

**REFERENCE:** P/17/1078/FUL

**APPLICANT:** Valleys To Coast Housing Ltd  
Tremains Business Park, Tremains Road, Bridgend, CF31 1TZ

**LOCATION:** Garage compound Heol Yr Afon / Tairfelin, Wildmill CF31 1SL

**PROPOSAL:** Demolish garages and create a site compound for Wildmill Phase 2 works

**RECEIVED:** 22 December 2017

**SITE INSPECTED:** 22 January 2018

### **APPLICATION / SITE DESCRIPTION**

Full planning permission is sought for the demolition of an existing garage block and the creation of a temporary site compound on land adjacent to Heol yr Afon, Wildmill. The proposed compound would support the general upgrade and refurbishment works (Wildmill Phase 2 works) proposed for existing residential buildings controlled by the applicant in this location. The principal works will provide thermal improvements for the benefit of the tenants on the estate and to improve the visual appearance of properties on the estate. However, no timetable or schedule of works has been provided.

The application includes the demolition of the existing garage structures (16 in total) and they will be replaced by a hardcore area enclosed by a 2.4metre high timber hoarding with vehicular entrance gates and a separate pedestrian access. The existing roadway access from Heol yr Afon would be retained into the site with the compound providing vehicle parking facilities for construction workers undertaking the improvement works to the surrounding residential properties.

The applicant has indicated that the garages are currently under used and in a poor state of repair. The unusual layout of the compound also gives rise to issues of inter visibility outside the site.

It is intended that the area will be reinstated as a car parking area for the residents once the compound is no longer required.

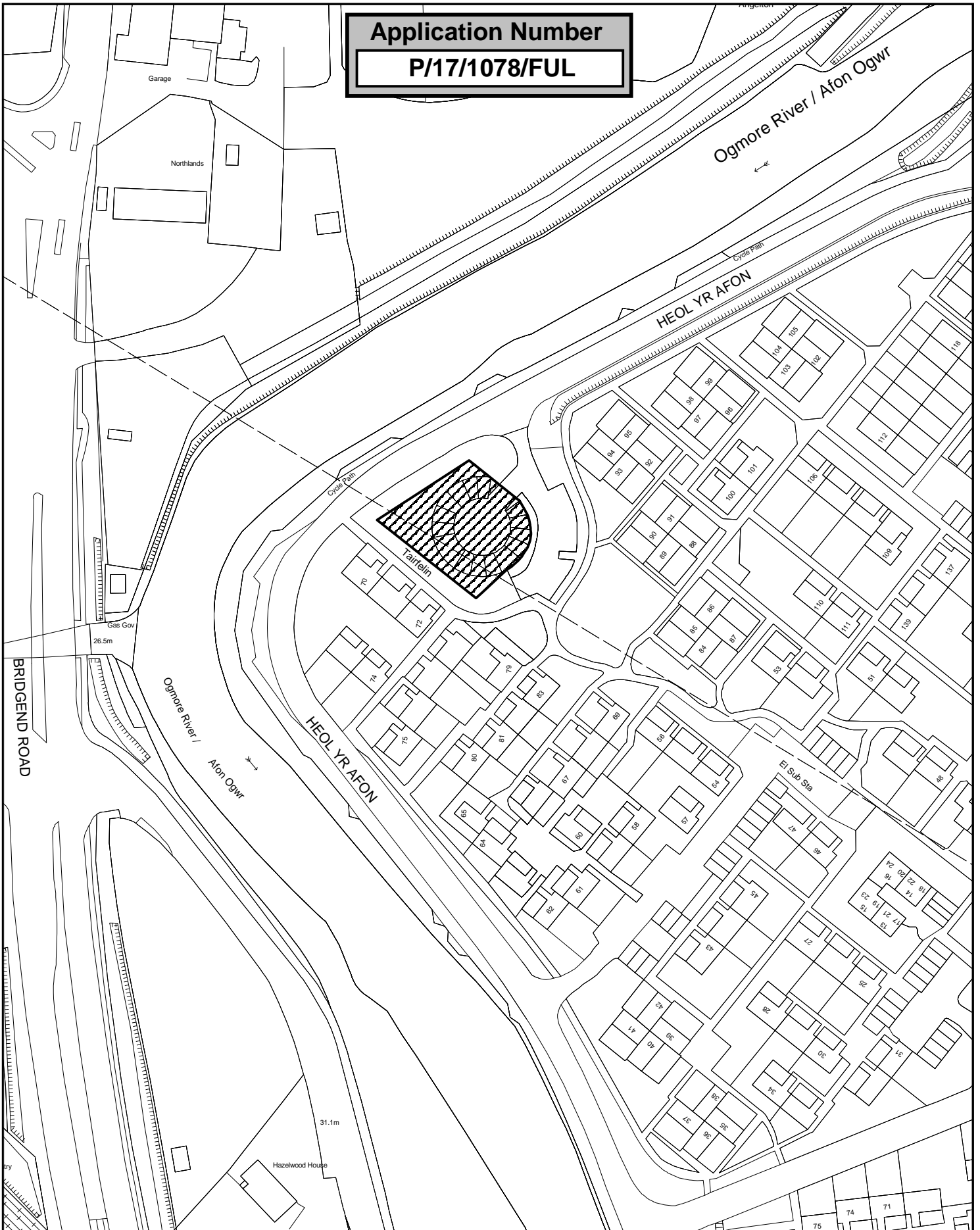
The application is accompanied by a Survey for Bats and Birds undertaken by David Clements Ecology (January 2018).

**Figure 1 – Photograph of typical hoarding to be used to enclose the temporary site compound.**



Application Number

P/17/1078/FUL



Scale 1:1,250

Date Issued:  
07/03/2018

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
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O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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The application site primarily comprises an existing row of garage structures arranged in a horseshoe formation, on the north-west edge of the Wildmill Estate. The Ogmore River is approximately 25m to the north of the site with a overhead line crossing the rear aspect of the site. Immediately towards the rear, west of the garage block, is a grassed/soft landscape area beyond which are residential properties ( numbers 70 - 72 Tairfelin). The site comprises a relatively flat parcel of land and covers an area of approximately 725 square metres.

**Figure 2 – Photographs of the existing garage block to be demolished.**



### **RELEVANT HISTORY**

P/16/602/FUL - Garage sites at Glanffornwg, Wildmill - Demolish garages and new external works inc. landscaping and car parking; site compound - Granted 04/10/2016

P/16/540/FUL - Various addresses on Glanffornwg Estate, Wildmill - Proposed refurbishment & external treatments to the Valleys to Coast Wildmill estate - Granted 12/09/2016

## **PUBLICITY**

The application has been advertised by means of site notice.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 26 February 2018.

## **NEGOTIATIONS**

The applicant was requested to submit a protected species survey (Bats & Birds) for the development proposal.

## **CONSULTATION RESPONSES**

Head of Street Scene (Highways) - No objection.

Bridgend Town Council - No objection.

Councillor S E Baldwin - No objection to the application as long as the required works to make good after the demolition of the garages is undertaken.

Destination & Countryside Management - Following receipt of an appropriate bat and bird survey - no objection.

## **REPRESENTATIONS RECEIVED**

The occupiers/owners of 70, 78 and 79 Tairfelin have objected to the planning application.

The concerns raised are summarised as follows:

- Scale, height and design of the scheme;
- Loss of privacy;
- Dust and Noise disturbance
- Increased traffic and parking issues;
- Loss of green area where children play;
- No need for an additional compound with one already existing on the estate that should again be utilised for the upgrade works.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The proposal involves the replacement of an existing garage block with a temporary site compound to support the upgrading of nearby residential properties. The site compound would be enclosed by 2.4m high timber hoarding that is considered typical and appropriate for a works compound of the nature proposed. When also considering the temporary nature of the proposed compound, it is considered such a proposal would not have a significant, adverse impact on the visual amenities currently enjoyed within the area.

The temporary compound is to be enclosed and screened from the nearest residential properties by high timber hoarding and is unlikely to result in any direct or harmful loss of privacy.

Inevitably, there will be some degree of inconvenience/disturbance associated with the use of such a works compound but, given the scale of the development and its temporary nature, there would be no justification for refusing the planning application on this basis. Imposing a recommended planning condition to limit the hours of use of the works compound would also control the potential impact of the development proposal on adjacent properties. Any dust nuisance experienced by residents would be investigated by the Public Protection Department.

Whilst the proposal involves the loss of an existing garage block, the garages appear to be in a poor state of repair and are largely unused with several of the units being boarded up. The circular layout of the garage compound also limits the visibility into the site leading to issues with surveillance/security. On the basis the works compound is

temporary in nature and the intention is to reinstate the site as a car park following completion of the works, without the issues of security associated with the current garages, the scheme does not raise significant highway safety or parking concerns. The Highways Officer has raised no objections to the application subject to a condition ensuring the use permitted is discontinued after a specified time period and the land restored to a car parking facility.

It is acknowledged the boundaries of the application site contains a grassed/soft landscaped area to the north and west of the garage structures although this is not a large or significant area of useable open space that would warrant retention for open space provision or justify the refusal of the planning application in this instance.

It is highlighted by the applicant/agent that the existing site compound is located in a separate area of the Wildmill estate and has had several complaints from the residents in this location. The existing site compound is also remote from some of the areas where the work is to be carried out so will lead to additional site traffic being introduced to the estate roads if the existing compound is to be retained. It is therefore considered that whilst an existing compound currently exists on the wider residential estate, this is not a justified or valid reason to refuse the current planning application.

## **APPRAISAL**

The application is referred to the Development Control Committee in view of the objections received from local residents (3 objections in total).

Planning permission is sought to create a temporary site compound following the demolition of an existing garage block on the Wildmill Estate, Bridgend.

The application site is situated inside the settlement boundary within a built up area and is unallocated as prescribed by the Bridgend Local Development Plan 2013. The site is currently occupied by a dated and underused block of garages with several of the units being boarded up. The proposed works involve the creation of a site compound that would be enclosed by 2.4 metres high timber hoarding and is to be used to support the future upgrade works for Wildmill Phase 2 that is being undertaken by Valleys to Coast Housing. The compound would be in use for approximately 5 years, however, the use of the site for this length of temporary period is not considered justified but the proposal itself raises no in-principle concerns.

In terms of visual amenity, the proposed compound would be enclosed and screened from public views by high timber hoarding/perimeter fencing that would have a typical design and appearance for a compound of this nature. Furthermore, the temporary compound would resort back to a car parking facility following completion of the general upgrade works planned for the locality. The proximity of an overhead powerline above the site was also noted during the site inspection although, given the nature and temporary use of the proposal, this is not considered a justified reason to warrant the refusal of the planning application in this instance. As such, the proposed temporary scheme raises no adverse visual amenity concerns.

In terms of the impact on neighbouring residential amenity, although the proposed compound would be sited in close proximity to existing properties, it is a temporary arrangement with a recommended condition restricting the proposed hours of use of the facility, thereby limiting the potential impact of the development proposal on the residential amenities enjoyed by nearby occupiers. It should also be noted that the compound will mainly be used for storage purposes rather than a construction site. As earlier discussed, a condition is also recommended requiring the agreement of a scheme to re-instate the



land (for car parking purposes) following the completion of works with the temporary proposal unlikely to harmfully impact levels of residential amenity currently enjoyed in the locality to such a degree that would warrant refusal of the planning application. The applicant has not provided any details of the timescales involved with the refurbishment works but has indicated that this could take 5 years. However, given the temporary nature of the compound and in order to ensure there is no long term impact on visual or residential amenity, it is considered reasonable to impose a restriction of a maximum of 2 years under this current consent. It would be a matter for the applicant to re-apply for planning consent for a further period of time if the compound is still required after this time. The impact of the development can be reassessed at a future time.

Turning to the impact of the scheme on Highway Safety, the Council's Transportation Development Control Officer has carefully considered the transportation implications of the proposal. It is advised the temporary reuse of the current garage complex for a works compound may displace existing parking provision to an on street location. However, in this instance, given the width of the adjacent highway (Heol yr Afon) the retention of some of the off-street parking and the temporary nature of the permission, subject to the use of an appropriately worded condition to ensure the works compound is restored to its former use as a parking facility, there is no highway objection to the planning application.

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

The application is accompanied by a bat and bird survey with the Council's Ecologist raising no objections against the planning application. It is therefore considered that, overall, there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994

(as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

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

The well-being goals identified in the Act are:

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

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

During the processing of this planning application Policies PLA1, SP2, ENV7 and PLA11 of the Bridgend Local Development Plan 2013 were considered.

## **CONCLUSION**

The proposal is the use of a garage compound for a temporary site compound required as part of a major programme of refurbishment works to the Wildmill estate. The works will provide essential upgrades to the thermal efficiency and visual appearance of the dwellings. Any impact on residential and visual amenity or highway safety will be relatively short-lived. As such the proposal is considered acceptable subject to a restriction on the time limit of the consent.

Any matters of biodiversity are addressed via the recommendation in the accompanying ecology report.

## **RECOMMENDATION**

(R11) 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:

Proposed Site Plan - Phase 2 Site Compound Draw.no 003(PL)8000 received 22 December 2017

David Clements Ecology Limited – Wildmill, Bridgend Refurbishment Project Surveys for Bats & Birds, January 2018.

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

2. The use of the works compound hereby permitted shall not take place outside the following hours:

08:00 hours to 18:00 hours Monday to Friday  
08:30 hours to 13:00 hours on Saturdays  
nor at any time on Sundays or Bank Holidays

Reason: In the interests of safeguarding residential amenities.

3. The use hereby permitted shall be discontinued and the land restored to its former use as a parking facility for the residents of the surrounding properties on or before 31 March 2020 in accordance with a scheme which has first been submitted to and approved in writing by the Local Planning Authority.

Reason: To limit the use of the site for a temporary period and control its replacement as a parking facility in the interests of highway safety, visual and residential amenity.

4. The use as a temporary compound shall not commence until full details of the timber fencing and any demountable buildings / structures, apparatus or storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: In the interests of visual and residential amenity.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) The applicant is advised of the Council's Ecologist comments on the application who advises that in line with the requirements of the ecology report, it is recommended that the supervising ecologist provide a tool box talk briefing to the contractor before works commence and also be on call during the works.

(b) The applicant's attention is drawn to the presence of the overhead line at the site that must be given due regard during the development process.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background papers**  
None