

# 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 / 643694 / 643513  
Gofynnwch am / Ask for: Gwasanaethau Democraidaidd

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

**Dyddiad/Date:** Dydd Iau, 30 Ebrill 2026

Annwyl Cyngorydd,

## **PWYLLGOR DATBLYGIAD A RHEOLI**

Cynhelir Cyfarfod Pwyllgor Datblygiad a Rheoli Hybrid yn Siambr y Cyngor - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr, CF31 4WB / o bell drwy Microsoft Teams ar **Dydd Gwener, 8 Mai 2026** am **10:00**.

## **AGENDA**

### 1 Ymddiheuriadau am absenoldeb

Derbyn ymddiheuriadau am absenoldeb gan Aelodau.

### 2 Datganiadau o fuddiant

Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008. Dylai aelodau cael rolau deul o'r fath ddatgan buddiant personol mewn perthynas â'u haelodaeth o Gyngor Tref / Cymuned fath a rhagfarnlyd os ydynt wedi cymryd rhan yn yr ystyriaeth o eitem ar y Cyngor Tref / Cymuned a geir yn Adroddiadau y Swyddog isod.

### 3 Ymweliadau Safle

I gadarnhau dyddiad dydd Mercher 10/06/2026 ar gyfer archwiliadau safle arfaethedig sy'n codi yn y cyfarfod, neu nodi cyn cyfarfod nesaf y Pwyllgor gan y Cadeirydd.

### 4 Cymeradwyaeth Cofnodion

I dderbyn am gymeradwyaeth y Cofnodion cyfarfod y 19/03/2026

5 - 12

- 5 Siaradwyr Cyhoeddus
- I gynghori aelodau enwau'r siaradwyr cyhoeddus rhestredig i siarad yn y cyfarfod heddiw (os o gwbl).
- 6 Taflen Gwelliant
- Bod y Cadeirydd yn derbyn taflen gwelliant pwyllgor rheoli datblygu fel eitem frys yn unol â rhan 4 (paragraff 4) Rheolau Gweithdrefn y Cyngor, er mwyn caniatáu i'r Pwyllgor ystyried addasiadau angenrheidiol i adroddiad y Pwyllgor, felly ynghylch hwyr yn ystyried sylwadau a diwygiadau sy'n ei gwneud yn ofynnol i gael eu lletya.
- 7 Canllawiau Pwyllgor Datblygiad a Rheoli 13 - 16
- 8 P/24/313/FUL - Tir I'r De O Bont-Rhyd-y-Cyff, Ffordd Pen-y-Bont Ar Ogwr, Llangynwyd 17 - 62
- 9 P/24/422/FUL - Ty Cefn I Rhifau 6 a 7 Golwg y Goed, Blaengarw 63 - 88
- 10 Apeliadau 89 - 102
- 11 Diweddariad i Aelodau Ynghylch Cais Rhif P/25/386/BCB 103 - 106
- 12 Hyfforddiant Aelodau 107 - 108
- 13 Materion Brys
- I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (paragraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.

Nodyn: Bydd hwn yn gyfarfod Hybrid a bydd Aelodau a Swyddogion mynychu trwy Siambr y Cyngor, Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr / o bell Trwy Timau Microsoft. Bydd y cyfarfod cael ei recordio i'w drosglwyddo drwy wefan y Cyngor. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk) neu ffoniwch 01656 643148 / 643694 / 643513 / 643159

Yn ddiffuant

**K Watson**

Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol

**Dosbarthiad:**

Cynghorwr:

A R Berrow

RJ Collins

C L C Davies

RM Granville

H Griffiths

S J Griffiths

D T Harrison  
M L Hughes  
D M Hughes  
M R John  
W J Kendall  
J Llewellyn-Hopkins  
J E Pratt  
Vacancy  
A Wathan  
I Williams  
R Williams

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PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026COFNOD O BENDERFYNIAD CYFARFOD O'R PWYLLGOR DATBLYGIAD A RHEOLI A GYNHALIWYD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB AR DYDD IAU, 19 MAWRTH 2026 10:00Yn Bresennol

Y Cyngorydd RM Granville – Cadeirydd

A R Berrow

ML Hughes

I Williams

R Williams

Yn Bresennol yn RhithwirRJ Collins  
W J KendallH Griffiths  
J E Pratt

D M Hughes

M R John

Swyddogion:Rhodri Davies  
Gillian Dawson  
Dion Douglas  
Craig Flower  
Stephen Griffiths  
Steven Jenkins  
Robert Morgan  
Michael Pitman  
Leigh Tuck  
Huw BoalerRheolwr Rheoli Datblygu ac Adeiladu  
Cyfreithiwr - Cynllunio  
Prif Swyddog Cynllunio  
Arweinydd Tîm Cymorth Cynllunio  
Swyddog y Gwasanaethau Democrataidd - Pwyllgorau  
Arweinydd Tîm Rheoli Datblygu  
Prif Swyddog Rheoli Datblygu Priffyrdd  
Swyddog Cymorth Technegol – Gwasanaethau Democrataidd  
Uwch Swyddog Rheoli Datblygu  
Uwch Swyddog Cynllunio

**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026****217. Ymddiheuriadau am Absenoldeb**

Penderfyniad a Wnaed	Derbyniwyd ymddiheuriadau am absenoldeb gan y Cyngorwyr canlynol:- Y Cyngorydd Chris Davies Y Cyngorydd Johanna Llewellyn-Hopkins Y Cyngorydd Dave Harrison Y Cyngorydd Alan Wathan
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**218. Datgan Buddiannau**

Penderfyniad a Wnaed	Datganodd y Cyngorydd S. Campbell fuddiant personol yn eitem agenda 7. Fodd bynnag, gan ei fod hefyd yn siarad ar ran Cyngor Tref Pen-y-bont ar Ogwr, siaradodd ac yna gadawodd y cyfarfod cyn y drafodaeth ac ni chymerodd ran yn y bleidlais ddilynol.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**219. Cymeradwyo Cofnodion**

Penderfyniad a Wnaed	<u>PENDERFYNWYD:</u>	Bod Cofnodion cyfarfod y Pwyllgor Rheoli Datblygu dyddiedig 05 Chwefror 2026, yn cael eu cymeradwyo fel cofnodion gwir a chywir.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026****220. Siaradwyr Cyhoeddus**

Penderfyniad a Wnaed	Roedd y siaradwyr cyhoeddus canlynol wedi cofrestru i siarad yn y cyfarfod heddiw:-  Y Cynghorydd F. Bletsoe; Y Cynghorydd S. Bletsoe; Y Cynghorydd T Wood; Y Cynghorydd Williams; Steffan Harries; Hannah Lewis; Y Cynghorydd P Davies; P. Mehegan; Rob Hathaway.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**221. Dalen Ddiwygio**

Penderfyniad a Wnaed	<u>PENDERFYNWYD:</u>  Bod y Cadeirydd wedi derbyn Taflen Ddiwygio'r Pwyllgor Rheoli Datblygu fel eitem frys, yn unol â Rhan 4 (paragraff 4) Rheolau Gweithdrefn y Cyngor. Roedd hyn yn caniatáu i'r Pwyllgor ystyried unrhyw addasiadau angenrheidiol i Adroddiad y Pwyllgor, er mwyn ystyried unrhyw sylwadau a diwygiadau hwyr y mae angen ymdrin â nhw.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**222. Canllawiau'r Pwyllgor Rheoli Datblygu**

**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026**

Penderfyniad a Wnaed	<u>PENDERFYNWYD:</u>	Bod y Pwyllgor yn nodi Canllawiau'r Pwyllgor Rheoli Datblygu fel y dangosir yn adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

**223. P/22/845/FUL - Tŷ Sunnyside, Sunnyside Road, Pen-y-bont ar Ogwr CF31 4AF**

Penderfyniad a Wnaed	<p>Y Cynnig:</p> <p>Dymchwel Tŷ Sunnyside; datblygiad arfaethedig o 62 o fflatiau un ystafell wely a gwaith cysylltiedig gan gynnwys draenio cynaliadwy, tirlunio, parcio beiciau a cheir a gwaith arall Tŷ Sunnyside, Sunnyside Road, Pen-y-bont ar Ogwr CF31 4AF</p> <p>Gofynnwyd am bleidlais gan y Cynghorydd Mark John ar y cais uchod. Dyma oedd y canlyniad:</p> <table> <tr> <td>O blaid</td> <td>Yn erbyn</td> <td>Yn ymatal</td> </tr> <tr> <td>5</td> <td>3</td> <td>1</td> </tr> </table> <p><u>PENDERFYNWYD:</u></p>		O blaid	Yn erbyn	Yn ymatal	5	3	1	Bod y cais uchod yn cael ei ganiatáu yn amodol ar yr amodau yn adroddiad y Swyddog, gan gynnwys newidiadau ar y daflen ddiwygio.
O blaid	Yn erbyn	Yn ymatal							
5	3	1							
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026								

**224. P/25/386/BCB - Cartref Nyrsio Bryn y Cae, Cae Bracla, Bracla, Pen-y-bont ar Ogwr CF31 2HF**

**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026**

Penderfyniad a Wnaed	<p>Y Cynnig:</p> <p>Gosod system Pwmp Gwres Ffynhonnell Aer gydag offer y tu allan hefyd gan gynnwys piler bwydo ar sylfaen goncrit gyda sgrin llyncu sŵn. Cartref Nyrsio Bryn y Cae, Cae Bracla, Bracla, Pen-y-bont ar Ogwr CF31 2HF</p> <p>Gofynnodd y Cynghorydd Ian Williams am bleidlais ar y cais uchod. Dyma oedd y canlyniad:</p> <table data-bbox="656 467 1146 531"> <tr> <td>O blaid</td> <td>Yn erbyn</td> <td>Yn ymatal</td> </tr> <tr> <td>6</td> <td>4</td> <td>0</td> </tr> </table> <p><u>PENDERFYNWYD:</u></p> <p>Bod y cais uchod yn cael ei ganiatáu yn amodol ar yr amodau yn adroddiad y Swyddog, gan gynnwys newidiadau ar y daflen ddiwygio.</p>	O blaid	Yn erbyn	Yn ymatal	6	4	0
O blaid	Yn erbyn	Yn ymatal					
6	4	0					
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026						

**225. P/25/700/FUL - 21 Humphreys Terrace, Caerau, Maesteg CF34 0SG**

Penderfyniad a Wnaed	<p>Y Cynnig:</p> <p>Newid defnydd annedd breswyl 4 ystafell wely (dosbarth defnydd C3) i Dŷ Amlfeddiannaeth 5 gwely (uchafswm o 5 person) (Dosbarth Defnydd C4). 21 Humphreys Terrace, Caerau, Maesteg CF34 0SG</p> <p>Cynhaliwyd pleidlais ar y cais uchod. Cyn y siaradwr, cyflwyniad y Swyddog a'r drafodaeth ar yr eitem agenda hon newidiodd presenoldeb aelodau PRhDC yn y cyfarfod fel a ganlyn:</p> <p>Gadawodd y Cynghorydd Richard Williams a'r Cynghorydd Mark John y cyfarfod Ymunodd y Cynghorydd Heather Griffiths â'r cyfarfod.</p> <p>Dyma oedd y canlyniad:</p> <table data-bbox="656 1350 1146 1378"> <tr> <td>O blaid</td> <td>Yn erbyn</td> <td>Yn ymatal</td> </tr> </table>	O blaid	Yn erbyn	Yn ymatal
O blaid	Yn erbyn	Yn ymatal		

**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026**

	5            4            0	
	<u>PENDERFYNWYD:</u>	Bod y cais uchod yn cael ei ganiatáu yn amodol ar yr amodau yn adroddiad y Swyddog, gan gynnwys newidiadau ar y daflen ddiwygio.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

**226. P/25/735/RES - Tir y tu ôl i 95 Merthyr Mawr Road, Pen-y-bont ar Ogwr CF31 3EU**

Penderfyniad a Wnaed	Y Cynnig:  Annedd ar wahân - Cais am gymeradwyaeth ar gyfer materion wedi'u cadw yn ôl (Mynediad, Ymddangosiad, Tirwedd, Cynllun, Graddfa) mewn perthynas â Chais P/24/541/OUT. Tir y tu ôl i 95 Merthyr Mawr Road, Pen-y-bont ar Ogwr CF31 3EU	
	<u>PENDERFYNWYD:</u>	Bod y cais uchod yn cael ei ganiatáu yn amodol ar yr amodau yn adroddiad y Swyddog ac yn amodol ar un diwygiad i symud lleoliad yr annedd 1m yn nes at Heol Gam.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

**227. Apeliadau**

Penderfyniad a Wnaed	<u>PENDERFYNWYD:</u>	Nodi'r apeliadau oedd wedi'u derbyn ers cyfarfod diwethaf y
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**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026**

	Pwyllgor fel y manylir arnynt yn adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**228. Adroddiad yn ceisio cymeradwyaeth y PRhD ar gyfer PRhD arbennig ym mis Ebrill 2026 ar gyfer Safle Strategol Tir i'r Gorllewin o Ben-y-bont ar Ogwr a Safle Tai Dyrannedig Craig y Parcau**

Penderfyniad a Wnaed	<p>Cyflwynodd y Rheolwr Datblygu ac Adeiladu adroddiad a oedd yn rhoi'r wybodaeth ddiweddaraf i'r Aelodau ar y cais ar gyfer Safle Strategol y Tir i'r Gorllewin o Ben-y-bont ar Ogwr. Dywedodd fod yr ymgeisydd wedi gofyn i'r eitem hon gael ei gohirio i gyfarfod arferol nesaf y Pwyllgor Rheoli Datblygu ym mis Mehefin 2026.</p> <p>Gofynnodd i gyfarfod y Pwyllgor Rheoli Datblygu Arbennig sydd wedi'i drefnu ar gyfer 9 Ebrill 2026 aros yn y calendr oherwydd cais arall (safle tai dyrannedig Craig Y Parcau) y maen ei amseriad yn hollbwysig. Bydd yr ymweliad â'r safle yn aros yn y calendr hefyd.</p> <p><b><u>PENDERFYNWYD:</u></b> Bod y Pwyllgor yn cytuno ar y canlynol:-</p> <ol style="list-style-type: none"> <li>(1) Y dylid cynnal Cyfarfod Arbennig o'r Pwyllgor Rheoli Datblygu i ystyried Cais P/25/731/FUL ar ddydd Iau 9 Ebrill 2026 a chytunwyd i ohirio'r Cais P/25/507/HYB (TIGN) i gyfarfod arferol PRhD ym mis Mehefin 2026</li> <li>(2) Y dylai'r fformat ar gyfer y rhaglen ar ddiwrnod y Pwyllgor RhD Arbennig fod fel y disgrifir yn gyffredinol yn yr adroddiad hwn ond yn amodol ar unrhyw newidiadau y byddai'r Cadeirydd yn eu cytuno â'r Cyfarwyddwr Cymunedau.</li> <li>(3) Bod hawliau siarad ar gyfer Ceisiadau P/25/507/HYB a P/25/731/FUL yn cael eu hystyngtu i uchafswm o 6 munud ar gyfer pob siaradwr sydd wedi'i gofrestru ar y rhestr, a allai gynnwys uchafswm o 3 gwrthwynebydd unigol, y Cynghorau Cymuned, Aelod Ward Lleol a'r Ymgeisydd/Asiant.</li> </ol>
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**PWYLLGOR DATBLYGIAD A RHEOLI - DYDD IAU, 19 MAWRTH 2026**

Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026

**229. Cofnod Hyfforddi**

Penderfyniad a Wnaed	<u>PENDERFYNWYD:</u>	Nodi adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau yn amlinellu'r sesiynau hyfforddi sydd i ddod.
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

**230. Eitemau Brys**

Penderfyniad a Wnaed	Nid oedd unrhyw eitemau brys.	
Dyddiad Gwneud y Penderfyniad	19 Mawrth 2026	

I wyllo trafodaeth bellach a gynhaliwyd ar yr eitemau uchod, cliciwch ar y [ddolen](#) hon

Daeth y cyfarfod i ben am 13:07.

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](http://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.

## **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/24/313/FUL

**APPLICANT:** Lewis Homes (South Wales) Ltd c/o Savills , 2 Kingsway, Cardiff, CF10 3FD

**LOCATION:** Land south of Pont-Rhyd-Y-Cyff Bridgend Road Llangynwyd CF34 9RW

**PROPOSAL:** Erection of 82 new units (73 dwellings and 9 flats), open space, landscaping, access roads and paths and associated infrastructure

**RECEIVED:** 30 May 2024

## APPLICATION/SITE DESCRIPTION

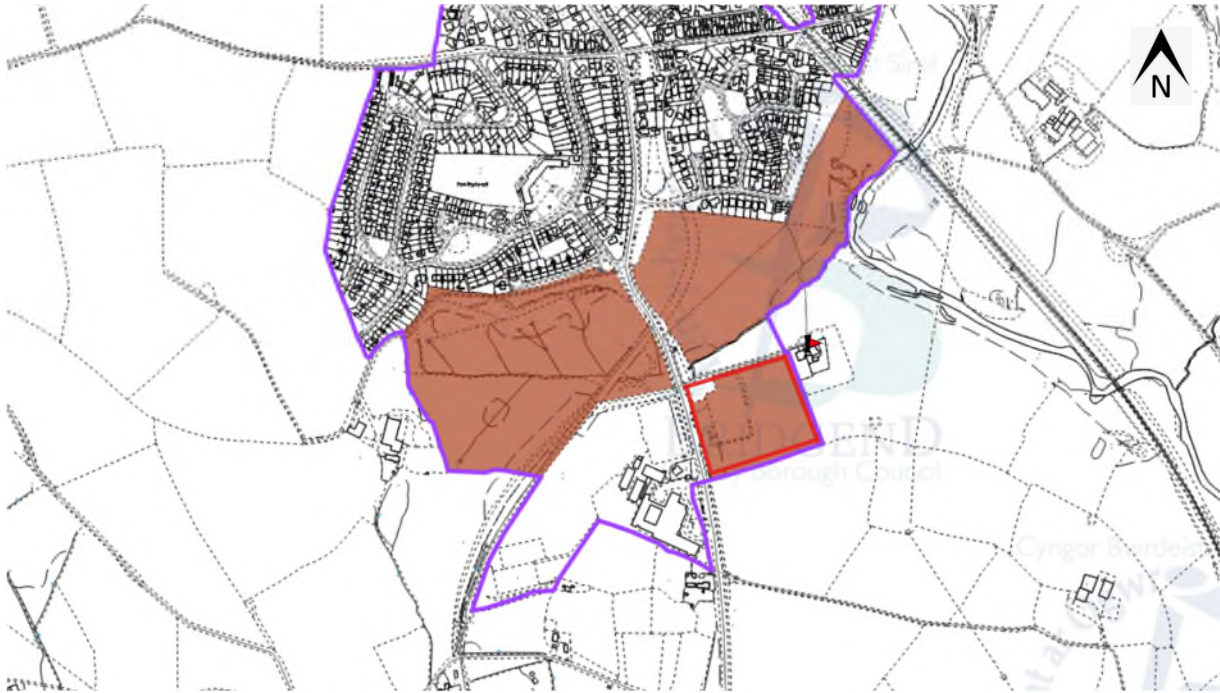
The Application seeks full planning permission for erection of 82 new residential units (73 dwellings and 9 flats), open space, landscaping, access roads and paths and associated infrastructure at Land south of Pont-Rhyd-Y-Cyff, Bridgend Road, Llangynwyd, shown below in figure 1.

*Figure 1 – Site Location Plan*



The site which is roughly square in shape is a partially brownfield site and previously accommodated a petrol filling station, which has since been de-commissioned; it measures approximately 2.3ha and is situated to the south of Pont-Rhyd-Y-Cyff. There are two bus stops close to the site entrance. The closest shops are located approximately 450m away to the North which is also the location of Llangynwyd village hall. The nearest school is across the road which is Ysgol Gyfun Gymraeg Llangynwyd Secondary School and there is another school, Llangynwyd Primary, located approximately 300m to the North. The Application site is one of three allocated housing sites within the area. Figure 2 below shows the 3 housing allocations in brown and the settlement limit in purple.

**Figure 2 – housing allocation and settlement limit**



The site slopes from its highest point in the South to its lowest point in the North, there is a level difference of approximately 9m from one side to the other. The nearest residential properties are located to the Northeast corner; these are 1-3 *Gelli Siriol Cottage* with No.3 being the closest. The Northern boundary is tree lined with footpath LDM/2/1 being located the other side of the trees outside of the site which runs along the access road to the dwellings at *Gelli Siriol Cottage*. The Southern boundary is tree lined with open fields beyond; the Eastern boundary is mix of hedgerow fencing and trees with open countryside beyond which form part of the Western Uplands Special Landscape Area. Bridgend Road (A4063) runs along the Western boundary with a school across the road; this can be seen below in figure 3.

**Figure 3 – Aerial photo of site**



The Application proposes 82 new residential units (73 dwellings and 9 flats), with a mix of terrace/townhouse, semi-detached, and detached houses, as well as some new apartments.

Each dwelling is finished in a combination of brickwork and render and weatherboard panelling; details of the materials have not been provided. The entire development is to make use of electric heating exclusively on the site and all properties have been designed to facilitate this and will incorporate air source heat pumps and solar panels. 15% of the units (12 units) will be provided as Affordable Housing all of which are WDQR compliant. Due to the sloping topography there will be some retaining works provided to facilitate the development; for the most part these are relatively small structures and will be finished in facing brick where they can be seen from any public vantage point. However, some larger structures are required up to 2m high to get the appropriate levels through the site, however these are not located in highly prominent locations.

The access road into the site is centrally located and forms a loop design with several small cul-de-sacs and small shared drives off it. The site has been designed to create a strong frontage onto Bridgend Road by facing properties and locating the taller properties and the 3 storey flats onto this part of the site, creating a sense of place. A new active travel route is proposed to provide safe pedestrian cycle and walking routes to the village and the school, including a controlled crossing as part of the development. The three separate allocated housing sites will deliver this new active travel route between them.

A Sustainable Drainage System (SuDS) incorporating a drainage basin is located to the North of the entrance providing an opportunity for additional landscaping and creating a pleasant green area at the entrance which enhances the scheme. Whilst some trees on the frontage and within the site will be felled to enable safe access, the existing trees on the Northern and Southern boundaries are to be retained as a buffer zone creating a wildlife corridor. This will also act as a visual buffer from the wider area. In addition to this green buffer, a landscaping scheme also shows several trees, hedgerows and plants being proposed to be planted around the site to compensate for any loss of trees. This can be seen in the site layout below (Figure 4).

**Figure 4 - Proposed Site Layout**



The following documents have been submitted in support of the Application:

- Design and Access Statement by Spring Design Dec 2025
- Planning Statement by Savills Dated April 2024
- PAC Report by Savills Dated May 2024
- Energy Strategy Statement June 2024
- Desk Study report by Integral Geotechnique Jan 2024
- Site investigation Report by Integral Geotechnique Sep 2023
- Green Infrastructure Statement by DP landscape architecture May 2024
- Landscape and Visual technical Note Dec 2025
- Tree removal letter by I and G Ecological Consulting
- Tree Survey by Treescene June 2023
- Tree constraints Plans by Treescene
- Tree survey for bat roosting potential by I and G Ecological Consulting Aug 2024
- Soft Landscaping proposal
- Biodiversity Enhancement Scheme by I and G Consulting Nov 2025
- Arboricultural Impact assessment and method statement by Treescene Nov 2025
- Tree Protection Plan by Treescene
- Ecological Appraisal Report by I and G Ecological Consulting Feb 2023
- Retaining wall structural information by Spring Design Dated June 2024
- Transport Assessment by Asbri Trasport Nov 2025

### **PRE-APPLICATION CONSULTATION**

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, statutory Pre-Application Consultation (PAC) was carried out by the developer.

The consultation exercise took place between 25 April 2024 and the 22 June 2024. The consultation involved notifying local residents within the surrounding area, together with Ward members, and specialist consultees.

### **RELEVANT HISTORY**

**P/21/428/FUL** Retention of 2 storage containers - Refused 8 November 2021

**P/00/824/FUL** Construction of Single Storey Foodstore Class A1 with 112 Parking Spaces - Refused 5 July 2001

**P/98/10/FUL** Extension to Sales Building & Relocation of Air/Water Facilities - Approved 24 March 1998

**A/98/1/ADV** Internally Illuminated Signs - Approved 24 February 1998

### **PUBLICITY**

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

### **CONSULTATION RESPONSES**

**Dwr Cymru/Welsh Water:** No objection subject to conditions

**Ecology:** No Objection subject to conditions

**Highways Officer:** No Objection subject to conditions

**Shared Regulatory Services – Noise/Nuisance:** No objection subject to conditions

**Natural Resources Wales:** No objection subject to conditions.

**Shared Regulatory Services - Environment Team:** No objection subject to conditions.

**Crime Prevention Design South Wales Police:** Have made general comment in relation to secure by design.

**Coal Authority:** No objection.

**Fire and Rescue Service:** No objection - standard advice given in relation to providing water supplies and access for firefighting equipment.

**Structural Engineer:** No objection.

## **REPRESENTATIONS RECEIVED**

1 letter of support and 9 letters of objection have been received which raise the following issues:

### **Visual Amenity**

- a) 3 storey buildings are not suitable in the area.
- b) The general scale, size of the project I would suggest is rather large for the amount of land it covers it is ugly and an eye sore.

### **Residential Amenity**

- c) The proposed development would be right alongside our homes and directly looking over what is currently a private space. The cottages are currently not overlooked by any houses.
- d) Noise pollution will significantly impact the quality of life for residents in the vicinity of the proposed development, not only from the proposed development, but also from increased vehicles.

### **Highways and Pedestrian Safety**

- e) The proposed site for the new houses is in close proximity to a local school. Currently, the roads around this area are already congested, particularly during school drop-off and pick-up times. The addition of new houses will significantly increase traffic volume, posing a serious danger to children and other pedestrians. Moreover, the absence of traffic lights and other traffic calming measures further heightens the risk of accidents and create safety hazards for pedestrians and cyclists.

- f) An objector has raised that BCBC's Local Development Plan (LDP) 2018-2033 states:

*"4.5 The existing junction layout assessment and the analysis of the efficiency, capacity and congestion issues (Capita - M4 Junction 36 Improvements Stage 5 Report, 2016) highlight that Junction 36 had reached its operational traffic capacity limit and there are significant queue lengths on all of the six junction approaches during peak periods."*

*"6.6 It is recognised that the current problems and issues experienced at Junction 36 will negatively impact the deliverability of achieving the spatial distribution of regeneration activities and needs across the county borough."*

*6.9 Without intervention, there is serious risk that businesses and developers will be discouraged from locating in the vicinity of Junction 36, or to areas that will be accessed via this junction, as a consequence of the congestion and connectivity problems."*

They believe this presents a compelling argument against further development, considering the impact such an increase in traffic will have on all the feeder roads to the A4063 as well as increased congestion problems all along the Llynfi Valley, right up to and including Junction 36.

- g) There have been several Road Traffic Accidents (RTA) outside Ysgol Llangynwyd directly opposite the proposed development in recent months alone. I fear for the safety of not only my children but all the children attending the school, an additional junction entering onto the road would only exacerbate the already strained road/traffic issues.

### **Drainage**

- h) There have been Issues with sewerage overflowing into the lane when there is heavy rain.
- i) The sewerage system in the area has no capacity to take any more dwellings.
- j) There have been Issues with surface water running onto the road.

### **Biodiversity**

- k) Concerns over the destruction of habitats, the loss of green spaces, and the disruption of wildlife. and the effect on the local ecosystems.
- l) Why was the land cleared numerous times? Were the surveys conducted before the land was cleared.
- m) Concerns over the removal of trees.
- n) There is the potential for water pollution, both free running and mains service, that will affect the wellbeing of the community.

### **Other**

- o) Concerns over the potential impact of the proposed development on local amenities and services. Would lead to increased strain on infrastructure, such as schools, GP surgeries, dentists and other healthcare facilities, most of which are in Maesteg, there are very few services in the village, and the Princess of Wales Hospital is already under resourced and struggling with demand. Additional housing would further compromise the quality of life in the community.
- p) The broader local infrastructure is not equipped to handle such a large development. This includes everything from public transportation to recreational facilities. In this area the facilities comprise only one local shop and a fast food takeaway shop and a small village hall.
- q) This will not be in keeping with the context or scale of the area. The population of Llangynwyd Middle Parish as per the 2021 census was 2,966. If the full 500 dwellings are built with an average of 3 people per household, this would increase the population by 1,500, a 50% increase. This would result in a layout and density that is inappropriate for the area.
- r) The potential pollution from construction activities, such as air quality, from construction dust, and exhaust emissions from heavy plant, and increased road traffic.
- s) This proposal would affect the character and appearance of the neighbourhood, this development would be at the entrance to the village, which is linked to the historic Village of Llangynwyd, and its Church and famous Old House which are only a short distance away.
- t) Council would also fear for the additional strain on existing services of Water, Sewerage, and demand on the electric grid.
- u) During testing of the ground (last August) holes were being drilled and this caused issue on nearby ground.
- v) One objector claims they own the land and do not give permission for it to be developed.

## **Comments on Representations received**

### **Visual Amenity**

The concerns raised in relation to visual amenity are addressed within the appropriate sections of the report.

### **Residential Amenity**

The concerns raised in relation to residential amenity are addressed within the appropriate sections of the report.

### **Highways and Pedestrian Safety**

- e) This is addressed within the report.
- f) A collective Transport Assessment (**TA**) was undertaken by Asbri Transport to support the allocation of the three sites in Pont-Rhyd-Y-Cyff . The TA undertook an analysis of the potential traffic impact on Junction 36 of the M4 in relation to the development of the three proposed housing allocations (COM1(2): Land Southeast of Pont-Rhyd-Y-Cyff, COM1(3); Land South of Pont-Rhyd-Y-Cyff & COM1(4); Land South West of Pont-Rhyd-Y-Cyff). It was determined that the three allocations would have a high degree of their forecasted trip generation accessing local land uses and facilities, particularly associated with the localities and wide range of facilities associated with the settlements of Maesteg (the County Borough's second largest settlement), and Sarn and direct connection to Bridgend Town Centre via the A4063 Bridgend Road, thereby reducing the proportion of the forecasted trip generation accessing Junction 36 of the M4. The traffic impact of each site in Pont-Rhyd-Y-Cyff individually is negligible as detailed in the relevant Transport Assessments for each site. Additionally, the cumulative impact of all three sites as forecast is marginal having no material impact upon the operational capacity of M4 Junction 36.
- g) This is addressed within the report.

### **Drainage**

- h) Dwr Cymru/Welsh Water and the Local Authority's Land Drainage Officer have not identified any such issues within the area, nevertheless this development would be subject to a SAB Application to ensure surface water is adequately drained and Dwr Cymru/Welsh Water have advised that all sewerage can be accommodated within the existing sewer system which has available capacity.
- i) Dwr Cymru/Welsh Water have advised that the existing sewerage system has capacity for the development.
- j) This is an existing issue, however, a condition can be imposed to ensure no surface water discharges onto the highway.

### **Biodiversity**

The concerns raised in relation to biodiversity and ecology have been addressed within the appropriate sections of the report.

### **Other**

- o) Whilst there is no Health Impact Assessment (**HIA**) submitted with this Application Policy SP8 does not impose a blanket requirement for an HIA for all development proposals. The wording "*where appropriate*" is intended to apply the requirement in a manner commensurate with the scale, nature and likely impacts of the proposal. Policy SP8 was developed primarily in the context of the strategic site allocations, which will give rise to a significant quantum of housing that would be capable of materially altering the health determinants in the area. It is in those circumstances, where there is demonstrable potential for significant impacts, that a comprehensive HIA is clearly appropriate and necessary to satisfy Policy SP8.

Nevertheless, infrastructure capacity was a key consideration throughout the plan-making process. The RLDP (Revised Local Development Plan adopted March 2024) evidence base, specifically the Infrastructure Delivery Plan informed the allocation of the site and confirmed the infrastructure requirements and mitigation measures required to make development acceptable through consultation with service providers and internal Council departments. This included infrastructure relating to transport, education, health, environmental management, utilities and community/cultural infrastructure.

Additionally, a plan wide HIA was undertaken on the RLDP, which identified a number of key health and well-being impacts and priorities, which were reflected and addressed in the final adopted RLDP. The Health Board were also consulted on the suite of allocations within the RLDP at the plan making stage to help inform alignment of future healthcare service provision against housing growth. No objections were raised.

- p) The site is located within settlement limits and is considered to be in a suitable location. Active travel improvements are also being proposed, making it easier for people to walk or cycle, and improving public transport links. This would promote Active Travel and would make getting around easier and accessible to all. The site is also in close proximity to Maesteg.
- q) Whilst densities of new development are generally higher than any existing settlement, this is required by National and Local Planning Policy and necessary to make the best use of the land and maximise housing for residents and meet the targets set by the RLDP. The layout submitted, whilst slightly less than the allocated density, is considered to be appropriate for the area. Furthermore, there is no strong architectural language present within the area to inform the design for the new dwellings; as such the development has the opportunity to create its own unique sense of place. The three developments once completed will, in effect, extend the village.
- r) The proposal has been assessed by Shared Regulatory Services who have not raised any concerns with regards to Air Quality, nevertheless construction traffic would be transient in nature and unlikely to cause any significant concerns relating to Air Quality.
- s) The development has been designed to have a presence off Bridgend Road, however the design and style of the dwelling and apartments would create an attractive development with a mix of houses and landscaping whilst retaining as much of the existing trees as possible. It is considered that this would not detract from the character and appearance of the area and, if anything, would remove an unsightly derelict brownfield site improving the overall aesthetics of the Historic village.
- t) No concerns have been raised from any statutory undertakers with regards to this development.
- u) This would be a private matter between the owner of the site and the local resident.
- v) In relation to the objector claiming they own the site; the Applicant has confirmed that the Applicant is the owner of the site and advised the claims are not correct and that the correct certificate has been completed as part of this Application. Nevertheless, land ownership is not a material planning consideration.

## **PLANNING POLICY**

### **National Planning Policy and Guidance**

National planning guidance takes the form of **Future Wales – the National Plan 2040 (February 2021)** and **Planning Policy Wales (Edition 12, February 2024) (PPW12)**. The following elements of these documents are relevant to the determination of this Application.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being

of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of **PPW12** is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

Paragraph 1.30 of **PPW12** confirms that: *“Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning Applications.”*

Paragraph 2.2 states: *“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.”* Para 2.3 continues: *“The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”*

Paragraph 2.7 states: *“Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

**PPW12** states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart”* and recognises the *“pivotal role that planners play in shaping our society for the future”* prioritising *“placemaking, decarbonisation and well-being.”*

Paragraph 3.9, **PPW12** states: *“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.”* In 3.10 it continues: *“In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.”*

Paragraph 4.1.34 states: *“In determining planning Applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling...”* Paragraph 4.1.35 continues *“New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking...”* and *“consideration must also be given to where people will leave their bike at home.”*

Paragraph 6.4.4 states: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* It further states: *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on biodiversity and ecosystem resilience cannot be avoided, minimised or mitigated/restored, and as a last resort compensated for, it will be necessary to refuse planning permission.”*

**PPW12** states at paragraph 6.6.5 that: “*The planning system should...ensure sustainable drainage systems are an integral part of design approaches for new development...*” and at 6.6.16 “*Planning authorities should secure better management of drainage and surface water ... by ... ensuring sustainable drainage systems are incorporated into development enabling surface water to be managed close to or at source.*”

### **Technical Advice Notes**

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

- Technical Advice Note 5 – Nature Conservation and Planning (2009).
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 15 – Development and Flood Risk (2004)
- Technical Advice Note 18 – Transport (2007).

### **The Well-being Duty on Public Bodies**

Sections 2, 3, 4 and 5 of the Well-being of Future Generations (Wales) Act 2015 together impose a duty on public bodies to carry out sustainable development, aimed at achieving the well-being goals, in accordance with the sustainable development principle. The public body must 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.

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 assessment of this Application has been carried out in accordance with this duty.

### **The Socio- Economic Duty**

Part 1, Section 1 of the Equality Act 2010, which came in to force on 31 March 2021, requires that a county borough council in Wales (among other authorities) “*must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.*”

Whilst the determination of this Application is not itself a strategic decision, the assessment of this Application has been carried out in accordance with this duty.

### **The Biodiversity and Resilience of Ecosystems Duty**

Section 6 of the Environment (Wales) Act 2016 requires 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.*”

The assessment of this Application has been carried out in accordance with this duty.

### **Local Planning Policy and Guidance**

The Development Plan for the area comprises the Bridgend County Borough Replacement Local Development Plan (2018-2033) adopted March 2024 (**RLDP**) which was formally adopted by the Council in March 2024 and within which the following policies are of

relevance:

### Strategic Policy

- Policy SP1: Regeneration and Sustainable Growth Strategy
- Policy SP3: Good Design and Sustainable Placemaking
- Policy SP4: Mitigating the Impact of Climate Change
- Policy SP5: Sustainable Transport and Accessibility
- Policy SP6: Sustainable Housing Strategy
- Policy SP8: Health and Wellbeing
- Policy SP10: Infrastructure
- Policy SP13: Decarbonisation and Renewable Energy
- Policy SP15: Sustainable Waste Management
- Policy SP17: Conservation and Enhancement of the Natural Environment

### Topic Based Policy

- Policy SF1: Settlement Hierarchy and Urban Management
- Policy PLA11: Parking Standards
- Policy PLA12: Active Travel
- Policy COM1: Housing Allocations
- Policy COM2: Affordable Housing
- Policy COM3: On site provision of Affordable Housing
- Policy COM6: Residential Density
- Policy ENT10: Low Carbon Heating Technologies for New Development
- Policy ENT15: Waste Movement in new development
- Policy DNP4: Special Landscaped Areas
- Policy DNP6: Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP7: Trees, Hedgerows and Development
- Policy DNP8: Green Infrastructure.
- Policy DNP9: Natural resource and Public Health

### **Supplementary Planning Guidance:**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance the following are of relevance:

- **SPG7:** Trees and Development
- **SPG8:** Residential Development
- **SPG13:** Affordable Housing
- **SPG17:** Parking Standards
- **SPG19:** Biodiversity and Development

### **EIA Screening**

The Application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment Regulations 2017.

The proposed development is also not located within a zone of influence for any SAC, CSAC or Ramsar sites and as such it is considered that an *Appropriate Assessment* as set down within the Conservation of Habitats and Species Regulations 2010 is not required.

### **APPRAISAL**

This Application is to be determined at planning committee as it has received 5 or more objections. The scheme has been the subject of a full committee site visit on 18 March 2026.

## **Issues**

Having regard to the above, the main issues for consideration in the assessment of this Application are the principle of the development, its visual impact in terms of its scale, design and materials, and impact on neighbouring properties, ecology, drainage and highway safety.

## **Principle of Development**

The primary objective of Planning Policy Wales 12 (**PPW12**) is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. **PPW12** and the National Development Framework (**NDF**) set out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (**SDPs**) and Local Development Plans (**LDPs**).

The site is located within the local settlement of Pont Rhyd-Y-Cyff as defined by **Policy SF1** Settlement Hierarchy and Urban Management of the Bridgend Replacement Local Development Plan (**RLDP**) adopted in March 2024. The site is also located in the Maesteg and Llynfi Valley Regeneration Growth Area as defined by **Policy SP1** Regeneration and Sustainable Growth Strategy.

**Policy SP6** - Sustainable Housing Strategy of the RLDP supports *Edge of Settlement Sites* within, and on the edge of, established settlements. The proposed site would constitute an Edge of Settlement Site under Policy SP6 and could contribute towards the delivery of the overall housing requirement. The majority of the site (excluding a small corner) site is allocated for 102 units (including 15 affordable housing units) under **Policy COM1(3)** – Land South of Pont-Rhyd-Y-Cyff. The site also incorporates an area of land (northwestern boundary) that does not form part of the allocation. However, this is located within the settlement boundary where residential development would be acceptable in principle.

**Policy COM6** - Residential Density of the RLDP states that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. In the first instance, residential development should seek to reflect a density of 50 dwellings per hectare (dph). A lower density of development will only be permitted where:

- 1) Design, physical or infrastructure constraints prevent the minimum density from being achieved; or
- 2) The minimum density would harm the character and appearance of the site's surroundings; or
- 3) Where it can be demonstrated there is a particular lack of choice of housing types within a local community.

The density of the proposed development consists of 37dph compared to 51dph illustrated on the proving layout which supported the site at examination. Whilst 37dph is below the proposed benchmark within Policy COM6 and National planning policy, the reduction is broadly considered to be acceptable as the proving layout that supported the site at examination placed a greater reliance on apartments. In contrast, the Applicant has sought to deliver a wider mix of house types, which is considered appropriate in this location.

It is noted that the proposed layout incorporates dwellings in the form of 1-bed (11%), 2-bed (30%), 3-bed (44%) and 4-bed (15%) on-site. Policy COM1 requires new housing developments to incorporate an appropriate mix of house types, sizes and tenures to cater

for a range of housing needs. The proposal is therefore considered to provide an acceptable mix of types and sizes.

**Policy SP3** - Good Design and Sustainable Placemaking of the RLDP states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

1. Demonstrating alignment with the principles of Good Design; and
2. Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

As such the principle of development is acceptable subject to further design, residential amenity, highways, drainage and ecology considerations addressed within this report.

### **Impact on Visual Amenity and Character.**

Planning Policy Wales (Edition 12) 2024 at paragraph 4.11.9 stipulates the following: *“The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.”*

Advice in paragraph 2.1 of **TAN 12** is that *“The design of our villages, towns, cities and the urban and rural landscape is important in articulating our nation and our culture. Design is important to our quality of life, and the quality of Wales’ varied landscape and townscapes...”* Paragraph 2.8 introduces the objectives of Good Design, which include, *“Sustaining or enhancing local character”* and *“Promoting a successful relationship between public and private space”*

Strategic Policy SP3 *Good Design and Sustainable Place Making* seeks to conserve and enhance the built environment and states: *“All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.”* Local Planning Authorities should ensure that the proposed developments should not have an unacceptable impact upon the character and amenity of an area. Local Planning Authorities should ensure that the proposed developments should not have an unacceptable impact upon the character and amenity of an area.

The site is presently a derelict brownfield site and, therefore, it is accepted that the proposed housing development would alter its character permanently. However, as detailed above, the principle of developing the site for residential purposes has been established with the housing allocation under COM1/3 of the Replacement Local Development Plan, and the allocation of this land for residential use has already taken into consideration the wider contextual character issues with regard to the use of the land.

Within this overarching Policy context and noting especially the need to embrace the principles of place- making, it is clear that this development has at its heart a determination to not only improve the visual appearance of the area, but more importantly to improve the quality of the area and create a desirable place to live. The proposed layout, scale and design of the development have been refined from its initial concept, directly addressing discussions with the Local Planning Authority,

This revised layout establishes a distinctive central entrance, leading into a permeable loop-road configuration punctuated by intimate cul-de-sacs and private shared drives. The site’s layout is strategically engineered to establish a robust building line along Bridgend Road, and, by orientating dwellings outward and concentrating the three-storey apartment blocks

and taller units along this frontage, the design creates a prominent sense of arrival and a distinct sense of place, seen below in figure 5.

**Figure 5 – Computer Generated Image of the Layout**



The internal loop arrangement, which was added following advice from the Local Highway Authority, provides ease of movement around the site, making it accessible and safe for future residents to use. The road surface will be finished in a number of different finishes adding visual interest to the development. Shared drives would also have bin collection points for residents to present their bins on collection day. A bin store and cycle store is shown on the layout however no details have been provided; as such a condition can be imposed requiring details to ensure both are appropriately designed.

Immediately North of the entrance is a Sustainable Drainage System (SuDS) basin which serves as a dual-purpose feature, integrating essential infrastructure with aesthetic landscaping to provide a grassy, welcoming gateway to the scheme. Whilst some tree removal is required at the site's entrance along Bridgend Road to ensure safe visibility splays, the existing rows of trees along the Northern and Southern boundaries will be retained. These mature trees function as essential visual buffers screening the development from the wider landscape. The Local Planning Authority will also be protecting these trees as part of a formal Tree Preservation Order (separate to this planning Application), to ensure their retention and longevity. In addition, the Application is accompanied by arboricultural surveys and details of how the existing trees can be protected during construction works. A condition can be imposed to ensure the protection measures are in place throughout the construction phase of the site. To further enhance the site's ecology and visual interest, a comprehensive soft landscaping strategy is proposed, introducing significant new tree and shrub planting to offset any losses and to ensure a net gain in green infrastructure. A condition can be imposed to ensure this is implemented and managed accordingly.

The development incorporates a range of different house types, apartments and flats and the Applicant has worked with the Local Planning Authority with regards to the layout and density. Figure 6 below shows a selection of the house types being proposed. Whilst the design of the dwellings is considered acceptable and aesthetically pleasing, it is considered that it would be beneficial to further enhance the scheme by have a contrasting brick or render on some of the plots making them focal points within the wider development. This

has been discussed with the Applicant who is content to do this. As such a condition can be imposed to ensure that this is achieved.

**Figure 6 – Examples of House types**



The layout plan illustrates that the means of enclosure to the properties will be a combination of close boarded fencing and a screen wall with brick piers. The screen walls will generally be in the public areas with the close boarded fencing in the rear gardens to provide privacy to future residents.

There are some areas where there is fencing proposed in public areas which would not be acceptable. As such, a condition can be imposed to ensure that screen walls are provided in prominent areas with the fencing used in less prominent locations. Due to the sloping topography of the site, there will be some retaining works provided to facilitate the development; for the most part these are relatively small structures and will be finished in facing brick where they can be seen from any public vantage point. However, the engineering drawings appear to show some retaining walls seen from shared drives and roads within the site as masonry structures. A condition can be imposed to ensure prominent or large walls visible from public vantage points will be faced with brick so that they are more aesthetically pleasing.

With regards to the wider special landscaped area, Western Uplands under Policy DNP4, the site is allocated for a residential use and as such there would be some degree of change. Nevertheless the Applicant has provided a Landscape and Visual technical note where they have assessed the impact of the development on the wider special landscaped area. This note concluded that, due to the retention of trees which screen much of the site, the additional landscaping proposed and the overall design and layout of the development, it would not have any unacceptable impact upon the wider Special Landscape Area. A condition can be imposed to ensure that the landscaping is implemented and appropriately managed.

Due to constraints relating to density and housing numbers, no play provision has been provided on this site. However, a contribution will be secured to enhance existing play facilities in the area and the active travel improvements (discussed later in this report), would ensure that these play facilities are easily accessible to future residents. It should also be noted that there are small informal areas of open space throughout this development.

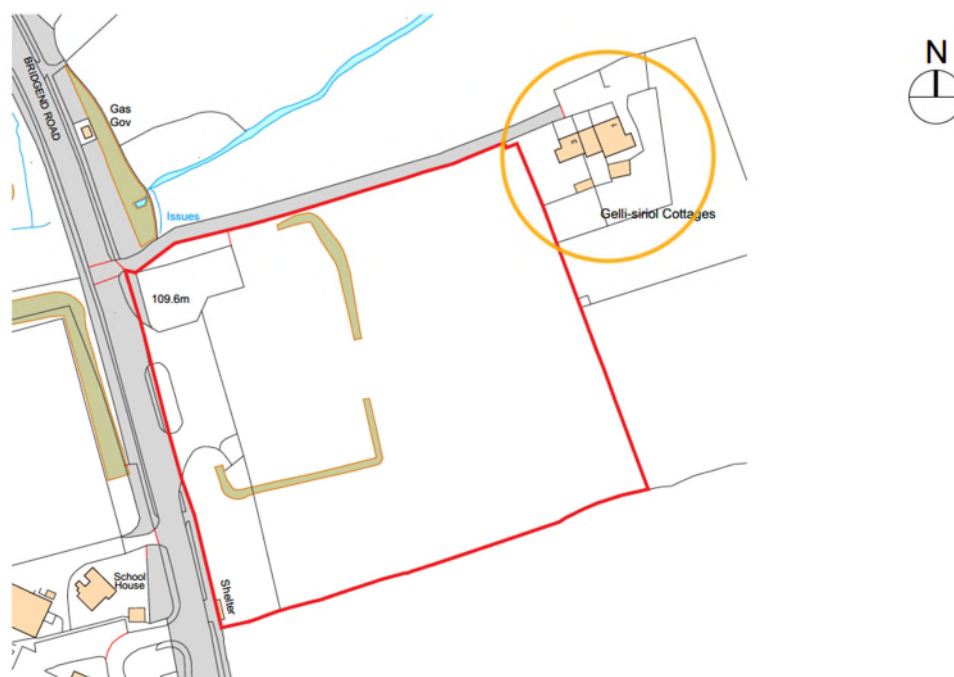
It is considered that, on balance and having regard to the objections received, the proposed design, scale and massing of the development and landscaped areas are acceptable and would not have a detrimental impact upon the visual amenity of the area or the wider special landscape area. Accordingly, it is concluded that the proposal accords with Policy SP3 of the Bridgend Replacement Local Development Plan and reflects the aspirations for design quality within Planning Policy Wales and Technical Advice Note 12: Design (2016).

### **Residential/Neighbouring Amenity**

Policy SP3 criterion (k) of the RLDP states that a development must ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

The only residential properties in proximity are 1 to 3 Gelli Siriol Cottages, located to the Northeast of the site. The remainder of the site is bounded by trees, open countryside and Bridgend Road. The Cottages are circled in orange on figure 7 below.

**Figure 7– Nearest Existing houses (Gelli Siriol Cottages)**



### **Overbearing/Overshadowing**

Plots 15 and 16 are the closest to No 3 Gelli Siriol Cottages. The proposed dwellings are positioned in excess of 15m from the boundary of Gelli Siriol and in excess of 27m to the side elevation of the existing dwelling. It is considered that the separation distances of the proposed dwellings are sufficient to ensure that there are no unacceptable levels of overshadowing or overbearing to any of the existing dwellings or private garden areas. The relationship is shown below in Figure 8.

**Figure 8 - Site plan showing sections to nearest residential properties**



### Overlooking

In terms of overlooking, the proposed dwellings are positioned in excess of 15m from the boundary of Gelli Siriol and in excess of 27m to the side elevation of the existing dwelling. This is considered a sufficient distance to ensure that there is no unacceptable impact regarding overlooking or loss of privacy. It should also be noted that a new 1.8m high close boarded fence and a new hedgerow will be positioned along the entire North-eastern boundary.

### Residential amenity Future occupiers

The development has been designed to allow an acceptable distance between units to ensure that the proposal will safeguard the residential amenities of future occupiers. Whilst the majority of the relationship between windows is acceptable some fall short of the Council's guide of 21m distance between habitable room windows. However, this tends to happen on the front elevation with properties facing across the internal access road and is a result of revisions to increase the residential density and to create buffer zones to protect existing trees and to create wildlife corridors. Where this occurs, the houses are slightly offset from one another to avoid direct sight lines. It should also be noted that any future occupier would be aware of this relationship. In terms of overlooking of private garden spaces, a distance of 10m from habitable windows to rear gardens is generally met and the layout is therefore acceptable.

With regards to private amenity space, garden sizes are considered to be appropriately sized to ensure that future occupiers have sufficient outdoor amenity space. Plots 25 to 42 back onto trees which will be protected and permitted development rights for outbuildings will be removed from these plots so that any outbuilding is assessed to ensure the root protection areas of the trees are not compromised. A similar situation occurs with plots 1 and 6 to 14 on the opposite side of the site.

### Noise and Nuisance

Policy SP3(g) also states: *"Development should Avoid or minimise noise, air, soil and water pollution"*. SRS have assessed the proposal and have noted that the development fronts onto the A4063 and will be subject to road traffic noise. In addition, the bin store provided for the apartments (Type 211) appears small for the number of proposed units and needs careful management as these types of communal bin stores tend to generate complaints of excessive build up of accumulations of waste which attract rodents due to tenants

generating more waste than they are permitted. The Applicant has also stated that all houses will be installed with air source heat pumps.

As such Shared Regulatory Services (Environmental Health) have no objections subject to several recommendations to protect the amenity of nearby residents and future occupiers of the scheme. These relate to a noise assessment in relation to traffic noise and exposure levels to the proposed houses fronting the road, and a scheme providing mitigation if required where there are gaps in fencing/walls to plots 1-7, 63-64 and apartment block 65-73. SRS also require a revised bin storage scheme, to ensure it can accommodate the level of waste and that it is managed appropriately to prevent fly tipping, and a Construction Environmental Management (**CEMP**) relating to noise and vibration mitigation, hours of operation, timescales for phases and measure to control dust and dirt.

The energy assessment states that all dwellings and apartments will be installed with air source heat pumps; a scheme can be submitted detailing the locations and sound power levels of each of the ASHPs to be installed at each property and the predicted overall cumulative noise levels of the ASHPs that will be experienced to the existing properties adjacent to the proposed development.

There have been objections in terms of noise from construction, however, it is generally accepted that during construction there would be some disturbance but this would be transient in nature and can be managed as part of a Construction Environmental Management Plan (**CEMP**), as recommended above. There has also been an objection that cars/vehicles moving around within the site (once completed) would cause unacceptable levels of noise to existing residents. It is considered that a residential development will not cause unacceptable levels of noise and this Application has been assessed by SRS who have not raised any concerns in relation to noise generated by the future occupiers of the estate.

#### Lighting

In terms of external lighting, no details have been provided with this Application. As external lighting may be required for such a development, to illuminate external areas, it is necessary to impose a condition to ensure adequate details are provided prior to any lighting being installed to avoid unacceptable impacts upon the surrounding environment and ecology. This would also ensure that there is no unacceptable light spill from the development.

Construction lighting may also cause a nuisance; as such the Construction Environmental Management Plan condition will also consider construction lighting.

To conclude it is considered that, on balance, and having regard to the objections received, the proposed development would not have any unacceptable impact in relation residential amenity or nuisance to any existing or future occupiers. Accordingly, it is concluded that the proposal accords with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

#### **Access and Parking**

**TAN 18** advises, at paragraph 3.3 that *“the location of new residential development has a significant influence on travel patterns as the majority of trips start or finish at home. Housing is also usually the most extensive land use in settlements. As a consequence, the relationship between homes and other land uses will influence travel demand in terms of mode of travel, length of journey and the potential for multi-purpose trips. It should be a key aim of development plans to identify residential sites that are accessible to jobs, shops and services by modes other than the car.”*

**Criterion e)** of RLDP Policy **SP3** obliges development to *“Maximise opportunities for active*

*travel and increased public transport use and promote connections within and outside the site to ensure efficient and equality of access for all...*

Policy **SP5** of the RLDP requires, at **point 2)**, that proposals “Be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks;” and at **point 9)**, to “Ensure that developments are served by appropriate parking provision, in accordance with the Council’s parking guidance...” . The policy continues: “Development that would have a negative impact on the safe and efficient operation of the transport network will not be permitted.”

More specifically, Policy **PLA11** stipulates that “All development must be served by appropriate levels of parking in accordance with the adopted SPG on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles.” **Paragraph 5.2.77** of the RLDP plan’s supporting text explains: “On-street car parking can cause problems by reducing road width, thereby affecting the free flow of traffic and adding to hazards for pedestrians, cyclists and other road users. Therefore, Applications will be refused where the likelihood of on-street parking occurring will give rise to these concerns.”

Car parking requirements are set out in **SPG 17 Parking Standards: (Volume 1)**.

Policy **PLA12 point 5.** asserts that: “Development must maximise walking and cycling access by prioritising within the site [among other] facilities that encourage the uptake of walking and cycling, including....secure and convenient cycle parking.”

The Application seeks consent for the construction of 82 dwellings on a brownfield site with access gained from the A4063. It should be noted that the site has been considered as part of the process leading to the adoption of the Replacement Local Development Plan in March 2024 (RLDP) and is allocated for housing in the Plan. As such, a significant amount of consultation and consideration of the traffic which will be generated by the proposed development has already been undertaken and agreed through the plan-making and examination process for the RLDP. Nevertheless, to support this Application a Transport Statement has been undertaken by Asbri Transport dated November 2025, which identifies the following:

- The RLDP process has established in allocating the site that this development is appropriately located and acceptable in traffic and transport terms.
- The traffic and movements by all modes generated by the development proposals could be accommodated on the highway network and will not have a detrimental impact on the free flow of traffic using the local highway network.
- The proposed development site is located with good access to public transport services, with frequent services running from bus stops within the site’s immediate vicinity on the A4063.
- The site is also situated within walking distance of several amenities/facilities, including 2 schools, reducing the need for private car-borne trips. The site will also be accessible to movement by active travel modes (a new active travel route to be provided as part of this and the other two developments in the area).

As such, the Asbri report concludes that the site is considered both accessible and sustainable and will not give rise to any significant transport impacts.

The Local Authority’s Highway’s Officer has reviewed the submitted Transport Statement, proposed planning layout, house type information, and the additional information relating to the active travel improvements proposed along the A4063 corridor.

The Transport Assessment confirms that the current Application relates to 82 dwellings and that the site forms part of the allocated housing land to the south of Pont Rhyd-Y-Cyff. The Assessment also confirms that earlier transport work was undertaken in support of the allocation of the site and that the current Transport Assessment supersedes previous versions.

In this context, the Local Authority's Highways Officer does not seek to revisit the principle of residential development on this site or object to the Application based on the broad traffic generation associated with the allocation. The key highway considerations are therefore whether the site can be accessed safely, whether the internal layout and parking arrangements are acceptable, and whether the development makes appropriate provision for active travel, pedestrian connectivity, and public transport improvements, particularly given the proximity of *Ysgol Gyfun Gymraeg Llangynwyd* and *Llangynwyd* Primary School.

Access to the development is proposed via a new priority junction onto the A4063, located between the two existing access points. The Transport Assessment states that the historic access points are shown on the site plan and that the proposed access has been designed with visibility splays based on observed 85th percentile speeds. The Assessment also states that the access and internal layout have been tracked for emergency service vehicles and an 11.5m refuse vehicle. Subject to the detailed design being secured through the appropriate highway agreement, the proposed means of access is considered acceptable in principle.

The Highway Authority (**HA**) notes that a number of local objections have raised concerns regarding traffic conditions in the vicinity of the school, particularly during school drop-off and pick-up periods. These concerns are understood, as school peak periods can create localised congestion and can affect driver behaviour in the immediate vicinity of school entrances. However, the proposed development needs to be considered in the context of the adopted RLDP allocation, the submitted Transport Assessment and the mitigation now proposed as part of the wider A4063 active travel scheme.

The section of the A4063 (Bridgend Road) fronting the site and school is subject to the national default 20mph speed limit in Wales during school hours only. This materially assists in managing the speed environment in the vicinity of the school and proposed site access, however, it is considered that a permanent 20mph speed limit would be appropriate when all development is completed. In addition, the active travel package proposes pedestrian and cyclist crossing provision on the A4063, with the type and location to be agreed with the HA. The Transport Assessment confirms that pedestrian and cyclist crossing provision will form part of the agreed active travel works on the A4063, which will provide a better controlled, signalised crossing for school pupils, residents, and other pedestrians to cross the A4063, than currently exists.

The Local Authority's Highways Officer also notes the concerns raised regarding recent collisions. The Transport Assessment has reviewed Personal Injury Collision data for the latest available five-year period and identifies 10 collisions along the wider A4063 study area, comprising 6 slight, 3 serious and 1 fatal collision. Importantly, the Assessment records that no collisions involved pedestrians or cyclists, and that only one slight collision was recorded in the vicinity of the site access and school, with no collision cluster identified in close proximity to the site. Whilst all collisions are regrettable, the available data does not indicate a pattern of pedestrian or cyclist collisions at this location that would justify a highway safety objection to the principle of the proposed access, particularly when considered alongside the 20mph speed environment and the delivery of new active travel and crossing infrastructure which will act as a traffic calming feature.

The submitted Transport Assessment identifies that the development will be within walking distance of a number of local facilities, including *Ysgol Gyfun Gymraeg Llangynwyd* approximately 170m from the site and *Llangynwyd Primary School* approximately 350m from the site. Given the proximity of these facilities, it is important that the development does not simply rely on vehicular access but also delivers improved pedestrian and cycle infrastructure. The HA therefore places significant weight on the active travel works being secured and delivered at an appropriate stage. The LPA has worked continuously with all of the developers for this RLDP allocation to agree a suitable legal mechanism to secure the active travel route improvements (**Active Travel Route**), and appropriate triggers for the timing of their delivery.

The proposed Active Travel Route is being considered as part of a wider package of works associated with the two other allocated housing sites in Pont Rhyd-Y-Cyff. The HA understands that responsibility for the delivery of the Active Travel Route will be shared between the three sites, with completion of the Active Travel Route to be provided at the latest by the construction of a combined total of 100 dwellings shared across the three sites allocated for housing. The apportionment of this total is in the order of (i) 60 dwellings from the Persimmon site (ii) 35 dwellings from this Lewis Homes Application and (iii) 5 dwellings from the Trivallis site. On that basis, no more than 35 dwellings on this Application site could be occupied until the Active Travel Route works have been completed in accordance with the relevant highway agreement and to the satisfaction of the Local Planning Authority in consultation with the HA. The Active Travel Route (**ATR**) works are considered necessary to provide suitable pedestrian and cyclist connectivity between the three allocated housing sites, the school, existing bus stops and the wider settlement. The Transport Assessment confirms that the works will include a 3m Active Travel Route on the western side of the A4063, linking the wider allocation to *Ysgol Gyfun Gymraeg Llangynwyd*, footway improvements on the eastern side of the A4063 in the vicinity of this site, and pedestrian/cyclist crossing provision on the A4063. These ATR works are considered directly related to and in mitigation of the development and necessary to make the proposal acceptable in highway and active travel terms.

The Local Authority's Highways Officer is also aware that the RLDP allocation identified an aspiration for pedestrian permeability towards the Public Right of Way to the north of the site. The Applicant has provided justification as to why this connection cannot be delivered as part of the current Application. This includes the substantial level difference between the Application site and the land to the north, the likely engineering works and tree removal that would be required along the northern boundary, the presence of intervening third-party land outside the Applicant's control, and the existence of a watercourse between the sites which would require a crossing on land outside the Applicant's ownership. Having reviewed these matters, the HA accepts that the northern connection is not deliverable by this Applicant as part of the current scheme for this Application.

Whilst the Northern PRow connection would have provided an additional element of permeability, the Local Authority's Highways Officer does not consider it necessary in order to make the development acceptable in highway terms. The principal active travel mitigation for this Application is the delivery of the A4063 corridor improvements, including improved pedestrian and cyclist facilities and controlled crossing provision in the vicinity of the site and school. These ATR works will provide the more direct and functional connection between the development, local schools, bus stops and the wider settlement, and are therefore afforded greater weight by the Highway Authority in considering the acceptability of the scheme. In addition to the Active Travel Route works, the HA seeks a proportionate contribution towards public transport infrastructure serving the site. The existing bus stops on the A4063 provide access to services between Bridgend, Maesteg and Cymmer, and are therefore important to the sustainability of the development. To improve the attractiveness and usability of these services, a contribution of £28,000 is sought towards bus stop

upgrades, including real-time passenger information/API provision. This bus stops contribution is to be split equally between the three allocated housing sites and secured through the Section 106 agreement. The bus stops contribution is considered necessary to support modal shift and to improve the sustainable transport offer for future residents of the wider housing allocation.

In respect of parking, the HA has reviewed the submitted house type information and proposed parking provision. The scheme comprises a mix of 1-bed flats, 2-bed houses, 3-bed houses and 4-bed houses. The 421 affordable house type is confirmed as a 2-bed dwelling, with the remaining house types comprising 1-bed flats, 2-bed Camara units, 3-bed Hyatt and Rochester units, and 4-bed Shelby units. Applying the Council's adopted parking standards on a plot-by-plot basis, including the maximum cap of 3 spaces per dwelling and visitor parking at 1 space per 5 units, the submitted layout is considered to provide parking in accordance with the adopted SPG. Any parking spaces shown on the approved layout should be provided prior to the beneficial occupation of the dwelling to which they relate and retained thereafter for parking purposes.

The HA has also reviewed the proposed cycle parking arrangements. Where dwellings are served by garages, cycle storage can be accommodated within the curtilage of the dwelling. Where house types are not provided with garages, dedicated sheds are shown within the rear gardens and are confirmed as being provided for secure cycle storage. Communal cycle storage is also shown for the apartment element of the scheme. This approach is considered acceptable and will support the use of cycles for local journeys, particularly given the site's proximity to schools, bus stops and the proposed A4063 Active Travel Route improvements. The provision of secure cycle storage is consistent with the aims of the Active Travel (Wales) Act 2013 and the sustainable transport objectives of Planning Policy Wales and the Bridgend Replacement Local Development Plan.

The HA has reviewed the internal layout and notes that the private drive arrangement serving Plots 1–5 requires further amendment. The turning head shown at this location appears constrained and is unlikely to allow vehicles to turn within the private drive in a convenient and consistent manner. Given the proximity of these plots to the site entrance, this could result in vehicles reversing from the private drive towards the principal estate road and access junction, which is not acceptable in highway safety terms. The HA therefore requires the turning head serving Plots 1–5 to be enlarged and amended to ensure that vehicles can enter and leave the private drive in a forward gear. A number of other private drive arrangements within the site are also relatively tight. However, these serve smaller groups of dwellings and discharge onto the internal circular spine road, where vehicle speeds and traffic movements will be lower. As such, the HA does not consider those arrangements to give rise to the same level of concern, subject to the final estate road and private drive details being secured through a suitably worded condition.

The proposed layout includes retaining structures in proximity to the estate road, including areas which may affect the future adopted highway. The submitted structural calculations have been reviewed by the Council's structural engineer and are considered acceptable for the purposes of the planning consultation. The final construction details, adoption limits and maintenance responsibilities will be addressed through the detailed technical approval process.

Given the proximity of the site access to *Ysgol Gyfun Gymraeg Llangynwyd* and the nearby *primary school*, the Local Authority's Highways Officer considers it necessary for a Construction Traffic Management Plan to be secured by condition. The construction phase has the potential to give rise to short-term highway impacts through contractor parking, delivery movements, loading and unloading, wheel washing requirements and construction traffic routing. These matters are particularly important in this location given the presence of

school-related pedestrian activity and peak-period traffic associated with school drop-off and pick-up times. The Construction Traffic Management Plan should therefore include details of construction access, delivery routes, contractor parking, site compound arrangements, wheel washing, hours of deliveries, measures to prevent mud and debris being deposited on the highway, and controls to avoid construction deliveries during school start and finish times. This can be imposed via a suitably worded condition.

In summary, the Local Authority's Highways Officer raises no objection to the proposed development, subject to the completion of the necessary legal agreements and the imposition of suitably worded planning conditions.

To conclude the Highway Authority raises no objection subject to conditions relating to the following:

Details of the Active Travel Route and ensuring its provision; revising the turning head for plots 1-5; providing a construction Traffic Management Plan; Stopping up the Existing Access; parking, garage and cycle provision, internal roads; access restrictions to the A4063, vision splays and a Travel Plan for future residents.

On balance and having regard to the objections raised it is considered that the proposed development is acceptable in highway terms and accords with Policies SP3, PLA11 and PLA3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within the Council's Supplementary Planning Guidance SPG17: Parking Standards.

### **Drainage**

The submission indicates the development proposes to discharge foul and surface water to the sewer and a sustainable drainage system respectively.

#### *Foul Sewerage*

Dwr Cymru/Welsh Water have advised that the proposed development site is located in the catchment of a public sewerage system which drains to Afan New Works Wastewater Treatment Works (WwTW). We have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. A condition can be imposed to ensure that the foul from all dwellings are connected to the mains sewer prior to their first beneficial use.

#### *Surface water*

From 7 January 2019, new developments of 2 or more properties or development over 100m<sup>2</sup> of construction area require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (**SAB**) before construction work begins.

The submitted plans show that the surface water would drain to a retention basin and then be channelled via a surface water control chamber that will limit run offs to greenfield run off rates, to an existing surface water culvert. As the development is over 100m<sup>2</sup>, a SAB Application will be required. As such, subject to SAB approval being sought and approved the development is considered to be acceptable in relation to surface water drainage. A note can be attached advising the Applicant of this.

Dwr Cymru/Welsh Water have also advised they have no objection subject to a note preventing surface water entering the public sewerage network. A condition can be imposed.

The Coal Authority have noted that, where SuDS are proposed as part of a development scheme, consideration will need to be given to the implications of this in relation to the

stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site. A note can be attached to the permission advising the Applicant of this.

#### Sewer Protection

Dwr Cymru/Welsh Water have advised that the site is crossed by a public sewer with their approximate position(s) being marked on the attached statutory public sewer record. In accordance with the Water Industry Act 1991, Dwr Cymru/Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the plans, it appears the proposed development would be situated outside the protection zone of the public sewer measured 3 metres either side of the centreline and therefore acceptable in principle. A note can be attached to the permission advising the developer of this.

#### Water Supply

Dwr Cymru/Welsh Water have advised that capacity is currently available in the water supply system to accommodate the development. However, they reserve the right to reassess their position as part of the formal Application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon water systems change continually.

#### Biodiversity/Ecology

In assessing a planning application, the Local Planning 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, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (**PPW12**) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals."* It further goes on to state that: *"All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission."*

Technical Advice Note 5: Nature Conservation and Planning states that: *"Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife."*

Policy SP3 of the adopted Replacement Local Development Plan (2024) requires development to safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *"All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be*

*given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

Policy DNP7 states “development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”. Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

To support the Application the Applicant submitted the following documents:

- Green Infrastructure Statement by DP Landscape Architecture May 2024
- Landscape and Visual technical Note December 2025
- Tree removal letter by I and G Ecological Consulting
- Tree Survey by Treescene June 2023
- Tree constraints Plans by Treescene
- Tree survey for bat roosting potential by I and G Ecological Consulting August 2024
- Soft Landscaping proposal
- Biodiversity Enhancement Scheme by I and G Consulting Nov 2025
- Arboricultural Impact assessment and method statement by Treescene Nov 2025
- Tree Protection Plan by Treescene
- Ecological Appraisal Report by I and G Ecological Consulting Feb 2023

The area of land is approximately 2.2 hectares and the Preliminary Ecological Appraisal (**PEA**) prepared by I&G Ecological Consulting (February 2023) found it to consist of marshy grassland, ephemeral, bare ground and native hedgerow and trees with a steep earth bank running through the site.

The PEA also found no signs of European protected species on site or immediately adjacent to the site boundary. Buddleia was present, but no other invasive non-native species were found. The report concluded that the majority of the site has *negligible* ecological value, except for the trees and hedgerow which offer valuable habitat for a range of species and recommended the retention and protection of this habitat.

The subsequent bat roost survey (August 2024), of the trees proposed to be removed concluded that whilst there are a limited number of suitable bat roosting features present on some of the trees, no bat roosts or evidence of bats were found and therefore, an EPS licence is not necessary for development to proceed. The report recommends that bat and bird enhancement measures are incorporated into the proposals which have been detailed within the Biodiversity Enhancement Scheme. A condition can be imposed to ensure that mitigation is provided.

A Tree Protection Plan & Arboricultural impact assessment and a plans and a method statement details which trees will need to be felled and how the trees being retained will be protected with fencing and a buffer area providing a wildlife corridor. A condition can be imposed to ensure the retained trees are protected during construction. It should also be noted that the Local Planning Authority are proposing to formally protect the two rows of trees along the Southern and Northern boundaries of the site which will ensure their longevity.

Enhancement measures have been proposed in the Biodiversity Enhancement Scheme prepared by I&G Ecological Consulting (June 2024) and include a number of measures to provide enhancements for a range of species including bats, birds, hedgehogs,

invertebrates and reptiles. A condition can be imposed to ensure these enhancement measures are implemented on site.

A detailed Soft Landscape Proposals & Landscape Strategy has been provided showing how the site would be enhanced with planting; a condition can be imposed to ensure the site is planted in accordance with the landscaping plan Strategy at appropriate times and managed accordingly. No details of lighting have been provided as such a scheme would be required to ensure that vegetation and wildlife corridors remain dark.

There have been some objections with regards to biodiversity, firstly in terms of the loss of green space; the site has been assessed as *negligible* in terms of ecology value and is a brownfield site, home to a former petrol station.

In terms of the loss of trees this is regrettable, however, whilst some trees would be removed the landscaping scheme does provide for tree and hedgerow planting to compensate for this. Furthermore, the two main banks of trees on the Northern and Southern boundary will be retained and will provide a buffer zone.

In regard to water pollution, a Construction Environmental Management Plan has been recommended as a condition which would look at water quality

In terms of the land being cleared before the survey work, the Local Planning Authority have no control over works such as this. However, the Application has been accompanied by several documents and surveys that consider ecology and biodiversity.

To conclude, NRW and the Council's Biodiversity Policy Officer have no objection subject to the conditions mentioned above, therefore, on balance and having regard to the objections raised, the proposed development is compliant with Policies SP3, DNP6, 7 and 8 of the Bridgend Replacement Local Development Plan (2024), and is therefore acceptable in terms of Biodiversity.

### **Coal Mining Legacy**

Part of the Application site falls within the defined Development High Risk Area; therefore, within the Application site and surrounding area, there are coal mining features and hazards which need to be considered in relation to the determination of this planning Application.

The Coal Authority have advised that their records indicate that the Application site is likely to have been subject to historic unrecorded coal mine workings at shallow depth associated with a thick coal outcrop. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases. The site also lies within a Surface Coal Resource Zone.

The Applicant has submitted the following documents in support of the planning Application:

- Intégral Géotechnique, September 2023 Site Investigation Report Ref: 14191/FG/23/SI; and
- Intégral Géotechnique, January 2024; Desk Study Report Ref: 14191/LP/24/DS/RevA.

The Coal Authority has advised that the Applicant has obtained appropriate and up-to-date coal mining information for the proposed development site. This information has been used to inform the Site Investigation Report (**SI Report**).

The SI Report identifies that six rotary open hole probe holes were drilled within the development area to investigate if there were any traces of the *Hughes seam* or any

associated underground shallow mine workings. A seam that may be interpreted as the *Hughes seam* was not encountered within the Boreholes, which were drilled to a depth of 30m. However, coal with mudstone bands was encountered within four of the boreholes at depths of between 7.5mbgl and 21.7mbgl. All coal with mudstone bands were encountered as intact, and no soft drill, loss of flush or void/mine workings were encountered in the rotary boreholes.

The SI Report considers that there is a low risk of shallow coal workings beneath the site with low-risk potential to cause mine related ground subsidence at the site surface and that no further works are recommended. This has been assessed by the Coal Authority who consider that the content and conclusions of the Coal Mining Risk Assessment Report, part of the SI Report, are sufficient for the purposes of the planning process and meets the requirements of Planning Policy Wales in demonstrating that the Application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development.

### Mine Gas

The Coal Authority have advised that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered. As a result, Shared Regulatory Services (**SRS**) (Environment Team) have been consulted. SRS advise that the site investigation identified the presence of thick made ground deposits beneath previously developed parts of the site and evidence of pockets of organic materials and, as such, recommend a condition to investigate and monitor the site for gases and protection measures should gasses be found.

### Land Contamination

The Applicant has submitted the following documents in support of the planning Application:

- Intégral Géotechnique, September 2023 Site Investigation Report Ref: 14191/FG/23/SI; and
- Intégral Géotechnique, January 2024; Desk Study Report Ref 14191/LP/24/DS/RevA.

In relation to Human Health, Shared Regulatory Services (**SRS**) Environment Team have advised that the two above reports by Intégral Géotechnique also include a detailed assessment of potential contamination. Investigations identify contaminants of concern at levels in excess of those acceptable for a residential development such as this. Remediation works are required to ensure that the development is suitable for use. The SI Report includes outline remediation proposals, but a detailed remediation strategy and verification plan will need to be submitted for LPA approval. This can be imposed via a suitably worded condition. Depending on the findings of the ground gas monitoring programme mentioned above, the remediation strategy may also need to include ground gas protection measures.

SRS have also advised that should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. A condition can be imposed to impose this requirement.

As such Shared Regulatory Services have no objection subject to conditions relating to ground gas protection, contamination remediation and verification, unforeseen contamination, imported soils and aggregates, and use of site won materials.

In relation to Controlled Waters and the Environment, Natural Resources Wales (NRW) have reviewed the submitted report and have advised that, given the history of the site (including a former petrol station), there is a risk of land contamination on the site. They note from the submitted reports that the petrol station was decommissioned and subject to verification in 2010, however no evidence of this has been provided. NRW have also advised that controlled waters at the site are considered to be sensitive (underlying secondary aquifers and within close proximity to a minor watercourse), and therefore, based on the former use as a petrol station, NRW would expect to see groundwater monitoring and sampling data for the site.

In regard to the 2023 Site Investigation, NRW note that no leachate testing was undertaken. Furthermore, only one sample was tested for hydrocarbons within the former petrol filling station, whereas NRW would expect to see further testing sampling to confirm the current conditions. NRW have also advised that depths of the former underground fuel tanks are required to be established in order to determine whether they have been sufficiently targeted, as NRW note that boreholes WS01, WS01a and WS01b only reached 0.3 – 1m below ground. Furthermore, NRW have also noted that the submitted Desk Study refers to a previous groundwater monitoring report where concentrations of toluene and MTBE were recorded on site.

The site is located within 25m of an unnamed minor watercourse, which forms a tributary of the *Afon Llynfi* (main river). Due to the scale of the development, proximity to the watercourse and the slope of the land, NRW have advised that a Construction Environment Management Plan (**CEMP**) is attached to any planning consent and a condition can be imposed to secure this.

Overall, NRW consider that there is a risk from contamination, however, NRW have no objections subject to conditions requiring a preliminary risk assessment and site investigation covering contamination; remediation and verification; unforeseen contamination; piling and foundation design; and a Construction Environmental Management Plan.

### **Renewable and Low Carbon Energy**

The development is supported by an Energy Strategy Statement, as is required by Policy ENT10, Low Carbon Heating Technologies for New Development.

The Energy Strategy Statement for this development focuses on a "fabric first" methodology to reduce energy demand before employing efficient systems and renewables. The key energy improvements include:

- Enhanced Insulation: All dwellings target U-values that exceed the minimum requirements set by Building Regulations
- Heat Loss Form Factor: Most units are configured as semi-detached, terraced, or apartments to reduce external surface area relative to volume, thereby increasing latent energy efficiency
- Passive Cooling: Dwellings feature operable windows on parallel elevations to facilitate cross-ventilation, reducing the need for active mechanical cooling (p. 10).
- Heat Pump Technology: Houses will use air source heat pumps (ASHPs) for heating and hot water, operating at 300%+ efficiency
- Low-Temperature Heating: Ground floors will be equipped with underfloor heating to capitalise on the low-temperature output of the ASHPs
- Apartment Solutions: Flats will utilise integrated heat pump cylinders for hot water and electric panel heaters for space heating
- Solar Energy: Photovoltaic (PV) panels are proposed for all social housing and

offered as an option for market dwellings

Whilst the above is informative, it is considered that further information would be required in order to comply with Policy ENT10, as such a condition can be imposed requiring a scheme to demonstrate the development complies with Policy ENT10.

### **Waste Management**

Policy ENT15 – Waste Management in Development – requires all proposals for new built development must include provision for the proper design, location, storage and management of waste generated by the development both during construction and operation of the site. Development must incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel. No details have been provided for waste management; however, a condition can be imposed to address such requirements.

### **Planning Obligations/Section 106 Contributions (Infrastructure)**

Policy SP10 Infrastructure of the RLDP (2024) states that all development proposals must be supported by sufficient existing or new infrastructure. In order to mitigate likely adverse impacts and/or to integrate a development proposal with its surroundings, reasonable infrastructure provision or financial contributions to secure such infrastructure must be provided by developers where necessary.

Such infrastructure contributions will be secured by means of planning agreements/obligations where appropriate and if deemed necessary.

### **Affordable Housing**

Policy COM3 specifies a site-specific affordable housing policy requirement of 15% for this site, with an anticipated quantum of 15 affordable homes based on the allocated number of dwellings. The proposed development, with its reduced dwelling yield, has in turn resulted in 12 affordable dwellings being proposed, which is 3 fewer than anticipated in numeric terms compared to the original allocation. This is a direct result of a lower density being proposed. However, this proposal would still deliver 15% of the total units on site as affordable housing, which is otherwise policy compliant.

The developer would be required to deliver the following tenure and unit mix:

- **9 x no. 1-bed Social Rented flats; and**
- **3 x no. 2-bed semi-detached Intermediate houses.**

Planning Policy Wales (Edition 12) requires that '*all affordable housing, including that provided through planning obligations and planning conditions, must meet the Welsh Government's development quality standards*'. Supporting paragraph 5.3.27 to RLDP Policy COM3 equally states, '*where affordable housing is provided, it should be constructed to Development Quality Requirement (DQR) standards and integrated into the overall development through separate clusters of no more than ten affordable units. Affordable housing should not be obviously segregated through layout, location or design*'. This is illustrated in the Design and Access Statement and the submitted plans which confirm that the design approach for the affordable homes will use the same package of materials and finishes as the rest of the development ensuring that there is no visual segregation

Paragraph 5.4 of the adopted Affordable Housing Supplementary Planning Guidance SPG13 states that Applicants must demonstrate that proposals for all new affordable housing (including Social Rented and Intermediate dwellings), meet these WDQR standards. The Applicant has confirmed that all affordable housing would meet WDQR standards

Social Rented dwellings will be transferred to a Council nominated RSL in accordance with the transfer values (which are 42% of the uplifted Welsh Government's Acceptable Cost Guidance values), as detailed within Appendix A (Table 2) of the adopted Affordable Housing SPG 13. Intermediate dwellings will be transferred to a Council nominated RSL at a transfer price equivalent to 70% of market value.

### **Education**

With regards to Education, the size of the site meets the threshold of 5 or more residential units identified in SPG16 *Educational Facilities & Residential Development*, as being large enough to place increased pressure on educational facilities within the catchment area.

Sustainable Communities for Learning have confirmed that *Llangynwyd Primary School* is currently over capacity and would require financial contributions for nursery school places and primary school places. This site, combined with the neighbouring housing allocation COM1(4) – Land South West of Pont-Rhyd-Y-Cyff, for which there is a current planning Application (Planning Application P/24/457/FUL), would collectively generate the need for 9 nursery school places and 32 primary school places. This equates to £167,391 for the nursery school places and £595,168 for the primary school places. Based upon an apportioned area split (Ha) between this site (2.09Ha/22.19%) and COM1(4) (7.33Ha/77.81%), the total education contribution required for this site is **£169,211.84**, to be secured by a Section 106 agreement

### **Public Open Space**

Policy COM10 of the RLDP requires the provision of satisfactory standards of open space from all new residential development. BCBC's Outdoor Sports & Children's Play Space Audit (2021) shows a deficit of *Equipped Play Areas and Outdoor Sport* provision in this location. As such, the following amount of open space is required to ensure compliance with COM10 of the RLDP and SPG 5 – *Outdoor Recreation Facilities and New Housing Development* (Adopted January 2026):

- Playing Pitches: 2,263.2m<sup>2</sup>
- Other Outdoor Sports (non-pitch): 3,017.6m<sup>2</sup>
- Local Equipped/Designated Play Areas: 467.4m<sup>2</sup>
- Other Outdoor Provision: 565.8m<sup>2</sup>
- Allotments: 377.2m<sup>2</sup>

Recognising that not all the above Outdoor Recreation Provision can be provided on a development of this size, the LPA would require a Local Equipped Area for Play (**LEAP**) on-site to achieve policy compliance. However, as there is limited capacity to implement this provision physically on-site, a commuted sum will be required. To cover the equivalent cost of providing and maintaining (over a 25-year period) 467.4m<sup>2</sup> of a LEAP on-site, a contribution of **£37,845.39** is required.

To achieve full compliance with Policy COM10, a commuted sum will also be required for Playing Pitches and Other Outdoor Provision. To cover the equivalent cost of providing and maintaining (over a 25-year period) 2,263.2m<sup>2</sup> of Playing Pitches on-site, a contribution of **£68,393.90** is required. Lastly, to cover the equivalent cost of providing and maintaining (over a 25-year period) 565.8m<sup>2</sup> of Other Outdoor Provision on-site, a contribution of **£70,815.53** is required.

These contributions will be used to upgrade the provision of Outdoor Recreational Facilities within the vicinity of the development site, amounting to a combined total financial contribution of **£177,054.82** to be secured by the s106 agreement.

### **Highways Active Travel**

The Applicant will be required to make financial contributions of (i) **£9,000** for Traffic Regulation Orders (TRO) to cover the cost of publication of the TRO and (ii) **£9,333** towards upgrading the bus stops, both contributions to be secured by a Section 106 agreement.

In addition, the Section 106 agreement will secure the Applicant's proportionate obligation to deliver the A4063 Active Travel Route works, based on the apportionment of 35 dwellings from this development towards the combined 100-dwelling completion of construction delivery trigger (as detailed earlier in this report), as arranged with the developers of the two neighbouring allocated housing sites

Further, the Applicant will be required to make a financial contribution in the sum of £9,333 (representing a one third apportionment of the total funding requirement of £28,000) towards the bus stop improvement package, to be secured in the Section 106 agreement.

The details for the Active Travel Route highway works will also need to be secured through appropriate Section 278/Section 111 and/or Section 38 agreements as required.

### **CONCLUSION**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Replacement Local Development Plan (adopted March 2024).

The site is identified as forming part of an overall wider strategic opportunity as one of three inter-connected sites allocated for housing under Policy COM1; the development would provide 82 new homes (12 of which are affordable), and deliver an Active Travel Route between the three allocated housing sites, the school and the wider community creating a sustainable development within the locality and regenerating the wider area.

On balance and having regard to the objections received, it is considered that the proposal represents an appropriate form of development that would have no unacceptable impacts on visual amenity, residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP1, SP3, SP4, SP5, SP6, SP8, SP10, SP13, SP15, SP17, SF1, PLA11, PLA12, COM1, COM2, COM3, COM6, ENT10, ENT15, DNP4, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (adopted March 2024).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

### **RECOMMENDATION**

**(A)** The Applicant enters into a Section 106 Agreement to secure as follows:

- I. Provide 15% (12 units) of the total number of residential unity as affordable housing units in the mix 9 x no. 1-bed Social Rented flats and 3 x no. 2-bed semi-detached Intermediate houses;
- II. Provide a financial contribution of **£169,211.84** (Index Linked) towards Education provision within the locality of the Application site;

- III. Provide a financial contribution of **£177,054.82** (Index Linked) towards the upgrading of Outdoor Recreation Facilities and/or public realm within the locality of the Application site;
- IV. That no commencement of construction of any dwelling pursuant to this Application shall occur unless and until (i) a completed s278/s111 Agreement for the Active Travel Route (ATR) Works has been entered into by the Applicant AND (ii) a substantive start on the ATR Works has occurred and has been demonstrated to the satisfaction of both the Local Planning Authority and Highways Authority and confirmed in writing to the Applicant;
- V. Provide a financial contribution of **£9,000** (Indexed Linked) towards Traffic Regulation Orders to cover the cost of publication of the TRO Orders; and,
- VI. Provide **£9,333** (Index Linked) (representing a one -third apportionment of the total funding requirement) towards the upgrade of the bus stops within the vicinity of the development.

**(B)** The Corporate Director Communities issues a decision notice granting consent in respect of this proposal once the Applicant has entered into the aforementioned Section 106 Agreement subject to the following planning conditions:

1. The development shall begin not later than **five years** from the date of this decision.

Reason: In accordance with the provisions of 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:

- (03)110 Rev F Planning Layout
- SHE(02)302 rev A plans and elevations Shelby
- HYA(03)301 rev A plans and Elevations Hyatt
- ROCH(03)301 rev A plans and Elevations Rochester
- CAM(03)301 rev A plans and Elevations Camara
- 421(03)301 rev A plans and Elevations 421
- 211(03)300 Rev B Side elevations 211
- 211(03)301 Rev B front and rear elevations 211
- 211(03)200Rev B ground floor plan 211
- 211(03)201Rev B first floor plan 211
- 211(03)202Rev B Second floor plan 211
- APT(03)200 Floor plans APT-1
- APT(03)300 Elevation APT-1
- 2695-520 rev K Engineering Layout
- 1208.01 Rev C Soft Landscape Proposals
- Design and Access Statement by Spring Design Dec 2025
- Planning Statement by Savills Dated April 2024
- PAC Report by Savills Dated May 2024
- Energy Strategy Statement June 2024
- Desk Study report by Integral Geotechnique Jan 2024
- Site investigation Report by Integral Geotechnique Sep 2023
- Green Infrastructure Statement by DP landscape architecture May 2024
- Landscape and Visual technical Note Dec 2025
- Tree removal letter by I and G Ecological Consulting
- Tree Survey by Treescene June 2023

- Tree Constraints Plan by Treescene
- Tree survey for bat roosting potential by I and G Ecological Consulting Aug 2024
- Soft Landscaping proposal
- Biodiversity Enhancement Scheme by I and G Consulting Nov 2025
- Arboricultural Impact Assessment & Method Statement by Treescene Nov 2025
- Tree Protection Plan by Treescene
- Ecological Appraisal Report by I and G Ecological Consulting Feb 2023
- Retaining wall structural information by Spring Design Dated June 2024
- Transport Assessment by Asbri Trasport Nov 2025

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

3. Before beginning any development at the site, you must do the following: -

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason: To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

4. Notwithstanding the submitted plans, prior to their use in the construction of the development hereby permitted, details and samples of the materials to be used in the construction of the external surfaces of the development including details of the windows, doors shall be submitted to and approved in writing by the Local Planning Authority. An additional brick/render providing greater variation on some plots is required. The Development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area and to ensure the development complies with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

5. Notwithstanding the submitted plans, prior to their implementation on site a scheme detailing the proposed siting, design and finish of all proposed means of enclosure and finish of any retaining structures to all property boundaries shall be submitted to and approved in writing with the Local Planning Authority. The scheme shall ensure there are no gaps in fencing/walls to plots 1-7 63-64 and apartment block 65-73. The development shall be carried out in accordance with the approved details prior to the first beneficial use of the respected part of development and retained as such thereafter.

Reason: In the interest of the visual amenity of the area, residential amenity and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

6. All retain structures over 1.5m high shall be fully constructed in accordance with the structural calculations provided by Spring Design dated June 2024, prior to the first beneficial use of the respected part of development and retained as such thereafter.

Reason: In the interest of the visual amenity of the area, residential amenity and to ensure the development complies with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

7. No development shall commence until, a Waste Management Plan for the proper design, location, storage (including bin storage design for the apartments) and management, of any waste material generated during the demolition, construction and operation of the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed Waste Management Plan. The Plan shall be implemented as approved.

Reason: To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policies ENT15 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

8. Prior to the installation of any Air Source Heat Pumps (ASHPs), a scheme detailing the locations, sound power levels of each of the ASHPs to be installed at each property and the predicted overall cumulative noise levels of the ASHPs that will be experienced to the existing properties adjacent to proposed development shall be submitted to and agreed with the Local Planning Authority. Thereafter the ASHPs shall be installed by an MCS approved contractor and in accordance with the agreed details.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

9. Notwithstanding the submitted Energy Strategy, prior to the construction of any dwelling, an Energy Masterplan shall be submitted to and approved in writing to the Local Planning Authority that demonstrates that the most sustainable heating and cooling systems have been selected, following the sequential approach to identify low carbon heating technologies in accordance Policy ENT10. The development shall be constructed in accordance with the agreed details and retained as such thereafter.

Reason: To ensure the development incorporates low carbon technologies and to ensure compliance with Policies SP13 and ENT10 of the Bridgend Replacement Local Development Plan.

10. Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases\* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval.

Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the Application site shall be submitted to and approved in writing to the LPA. If no protection measures are required than no further actions will be required.

All required gas protection measures shall be installed and a verification report that demonstrates the effectiveness of the measures carried out must be submitted to and

approved in writing by the Local Planning Authority before occupation of any part of the development. The approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

\*‘Gases’ include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

11. Notwithstanding the submitted plans, no development or phase of development, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.
  1. A preliminary risk assessment which has identified:
    - all previous uses
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors
    - potentially unacceptable risks arising from contamination at the site
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment, and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination. Natural Resources Wales considers that the controlled waters at this site are of high environmental sensitivity and to ensure compliance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

12. Prior to the occupation or operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning

Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

13. 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 unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors to ensure compliance with Policies SP3 and DNP9 of the Bridgend Local Development Plan (2024).

14. No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: To ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development and to ensure compliance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

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

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

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

17. 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.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

18. No development including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
  - a) Construction methods: Method statement, details of materials, how waste generated will be managed.
  - b) General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any surface drain.
  - c) Soil Management: details of topsoil strip and storage
  - d) CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
  - e) Resource Management: details of fuel and chemical storage and containment
  - f) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
  - g) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.
  - h) Noise and Nuisance: details relating to noise and vibration mitigation, hours of operation/construction, timescales for phases and measure to control dust and dirt. and Measures to control light spill during construction,

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction. and to ensure accordance with Policies accord with Policies SP3, SP17, DNP5, DNP6, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents, to ensure no pollution of or detriment to the environment and prevent water discharging onto the public highway in the interest of highway and pedestrian safety and to comply with accord with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

20. The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of each dwelling and retained as such thereafter.

Reason: In the interest of satisfactory drainage of the site and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

21. Notwithstanding Condition 1, the development shall be undertaken in accordance with Section 5.1: Conclusion and recommendations of the Ecology Appraisal Report by I and G Ecological Consulting dated February 2023

Reason: To avoid doubt and confusion, in the interest of biodiversity and in accordance with Policies SP3, SP16, DNP5, DNP6, DNP7, DNP8 and ENV6 of the Bridgend Replacement Local Development Plan (2024).

22. The Biodiversity Enhancement measures set out within the Biodiversity Enhancement Scheme by I and G Dated June 2024 shall be implemented on site prior to the first beneficial use of the respected part of development that they are located and retained as such thereafter.

Reason: To avoid doubt and confusion, in the interest of biodiversity enhancements and in accordance with Policies SP3, SP16, DNP5, DNP6, DNP7, DNP8 and ENV6 of the Bridgend Replacement Local Development Plan (2024).

23. Notwithstanding the submitted plans, prior to the occupation of any dwelling, a soft landscaping implementation programme shall be submitted to and approved in writing to the Local Planning Authority. This programme shall detail when the landscaping shall be planted having regard to any construction phases. All soft landscape works shall be carried out in accordance with drawing No.1208.01 Rev C soft landscaping proposal plan and the agreed implementation programme. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP3, SP13, DNP7 and DNP8 of the Bridgend Replacement Local Development Plan (2024).

24. Notwithstanding the submitted plans, prior to the first occupation of any dwelling, a landscape management plan, including the long-term design objectives, management responsibilities and maintenance schedules, for all landscaped areas including the tree buffer zones, shall have been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason: In the interest of visual amenity, and to ensure the long-term management and maintenance of all landscaped areas within the site and to ensure the development complies with Policies SP3, SP13, DNP7 and DNP8 of the Bridgend Replacement Local Development Plan (2024).

25. No development shall take place, including any site clearance, until the tree protection fencing as detailed within the Arboricultural impact assessment and Arboricultural Impact Assessment by Treescene dated Nov 2025 and the Tree Protection Plan Rev B by Treescene has been erected. The protective fencing shall remain in place throughout the course of the development.

Reason: To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policies SP3, SP17 and DNP7 of the Bridgend Replacement Local Development Plan (2024).

26. Prior to the installation of any permanent external lighting on the site, a detailed lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all proposed lights, the specification, intensity of illumination, predicted lighting contours (lux plots), any mitigation measures required (including measures to reduce as far as practicable light spillage onto the adjoining properties and incorporate best practice guidance to ensure the retention of dark corridors for the movement of wildlife with no direct lighting of vegetation). The approved lighting shall be implemented on site in accordance with the approved scheme only and retained as such thereafter.

Reason: In the interest of residential amenity, biodiversity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024).

27. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), On plots 1, 6 to 14 and 25 to 42, no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

28. No development shall commence, other than site clearance, enabling works, ecological mitigation, archaeological investigation, ground investigation or remediation works, until detailed engineering drawings of the Active Travel Route (ATR) Works have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The details for the ATR Works shall include, but not be limited to, the horizontal and vertical alignment of the route, construction details, drainage, tie-ins to the existing highway, tactile paving, pedestrian and cyclist crossing provision, lighting, road

markings, traffic signs, visibility requirements, any required retaining structures, and details of any land dedication, adoption or maintenance arrangements. The Active Travel Route Works shall thereafter be constructed and completed in accordance with the approved details and secured through the relevant Section 278/Section 111/Section 38 agreement as applicable.

Reason: To ensure that the development delivers appropriate active travel infrastructure and safe, convenient pedestrian and cyclist connections to local facilities, schools, public transport and the wider active travel network, in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

29. No more than 35 residential units hereby approved shall be occupied or brought into beneficial use until the Active Travel Route Works have been completed in accordance with the approved details and the relevant Section 278, Section 111 agreement and/or Section 38 Agreement (as applicable), to the written satisfaction of the Local Planning Authority in consultation with the Highway Authority.

Reason: To ensure that the active travel infrastructure required to support the development is delivered at an appropriate stage and before occupation exceeds the agreed contribution trigger for this site, in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

30. Notwithstanding the submitted plans, no development above slab level shall commence on Plots 1–5 until amended details of the private drive and turning head serving those plots have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The amended details shall demonstrate that vehicles can enter and leave the private drive in a forward gear, without reversing towards the principal estate road or site access. The approved turning area shall be completed prior to the beneficial occupation of any of Plots 1–5 and shall thereafter be retained free of obstruction for turning purposes.

Reason: In the interests of highway safety and to ensure that vehicles serving Plots 1–5 can enter and leave the private drive in a forward gear, having regard to the proximity of the private drive to the main site access, in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

31. No development shall commence, including site clearance works, until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:
- a) Construction access, routing of construction traffic,
  - b) the parking of vehicles of site operatives and visitors
  - c) loading and unloading of plant and materials
  - d) wheel washing facilities, measures to prevent mud and debris being deposited on the highway,
  - e) measures to control the emission of dust and dirt during construction.
  - f) hours of construction
  - g) The routeing and timing of construction traffic/deliveries to/from the site in order to avoid school drop off and pick up times
  - h) Details of Any construction lighting to no unacceptable impacts upon residents, the highways and any vegetation
  - i) the erection and maintenance of security hoarding ;

The development shall thereafter be carried out in accordance with the approved Construction Traffic Management Plan.

Reason: In the interests of highway safety and to ensure that construction traffic is managed appropriately, having regard to the proximity of the site to nearby schools and the level of pedestrian activity on the A4063 during school start and finish times. in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

32. No development shall commence until a scheme for permanently stopping up the existing access and reinstating the vehicular crossing as a shared use active travel route has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use.

Reason: In the interests of highway safety, in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

33. The parking spaces shown on the approved layout shall be provided prior to the beneficial occupation of the dwelling to which they relate and shall thereafter be retained for parking purposes.

Reason: To ensure that adequate off-street parking is provided and retained in the interests of highway safety and to prevent unnecessary on-street parking within the estate road layout. in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

34. The cycle parking and storage facilities shown on the approved plans, including garages, garden sheds and communal cycle storage where applicable, shall be provided prior to the beneficial occupation of the dwelling or apartment block to which they relate and shall thereafter be retained for cycle storage purposes.

Reason: To ensure that appropriate secure cycle parking is provided and retained, in the interests of encouraging active travel and reducing reliance on private car journeys.

35. Within 6 months of the beneficial occupation of the first dwelling, a Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include measures to promote walking, cycling and public transport use by future residents, together with details of implementation, monitoring and review. The approved Travel Plan shall thereafter be implemented in accordance with the approved details.

Reason: To promote sustainable travel choices and reduce reliance on private car journeys, in accordance with national and local transport policy in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

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

Reason: To ensure the provision and retention of sufficient off-street parking in the interests of highway safety in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

37. No dwelling shall be occupied until the internal access roads serving the dwellings and visitor parking bays have been laid out as approved and completed in permanent materials at gradients that do not exceed 8.33% (1 in 12) in accordance with the approved layout.

Reason: In the interests of highway safety in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

38. The garages hereby approved shall only be used as a private garage and at no time shall they be converted to a room or living accommodation.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

39. No individual vehicular access from this development onto the A4063 will be permitted.

Reason: In the interests of highway safety and free flow of traffic in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

40. No structure, erection or planting exceeding 0.6 metres in height above adjacent carriage way level shall be placed within the required vision splay areas onto the A4063 at any time.

Reason: In the interests of highway and pedestrian safety in accordance with Policies SP3, SP5 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

41. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

A) The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Replacement Local Development Plan (2024)

The site is identified as forming part of an overall wider strategic opportunity as one of three inter connected sites allocated for housing under Policy COM1; the development would provide 82 New homes (12 of which are affordable ) and deliver an active travel route between the three sites , the school and the wider community creating a sustainable development within the locality and regenerating the wider area. On Balance and having regards to the objections received It is considered that the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP1, SP3, SP4. SP5,SP6, SP8, SP10, SP13, SP15. SP17, SF1, PLA11, PLA12, COM1, COM2, COM3, COM6, ENT10, ENT15, DNP4, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024)

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

#### B) HIGHWAYS ADVISORY NOTES

1. Street nameplates reflecting the official street name allocated by the Council shall be erected by the developer at locations and to a specification to be agreed with the

- Council prior to beneficial occupation of the first dwelling house in the street that has been so allocated.
2. An information pack containing public transport information including timetables shall be provided by the developer on occupation of each residential unit.
  3. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
    - i) obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
    - ii) indemnify the County Borough Council against any and all claims arising from such works;  
give not less than one calendar months' notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

### C) DRAINAGE ADVISORY NOTE

As the development is over 100 m2 SAB approval will be required. From 7 January 2019, new developments greater than 100m2 of construction area require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before construction work begins. The Applicant shall submit a sustainable drainage Application form to the Bridgend County Borough Council SAB. Further information in relation to the new legislation including the sustainable drainage Application forms can be obtained from the following link:

<https://www.bridgend.gov.uk/residents/recycling-waste-and-environment/environment/flooding/sustainable-drainage-systems/>

### D) CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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

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

- Unprocessed / unsorted demolition wastes.
  - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
  - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

#### E) WELSH WATER ADVISORY NOTE (SEWER PROTECTION)

the site is crossed by a public sewer with their approximate position(s) being marked on the attached statutory public sewer record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the plans, it appears the proposed development would be situated outside the protection zone of the public sewer measured 3 metres either side of the centreline and therefore acceptable in principle. Please note, the distance specified for this protection zone is indicative and based on industry standard guidelines. However, the depth of the asset will need to be verified on site which may infer a greater protection zone. For completeness, we recommend the developer refer to their title deeds to confirm if there are any covenants or restrictions associated with the asset(s) crossing the proposed development site.

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#### F) WELSH WATER ADVISORY NOTES

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

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

In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the Applicant is advised to take a sustainable approach in considering water

supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the Applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB Application process and will provide comments to any SuDS proposals by response to SAB consultation.

Dwr Cymru Welsh Water is not responsible for fire protection or for providing suitable fire flows. Providing fire flows and fire protection are the responsibility of the appropriate regional Fire Services. We refer you to the 3rd Edition of the National Guidance Document on the Provision of Water for Fire Fighting published by the Local Government Association and Water UK.

#### G) COAL AUTHORITY NOTE

The Coal Authority have noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

**JANINE NIGHTINGALE  
CORPORATE DIRECTOR COMMUNITIES**

#### **Background Papers**

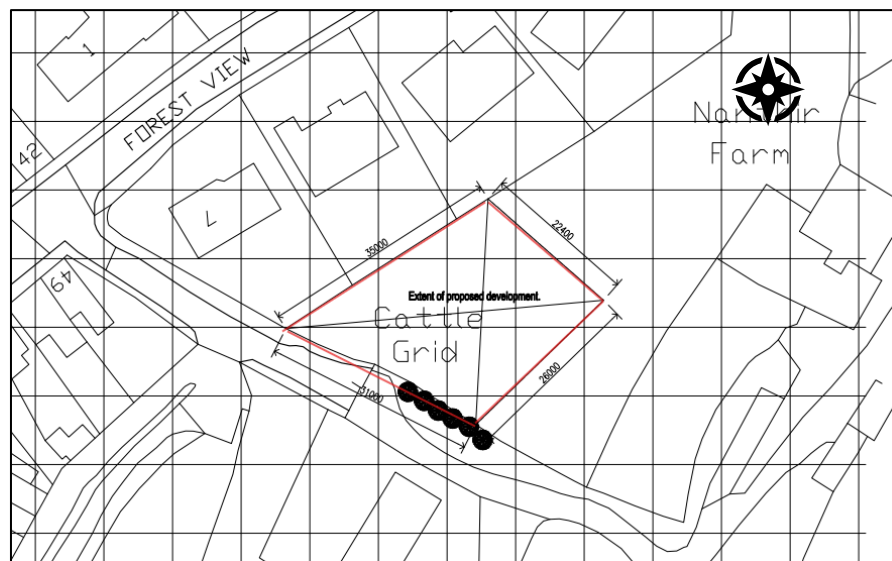
None

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**REFERENCE:** P/24/422/FUL  
**APPLICANT:** Mr C Rees 20 Bryn Bedw, Blaengarw, Bridgend, CF32 8AE  
**LOCATION:** Rear of No s. 6 & 7 Forest View Blaengarw Bridgend CF32 8BS  
**PROPOSAL:** Proposed 4-bedroom detached dormer bungalow with garage

## DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the erection of a detached 4-bedroom dwelling on a small field above and to the rear of 6 and 7 Forest View, Blaengarw. Development in the vicinity includes several individually designed detached dwellings and the more traditional terrace form on James Road. Nanthir Farm with its associated buildings occupies the high ground and is screened from the Application site by a line of tall conifer trees.



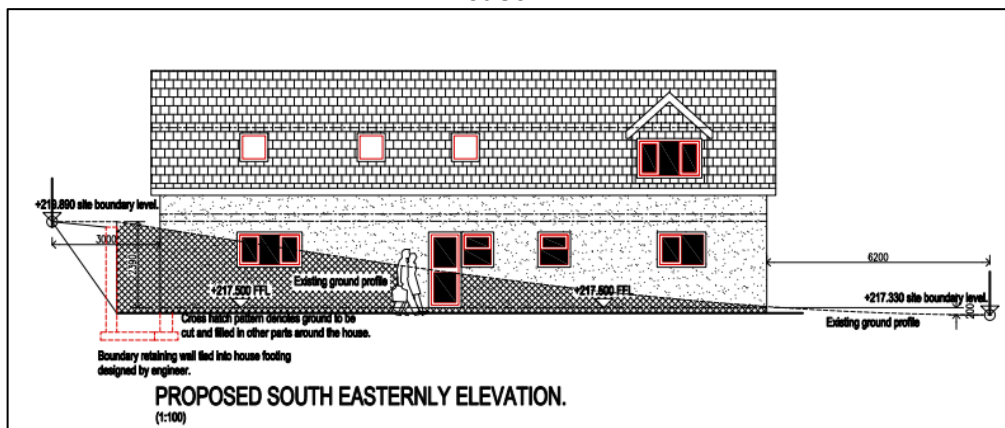
**Figure 1: Location Plan**

Described as a dormer bungalow, accommodation will be provided over two floors consisting of an open plan living area including a kitchen, linked to a utility room on the ground floor with the entrance and hallway serving a 'snug' and WC. The accommodation above comprises three bedrooms, three bathrooms and landing area. A double-basement garage will be constructed beneath the southern wing of the property. The "L" shaped building will have the following maximum dimensions: 16.8m x 13.10m when incorporating the basement garage and 11.05m when measuring the accommodation level above. The pitched roof will reach a maximum height of 6.7m above the finished ground/slab level.

The proposed dwelling will be sited slightly across the natural slope of the site necessitating excavation to create the access, driveway, and basement garage. The slab level of the dwelling will sit on the existing contours some 3.5m above the lowest point of the site which is along the shared boundary with the properties on Forest View. It should be noted that the dwellings on 6 & 7 Forest View are sited at a lower level again, following the natural contours of this sloping valley side. Extracts of the site layout and elevations/sections of the dwelling are reproduced below:

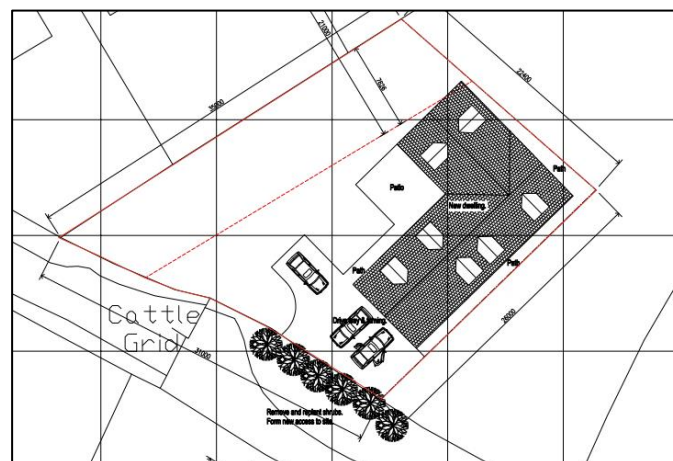


## House



**Figure 5: Easterly Elevation Facing Rising Land and Nanthir Farm**

The extracts above are from the latest drawings which have been amended to address concerns regarding the scale of the development and its impact on the living conditions of the occupiers of the nearest dwellings with regard to a loss of privacy. The scale of the dwelling has been reduced and its position on site adjusted such that the front elevation does not directly align with the shared boundary with properties on Forest View. The double height glazing in the gable projection has also been removed and replaced with a more traditional window arrangement. To evidence the changes made to the scheme, extracts of the original site plan and front elevation are re-produced below:



**Figure 6: Extracts of Original Plans**

Vehicular and pedestrian access to the dwelling is gained from the adjacent private lane via a gated access, leading into an irregularly formed permeable driveway, created through some excavation at the lower part of the site and to be enclosed by retaining walls that will reach a maximum height of 1.3m. Steps rising a height of 2.7m will connect the parking area to a balcony which fronts the main entrance to the dwelling.

Landscaped and lawned areas will be formed to the front and rear of the dwelling using the existing ground levels. A small patio area will be created in the southern corner of the plot that will be accessible by 'French/Bi-Folding Doors' on the ground floor of the southern elevation. No details of boundary treatment have been submitted.

Materials of construction have not been specified but appear to be rendered walls with a tiled roof.

The application has been accompanied by the following technical reports and plans:

16/07/2024	Drawing 01 Proposed Site Plan
	Drawing 03 Cross Section Sheet 1 of 5
	Drawing 04 Cross Section Sheet 2 of 5
	Drawing 05 Cross Section Sheet 3 of 5
	Drawing 06 Cross Section Sheet 4 of 5
	Drawing 07 Cross Section Sheet 5 of 5
	Drawing 08 Proposed Elevations Sheet 1 of 2
	Drawing 09 Proposed Elevations Sheet 2 of 2
	Drawing 10 Proposed Ground Floor Plan
	Drawing 11 Proposed First Floor Plan
	Level Survey Parts 1 & 2
	Location Plan
	Green Infrastructure Statement
	Design and Access Statement
14/10/2024	Drawing 01 Proposed Site Plan (Levels)
14/03/2025	Drawing 02 (A) Proposed Site Plan
29/07/2025	Drawing 02 (A) Proposed Site Plan
	Drawing 08 Proposed Elevations Sheet 1 of 2
	Drawing 09 Proposed Elevations Sheet 2 of 2
	Drawing 10 Proposed Ground Floor Plan
	Drawing 11 Proposed First Floor Plan
	Drawing 12 Proposed Lower Ground Floor and Roof Plan
19/12/2025	Drawing 02 (B) Proposed Site Plan
	Drawing 08 (A) Proposed Elevations Sheet 1 of 2
	Drawing 09 (A) Proposed Elevations Sheet 2 of 2
	Drawing 11 (A) Proposed First Floor Plan
	Drawing 12 (A) Proposed Lower Ground Floor and Roof Plan
11/02/2026	Drawing 08 (B) Proposed Elevations Sheet 1 of 2
	Drawing 09 (B) Proposed Elevations Sheet 2 of 2
	Drawing 02 (B) Proposed Site Plan
	Drawing 10 (A) Proposed Ground Floor Plan
	Drawing 11 (B) Proposed First Floor Plan
	Drawing 12 (B) Proposed Lower Ground Floor and Roof Plan

## RELEVANT HISTORY

<b>P/03/1006/OUT</b>	Detached Property Including Vehicular Access.	Conditional Consent 28 October 2003.
<b>P/08/925/FUL</b>	Development Of Detached 4-Bed House and Garage	Refused permission on 03 April 2009.
<b>1599</b>	Appeal against the refusal of planning permission P/08/925/FUL	Dismissed on 12 October 2009.
<b>P/10/247/FUL</b>	4 Bed Detached House with Garage	Refused permission on 02 June 2010.

## PUBLICITY

The Application has been advertised on site.

Neighbours have been notified of the receipt of the Application.

The period allowed for response to consultations/publicity has expired.

The most recent consultation in respect of the amended plans received on 11 February 2026 expired on 27 March 2026.

## CONSULTATION RESPONSES

<b>CONSULTEE</b>	<b>COMMENTS</b>
<b>Garw Valley Community Council</b>	No comments received.
<b>Transportation Officer (Highways)</b>	No objection subject to conditions.
<b>The Council's Structural Engineer</b>	No objections subject to conditions.
<b>The Coal Authority</b>	No objections.
<b>Shared Regulatory Services – Environment Team.</b>	No objection subject to conditions.
<b>Land Drainage</b>	No objection subject to conditions.
<b>Biodiversity Policy Manager (BCBC)</b>	No comments received.
<b>Natural Resources Wales</b>	No objection.
<b>Dwr Cymru/Welsh Water</b>	No objection subject to conditions.

## REPRESENTATIONS RECEIVED

Five letters of objection were received in response to the consultation on the plans submitted with the original application. One letter of objection has been received to the consultation undertaken in August 2025 to the revised plans. No comments have been received to the latest re-consultation.

The following is a summary of the objections received:

- The size of the planned build is still too large and intrusive to adjacent properties,

especially the properties below them – it is a ‘Grand Design’ in the countryside – not really a dormer bungalow.

- With the proposed height of the property, this will cause overshadowing and take away direct morning sunlight and light in general.
- The positioning of the planned house would mean our privacy would be compromised due to the fact that they will be looking into the bedroom, bathrooms and gardens of the neighbouring properties.
- The proposed plans for the drive, front garden (where the residents would get the most sun) and front door (with balcony entrance/area) would mean that there would be extensive disturbance with noise pollution to residents in their gardens.
- The access from the main road (A4064) is too narrow for very large lorries carrying heavy loads and will be a major logistical problem – problems for emergency vehicles accessing - this will cause a major disturbance throughout as well as a danger to young children who play in this area. Lorries have damaged properties accessing Nanthir Farm in the past. Existing private drive will not cope with construction traffic. Damaged highway will affect access to existing properties.
- Excavation of the land could cause flooding into neighbouring properties. Likewise, the drainage system would not be able to sustain another property as there is already excess water visible with heavy rain. Residents were informed that James Road sewer was full to capacity and that properties on Forest View were supposed to be the last.
- No details of the proposed re-location of the hedgerow have been provided.
- Large gas main runs unprotected in a culvert between the private road and site – any damage could result in a major incident or loss of supply to properties.
- Are the water and gas supplies to the area able to serve an additional dwelling?
- Noise pollution from building work and heavy vehicles passing properties would affect the well-being of residents.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The issues raised align with the main planning considerations and are addressed in the appraisal section of the report.

## **RELEVANT POLICIES**

### **Local Policies**

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033 which was formally adopted by the Council on 13 March 2024 and within which the following policies are of relevance:

<b>Policy SF1</b>	<b>Settlement Hierarchy and Urban Management</b>
<b>Policy SP3</b>	<b>Good Design and Sustainable Placemaking</b>
<b>Policy SP4</b>	<b>Mitigating the Impact of Climate Change</b>
<b>Policy SP5</b>	<b>Sustainable Transport and Accessibility</b>
<b>Policy PLA11</b>	<b>Parking Standards</b>
<b>Policy PLA12</b>	<b>Active Travel</b>
<b>Policy SP6</b>	<b>Sustainable Housing Strategy</b>
<b>Policy COM6</b>	<b>Residential Density</b>
<b>Policy SP8</b>	<b>Health and Well-Being</b>

<b>Policy COM10</b>	<b>Provision of Outdoor Recreation Facilities</b>
<b>Policy SP10</b>	<b>Infrastructure</b>
<b>Policy ENT15</b>	<b>Waste Movement in New Development</b>
<b>Policy SP17</b>	<b>Conservation and Enhancement of the Natural Environment</b>
<b>Policy DNP6</b>	<b>Biodiversity, Ecological Networks, Habitats and Species</b>
<b>Policy DNP7</b>	<b>Trees, Hedgerows and Development</b>
<b>Policy DNP8</b>	<b>Green Infrastructure</b>
<b>Policy DNP9</b>	<b>Natural Resource Protection and Public Health</b>

The Council has also produced the following Supplementary Planning Guidance (**SPG**) which is relevant to this proposal: -

**SPG07: Trees and Development**  
**SPG08: Residential Development**  
**SPG13: Affordable Housing**  
**SPG17: Parking Standards**  
**SPG19: Biodiversity and Development**

#### **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 12**  
**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 15 Development and Flood Risk**  
**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 (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5). The well-being goals identified in the Act are:

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

The duty has been considered in the assessment of this Application.

#### **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**

The main considerations in the assessment of this Application relate to the following:

- whether the principle of developing this land for housing development accords with the policies of the Bridgend Local Development Plan (2024);
- the potential impact of the development on the general amenities of the area, the living conditions and future well-being of adjacent residents and the future occupiers of the property;
- the potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements;
- the impact of the scheme on the natural environment and whether the scheme provides a net benefit of biodiversity;
- the effect of the development on the existing drainage systems and whether a sustainable drainage system can be incorporated into development to enable the management of surface water; and,
- whether the ground conditions can support the development and whether the mitigation required is achievable through the grant of planning permission.

### **Whether the principle of developing this land for housing development accords with the policies of the Bridgend Local Development Plan March 2024 (RLDP)**

The site is located within the Local Settlement of Blaengarw as defined by Policy SF1 of the RLDP. Development will be permitted within settlement boundaries at a scale commensurate with the role and function of the settlement. The proposal is also located within the Garw Valley Regeneration Area as defined by Policy SP1: Regeneration and Sustainable Growth Strategy of the RLDP.

Policy SP6 - Sustainable Housing Strategy supports windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land. The proposed site would constitute a windfall site under Policy SP6 and could contribute towards delivery of the overall housing requirement. The site is not allocated for a specific use; therefore, residential development could be acceptable in principle, but this would be dependent on compliance with other Policies in the adopted RLDP.

Policy SP5 - Sustainable Transport and Accessibility of the RLDP states that development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Developments will also be expected, where the Council deems the potential transport implications significant, to produce a comprehensive Transport Assessment and Travel Plan. These must consider all modes of transport in line with the transport hierarchy and develop a strategy to reduce traffic demand and mitigate transportation impacts caused by the proposal. The scale of this development does not warrant such an assessment but the extent to which the scheme complies with this Policy SP5 will be discussed in the following sections of this report.

Safeguarding and enhancing biodiversity and green infrastructure network is a requirement of Policy SP3 and a means of ensuring that a development scheme contributes to creating high quality, attractive, sustainable places that support active and healthy lives whilst enhancing the community in which it is located by having full regard to the natural

environment. Recognising that the County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes, Policy SP17 indicates that development proposals should not be permitted where they will have an adverse impact on the Borough's biodiversity and habitats.

Policy DNP8 – 'Green Infrastructure' states that development proposals will be required to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi-functionality of the green infrastructure network. Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required. Paragraph 6.2.12 of PPW12 requires a green infrastructure statement (**GIS**) to be submitted with all planning applications.

Policy SP3 – 'Good Design and Sustainable Placemaking' states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

1. Demonstrating alignment with the principles of *Good Design*; and
2. Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

The broad support for housing on this windfall site under Policy SP6 is acknowledged but the acceptability of the principle of the site being developed is dependent on other factors such as whether the site can accommodate a dwelling that aligns with the principles of *Good Design* and not adversely affect the living conditions of residents, can be easily accessed by sustainable modes of travel, and can integrate green infrastructure and safeguard biodiversity and have sufficient capacity within the drainage infrastructure to serve the development without detriment to the residents and neighbouring properties and the environment. These matters will be appraised in the following sections of this report.

### **The potential impact of the development based on the scale and parameters on the general amenities of the area, the living conditions and future well-being of adjacent and future residents**

Good design is fundamental to creating sustainable places where people want to live, work, and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places (Paragraph 3.3 of PPW refers). *'The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement'* (Paragraph 3.9 of PPW refers).

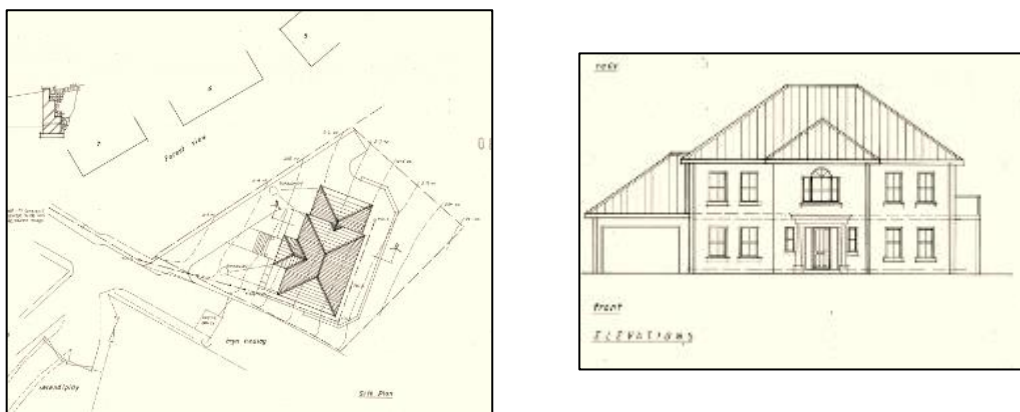
Placemaking principles have been at the heart of the Council's local planning policies and are a fundamental facet of its approach to development management. Integrating placemaking principles and good design into development schemes at all levels has been the objective and is further re-enforced by National policy. Poor design can not only detract from the character and appearance of an area but it can also adversely affect people's well-being and quality of life. Considerations of visual impact, loss of light, overlooking, privacy, disturbance, traffic impact and environmental effects are all key in this regard (Policy SP3 refers).

The principle of developing this site was first established in 2003 when outline planning consent was granted for a single detached property including vehicular access. In addition to conditions that controlled site levels, drainage and access, the consent was given on the

basis that it would be developed as a 'single storey dwelling'. In 2009, an Inspector appointed to review a refusal of permission for a four-bedroom detached dwelling considered the key issues to be the effect of the development on the neighbours' living conditions with particular regard to privacy. The Inspector noted that: "even if a 2m high fence were to be erected on the boundary, (with properties on Forest View), it is likely that there would be clear views from the entrance porch and ground floor living rooms of the proposed house into currently relatively private living areas at the rear of 6 and 7 Forest View. The severity of the effect on privacy would be accentuated by the presence of the proposed upper lounge and the comings and goings of visitors to the proposed....." For this reason, the Inspector considered that the neighbouring properties would be overlooked in ways and to a degree that would have a severe adverse effect on the privacy of the occupants.

The Inspector went on to consider the matter of privacy in terms of overlooking distances and noted that the separation distance between the proposed dwelling and 6 and 7 Forest View would be more than the 'rule of thumb' of 21m which was and continues to be referenced in the Council's Supplementary Planning Guidance. However, in the Inspector's view this distance was normally applied in situations where houses would be 'back-to-back' and on level ground. These circumstances did not apply and it was considered that the separation distances that would be achieved would not provide an acceptable degree of privacy. On this matter, the Inspector concluded that, because of its design and layout, the proposed development would have an unduly harmful effect on neighbouring residents' living conditions and was contrary to the Policy of the time. In reaching this view, the Inspector was mindful that the Council had no objection to the principle of residential development on this site but did remark that even a single storey dwelling would be likely to have some effect on neighbours' privacy.

Several years have passed since the appeal decision in October 2009, and a subsequent refusal of consent for another dwelling on site in 2010. Planning Policies at both a local and National level have changed with a greater emphasis on sustainable development that meets 'placemaking' objectives. Good design is not optional but a requirement and responding to site circumstances (context) is key. Apart from vegetation along the boundaries of the plot maturing (including that shared with Forest View), and the removal of the cattle grid on the lane opposite the site, little has changed. In referring to the above appeal decision, it should be noted that the design of the dwelling that was the subject of the dismissed appeal is markedly different to the proposal submitted as part of this Application and extracts from the refused drawings are reproduced below for clarity:

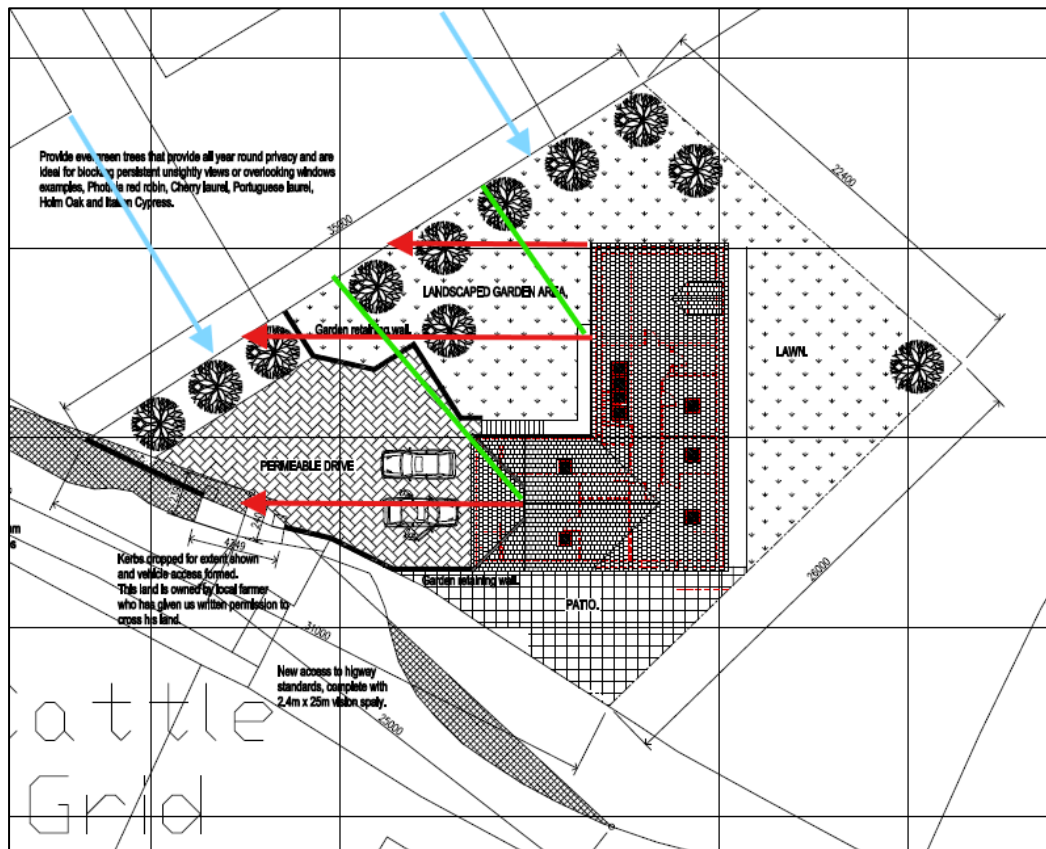


**Figure 7: Extracts of Plans Refused under P/08/925/FUL**

As with previous applications on site, local residents have objected to this Application based not only on the size of the dwelling being out of character with the area but also its proximity and elevated position dominating outlook, overshadowing and compromising privacy by virtue

of the overlooking windows and proximity of the access and parking area.

Reproduced below is the latest site layout plan with the recorded distances between the new dwelling, the site boundary and existing properties on Forest View:



**Figure 8: Extract from Site Layout Plan with Distances in Text Below.**

The red lines are the lengths between the proposed dwelling (including doors and windows) and the boundaries of the site measured directly. From north to south the distance is measured from 11m, 18m and 15.6m to the boundary with the lane. The green lines represent the closest distances measured (not directly) from doors and windows in the ground and first floor of the proposed dwelling and measure 10m and 15.2m from north to south. The blue lines are the distances between the existing properties and the shared boundary with the Application site and range from 13 to 15m.

All distances are based on a one-dimensional plan and do not account for the difference in levels as the slab level will be approximately 3m above the lowest part of the site. Accounting for the site levels, the distances may be marginally greater.

Considering the residents' concerns in turn: firstly, the dwelling dominating outlook and overshadowing habitable rooms and garden areas. This matter was considered by the Inspector in the 2009 appeal who referenced the daylight protection zone in an earlier iteration of the Council's SPG and concluded that given the context of the area, the proposed development would not be so close to neighbouring properties or so high that it would be unacceptably overbearing. Given that the height of the proposed dwelling is below that of the refused 2009 scheme and is angled away and not parallel to the neighbouring properties, it would be unreasonable to take a different view. Any perceived concerns are not so significant to substantiate an objection for this reason.

The Council's SPG for House Extensions acknowledges that a sense of privacy within the house and a freedom from overlooking in at least a part of the garden are aspects of

residential amenity. The County Borough is concerned that new house extensions should not unreasonably diminish those qualities in nearby housing and that is equally relevant for new dwellings. Paragraph 4.6.2 of SPG:02 states:

*“The County Borough Council believes that the minimum distance between directly facing habitable room windows in adjacent properties should normally be twenty-one metres. Reductions may be acceptable where:*

- (a) permanent screening can be provided between facing ground floor windows*
- (b) the overlooking is between windows fronting on to a highway where established building lines are less than 21 metres apart*
- (c) the overlooking is between windows fronting on to a public space where the buildings are used to define spatial enclosure*
- (d) the angle of overlooking between windows is not direct, allowing the distance between windows to be reduced as the angle between them is increased***
- (e) the overlooked window is a secondary window*
- (f) either the overlooked or overlooking window is high level or is permanently obscured glazed and fixed – usually appropriate only if there is a second clear glazed and opening window serving the same room.*

***If the ... building is on higher land than the overlooked building, the minimum overlooking distance may need to be increased to maintain the privacy of the latter.”***

Based on the dimensions recorded on Figure 8, the distance between habitable room windows in the new and existing properties will exceed the 21m. Furthermore, at no point will the windows look **directly** into habitable rooms in the properties on Forest View. Changes to the design and position of the dwelling have sought to lessen the impact on the amenities of the neighbours.

Angling the dwelling away to prevent direct overlooking and positioning the two-storey glazed projecting gable on the southern end of the dwelling were positive adjustments that were made through the processing of the Application; regarding the double-height glazing in the gable there were concerns that the development would not only reduce the current levels of privacy, particularly in the gardens, but that it would also create a perception of being overlooked given the elevation of the windows above the neighbouring properties. In the latest revision to the design (February 2026), the Application proposes the omission of the double-height glazing and its replacement by more modest, traditional window openings. Figure 9 below shows the changes in fenestration on the front elevation of the proposed property.



**Figure 9: Showing Changes to the Fenestration in Gable Elevation**

Developing this elevated site behind existing properties in a manner that does not have some impact on the privacy and amenities of residents is a significant design challenge. The key issue is whether the scheme would have such a harmful impact that, in the public interest, the Application should be refused. Arguably, a more modest single storey dwelling may have

had less of an impact, but it would also have included windows on the front elevation facing the rear of properties on Forest View, compromising privacy. As now amended, the house design also includes ground floor windows but a more modest first-floor window arrangement and roof lights. Taking this change into account and the previous re-orientation of the dwelling so as not to directly face the nearest properties, the impact on the privacy of the neighbours is considered, on balance, to be acceptable. There is the potential for privacy to also be affected by the position of the access and parking area immediately beyond the rear boundary of no. 7 Forest View. In the 2009 appeal decision, the Inspector noted that the comings and goings of visitors to the house would contribute to a loss of privacy. The latest layout plan proposes an area of planting between the rear boundaries with properties on Forest View and the driveway and garden area of the proposed dwelling. Planting alone will offer minimal benefits particularly as it will take time to establish. However, a combination of planting and fencing/walls will provide a more substantial solution, and a condition will be imposed requiring the agreement of the boundary and planting details before any development commences.

Notwithstanding the understandable concerns of residents, it is considered that the amended proposal is on balance acceptable. The requirements of the Policy SP3 will be met by the proposal.

Providing well-designed private outdoor amenity space for all occupants of a development is important. In the past, developments have included poorly considered or inadequate outdoor amenity provision with many gardens not allowing for future domestic extensions/alterations. Garden sizes should therefore be appropriate to the dwelling size and site-specific considerations. Whilst this Council does not have a minimum standard, the size of garden will need to be appropriate to the dwelling size. Generally, the Council would encourage garden lengths of 10.5 which derives from the separation distance to achieve back-to-back privacy. That will not be achievable as part of this development and whilst space will be provided in the form of lawns and landscaped areas this is likely to be on sloping ground. The patio on the southern side of the property is modest in size and, if screened within suitable enclosures, could provide useable amenity space which on balance is considered to be acceptable.

Concerns have been offered as to whether the scale and design of the dwelling is appropriate for this rural location. Although on the valley side and the edge of the community of Blaengarw, it is located within the Settlement boundary. As there is considerable variety in the style and details of other houses in the vicinity, such an objection would be difficult to substantiate.

### **The potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements**

A key objective of Planning Policy Wales – Edition 12 is to ensure that new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities. Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

The site is located within but on the edge of the community of Blaengarw, accessed via traditional terraced streets and junctions with steep gradients that connect to the A4064. The limited facilities of the community are accessible for people to walk and cycle, and public transport routes are relatively close with connections to the larger centres to the south of the Garw Valley. The development therefore does not conflict with the aim of the new plan to reduce private car reliance and help the County Borough achieve the principles set out by

Residents have suggested that the existing road infrastructure is unsuitable to serve the development, in particular during the stages of construction and servicing thereafter.

Undoubtedly, the development of this site will generate a significant number of construction vehicle movements associated with site excavation, concrete pours for the slab construction etc. and deliveries of materials, issues that were considered in the 2009 appeal. Then the Inspector concluded that conditions could be imposed which *“would help to ensure that disturbance and disruption during the construction period would be minimised.”* There is no evidence to suggest that such conditions would not offer the same safeguards in 2026. Concerns that damage may be caused to a section of private drive during construction are not matters that can be controlled through the planning process. Responsibility for subsequent repairs of the road would fall upon the landowners and existing users.

The proposed development appears to be largely acceptable in principle (limited vehicle movements and suitable parking proposed). It is however noted that the vehicle access is being gained from an unmaintained lane alongside 49 James Road. This is not included within the Application site red line boundary but it is noted that re-profiling works will be required to the verge area between the lane and the site to provide the access at the appropriate gradient (infilling of verge and existing ditch), together with permanent surfacing.

Furthermore, a revision to the proposed access to detail vision splays is necessary but would fall outside the control of the Applicant and thus cannot be sought by condition.

Accordingly, officers in the Highways Section have no objection to the development subject to conditions.

### **The impact of the scheme on the natural environment and whether the scheme provides a net benefit of biodiversity**

National policy reminds all decision makers that green infrastructure should be a key component of the natural and built environment. It plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work, and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society’s wider social and economic objectives and the needs of local communities. In the Chapter 6 of Planning Policy Wales (**PPW**), Authorities are advised that a green infrastructure statement should be submitted with all planning Applications, and this document will describe how green infrastructure has been incorporated into the proposal.

The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. PPW confirms that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall, there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being. Development proposals must consider the need to:

- support the maintenance and enhancement of biodiversity and the resilience of ecosystems.
- ensure action in Wales contributes to meeting international responsibilities and

obligations for biodiversity and habitats, including the most recent targets set out in the 2022 UN Global Biodiversity Framework

- ensure statutorily and non-statutorily designated sites and habitats are properly protected and managed and their role at the heart of resilient ecological networks is safeguarded.
- safeguard protected species and species of principal importance and existing biodiversity assets from direct, indirect, or cumulative adverse impacts that affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water, air, and soil, including peat; and
- secure the maintenance and enhancement of ecosystem resilience and resilient ecological networks by improving diversity, extent, condition, and connectivity.

Paragraph 6.4.5 of PPW states that a net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable, and demonstrable benefit, primarily on or immediately adjacent to the site.

Paragraph 6.4.39 PPW reminds authorities that trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function must be protected. Where trees are present, their retention, protection and integration should be identified within planning applications. Where surveys identify trees capable of making a significant contribution to the area, these trees should be retained and protected. The provision of services and utilities infrastructure to the Application site should also avoid the loss of trees, woodlands or hedges and must be considered as part of the development proposal; where such trees are lost, they will be subject to the replacement planting ratios. Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where loss is unavoidable developers will be required to provide compensatory planting. Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost, and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost, (Paragraphs 6.4.40 to 6.4.42 PPW refer).

At a local level, Policy SP3 of the adopted Replacement Local Development Plan (2024) requires development to safeguard and enhance biodiversity and provide integrated multi-functional green infrastructure networks.

Policy DNP6 states: *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”.*

Policy DNP7 states: *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”.* Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

As set out in the introduction to the report, a Green Infrastructure Statement has accompanied the Application which acknowledges that “*shrubs will be removed for access.*” These will be replanted along the western boundary of the plot, a distance away from the dwelling. Photos below show the area of shrubs to be cleared. An earlier photo from 2010 shows how the shrubs have since matured.



**Figure 10: Photo of Shrubs/Trees that will be cleared for Proposed Access**



**Figure 11: Photo of Site Frontage from 2010**

National and Local policies seek to secure a net ecological gain as per Section 6 of the Environment (Wales) Act. This has not been fully demonstrated as part of this planning submission but could be achieved through the imposition of planning conditions. The GIS does indicate that bat and bird boxes will be erected on the new dwelling and new tree planting can be provided to compensate for the loss at the entrance. Overall, there is the potential for this development to deliver a net benefit for biodiversity, to promote ecosystem resilience and to comply with national and local planning policies.

**The effect of the development on the existing drainage systems and whether a sustainable drainage system can be incorporated into development to enable the management of surface water**

The Application site is located on land where there is no risk of flooding from rivers or from surface water and small watercourses. Nonetheless, advice at paragraph 7.1 in TAN 15

states that *“Built development tends to increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface run-off.... Run-off from developments can, if not properly controlled, result in flooding at other locations and significantly alter the frequency and extent of floods further down the catchment.”* Paragraph 7.2 continues *“SuDS perform an important role in managing run-off from a site and must be implemented in most new developments...”*

Criteria g), l) and m) of Policy SP3 of the RLDP require that development must avoid or minimise soil and water pollution, incorporate appropriate arrangements for the disposal of foul sewage, waste and water, and respond to the climate emergency by protecting and increasing the resilience of both ecosystems and communities to address the inevitable effects of climate change.

Policy SP4 (point 7) RLDP requires development proposals to address the causes and effects of climate change through [among other means] *“...avoiding development that increases the risk of flood, including through the deployment sustainable urban drainage systems where relevant.”*

Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to that their proposal site can connect to the nearest main sewer.

The Council's Land Drainage Team notes that the Application states that foul water will be disposed of *‘to other,’* a reference to a connection to a private sewer. Dwr Cymru Welsh Water (DCWW) have confirmed that the site is located in the catchment of a public sewerage system which drains to Penybont (Merthyr Mawr) Wastewater Treatment Works (WwTW). They have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system.

The Application form states that surface water will be discharged to a sustainable drainage system, but no details are given. Given the proposed bungalow and paved area is more than 100m<sup>2</sup>, a SAB Application will be required. Subject to conditions, the development is acceptable to the Council's Land Drainage Team and DCWW. SAB approval will need to be secured before any development commences and part of that process will include infiltration tests to establish that ground conditions will allow the use of an infiltration system. Should the conditions not be favourable, surface water would need to be discharged to the existing systems but only if consent is given by DCWW and that is not guaranteed. Pre-commencement planning conditions will be imposed requiring the agreement of a comprehensive and integrated drainage scheme for this site.

Residents have highlighted concerns about the adequacies of the drainage infrastructure to accommodate this additional dwelling and whilst there is still work to be done on designing and agreeing a drainage scheme for this development, the observations received from consultees have not suggested that this should be a barrier to development. Implementing a construction management plan that would be agreed by the Council should ensure that surface water on this sloping site could be managed during construction.

**Whether the ground conditions can support the development and whether the mitigation required is achievable through the grant of planning permission**

Planning Policy Wales confirms that planning decisions will need to take the following into account:

- the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the

stability of the ground and to identify any remedial measures required to deal with any instability

Ground stability was only briefly considered in the 2009 appeal with the Inspector content that *'solutions could be found to technical issues including...foundations.'*

The Council's Principal Structural Engineers has reviewed the Council's Historic Ordnance Survey maps which show the history of coal being mined dating back to 1884. The nearest shafts and coal levels appear to be more than 70m from the site. The Coal Authority (CA) data in our archives shows the north-east corner of the site to be in an area deemed by the CA to be at high risk of movements from past or future coal mining activities. There are nine shafts or mine entries between 160m and 190m away dotted around the site. The Landslip Survey of the South Wales Coalfield shows that there was a landslip close to the site – this suggests ground stability might be an issue during ground works. The Council's Engineer suggests that given the mining history around the site and the amount of groundworks required by the development, a mining risk assessment needs to be undertaken by a suitably qualified person. Furthermore, given the topography of the site retaining walls will certainly be required. All retaining walls should be designed by a suitably qualified engineer and the Mid Glamorgan Act requires full details together with calculations proving the stability of any retaining walls with a retaining height greater than 1.5m be sent to this Authority for checking.

The Coal Authority reviewed the site location plan provided and confirmed that the site falls within the Coal Authority's defined **Development Low Risk Area** and on this basis other than offering their standing advice had no objection to the development. The standing advice is included in the standard notes, and the comments of the Council's Structural Engineer will be brought to the attention of the developer. A condition requiring the agreement of the calculations of any retaining walls will also be included in any consent granted.

## **CONCLUSION**

The primary objective of Planning Policy Wales is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.

As the site lies within the Settlement of Blaengarw, the broad support for housing is acknowledged. However, Policies SP3 and COM6 seek the most efficient use of land in accordance with sustainable, placemaking principles without compromising the quality of the living conditions provided for existing and future residents.

The proposed dwelling, by virtue of its design, elevation and siting will reduce the current levels of privacy afforded to the occupiers of properties on Forest View. Importantly, the planning system does not guarantee complete privacy particularly in urban areas. It does however seek to prevent unacceptable or significant harm, rather than minor or inevitable overlooking. Based on the amended orientation of the property, (which prevents direct overlooking of neighbouring properties), the removal of the double height glazing and the provision of boundary planting and screening (secured by condition), the impact is considered, on balance, to be acceptable.

Site drainage has not been agreed at this stage but based on the observations received from consultees a scheme could be agreed and would in any event require SAB approval. Implementing a construction management plan should also ensure that surface water on this sloping site could be managed during construction.

As set out in the appraisal section of this report, the development in all other aspects and subject to the conditions set out below is considered acceptable. Accordingly, the proposed development is considered to accord with Policies SP1, SP3, SP4, SP5, SF1, PLA11, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024) (RLDP).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

## RECOMMENDATION

(R02) That permission be **GRANTED** subject to the following conditions:

1	<p>The development shall begin not later than five years from the date of this decision.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.</p>
2	<p>The development shall be carried out in accordance with the following approved plans and documents:</p> <p>Drawing 08 (B) Proposed Elevations Sheet 1 of 2  Drawing 09 (B) Proposed Elevations Sheet 2 of 2  Drawing 02 (B) Proposed Site Plan  Drawing 10 (A) Proposed Ground Floor Plan  Drawing 11 (B) Proposed First Floor Plan  Drawing 12 (B) Proposed Lower Ground Floor and Roof Plan</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
3.	<p>No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.</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 in compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
4.	<p>No development shall take place until the siting and floor levels of the approved dwelling have been agreed on site with a representative of the Local Planning Authority. The development shall be carried out in accordance with the agreed details.</p> <p>Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area in compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
5.	<p>Notwithstanding Condition 2, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a Biodiversity, Landscaping and Boundary Treatment Scheme, including the following:</p> <ul style="list-style-type: none"> <li>• Height, positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation.</li> </ul>

	<ul style="list-style-type: none"> <li>• A landscaping scheme which shall include, proposals for surface treatment, indications of all existing trees and hedgerows on land, and details of any to be retained, together with measures for their protection in the course of development.</li> <li>• Swift nest box of dimensions H150 x W340 x D150mm, with small slit shaped entrance hole, to be placed under or close to roof verges, at least 5m from the ground and an artificial roosting facility for bats such as the Vivaro Pro Build-in Woodstone bat box (or similar) installed on, or preferably incorporated into the fabric of a building, on a south, southeast or southwest elevation, in a location at least 4m above ground level, which is not shaded from the sun and is not lit artificially. Once installed the nesting and roosting features shall be so retained thereafter.</li> </ul> <p>The agreed Landscaping and Boundary Treatment Plan shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.</p> <p>Should any plants die, become diseased or damaged within 5 years of the implementation of the approved landscaping scheme they will be replaced by plants of similar size and species unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the general amenities of the area are protected and to maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation and in accordance with the requirements of Policies SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
6.	<p>No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
7.	<p>No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
8.	<p>No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the site excavation/construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>• The timing and routing of HGV construction traffic to/from the site</li> <li>• the parking of vehicles of site operatives and visitors</li> <li>• loading and unloading of plant and materials</li> <li>• storage of plant and materials used in constructing the development.</li> </ul>

	<ul style="list-style-type: none"> <li>• wheel washing facilities.</li> <li>• measures to control surface water on site, the emission of dust and dirt during construction.</li> </ul> <p>Reason: In the interests of highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024)</p>
9.	<p>Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
11.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and reenacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed without the prior grant of planning permission in that behalf.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
12.	<p>No development shall commence on site until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining walls to be constructed will be designed and constructed so as to prevent subsequent ground movement. Any retaining walls shall be constructed in accordance with the design and constructional details so certified.</p> <p>Reason: In the interests of safety and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
13	<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 unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment</p>

	<p>must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA 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 offsite receptors and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
14	<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. 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 LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
15	<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 LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
16.	<p>The following are <b>ADVISORY NOTES</b> and not planning conditions:</p>
A	<p>Reasons for Granting Planning Permission:</p> <p>The primary objective of Planning Policy Wales is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.</p> <p>As the site lies within the settlement of Blaengarw, the broad support for housing is acknowledged. However, Policies SP3 and COM6 seek the most efficient use of land in accordance with sustainable, placemaking principles without compromising the quality of</p>

	<p>the living conditions provided for existing and future residents.</p> <p>The proposed dwelling, by virtue of its design, elevation and siting will reduce the current levels of privacy afforded to the occupiers of properties on Forest View. Importantly, the planning system does not guarantee complete privacy particularly in urban areas. It does however seek to prevent unacceptable or significant harm, rather than minor or inevitable overlooking. Based on the amended orientation of the property, (which prevents direct overlooking), the removal of the double height glazing and the provision of boundary planting and screening, (secured by condition) the impact is considered, on balance to be acceptable.</p> <p>As set out in the appraisal section of this report the development in all other aspects and subject to the conditions set out below is considered acceptable. Accordingly, the proposed development is considered to accord with Policies SP1, SP3, SP4, SP5, SF1 PLA11, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p> <p>It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.</p>
B	<p>BCBC Land Drainage:</p> <p>To satisfy the drainage conditions, the Applicant must:</p> <ul style="list-style-type: none"> <li>• Provide foul and surface water drainage layouts including discharge arrangements.</li> <li>• Submit a sustainable drainage Application to the BCBC SAB team (SAB@bridgend.gov.uk).</li> <li>• Confirmation from DCWW of the acceptability of any proposed discharge to the public sewerage system for foul and (if proposed) surface water.</li> <li>• Provide proposed SUDS surface water drainage layout (including location of proposed soakaway, (if required)</li> <li>• Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE-digest 365.</li> <li>• Provide a plan showing location of trial holes and at least 3 separate tests at each trial hole location</li> <li>• Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system.</li> <li>• Provide a timetable for its implementation; and</li> <li>• Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.</li> </ul>
C	<p>Dwr Cymru Welsh Water:</p> <p>Dwr Cymru Welsh Water have reaffirmed that... 'as of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. In this instance, we offer no objection to proposals for disposal of surface water flows into a</p>

	<p>sustainable drainage system, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.'</p> <p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</p> <p>The Applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of <a href="http://www.dwrcymru.com">www.dwrcymru.com</a>.</p> <p>The Applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the Applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>
D	<p>The Council's Structural Engineer:</p> <p>Notwithstanding the comment of the Coal Authority, the Council's Structural Engineer recommends that given the amount of groundworks required by the development a mining risk assessment needs to be undertaken by a suitably qualified person. It is also recommended that a geotechnical engineer be engaged to undertake a geotechnical survey of the site to advise on the suitability of the soils on site, their material properties and if there is any contamination also if mine gases will be an issue at this site.</p> <p>Given the topography of the site retaining walls will certainly be required. All retaining walls should be designed by a suitably qualified engineer and the Mid Glamorgan Act requires full details together with calculations proving the stability of any retaining walls with a retaining height greater than 1.5m be sent to this Authority for checking.</p>
E	<p>SRS – Environment Team:</p> <p>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> <p>(i) determining the extent and effects of such constraints</p> <p>(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site; - Unprocessed / unsorted demolition wastes. - Any materials originating from a site confirmed as being contaminated or -</p>

potentially contaminated by chemical or radioactive substances. - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site rests with the developer. Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

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

**JANINE NIGHTINGALE  
CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

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## Appeals

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

<b>APPEAL NO.</b>	2049
<b>APPLICATION NO.</b>	P/24/514/FUL
<b>APPELLANT</b>	MR A CARTER
<b>SUBJECT OF APPEAL</b>	CONVERSION OF DETACHED GARAGE FOR USE AS COMMERCIAL PHYSIOTHERAPY CLINIC/GYM
<b>LOCATION OF APPEAL</b>	2 BRYNTIRION COTTAGES BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATION
<b>DECISION LEVEL</b>	DELEGATED OFFICER

**The application was refused for the following reasons:**

1. The proposed use of the garage as a clinic, by reason of its type and location within this predominantly residential setting, fails to maintain and enhance the vibrancy, vitality and attractiveness of Town Centres, where such a use would be more appropriately located being highly accessible and served by all modes of sustainable transport. Therefore, the proposal is contrary to Policy SP12 of the Bridgend Replacement Local Development Plan (2024), Policy 6 of Future Wales: The National Plan 2040 which confirms a 'Town Centre First' approach to new retail, health and leisure facilities and guidance contained within Planning Policy 12 (Feb. 2024).
2. The proposed use, by reason of its type, scale, form and siting, would introduce a non-conforming commercial use that could cause a significant source of nuisance and disturbance to the detriment of the residential amenities of neighbouring properties, contrary to Policies SP3 and DNP7 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12 (Feb. 2024).
3. The residential private drive leading to the site is not suitable to cater for the amount of commercial traffic that would be generated by the proposed development, with the proposed development likely to generate extraneous traffic into what is a mainly residential shared use private drive to the detriment of highway and pedestrian safety. The proposal is therefore contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12 (Feb. 2024).
4. The proposed development, by reason of its type, scale, form and siting, fails to provide adequate visibility splays in both directions, thereby generating vehicular reversing movements to and from the highway and additional demand for on-street parking in close proximity to the nearby road junction, to the detriment of highway safety contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12 (Feb. 2024).

<b>APPEAL NO.</b>	2057
<b>APPLICATION NO.</b>	ENF/314/24/ACK
<b>APPELLANT</b>	W VIDEAN
<b>SUBJECT OF APPEAL</b>	ALLEGED UNAUTHORISED BUILDING AND EXCAVATION WORK
<b>LOCATION OF APPEAL</b>	23 LLAN ROAD MAESTEG
<b>PROCEDURE</b>	WRITTEN REPRESENTATION

**DECISION LEVEL**                      ENFORCEMENT NOTICE

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**APPEAL NO.**                              2059  
**APPLICATION NO.**                      P/25/494/FUL  
**APPELLANT**                              MRS A DAVIES  
**SUBJECT OF APPEAL**                  REMOVE EXISTING LAWNED AREA TO REPLACE WITH TWO PARKING SPACES  
**LOCATION OF APPEAL**                  KING FISHER HOUSE MAESTEG ROAD LLANGYNWYD MAESTEG  
**PROCEDURE**                              HOUSEHOLDER  
**DECISION LEVEL**                      DELEGATED OFFICER

**The application was refused for the following reasons:**

1. The proposed development, by reason of its design, siting and form, will generate additional on-street parking to the detriment of highway safety and the free flow of traffic on the A4063 contrary to Policies SP5 and PLA11 of the Bridgend Replacement Local Development Plan, Note 9 of Supplementary Planning Guidance 02: Householder Development and advice contained within Supplementary Planning Guidance Note 17: Parking Standards.
  2. The proposed development, by reason of its design, siting and form, will increase the number of off-street parking spaces beyond the maximum requirement, contrary to Policies SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024), Note 9 of Supplementary Planning Guidance 02: Householder Development and advice contained within Supplementary Planning Guidance Note 17: Parking Standards and Planning Policy Wales 12 (Feb. 2024).
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**APPEAL NO.**                              2060  
**APPLICATION NO.**                      P/25/569/FUL  
**APPELLANT**                              MR M JAMES  
**SUBJECT OF APPEAL**                  PROPOSED EXTERNAL STAIRCASE TO SIDE ELEVATION WITH NEW DOORWAY AT FIRST FLOOR LEVEL AND BALCONY TO FRONT ELEVATION  
**LOCATION OF APPEAL**                  82A BEACH ROAD PORTHCAWL  
**PROCEDURE**                              WRITTEN REPRESENTATION  
**DECISION LEVEL**                      DELEGATED OFFICER

**The application was refused for the following reason:**

1. The proposed external staircase, by reason of its siting and design, would be a prominent feature that would appear visually obtrusive and out of keeping in the street scene, failing to reflect the established character of the area to the detriment of the visual amenities of the area, contrary to policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within SPG02: Householder Development and Planning Policy Wales 12 (Feb. 2024).

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

**APPEAL NO.** 2041  
**APPLICATION NO** P/24/701/FUL  
**APPELLANT** CARHYS  
**SUBJECT OF APPEAL** ONE NEW SINGLE STOREY BUNGALOW WITH 1 BEDROOM  
**LOCATION OF APPEAL** LAND ADJACENT CYM Y COED, I GER Y BONT BRIDGEND  
**PROCEDURE** WRITTEN REPRESENTATIONS  
**DECISION LEVEL** DELEGATED OFFICER

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

The Appeal decision is attached as **APPENDIX A**

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**APPEAL NO.** 2041  
**APPLICATION NO** P/25/397/FUL  
**APPELLANT** D2 PROPCO LTD  
**SUBJECT OF APPEAL** CHANGE OF USE FROM RESIDENTIAL DWELLING TO HOUSE IN MULTIPLE OCCUPATION HMO (USE CLSS C4) MAXIMUM 4 PERSONS.  
**LOCATION OF APPEAL** 22 MACKWORTH STREET BRIDGEND  
**PROCEDURE** WRITTEN REPRESENTATIONS  
**DECISION LEVEL** DELEGATED OFFICER

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

The Appeal decision is attached as **APPENDIX B**.

There was also an application for costs made by the Appellant of which was refused.

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**RECOMMENDATION**

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE  
CORPORATE DIRECTOR COMMUNITIES**

**Background Papers** (see application reference number)



## Appeal Decision

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by C D Sweet MPlan MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 19/03/2026

Appeal reference: CAS-04634-B5T1S5

Site address: Land Adjacent Cwm y Coed, 1 Ger y Bont, Bridgend CF31 1HZ

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- 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 Carhys against the decision of Bridgend County Borough Council.
  - The application Ref P/24/701/FUL, dated 1 November 2024, was refused by notice dated 9 April 2025.
  - The development proposed is one new single storey bungalow with one bedroom.
  - A site visit was made on 11 March 2026.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. I have used the site address from the Council's decision notice and the appeal form as it more accurately reflects the appeal site's location.
3. The appellant raises issues regarding the Council's handling of their applications, the taking of enforcement action and potential conflicts of interest at the Council. They also refer to land ownership issues relating to part of the appeal site. However, such matters are not before me, and I therefore make no comment on them.

### Main Issues

4. The main issues are:
  - i) the effect of the proposal on the character and appearance of the area.
  - ii) the effect of the proposal on the living conditions of nearby and future occupiers.
  - iii) the effect of the proposal on biodiversity interests.
  - iv) whether the proposal makes appropriate provision for foul water disposal.
  - v) the effect of the proposal on highway safety.

### Reasons

5. The appeal site is an irregular area of land comprising part of a former railway cut, to the rear of properties along Castle View.

### *Character and Appearance*

6. The street scene along this part of Castle View and Ger y Bont is largely characterised by bungalows and low-level properties with modest front parking areas and mature planting, which results in a pleasant degree of openness and a verdant appearance, contributing positively to the character of the area.
7. The parking spaces to serve the proposal, which would be located to the front of 2 Ger y Bont (No 2) would, in combination with the spaces to serve the existing property, result in up to 4 vehicles at a time being parked within its limited frontage.
8. Whilst it may satisfy the Council's parking requirements in terms of numbers, the proposal would therefore result in a cramped, cluttered appearance that would appear incongruous when viewed in context with the more open frontages of properties nearby.
9. Moreover, based on the submitted plans, to accommodate the proposed parking arrangements it would be necessary to remove at least one sizeable laurel tree to the front of No 2, reducing its contribution to the verdant appearance of the street scene.
10. The proposal would therefore cause unacceptable harm to the character and appearance of the area and conflicts with policies SP3 and DNP7 of the Bridgend County Borough Local Development Plan (2018-2033) (LDP) which, among other things, require that all development must contribute to creating high quality, attractive places, be appropriate to local context and should not adversely affect trees of public amenity value.

### *Living Conditions*

11. Despite the separation distances, due to the proposed raising of ground levels and the height of the existing boundary fence, the proposal would introduce a notable degree of overlooking of the rear garden at 1 Ger y Bont (No 1) by users of the proposed access and living and dining spaces at the proposed bungalow. This would significantly reduce the privacy and enjoyment of their garden for occupiers of No 1.
12. Although suggested as being 'existing' on the submitted plans, I saw at my site visit that a fence of some 2m in height has recently been erected along the initial part of the proposed access where it adjoins the boundary with No 1. That fence, in combination with proposed planting along the shared boundary, would serve to reduce overlooking and disturbance to occupiers of No 1 to some degree.
13. However, the use of such fencing close to windows serving a living room and bedroom at No 1 and high-level planting close to its shared garden boundary would introduce visually intrusive features that would create an unpleasant and oppressive sense of enclosure for users of those spaces. As such, I do not consider that those measures would provide an acceptable privacy solution. Whilst the appellant suggests the fence may benefit from permitted development rights, I have no compelling evidence of a lawful fallback position.
14. Moreover, irrespective of the fact that it is currently owned by the appellant, the proposed parking spaces at No 2 would introduce a degree of additional noise and disturbance from among other things, comings and goings, vehicular movements and the shining of headlights close to the front door and a bedroom window at that property.
15. Though the Highway Authority may not object in terms of parking provision, the regular use of the proposed parking spaces by occupiers of and visitors to the proposed bungalow, who may often be unknown to the occupiers of No 2, would also result in a loss of privacy and a distinct sense of intrusion. In combination, these factors would significantly reduce the enjoyment of their home for occupiers of No 2.
16. I acknowledge the distances from associated parking spaces suggested by the Centre for Accessible Environments, referred to by the appellant. However, the location of the

proposed spaces, along with the narrow, partially enclosed pedestrian footway, would nonetheless result in a poor standard of access for occupiers of the proposed bungalow that would be inconvenient for day-to-day activities such as loading and unloading vehicles, particularly so for those with limited mobility.

17. I have considered the examples of other developments brought to my attention by the appellant, but I have limited details and, in my view, they serve to indicate the potential issues that can arise from such arrangements. As such, I do not consider those examples weigh in favour of the appeal scheme.
18. I note concerns raised by interested parties regarding disturbance during construction, but such effects would be time limited and could be effectively controlled by condition, such that they would not cause unacceptable harm in this respect.
19. Nonetheless, irrespective of the fact that the LDP does not seek to protect views, taking the above factors together I find that the proposal would result in unacceptable harm to the living conditions of nearby and future occupiers and therefore conflicts with LDP policy SP3 which, among other things, requires that development aligns with the principles of good design and ensures that the amenity of neighbouring uses and their users / occupiers will not be adversely affected.

#### *Biodiversity Interests*

20. Planning Policy Wales (PPW) sets out a stepwise approach for proposals to maintain and enhance biodiversity, build resilient ecological networks and deliver net benefits by ensuring that adverse effects are firstly avoided, then minimised, mitigated and finally, compensated for. Paragraph 6.4.16 makes clear that all development must provide a net benefit for biodiversity and ecosystem resilience.
21. LDP policies SP3, DNP6, DNP7 and DNP8 require, among other things, that developments protect and increase the resilience of ecosystems, maintain, protect and enhance biodiversity and ecological networks, and integrate and protect trees and green infrastructure assets.
22. A Preliminary Ecological Appraisal (Acer Ecology - November 2022) (PEA), carried out to inform earlier applications on the appeal site, identified, among other things, habitats of value within the site including scrub habitat and broadleaved woodland, along with potential roosting features for bats and woodland habitat suitable for dormice. The proposal before me would encroach into those areas, potentially resulting in a considerable loss of habitats and impacts on protected species.
23. The PEA states that if works were not commenced within 18 months to 2 years of its production, an update survey would likely be required to establish whether site conditions have changed. Despite the appellant's suggestion that no change has occurred, given the age of the PEA and my observations on site, I am not persuaded that the submitted information provides an accurate and up to date assessment of the appeal site's biodiversity value.
24. Moreover, the appellant suggests that the appeal site's levels would be raised using earth from land immediately to the southeast which is within their ownership. Doing so would require significant clearance and disruption of that land, which is also overgrown and which, given its proximity to the appeal site, is likely to contain similar habitats. The potential impacts of such works on biodiversity have not been assessed.
25. Notwithstanding the measures set out in the submitted Green Infrastructure Statement, the available information does not provide an effective baseline against which the proposal's potential effects on biodiversity interests and compliance with the stepwise approach can be assessed.

26. I have considered whether a condition requiring further survey work or a scheme of biodiversity enhancement would be appropriate. However, given the lack of information I have outlined, a condition would not provide sufficient certainty, such that granting planning permission would be justified.
27. Given the above, it has not been demonstrated that harm to biodiversity interests would be avoided, that the proposal would maintain and enhance biodiversity and ecological networks, or that a net benefit for biodiversity and ecosystem resilience would be achieved.
28. I therefore find the proposal would be harmful to biodiversity interests, contrary to LDP policies SP3, DNP6, DNP7 and DNP8 and fails to accord with PPW.

#### *Foul Water Disposal*

29. PPW (paragraph 6.6.21) states that development proposing the use of non-mains drainage schemes will only be considered acceptable where connection to the main sewer is not feasible. That position is reflected in Welsh Government Circular 008/2018, which states that the first presumption must always be to provide a system of foul drainage discharging into a public sewer, unless by taking account of the cost and/or practicability it can be shown to the satisfaction of the planning authority a connection to a public sewer is not feasible.
30. LDP policies SP3 and DNP9 require that developments incorporate appropriate arrangements for the disposal of foul sewage and demonstrate that they would not cause risk to health, among other things.
31. The exact location of the nearest public sewer is unclear. The appellant suggests that it is more than 30m from the appeal site and potentially unadopted. Natural Resources Wales (NRW) states that it is within 11m. In either case it is likely to be situated at a level above the proposed bungalow.
32. I have not been provided with any specific details to indicate the potential works or costs involved in making a connection to a public sewer and the appellant states that they would be willing to connect to a public sewer if necessary, which suggests that doing so may be possible.
33. Given the uncertainties and the lack of information provided, it has not been demonstrated that a connection to the public sewer would not be feasible, and I am therefore not persuaded that the proposal would make appropriate provision for foul water disposal.
34. In this instance I have not provided an opportunity for the parties to submit further information, as I have found the proposal unacceptable on other substantive grounds. Moreover, even were I to find the proposal acceptable in terms of its foul drainage provision, this would not outweigh the other harms I have identified.
35. I note that the appellant has registered an exemption for the proposed treatment plant and that NRW states that exemption may be incorrectly registered based on its view as to the nearest sewer. Regardless, this does not have any bearing on the feasibility of a public sewer connection.
36. I find that the proposal conflicts with LDP policies SP3 and DNP9 and the advice set out in PPW and Circular 008/2018.

#### *Highway Safety*

37. The Council's concerns in relation to highway safety arise from the limited information provided at the application stage regarding the proposed raising of site levels and the

associated potential for large vehicle movements through the nearby residential highway network.

38. The Council did not seek further information in this respect, and the appellant now states that they would not intend to import materials into the appeal site by road but would instead raise ground levels using earth from their adjacent land. That approach would still require the use of heavy machinery and smaller construction and delivery vehicles which would present a potential risk to highway safety if not properly controlled.
39. However, I am satisfied that a condition requiring the submission of and adherence to a Construction Method Statement, as proposed by the Council, would be sufficient to control such operations and ensure that no harm would occur in this respect.
40. Based on the appellant's stated approach and subject to such a condition, the proposal would comply with LDP policy SP5 which, among other things, requires that development must not have a negative impact on the safe and efficient operation of the transport network.

### **Other Matters**

41. The appellant suggests that the appeal site is brownfield land. I have limited information as to its history, but even if that were the case the benefits of the proposal in this respect would be slight. I have found no harm to highway safety and the proposal would make a small contribution to the local housing supply. However, these factors do not outweigh the significant harms identified.

### **Conclusion**

42. Irrespective of whether the appellant intends to develop more of their land, for the reasons given above and having had regard to all other matters raised, I conclude that the appeal should be dismissed.
43. 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.

*C D Sweet*

INSPECTOR



## Appeal Decision

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by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/04/2026

Appeal reference: CAS-04717-N0L2D6

Site address: 22 Mackworth Street, Bridgend, CF31 1LP

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- 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 D2 Propco Limited against the decision of Bridgend County Borough Council.
  - The application Ref P/25/397/FUL, dated 25 June 2025, was refused by notice dated 15 September 2025.
  - The development proposed is change of use from residential dwelling to HMO C4. Maximum 4 persons.
  - A site visit was made on 12 March 2026.
- 

### Decision

1. The appeal is allowed and planning permission is granted for change of use from residential dwelling to HMO C4. Maximum 4 persons at 22 Mackworth Street, Bridgend, CF31 1LP, in accordance with the terms of the application, Ref P/25/397/FUL, dated 25 June 2025, subject to the conditions set out in the schedule to this decision letter.

### Application for Costs

2. An application for costs has been made by D2 Propco Limited against Bridgend County Borough Council. This application is the subject of a separate Decision.

### Main Issue

3. The main issue is the effect of the proposed development on the living conditions of the future and neighbouring occupiers.

### Reasons

4. The appeal relates to a modest 2 bedroom mid-terraced dwelling with a rear garden, situated within a predominantly residential area, close to Bridgend Town Centre. The proposal is for a 4 bedroom house in multiple occupation (HMO) in the C4 Use Class, with a maximum number of 4 occupants. Internal alterations are proposed to subdivide one of the bedrooms and the lounge to create an additional 2 bedrooms for single occupants.
5. Policy COM7 of the Bridgend County Borough Local Development Plan (LDP) permits proposals to convert an existing building into a HMO where, amongst other things, the

proposal's scale and intensity of the use would be compatible with the existing building and adjoining and nearby uses, and it would not have an unacceptable adverse impact on residential amenity. The Council's recently adopted 'Houses in Multiple Occupation' Supplementary Planning Guidance (SPG) provides guidance on how to interpret and apply Policy COM7 and includes a guide to appropriate room sizes.

6. In terms of the living conditions of future occupants, the Council state in their Delegated Report that the level of amenity and standard of the proposed accommodation, including the outdoor space, would be acceptable. However, in contradiction, they also state that the cramming of an additional 2 bedrooms would provide small, poor quality and congested living conditions for future occupiers. Nevertheless, the proposed layout shows that the room sizes and the kitchen and bathroom facilities would be in accordance with the guidance in the SPG. Each room would have adequate natural light, outlook and ventilation from the windows. I am therefore satisfied that the proposed development would provide adequate living conditions for future occupiers.
7. As the existing dwelling hosts 2 bedrooms, I accept that the conversion to a 4 person HMO would likely intensify the property's use. However, the existing dwelling could accommodate a family with one or 2 children, one of which could be an adult child. Therefore, such an increase in the intensity of the use would unlikely be significant. Furthermore, there is no compelling evidence that any related increase in the level or nature of noise and disturbance generated from within the HMO or its shared garden, or from residents' comings and goings, would be of a magnitude that would harm the living conditions of neighbouring occupants. In these circumstances, the proposal's scale and intensity would be compatible with the existing building and the adjacent residential dwellings and would not have an unacceptable adverse impact on the residential amenity and character of the area.
8. I note the concerns raised in relation to tensions and conflicts between residents over access to parking spaces on the street. Nevertheless, the proposal would not significantly increase the intensity of the use of the dwelling. Furthermore, owing to the proposal's sustainable location close to shops, facilities and public transport routes, it would likely be attractive to non-car owning residents. Therefore, the proposal would not materially increase the demand for on street parking above the existing use and would not exacerbate any existing conflicts and tensions between residents relating to this matter.
9. I conclude that the proposed development would provide adequate living conditions for future occupiers and would not harm the living conditions of the occupiers of the neighbouring dwellings. This complies with LDP Policy COM7, the good design and placemaking objectives of LDP Policy SP3, and the objectives of policy DNP9 which seeks to, amongst other things, protect local amenity.

### **Other Matters**

10. I note the local representations in relation to the potential impact on the community. However, I have no cogent evidence that there are any other HMOs in the immediate vicinity of the appeal property or that it would breach the 10% threshold. Neither do I have any evidence to suggest that the proposal would adversely affect the social cohesion of the community of the area.
11. I have had regard to resident's concerns regarding the potential for anti-social behaviour/security issues. However, whilst fear of crime or perceived fears can be a material consideration, these fears need to be justified objectively. In this case, I have no cogent evidence to support local concerns. There is also no evidence to suggest that the presence of a HMO would pose a risk to the safety and well-being of any residents.

12. Residents also raise concerns regarding increase in parking demand in an already congested area and potential access issues by the emergency services. However, the Council's Highway Officer has raised no objections given the site's sustainable location. As stated above, I'm satisfied that the proposal would not exacerbate any existing parking pressures in the street and I have no evidence that it would result in any access issues for the emergency services. Similarly, there is no evidence that the proposal would result in any additional strain on local services.
13. I acknowledge concerns about the loss of a small family home, but no evidence has been provided to show a specific local need for such accommodation. In terms of monitoring the HMO, it would be subject to the Council's HMO licensing regime.

### **Conditions**

14. Although not suggested by the Council, the standard time limit condition is necessary to comply with Section 91 of the Town and Country Planning Act 1990. Any future change of use from a C4 HMO, other than back to a C3 dwelling, would require planning permission. Therefore, a condition limiting its use to a C4 HMO is unnecessary. I agree that a condition restricting the number of occupants to 4 is necessary in the interest of the living conditions of future occupants. In the interests of conciseness, I have amended the wording of some conditions without changing their overall aim.

### **Conclusion**

15. For the above reasons, and having regard to all matters raised, I conclude that the appeal should be allowed.
16. 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.

*H Smith*

INSPECTOR

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### **SCHEDULE OF CONDITIONS**

- 1) The development shall begin not later than five years from the date of this decision.  
Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2) The development shall be carried out in accordance with the following approved plans:  
Drawing 3035 C - CHANGE OF USE FROM RESIDENTIAL DWELLING TO HMO C4  
MAXIMUM 4 PERSONS  
Reason: To ensure the development is carried out in accordance with the approved plans submitted with the application.
- 3) The use of the HMO hereby approved shall be limited to a maximum of 4 residents occupying the HMO at any one time.  
Reason: For the avoidance of doubt and to ensure that a suitable level of internal and external amenity space is retained for future occupiers to use, in accordance with Policy COM7 of the Bridgend County Borough Local Development Plan.

- 4) Prior to the occupation of the HMO, the cycle store shown on the approved plan shall be provided and retained for as long as the development exists.

Reason: In the interests of promoting sustainable means of travel to / from the site, in accordance with policies SP3 and SP5 of the Bridgend County Borough Local Development Plan.

- 5) Notwithstanding the details shown on the approved plans, prior to the occupation of the HMO, an artificial nesting site for birds shall be erected at the site in accordance with one of the following specifications and shall be retained as such for as long as the development exists:

- Nest Box Specifications for House Sparrow Terrace: Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings. Entrance holes: 32mm diameter. Dimensions: H310 x W370 x D185mm; or
- Swift Nest Box Specification: Wide box with small slit shaped entrance hole placed under or close to roofs. Dimensions: H150 x W340 x D150mm.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Policy 9 of Future Wales, and Policies SP17 and DNP6 of the Bridgend County Borough Local Development Plan.



## Costs Decision

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by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 16/04/2026

Costs application in relation to Appeal Ref: CAS-04717-N0L2D6

Site address: 22 Mackworth Street, Bridgend, CF31 1LP

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- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
  - The application is made by D2 Propco Limited for a full award of costs against Bridgend County Borough Council.
  - The appeal was against the refusal of planning permission for change of use from residential dwelling to HMO C4. Maximum 4 persons.
  - A site visit was made on 12 March 2026.
- 

### Decision

1. The application for an award of costs is refused.

### Reasons

2. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
3. According to the applicant, the Council has acted unreasonably in that the application should have been clearly permitted having regard to its accordance with the development plan, national policy and any other material consideration, and that it failed to produce evidence to substantiate the reason for refusal.
4. In referencing the impacts of 4 individuals using the property, my reading of the Council's case is that this was in relation to the use of the property by 4 unrelated individuals, a C4 use, as opposed to the use of the dwelling as a family home and was not a prejudicial opinion relating to unknown individuals, as suggested by the applicant. It is clear that their assessment was based on the potential increase in the intensity of the use of the property and not the potential occupants.
5. In terms of substantiating the reason for refusal, I recognise that the Council's analysis of the potential impacts on residential amenity could have been more thorough and the resultant impacts could have been better articulated. However, whilst I disagreed with the Council on this matter, such an assessment often involves a degree of subjectivity. As an element of subjectivity was involved, it was not the case that the application should have been clearly permitted. I am satisfied that the Council provided reasonable planning grounds for reaching its decision, having regard to the development plan policies and

other material considerations and that the reason for refusal was sufficiently substantiated.

6. I do not consider that the Council's brief reference to LDP policies SP3 and DNP9 has caused the applicant to incur unnecessary or wasted expense in the appeal process as the objectives of these policies relate to general good design, placemaking and amenity, which overlap somewhat with the objectives of Policy COM7.

**Conclusion**

7. For the above reasons, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Annex, has not been demonstrated. The application for an award of costs is refused.

*H Smith*

INSPECTOR

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO DEVELOPMENT CONTROL COMMITTEE

8 MAY 2026

#### REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

##### UPDATE TO MEMBERS REGARDING APPLICATION NO. P/25/386/BCB

##### **BRYN Y CAE NURSING HOME, CAE BRACLA, BRACKLA, BRIDGEND, CF31 2HF - INSTALLATION OF AIR SOURCE HEAT PUMP SYSTEM TO INCLUDE EXTERIOR SITING OF EQUIPMENT INCLUDING FEEDER PILLAR ON A CONCRETE BASE WITH ACOUSTIC BAFFLING CURTAIN SCREENING**

#### **1. Purpose of Report**

- 1.1 The purpose of this report is to update Members of the Development Control Committee (DCC) on the above Application since it was considered by Members of DCC on 19 March 2026.

#### **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. REPORT**

- 3.1 Planning Application P/25/386/BCB was considered by the Development Control Committee at a meeting on 19 March 2026.
- 3.2 After a healthy debate, Members resolved to approve the application but requested that Officers of the Local Planning Authority and the Chair of DCC write to the relevant Applicant section (named below) in the Council to clarify a few points/queries.
- 3.3 Members were expecting a representative of the *Green Spaces & Sustainability* Section (‘Applicant’) to attend the meeting of DCC to answer any pertinent questions from the floor. Members also voiced their concern about the retrospective nature of the Application and the potential reputational impact on the Council of starting works on a Council site without first securing the necessary planning permission.
- 3.4 The Chair of DCC sent a letter to Officers of the *Green Spaces & Sustainability* Section of the Council on 16 April 2026 (see Appendix A). Their response is attached at Appendix B.

#### **4. Effect Upon Policy Framework and Procedure Rules**

- 4.1 None

#### **5. Equality Act 2010 Implications**

- 5.1 None

#### **6. Well-being of Future Generations (Wales) Act 2015 Implications**

6.1 None

**7. Financial implications**

7.1 None

**8. RECOMMENDATION**

(1) That Members note the response from the *Green Spaces & Sustainability Section*.

**Janine Nightingale**

**CORPORATE DIRECTOR COMMUNITIES**

8 May 2026

**Contact officer:** Rhodri Davies  
Development and Building Control Manager

**Telephone:** (01656) 643152

**Email:** [rhodri.davies@bridgend.gov.uk](mailto:rhodri.davies@bridgend.gov.uk)

**Address:** Planning and Development Services  
Communities Directorate  
Civic Offices  
Angel Street  
Bridgend  
CF31 4WB

**Background documents:**

**Appendix A** Chair's Letter to the Applicant  
**Appendix B** The Applicant's Response

# 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

Paul Smith/Mark Biernacki  
Bridgend County Borough Council - Communities  
Civic Office  
Angel Street  
Bridgend  
CF314WB

## Grwp Datblygu / Development Group

Ebost / Email: [planning@bridgend.gov.uk](mailto:planning@bridgend.gov.uk)  
Gofynnwch am / Ask for: **Dion Douglas**  
Deialu Uniongyrchol / Direct Line: **01656 643285**  
Ein cyf / Our ref: **P/25/386/BCB**

Dyddiad / Date: **16 April 2026**

[Paul.Smith2@bridgend.gov.uk](mailto:Paul.Smith2@bridgend.gov.uk) [Mark.Biernacki@bridgend.gov.uk](mailto:Mark.Biernacki@bridgend.gov.uk)

Dear Paul/Mark,

### Town and Country Planning Act 1990 (as amended)

Application No.: **P/25/386/BCB**

Location: **Bryn Y Cae Nursing Home, Cae Bracla, Brackla, Bridgend, CF31 2HF**

Proposal: **Installation of Air Source Heat Pump system to include exterior siting of equipment including feeder pillar on a concrete base with acoustic baffling curtain screening**

As you are aware, the above application was reported to the Council's Development Control Committee on 19 March 2026. Members eventually resolved to approve the application but requested that Officers of the Local Planning Authority and I write to you to clarify a few points.

There was a healthy debate on the application and Members were expecting one of you to represent the Green Spaces & Sustainability Section at the meeting in order to answer any questions from the floor.

One major concern related to the retrospective nature of the application and the potential reputational impact on the Council of starting works on a Council site without first securing the necessary planning permission.

I understand that you were on the list to speak at the meeting in order to respond to an objector's statement.

To that extent, I would welcome an explanation as to why the works started on-site before planning permission was granted for the ASHP and why there was no representation from your team at the meeting itself so that I can report back to Members at the next DCC meeting on 8 May 2026.

Yours sincerely,

*Olla Richard Granville*

CHAIR OF THE COUNCIL'S DEVELOPMENT CONTROL COMMITTEE

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Cyfnwidi testun: Rhwch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Rydym yn croesawu gohebiaeth yn Gymraeg. Rhwch 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

# 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

## Y Gyfarwyddiaeth Cymunedau | Communities Directorate

Cllr. Richard Granville  
Chair of Bridgend County Borough  
Council Development Control  
Committee

Gofynnwch am / Ask for: Paul Smith  
E-bost / E-mail: paul.smith2@bridgend.gov.uk  
Ein cyf / Our ref: **P/25/386/BCB**

**Dyddiad / Date:** 27<sup>th</sup> April 2026

Dear Cllr. Granville,

### **Re: P/25/386/BCB Installation of Air Source Heat Pump system at Bryn y Cae Care Home**

Despite having agreement that me and Mark Biernacki would attend and speak at the Committee meeting on 19<sup>th</sup> March 2026 the invitation with a link to join remotely was not sent to either of us, for reasons we do not know, and we apologise for this administrative oversight. In the morning before the meeting was due to start, we had enquired about joining instructions and were told they would be forthcoming. We were ready to join and were both available throughout the duration of the meeting.

The project was known to the Planning team and initial guidance was that in fulfilling all obligations (including noise mitigation) it was likely to be an acceptable development. The application could only be submitted once the details of the actual heat pump units to be used was known so the plan was to develop the application in parallel with the appointment of the contractor and their input to the final design.

The contractor started on site on the project's wider improvement works that did not require planning permission and are not materially connected to the heating works. These including solar PV, new roof glazing and draughtproofing, improved insulation, and a heat recovery system that will also improve the building air quality.

Works to install the concrete base and heat pumps progressed in line with the programme and deadline agreed with the contractor but more quickly than the planning application development which meant these elements were in place before the application was submitted. The units were not fully commissioned before consent was given so have not yet been made operational.

We are sincerely sorry that the correct process was not followed and that this has negatively impacted the Council's reputation. Lessons have been learned and will inform future developments of this nature.

Once operational the project will replace the current obsolete heating system and provide financial and carbon savings to the care home and the Council.

Yours sincerely

Paul Smith  
Decarbonisation Programme Manager

## **TRAINING LOG**

*All training sessions will be held in the Council Chamber but can also be accessed remotely via Microsoft Teams.*

### **Subject**

### **Date**

Significant Infrastructure Projects

To be arranged.

Planning and Health training for elected Members – Public Health Wales

Heneb presentation

Planning enforcement procedures

Active travel / strategic transport

Dwr Cymru / Welsh Water update

(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

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