

REFERENCE: P/16/930/BCB

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

LOCATION: Land off North Road Bridgend Industrial Estate CF31 3TP

PROPOSAL: Construct a pedestrian access to Brackla Park and Ride facility
from Bridgend Industrial Estate - Phase II of the Brackla Park and
Ride Scheme

RECEIVED: 17 November 2016

SITE INSPECTED: 1 December 2016

APPLICATION/SITE DESCRIPTION

Planning permission is sought for the second phase of the Brackla Park and Ride Facility which proposes pedestrian access to the platforms and bridge from North Road on Bridgend Industrial Estate.

The application site comprises a vegetated earth embankment that lies between two existing businesses (Kymco Healthcare and Gemini Digital Colour) on the northern side of the estate road. The embankment measures 35m in width, is 37m in depth and reaches a maximum height of approximately 5-6m above road level. Dense stands of Laurel with the occasional conifer and hawthorn trees cover the embankment which hides an entrance to an existing culvert that runs in a north/south alignment, passing under the railway line to the north to its opening on the western edge of the parking area that is being developed as Phase 1 of the Brackla and Park and Ride Facility.

The Brackla Park and Ride Facility will be delivered in phases with the initial works (car park and ramped access into Bridgend Industrial Estate) funded by developer's contributions previously secured by the Council through S106 Planning Obligations. The future phases of the development, which are contained in the Council's Local Transport Plan, Welsh Government's National Transport Finance Plan and the Metro proposals, will include the platforms and bridge.

The submitted layout plan proposes a ramped and stepped access from the platforms and bridge (Phase 3) across the embankment to a 3m wide section of footway on North Road. The existing vegetation will be cleared in accordance with the recommendations set out in the Ecologist's report (David Clements Ecology Ltd - December 2016) that has accompanied the application. A series of retaining walls will be constructed to support the proposed access routes. The remaining areas will be graded and landscaped.

PLANNING HISTORY

None

PUBLICITY

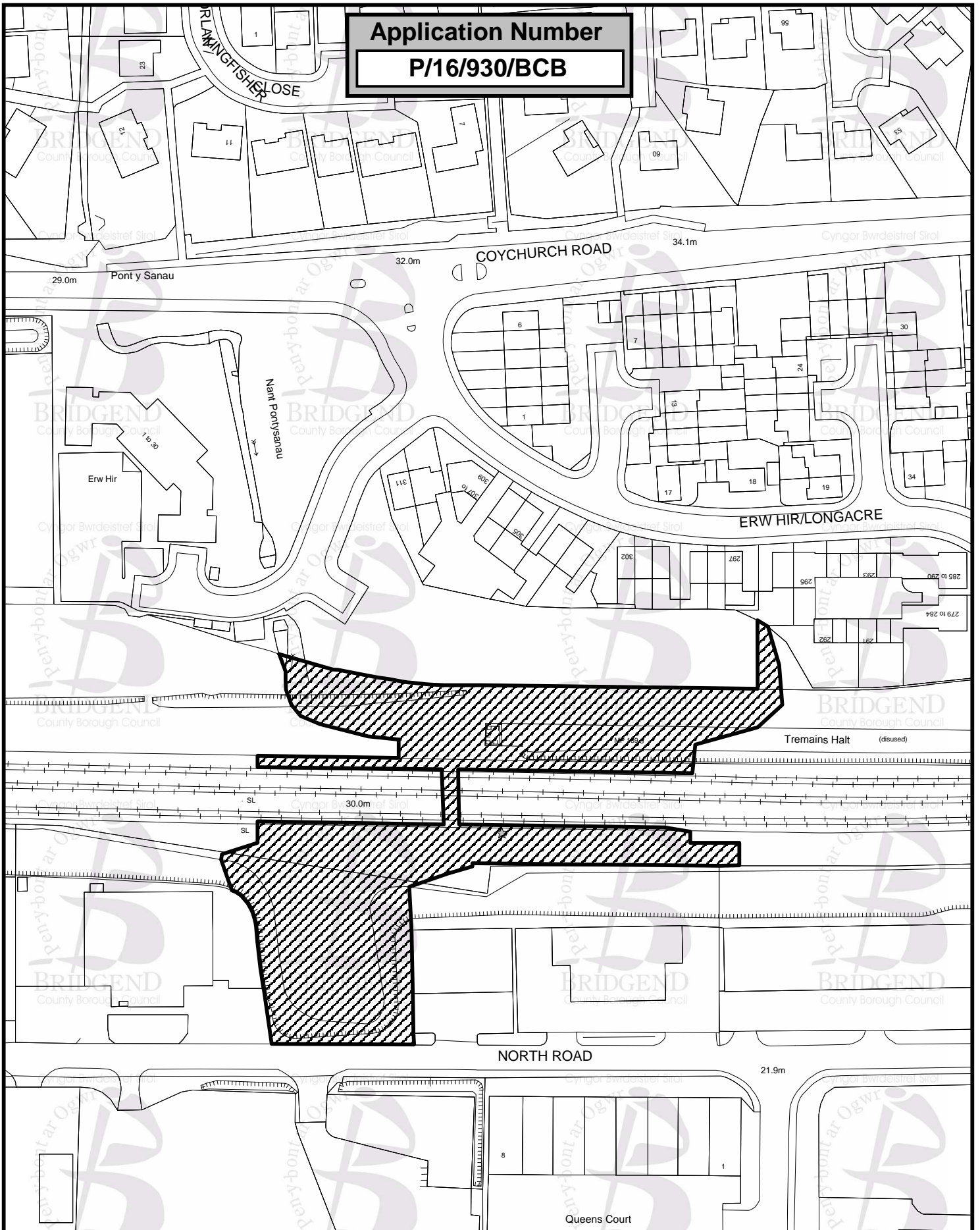
The application has been advertised on site.

Neighbours have been notified of the application.

The period allowed for responses to consultations/publicity expires on 21 December 2016 and any additional representations will be reported to members via the

Application Number

P/16/930/BCB



Scale 1:1,250

Date Issued:
15/12/2016

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

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

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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amendment sheet.

NEGOTIATIONS

None

CONSULTATION RESPONSES

Councillor H J Townsend - I support this application. However if for any reason it does go to the committee I would like to speak in support of the application.

Councillor J C Spanswick - I fully support this application and the many benefits it will help to bring with it to help increase pedestrian access direct to Bridgend Industrial Estate as well as the longer term benefits of a park and ride facility when the new rail service is provided.

Destination & Countryside Management - No objection subject to the developer complying with the recommendations in the ecology report.

Head of Street Scene (Highways) - No objection.

Coychurch Lower Community Council My council feel that there are insufficient car parking spaces available for the park and ride facility. We suggest that the ideal situation would be an additional park facility on the south side of the line within the estate.

REPRESENTATIONS RECEIVED

No objections received to date.

COMMENTS ON REPRESENTATIONS RECEIVED

Coychurch Lower Community Council has not formally objected to the development and clarification has been provided in the form of an email addressing the concerns about car parking. The email is set out below:

Land availability constrains the provision of parking on the southern side of the Brackla Park and Ride Facility but you may be aware that a car park is currently under construction on the northern side of the line under planning permission P/16/385/BCB. When the footbridge and platforms are constructed as part of Phase 3 of the development, it will allow access to platforms on the eastern and western lines and a connection between Brackla and Bridgend Industrial Estate.

No further comments have been received.

APPRAISAL

The application is referred to the Development Control Committee for determination in view of the comments received from Coychurch Lower Community Council.

Planning permission is sought for the second phase of the Brackla Park and Ride Facility which proposes pedestrian access to the platforms and bridge from North Road on Bridgend Industrial Estate.

The main issues relevant to the determination of this application are whether the development complies with the policies of the Bridgend Local Development Plan in relation to the effect of the proposal on the character and amenities of the area and specifically the adjacent operators and the effect of the development on the existing drainage systems, highway network and highway safety generally.

The application site is allocated and safeguarded for transportation proposals consisting of a new railway station at Brackla (Policy PLA7 (17) refers) and a new Park and Ride Facility at Brackla (Policy PLA7 (20) refers) under the adopted Bridgend Local Development Plan (2013). The proposed development is in accordance with its allocation in the Bridgend Local Development (BLDP 2013).

All development should contribute to creating a high quality, attractive sustainable places which enhance the community in which they are located and it has been necessary to evaluate the proposal against the relevant criteria of Policy SP2 which represents the starting point for the assessment of all planning applications. Making a positive contribution towards tackling the causes of climate change and peak oil issues is also an objective of the plan and a development which reflects sustainable transport and access principles whilst improving public transport provision is one means of achieving this objective (Policies PLA4 and SP3 of the BLDP 2013 refer). Good design will generally have to balance the wider benefits of the development against the more immediate impacts on the local community.

Policies SP2, ENV5, ENV6 and ENV7 consider the scale of development, the impact on local character and biodiversity interests, the need to avoid or minimise noise and air pollution, whilst also ensuring that the amenity of adjoining occupiers are not adversely affected.

Whilst the use of the land for its intended purpose is supported by plan policy, the operations required to provide the footway and ramps will transform the appearance of the site with the removal of all the existing vegetation. Although the trees form a reasonably attractive feature within the industrial estate, they are not worthy of protection and, subject to the clearance works being timed to avoid bird nesting season, their loss is acceptable in the context of planning policies.

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

This 'duty to conserve biodiversity' has been replaced by a 'biodiversity and resilience of ecosystems duty' under Section 6 of the Environment (Wales) Act 2016 which came into force on 21st March, 2016.

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

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

Site ecology that exists (which is limited) will be safeguarded by following the recommendations within the ecology report - this will be the subject of a planning condition. The proposal is therefore considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

Site levels and the positioning of the steps and ramps will allow future users to overlook the neighbouring commercial premises but this should not lead to any significant impact that warrants protection. Loss of privacy is not a consideration in the context of this development.

It is therefore concluded that the proposed works will not have any significant impact on the character and amenities of the area and specifically the adjacent operators.

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

The well-being goals identified in the Act are:

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

The duty has been considered in the assessment of this application. It is considered that the impact of the development on the achievement of the well-being goals and objectives has been addressed in the appraisal.

Matters relating to highway safety have been considered and the Transportation Policy and Development Section have indicated the arrangements are acceptable, offering no objection to the development.

Site drainage will be designed to prevent surface run off onto the highway and adjoining land and the existing culvert will be protected during the course of any construction works on site.

CONCLUSION

This application is recommended for approval because the development complies with national and Council policy and is acceptable in terms of its impact on privacy, visual

amenities and residential amenities. The proposed development is also considered to be acceptable in terms of highway safety and will initiate the provision of a facility that will, in the long term, improve opportunities for sustainable travel.

RECOMMENDATION

(R28) That permission be GRANTED subject to the following condition(s):-

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

BPR-CAP-00-XX-SK-C-010 and Culvert - Bridgend Industrial Estate - Survey for Bats - December 2016.

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

2. Prior to any works commencing on the construction of the retaining walls, detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the retaining walls hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

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

3. Prior to any works commencing on the construction of the retaining walls, there shall be deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall to be constructed will be designed and constructed so as to prevent subsequent ground movement. Any retaining wall shall be constructed in accordance with the design and constructional details so certified.

Reason: In the interests of safety.

4. The development shall proceed strictly in accordance with the recommendations as set out in Chapter 5 of the 'Culvert - Bridgend Industrial Estate, Bridgend - Survey for Bats Report by David Clements Ecology Ltd - December 2016.

Reason: In the interests of safeguarding any biodiversity interests on site.

5. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with national and Council policy and is acceptable in terms of its impact on privacy, visual amenities and residential amenities. The proposed development is also considered to be acceptable in terms of highway safety and will initiate the provision of a facility that will in the long term improve opportunities for sustainable travel.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None