replacement LDP Small Windfall Site Allowance			62	62	62	62	62
Total (A+B+C+D)			468	316	226	361	708
5-year average completion forecast			416				

*These sites do not represent the final selection of sites for allocation in the Replacement LDP and have only been included for monitoring purposes to satisfy Welsh Government requirements.

Table 2 shows that, over the next five years (assuming adoption of the Replacement LDP and depending on the final suite of allocations), an average forecast of 416 dwellings will be built in Bridgend County Borough per annum. All sites in the existing housing land bank, have either already commenced, are shortly due to commence or demonstrate a highly realistic prospect of delivery in the short-term. This was agreed with the Housing Trajectory Stakeholder Group.

This demonstrates that housing supply will not 'run out' completely before the Replacement LDP is adopted. Whilst this forecast is lower than the existing LDP's AAR of 646 dwellings (by 230 dpa or -36%), the AAR has been derived over the existing LDP period (2006-2021) and becomes less relevant for monitoring housing delivery beyond the plan period.

Moreover, the existing LDP's derived AAR is based on 2009-based projections. The Replacement LDP has considered a suite of refreshed projections and is based on an updated, alternative growth strategy (refer to the Strategic Growth Options Background Paper). An accompanying draft replacement housing trajectory has also been prepared in support thereof (refer to the Housing Trajectory Background Paper) to demonstrate delivery over the Replacement LDP period.

Policy Target 27 requires that the development of housing allocations in the LDP is at or above the estimated numbers set out under Policies COM1 and COM2 of the LDP. This is monitored against the number of units permitted on allocated sites.

Analysis of planning applications indicates that housing allocations are coming forward at or above estimated capacity. Those allocations that have met estimated capacity include:

- COM1(1) – Parc Derwen

Estimated Capacity: 1,515

Actual Capacity: 1,577

Constructed: 1,506

- COM1(2) - North East Brackla Regeneration Area

Estimated Capacity: 550

Actual Capacity: 558

Constructed: 558

- COM2(30) - Pencoed Primary School

Estimated Capacity: 10

Actual Capacity: 40

Constructed: 40

Policy Target 28 aims to develop small and windfall sites, over 0.15 hectares at density of 35 dwellings per hectare or more. The Policy Target is a monitoring mechanism for the implementation of COM4 of the LDP.

An analysis of permissions granted from 1st April 2021 to the end of the monitoring period 31st March 2022 has been undertaken and 9 planning consents are relevant to this monitoring target, ranging from small-scale proposals for only 1 dwelling up to a larger unit size development of 24 dwellings.

Address	Size (Ha)	Units	Dwellings per Hectare
Land at Broadlands House	0.20	3	15
Land off Convil Road	0.12	1	8.33
Land at Waun Wen	0.18	9	50
Land south of 50 Heol Tywith	0.42	6	14.28
Land rear of Princess Street	0.18	1	5.55
Sheradene Ifor Terrace	0.27	1	3.70
Ty Gwyn, Heol y Graig	0.30	3	10
West Winds, Locks Lane	0.20	1	5
Former Pencoed RAOB Social Club	0.29	24	82.75

Taking account of the total area of 2.16 hectares for these proposals, and the total number, 49 units to be delivered, the 'average' density of eligible small and windfall sites is 22.68 dwellings per hectare.

The LPA is not unduly concerned that Policy Target 28 has not been met as it is considered that design quality, placemaking and respecting site context are more important than strict adherence to this density figure. The Council will therefore continue to monitor this issue closely in future AMRs.

In terms of the delivery of affordable housing, Policy Target 29 requires the delivery of 1,370 units by 2021. Within the 2021-2022 monitoring period, 44 affordable housing units were delivered, providing a total of 1,580 units since adoption of the existing LDP. Policy Target 29 was therefore on track for this monitoring period.

Table 3 below shows the total number of dwellings constructed and the number of which were affordable for the previous AMR monitoring period, which covered a two-year period as a result of the pandemic, as well as the totals for the current monitoring period.

Table 3: Dwellings/affordable dwellings constructed 2019-2022

	2019/20	2020/21	2021/22
Total dwellings constructed	477	346	248
Of which affordable dwellings constructed	78*	111	44

*72 reported in previous AMR. 78 is the correct total.

Policy Target 30 requires that the Local Planning Authority monitors the need for a Gypsy and Traveller Site by recording the annual number of authorised and unauthorised encampments in the County Borough. The interim target is that there is no increase in the average of 3 unauthorised Gypsy and Traveller Sites within 1 year, as recorded in the Gypsy and Traveller Caravan Count and/or the Council's Gypsy and Traveller Protocol. An increase above 3 unauthorised encampments for 2 consecutive years would trigger the requirement to identify a site.

Another part of the Council's interim target was to ensure that the Protocol for the Management of Unauthorised Gypsy and Traveller Encampments should be approved by April 2014. Notwithstanding this achievement, the protocol needs to be refreshed given that there has been substantive organisational and personnel changes with respect to how the Council now fulfils its statutory housing and public protection functions. This has been achieved with the protocol being approved by Management Team, and a Lead Officer responsible for the protocol's implementation identified. For the monitoring period 1st April 2021 to 31st March 2022, there were 2 recorded incidences. However, formal action was not necessary in any instances. Notwithstanding whether or not the assessment trigger of Policy Target 30 is breached within this or subsequent years, the requirement as to whether the Council will need to identify a Gypsy and Traveller Site is now however determined by the requirements of the Housing (Wales) Act 2014.

The Housing (Wales) Act 2014 requires each local authority in Wales to undertake a Gypsy and Traveller Accommodation Assessment to ensure that needs are properly assessed and planned for. A refreshed draft GTAA has been completed and was approved by Cabinet on 15th December 2020 for submission to Welsh Government. This draft GTAA estimated a County Borough need of 5 pitches for the first 5 years of the GTAA period and a further 2 pitches for the remainder of the LDP period. The total (draft) estimated pitch provision needed for Gypsies and Travellers is therefore 7 pitches up until 2033 (from three separate families).

Since the draft GTAA was completed, Family A have met their accommodation needs (for one pitch) by relocating to an existing authorised site in the County Borough. Family B have also received planning consent to intensify their existing authorised site and meet their accommodation

needs (for three pitches). This leaves a remaining need for three pitches for Family C. The GTAA is awaiting approval from Welsh Government. Any unmet need for sites will need to be met through the Replacement LDP to ensure the plan can be found sound through the examination process and is able to be adopted.

Performance

Action

Continue monitoring.

Policy Target	Indicators	Annual/Interim Monitoring Target	Assessment Trigger
31. The retention or enhancement of Community Facilities.	Number of applications approved contrary to Strategic Policy SP13 and the protective aim of Policy COM7.	No applications approved contrary to Strategic Policy SP13 and the protective aim of Policy COM7.	1 application approved contrary to Strategic Policy SP13 and the protective aim of Policy COM7.

Analysis of Results

Strategic Policy SP13 aims to maintain and improve the quality of life of residents of the County Borough by retaining or enhancing a range of social and community facilities. In the interest of service efficiency, the Policy also requires that where new or replacement facilities are proposed, co-location of facilities is considered before stand-alone facilities.

Policy COM7 of the LDP specifically protects against facility loss, unless justified by provision of suitable alternative provision, if it is demonstrated that there is an excess of provision, or the facility is no longer required.

For the monitoring period 1st April 2021 to 31st March 2022 no planning applications were approved that conflicted with the protective aim of Policies SP13 or COM7.

Performance

Action

Continue monitoring.

6. SUSTAINABILITY APPRAISAL MONITORING

6.1 The Sustainability Appraisal of the LDP identifies 15 objectives under the 4 wider sustainability objectives of:-

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources; and
- Maintenance of high and stable levels of economic growth and employment.

- 6.2 LDP monitoring is concerned with assessing performance of Policies in delivering the Plan's strategy and achieving its objectives and many relate directly to sustainable development. As such there is considerable overlap between the monitoring framework of the LDP and the SA which uses a subset of the LDP's monitoring objectives.
- 6.3 Each of the 15 Sustainability Appraisal objectives are therefore assessed against those LDPs monitoring indicators that have been identified as relevant to the 15 sustainability objectives.
- 6.4 Against each SA objective the monitoring result is cross-referenced to the action column in the previous monitoring chapter (with the exception of the SA objective relating to Built Environment, where performance is not dependant on whether the Built Heritage Strategy is in place). The symbol delineates the specific performance against the SA objective where:-
- represents 'Likely to contribute to the achievement of greater sustainability'; and
 - X represents 'Likely to detract from the achievement of greater sustainability'.
- 6.5 The Sustainability Appraisal (SA) monitoring results show that out of the 15 objectives and their related targets, 10 have been achieved. In overall terms the LDP is therefore contributing positively to the achievement of greater sustainability.
- 6.6 The SA objectives relating to 'maintaining high and stable levels of economic growth and employment' has not been fully achieved with respect to 'Employment'.

- 6.7 The analysis shows that the LDP did not deliver the annual take-up of employment land of 6.3 hectares. However, as noted in the 2019 Economic Evidence Base Study, more recent evidence suggests 4ha per annum is more accurately reflective of past take up and more recent growth levels. This has been considered as part of the Replacement LDP process.
- 6.8 With respect to the SA objective of ‘social progress which recognises the needs of everyone’ the LDP has performed well despite challenging economic conditions. Analysis shows that Porthcawl Town Centre has achieved the target (60%) relating to the proportion of A1 retail uses in Primary Shopping areas, whilst Bridgend Town Centre was just under the target at 58%.
- 6.9 Under the Sustainability Objectives of a ‘prudent use of natural resources’ the LDP has delivered on all of its targets relating to air, climate change, water land/soil, minerals and waste and renewable energy. Although not specifically measured under ‘renewable energy’ as part of the SA monitoring process there is also scope for further improvement, with the proper implementation of Policy ENV17 of the LDP and the requirement for major planning application to be accompanied by renewable/low carbon energy assessments which is commented on in the previous section.
- 6.10 SA Monitoring also shows that, the LDP is meeting its objective of ‘the effective protection of the environment’. However, the ‘Built Heritage Strategy’ has not been prepared but will be addressed as part of the Replacement LDP process.

Social progress which recognises the needs of everyone				
				Monitoring Result
1	Accessibility	To ensure an increase in accessibility to opportunities, transport and to all services and information in the County Borough.	IND1: % of total County Borough housing developed in the SRGA	●
			IND2: % of total County Borough employment land developed in the SRGA	●
			IND8: Progress on RTP schemes	●
			IND22: Proportion of A1 retail uses in the Primary Shopping Areas	X
2	Housing	To provide the opportunity for people to meet their housing needs	IND25: Forecast supply of housing completions	X
			IND26: Annual housing completion figures	X
			IND29: Annual affordable housing completion figures	●
3	Health, safety and security	To improve overall levels of health and safety, including the sense of security, for all in the County Borough	IND31: Improvements to community facilities provision secured through planning consents, conditions and/or Section 106 agreements.	●

4	Community	To maintain, promote and where suitable enhance, the distinctive character of the communities of Bridgend	IND31: Improvements to community facilities provision secured through planning consents, conditions and/or Section 106 agreements.	●
Effective protection of the environment				
5	Biodiversity	To maintain and enhance the diversity and abundance of species, and safeguard areas of significant nature conservation value	IND11a/b/c: Loss of natural habitats without mitigation or translocation of species associated with CCW/Countryside section observations on development control applications	●
6	Landscape	To maintain and enhance the quality and character of the landscape, including its contribution to the setting and character of settlements	IND10: Green Wedge designated land lost to inappropriate development which contributes to coalescence of settlements.	●
			IND11a/b/c: CCW/Countryside section observations on development control applications	●
7	Built Environment	To maintain and enhance the quality of the built environment, including the cultural/historic heritage	IND12: Amount of development permitted which could potentially impinge upon one of those areas/buildings listed as advised by	●

			Cadw, the Glamorgan Gwent Archaeological Trust (GGAT) and the Conservation and Design section of the Council.	
Prudent use of natural resources				
8	Air	To reduce all forms of air pollution in the interests of local air quality and the integrity of the atmosphere	IND8: Progression on Regional Transport Plan developments	•
9	Climate change	To ensure that new development takes into account the effects of climate change	IND6: Developments which incorporate Climate Change adaptation techniques	X
10	Water	To maintain and improve the quality and quantity of ground waters, river waters and coastal and bathing waters	IND5: NRW / DCWW observations on development control applications	•
11	Land / Soil	To use land efficiently, retaining undeveloped land and bringing damaged land back into use	IND9: The amount of departure planning application permitted outside of the designated settlement boundaries of the County Borough	•
			IND10: Green Wedge designated land lost to inappropriate development which contributes to coalescence of settlements.	•

12	Minerals and waste	To maintain the stock of minerals and non-renewable primary resources	IND13: Amount of aggregates landbank permitted as a percentage of total landbank identified in the Regional Technical Statement	●
			IND14: Number of planning permissions for permanent, sterilising development permitted within a buffer zone or a mineral safeguarding area.	●
13	Renewable energy	To increase the opportunities for energy generation from renewable energy sources	IND17: Progress on adoption of an Energy Opportunities Plan	●
			IND17/18: Permitted and / or installed capacity of renewable electricity and heat projects within the County Borough.	●
Maintenance of high and stable levels of economic growth and employment				
14	Employment	To ensure that there is a vibrant local economy which is at the forefront of a wider regional economy and provide diversity of employment within the County Borough and support a culture of entrepreneurship	IND2: % of total County Borough employment land developed in the SRGA	●
			IND3: Implementation of strategic employment sites.	●

			IND19: Annual take-up rate of employment land allocations developed / redeveloped for employment purposes.	X
15	Wealth creation	To achieve a clear connection between effort and benefit, by making the most of local strengths, seeking community regeneration, and fostering economic activity	IND3: Implementation of strategic employment sites.	•
			IND19: Annual take-up rate of employment land allocations developed / redeveloped for employment purposes.	X
			IND20: Proportion of the allocated employment land immediately available or available in the short term.	•
			IND24: Annual number of overnight visitors to the County Borough.	X

7. CONCLUSIONS AND RECOMMENDATIONS

7.1 This is the seventh AMR to be prepared since the adoption of the Bridgend LDP, covering the monitoring period from 1st April 2021 to 31st March 2022, and is required to be submitted to Welsh Government by the 31st October 2022. The findings of the AMR provide an important opportunity for the Council to assess the effectiveness of the Plan and to determine whether or not it needs to be reviewed.

7.2 LDP Wales (Amendment Regulation 2015) sets out seven questions that the AMR must seek to address. Whilst all of the issues are considered and addressed throughout the report as part of the analysis of the monitoring data, they are not set out specifically to directly address the particular questions. In order to ensure that the AMR complies with its statutory requirements, responses to each of the assessment factors identified in LDP Wales are outlined below:

1. Does the basic strategy remain sound (if not, a full plan review may be needed)?

7.3 The evidence collected as part of the annual monitoring process for 2021-22 indicates that the LDP Strategy remains sound, effective and is for the most part being delivered, however the Local Planning Authority acknowledges that it must continue to progress with the Replacement LDP which will address the shortfall in the housing land supply and facilitate the identification/allocation of additional housing land. Whilst the impact of the global economic recession, along with the recent global pandemic, has meant that development in some areas is slower than predicted, it remains the Councils view that the LDP will continue to provide a robust foundation to deliver sustainable economic growth and regeneration.

2. What impact are the policies having globally, nationally, regionally and locally?

7.4 Globally, the SEA Monitoring framework identifies that there is a positive impact on economic, social and environmental aspects of sustainability.

7.5 Nationally, the LDP policy framework is providing opportunities for development to meet national need for housing and employment land. The County Borough is making a significant contribution to national renewable energy targets. The generating

capacity within and immediately adjacent the refined SSA (north of Evanstown) is 99 MW which is considerably higher than the estimated capacity within the SSA of 31 MW.

- 7.6 From a regional perspective the LDP is assisting in meeting transport, waste and mineral requirements.
- 7.7 At a local level, the LDP policy framework and allocations are assisting with regeneration objectives and meeting the needs of the local community.

3. Do the policies need changing to reflect changes in national policy?

- 7.8 Chapter 4 highlights significant changes in national planning policy guidance as well as proposed changes to the structure of the planning system in Wales between 2016 and 2022. These national policy changes have been taken into account within the development of the Replacement LDP.

4. Are policies and related targets in the LDP being met or progress being made towards meeting them, including publication of relevant supplementary Planning guidance (SPG)?

- 7.9 The findings of the LDP and SA monitoring exercise are outlined in chapters 5 & 6 of the AMR. The following paragraphs provide a brief commentary on the LDP monitoring targets that have not been fully met.
- 7.10 The monitoring objectives relating to ‘maintaining high and stable levels of economic growth and employment’ has not been fully achieved with respect to ‘Employment’. The analysis shows that the LDP did not deliver the annual take-up of employment land

of 6.3 hectares. However, as noted in the main body of the AMR report, more recent evidence suggests 2ha per annum is more accurately reflective of past take up and more recent growth levels. This will be considered as the Replacement LDP progresses.

- 7.11 In terms of achieving the required proportion of A1 retail uses in Primary Shopping Areas, the County Borough performed adequately prior to the global pandemic, however, the most recent monitoring period showed that the required proportion (60%) had not been met in Bridgend or Maesteg Town Centres. The data highlights the significant structural change that is taking place within the retail sector, coupled with the effects of the Coronavirus pandemic on retail and the local and national economy.
- 7.12 Under the Sustainability Objectives of a 'prudent use of natural resources' the LDP has delivered on all of its targets relating to air, climate change, water land/soil, minerals and waste and renewable energy. Although not specifically measured under 'renewable energy' as part of the SA monitoring process there is also scope for significant improvement, with the proper implementation of Policy ENV17 of the LDP and the requirement for major planning application to be accompanied by renewable/low carbon energy assessments which is commented on in the previous section. This issue has been considered further throughout the development of the Replacement LDP with any amendments made as necessary.
- 7.13 Interim Monitoring Target 12 set out a requirement to produce a Built Heritage Strategy by 2015 and to adopt the Strategy as Supplementary Planning Guidance (SPG). This target has not been achieved to date and will be addressed during the development of the Replacement LDP.

5. Where progress has not been made, what are the reasons for this and what knock-on effects it may have?

- 7.14 The main reason for the slow delivery of some parts of the LDP is linked to the impact of the global economic recession on the operations of the housing and commercial markets. A continued reduction in investment in housing and commercial development will inevitably have an adverse impact on the delivery of some elements of the LDP.
- 7.15 Section 5 provides a detailed analysis of the success of the plan to date against the monitoring indicators and factors in terms of delivering sustainable development. It also provides a summary of how the plan has performed specifically in 2021/22.
- 7.16 The findings of the SA monitoring exercise are outlined in Section 6 of the AMR. The results indicate that overall, the plan is contributing towards sustainable development in the County Borough of Bridgend.

6. Do any aspects of the LDP need adjusting or replacing because they are not working as intended or are not achieving the objectives of the Strategy and/or Sustainable Development Objectives?

- 7.17 Whilst the LDP Development Strategy remains fundamentally sound the Local Planning Authority is progressing with the Replacement LDP which will address the shortfall in the housing land supply and facilitate the identification/allocation of additional housing land. Additionally, changes to allow more policy flexibility within retail centres will help to address the increase in retail vacancy rates, allowing town centres to adapt to changing shopping habits.

7. If policies or proposals need changing, what suggested actions are required to achieve this?

- 7.18 Information collected through the AMR process indicates that the plan policies are generally being met and that the plan is moving towards its targets, however the Local Planning Authority acknowledges that it must progress with the Replacement LDP which will address the shortfall in the housing land supply and facilitate the identification/allocation of additional housing land.
- 7.19 In March 2020 the Welsh Government published a revised LDP Manual. Section 8, (page 189) identifies additional issues that maybe relevant for the AMR to consider.

8. What new issues have occurred in the area or in local/national policy (key recent contextual and national policy changes, future prospects)?

- 7.20 This is covered in detail in the main body of the AMR report. The Local Planning Authority is currently at the submission stage of the draft Replacement LDP, as of October 2022.

9. How relevant, appropriate and up to date is the LDP Strategy and its key policies and targets?

- 7.21 As outlined in the previous chapters of the AMR report, the LDP Strategy remains broadly sound however, a number of key housing provision policy targets are not being met which indicates that these policies are not functioning as intended. The Replacement LDP will address the shortfall in the housing land supply.

10. What sites have been developed or delayed in relation to the plan's expectations on location and timing?

7.22 In terms of providing a progress report on LDP sites, the main regeneration and mixed-use sites (Policy PLA3), residential (Policy COM1& COM2), employment (Policy SP9) and those retail and commercial centre sites with a residential element. Progress on Bridgend Town Centre (REG9) sites are also set out in Chapter 5 under policy target 23 and are included within the Bridgend Town Centre Masterplan.

11. What has been the effectiveness of delivering policies and in discouraging inappropriate development?

7.23 A review of the data monitoring indicates that the majority of the LDP policies are being delivered, assisting to guide growth and change in a sustainable manner reflecting national policy and guidance. Chapters 5 & 6 of the AMR highlight the policies and monitoring indicators that are not delivering or being met, and the actions recommended to improve delivery or effectiveness.

This page is intentionally left blank

TRAINING LOG

All training sessions will be held on the Microsoft Teams platform.

<u>Subject</u>	<u>Date</u>
Planning Committee protocols and procedures	15 November 2022 <i>(at 11.00am in council chamber)</i>
Building in Conservation Areas	2023
Enforcement	
PEDW Briefing for Members	
Public Rights of Way / Bridleways	
Tree Policy - Green infrastructure	
Wellbeing and Future Generations Act Commissioner	

(Members are reminded that the Planning Code of Practice, at paragraph 3.4, advises that you should attend a minimum of 75% of the training arranged).

Recommendation:

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

BACKGROUND PAPERS

None

This page is intentionally left blank