

DEVELOPMENT CONTROL COMMITTEE 30 AUGUST 2018

AMENDMENT SHEET

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

<u>ITEM NO.</u>	<u>PAGE NO.</u>	<u>APPLICATION NO.</u>
8	13	P/18/520/FUL

A full Development Control Committee site visit was undertaken on Wednesday 29 August 2018.

The Local Ward Member who is also a Member of the DC Committee (Cllr. Alex Williams), a Coychurch Higher Community Councillor, two local residents (one who has lodged a request to speak at committee) and a representative for the applicant (Dylan Williams), Rockwool, and the agent acting on behalf of the developer (Isobel Middle, HLN Group) attended the site visit.

In response to the query raised at the site meeting regarding the cyclepath along the B4280 between Heol-y-Cyw and Pencoed, the bridge will not be narrowed or affected by the proposals. The cycleway was approved under App. No. P/12/925/BCB (Community Route for Cyclists and Pedestrians). However, as the decision notice was issued on 13 March 2013, the consent has now lapsed.

As illustrated below, the route does not have any impact on the road although a new cycle bridge will be required over Nant Crymlyn.



The Council's Transport Policy and Strategy Officer has also confirmed that "there is a long-term proposal in the Council's Active Travel Integrated Network Map (INM-BR-10) for a shared-

use route between Bryncethin and Pencoed via Heol-y-Cyw. It is included in the long-term delivery period within the INM (2028 to 2033) due to the complex range of issues that need to be overcome in order to deliver the scheme including ecological, land planning and legal considerations.

At this point in time we don't have a specific alignment or scheme identified although, given the nature of the road along which the route would run, I would in the first instance imagine that the preference would be to develop an off-road route rather than an on-road one."

In addition, the LPA has received additional representations from residents in the form of a 413 name petition and an alternative Traffic Report.

The petition requests that Members of the Committee "note the opinions of residents who live near to the proposed development when making their decision with regard to the application. We collected these signatures over a period of days in early August, from areas where the resident's lives will be considerably affected by this proposed development; either by the increased number of HGV trucks; or by increased noise and pollution, we knocked doors in Heol-y-Cyw, Rhiwceiliog; Bryngarn; Penprysg and Pencoed. We also stopped people in the street; shopping, or simply walking the dog. Everyone who signed either lives near to the Rockwool Factory, or is affected/disturbed by emissions/noise etc. or regularly uses the local road network, and 'deals with' the trucks on a very regular basis. The vast majority of those we spoke to had not heard about the proposed expansion. We respectfully request that the Development and Control Committee pause this process, to allow more time for consultation with local people."

The petition states:-

"We the undersigned object to the proposed development for the following reasons:

- The unsuitability of the road network. HGV traffic will almost double from 6 to 11 vehicles per hour;
- The inevitable increase in noise disruption: both from the manufacturing process itself and the proposed conveyor belt; and from increased vehicle use (both loading and HGV vehicles);
- The inevitable increase in emissions – both in the form of chemical fumes; dust; and in the form of fluff/Rockwool tuft emissions; also noxious, acrid smells. The increase in production will be significant from 125,000 tonnes to 200,000 tonnes per annum;
- Concerns about the effect upon local drainage;
- Concerns about the visual impact.

The alternative Traffic Report submitted with the petition has the following conclusions:-

Residents believe that the following actions are necessary before such a huge increase in long and heavy trucks is permitted.

Wern Tarw Road

- There needs to be a significant widening of Wern Tarw Road *before* the new entrance is constructed. This needs to be between the site of the new entrance and the junction with the B4280.

- The structure / substructure of Wern Tarw Road should be improved / replaced in order to fit it for carrying high volumes of heavy trucks.

- At the Junction with the B4280, visibility needs to be significantly improved, by clearing all vegetation / shrubs / branches which impede vision; and this needs to be maintained appropriately.

B4280

- The structure / substructure of the entire section of the B4280 between the Wern Tarw junction and Pencoed junction needs to be improved / replaced in order to fit it for carrying high volumes of heavy traffic. The drainage issues also need to be addressed and rectified.

- The road should be widened at the bridge and bend. Vegetation / shrubs which impede vision need to be cleared; and this needs to be maintained appropriately. Signage / road markings need to be improved; and the speed limit around the bend reviewed.

- The road needs to be widened at Penprysg hill. Vegetation, and the steep banks on either side which impede vision need to be cleared / lowered. Signage / road markings should be improved, and the speed limit reviewed.

- The construction of a footpath / pavement *and* a cycle lane are **vital** for the safety of pedestrians and cyclists. (An additional benefit of this will be to 'open up' the area to those who wish to access the wonderful 'walks' in the vicinity. At present it is virtually a 'no-go area' for walkers.)

- The position of, and necessity for the cattle grid at the Pencoed junction needs to be reviewed. It could be argued that the situation with animals straying from the common land onto the road has changed significantly over recent decades, as most of the common is now fenced; and the cattle grid at this particular location may no longer be a necessity.

Penybont Road (A473)

It is understood that the (amazing) planned major development of the area in Llanilid, with a new M4 junction, will have an enormously beneficial effect upon the traffic congestion on Penybont Road; alongside the houses and the College; and at the M4 Junction 35. However, this development is still some years (or even decades) away.

- The narrow section of Penybont Road needs to be widened where possible. Signage / road markings need to be improved; and the speed limit reviewed.

M4 Junction 35

The area at the traffic lights and roundabout needs to be widened in order to incorporate three lanes that are of *appropriate* width to cater for longer trucks.

The Highways Officer has considered the submission alongside the Authority's Traffic Management Officer and has the following comments:-

The "Alternative Traffic Report" report is written on the premise that the proposed new access and storage yard will generate additional HGV movements when in fact the increase in HGV's arises from Rockwool Fully utilising the consents previously given for a third production line. The application before us is for a storage and distribution yard and the revised TA submitted clearly describes this. With regard the conclusions of the report the Highway Authority would comments as follows (in the same order for ease):-

Wern Tarw Road

- Whilst the width of the road varies it is considered to be appropriate and the Traffic Management Dept. is not aware of history of collisions or complaints in respect of HGV traffic.
- As this is a classified unnumbered route and is maintainable by the Highway Authority the route's structure and substructure is a matter for the Highway Maintenance Department who assess the condition, and manages the maintenance, of the existing Highway Infrastructure.
- Given the application does not directly generate additional HGV traffic the issue of the available vision at the junction of the B4280 with Wern Tarw Road is again one for the Highway Maintenance Department to consider in conjunction with the powers of the

Highways Act. It should be noted however that with the concerns related to HGV traffic the vision splays for such vehicles are measured from higher elevation to reflect the drivers eye height and are therefore generally less affected by vegetation.

B4280

- As this is a classified route and is maintainable by the Highway Authority the route's structure and substructure is a matter for the Highway Maintenance Department who assess the condition, and manages the maintenance, of the existing Highway Infrastructure. Furthermore any issues of drainage or surface water running onto the carriageway from adjoining land is also a matter for that department and is not be a matter for the applicant to address via the planning process.
- The narrowing of the carriageway (B4280) over the bridge (Bedwlwyn Bridge over Nant Crymlyn – Structure number 114,902) is understood to have been introduced by the Highway Authority in order to address issues regarding the structural capacity of the footway elements either side of the bridge. In this matter the capacity of the highway and ability to cater for any traffic which could legitimately use the Classified B road and was deemed appropriate as a localised narrowing. Accordingly there is no weight or width restriction in place on this road. The Traffic Management Officer does not consider there is need for any additional signage or road markings. Whilst the matter of vehicle speeds is also mentioned it should be stated that the lack a defined speed limit in place (National Speed limit applies) does not take the onus away from drivers to drive appropriately for the conditions. In this respect Rule 146 of the Highway code may assist:-

Rule 146

Adapt your driving to the appropriate type and condition of road you are on. In particular

- *do not treat speed limits as a target. It is often not appropriate or safe to drive at the maximum speed limit*
 - *take the road and traffic conditions into account. Be prepared for unexpected or difficult situations, for example, the road being blocked beyond a blind bend. Be prepared to adjust your speed as a precaution*
 - *where there are junctions, be prepared for road users emerging*
 - *in side roads and country lanes look out for unmarked junctions where nobody has priority*
 - *be prepared to stop at traffic control systems, road works, pedestrian crossings or traffic lights as necessary*
 - *try to anticipate what pedestrians and cyclists might do. If pedestrians, particularly children, are looking the other way, they may step out into the road without seeing you.*
- The Traffic Management Officer does not consider that the road needs to widened or there is need for any additional signage or road markings. Furthermore the “National speed limit” in force is considered appropriate.
 - The construction of a footway cycleway between Heol y Cyw and Pencoed is a long term aspiration of the Authority. A planning application for such a route was granted consent in 2012 and forms a part of the Integrated Network Maps which have been published under our obligations under the Active Travel Act. As indicated above any increase in HGV traffic or staffing numbers relates to previous consents issued and it would not be appropriate to request any such improvements from the applicant as a result of this particular application.

- No requests have previously been made in respect of the removal of the Cattle grid adjacent to the junction of the B4280 with Penprysg Road. The potential removal of the cattle grid would need to be fully considered with risk assessments being undertaken by internal departments. This matter is not deemed appropriate for the applicant to be responsible for under this application.

Penybont Road A473

- The Traffic Management Officer does not consider that the road needs to be widened or there is need for any additional signage or road markings. Furthermore the 30mph in force is considered appropriate. As indicated above any increase in HGV traffic or staffing numbers relates to previous consents issued and it would not be appropriate to request any such improvements from the applicant as a result of this particular application.

M4 Junction 35

- Whilst the concerns over the Southbound approach lane widths are understood the Traffic Management Dept. is not aware of history of collisions or complaints in respect of HGV traffic manoeuvres. As indicated above any increase in HGV traffic relates to previous consents issued and it would not be appropriate to request any such improvements from the applicant as a result of this particular application. Rule 187 of the Highway code places the onus on drivers to drive appropriately in such situations.

Rule 187

In all cases watch out for and give plenty of room to

- *pedestrians who may be crossing the approach and exit roads*
- *traffic crossing in front of you on the roundabout, especially vehicles intending to leave by the next exit*
- *traffic which may be straddling lanes or positioned incorrectly*
- *motorcyclists*
- *cyclists and horse riders who may stay in the left-hand lane and signal right if they intend to continue round the roundabout. Allow them to do so*
- *long vehicles (including those towing trailers). These might have to take a different course or straddle lanes either approaching or on the roundabout because of their length. Watch out for their signals.*

Finally, with regard to NRW's queries regarding water voles, the consultant has confirmed that: "The Preliminary Ecological Appraisal undertaken for the site in March 2018 concluded that the site was unsuitable for supporting water vole and **therefore no specific surveys for water vole were recommended**. The desk study found that there were **no records of water vole within 2km of the site and the habitats on site were considered unsuitable for supporting water vole**."

The Extended Phase 1 Habitat survey undertaken at the site on 13th March 2018 identified ten wet ditches within the site. These ditches were considered unsuitable for water voles as they were overshadowed either by broad-leaved woodland or hedgerows and there were no suitable vegetated banks on which water vole could create their burrows and forage/move under cover. Aside from a more substantial wet ditch located along the southern boundary of the broad-leaved woodland, the remainder of the drainage ditches held varying levels of flowing water and/or were dry.

Subsequent to the Preliminary Ecological Appraisal, **an otter survey was undertaken along the more substantial wet ditch located along the southern boundary of the woodland in the north of the site in June 2018. Although the focus during this survey was on recording signs of otter activity, other signs of use of the watercourse by other protected species were also noted. No signs of water vole were found along this ditch. This ditch is the only watercourse within the site that connects to watercourses located off-site.**

9 47 P/18/174/FUL

Since the preparation of the committee report, the department has received additional communications from the occupier of 28 Wimborne Road concerning site conditions, ground contamination and ground waters related to the development site and surrounding areas. The Council's Principal Structural Engineer has reviewed the Site Investigation Report that has accompanied the application.

And notes that the report includes section on contamination and ground water movement together with pollution instances but this does not reference the problems highlighted by the occupier of 28 Wimborne Road. The report does identify some contamination in the made ground on the school site but also includes remedial measures that will be implemented and secured through the planning permission to deal with this matter. Ground water movements have been highlighted by the objector but again it is noted that the developer has surveyed the drainage system both on and around the site and have concluded that there is sufficient capacity in the existing system for the new development, particularly as the new development will include attenuation tanks that will hold any rainwater falling on the site releasing into the surface water system in a controlled manner.

Any property damage identified by the objector is not a material planning consideration and a matter between the respective landowners.

Members are referred to Conditions 21, 24, 25, 26, 27 and 28 in the report that address the issues of site drainage and ground contamination and remediation.

The applicant's agent has submitted a letter from the Neil Hemmington – Chief Planner – Welsh Government which recommends the use of a replacement informative where a European Protected Species Licence is required in connection with site development. Condition 3 on the report is omitted and the following informative note added to any future decision notice.

RECOMMENDATION:-

Delete Condition 3 and add the following advisory note (h):-

- h. Warning: An European protected species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at:-

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

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P/18/429/FUL

A Panel Site Visit was undertaken on Wednesday 29 August 2018.

The Local Ward Members (Cllr. Kearn (who is also a Member of the DC Committee) and Cllr. Gebbie), a representative from Pyle Community Councillor, a local resident (who has lodged a request to speak at committee) and a representative for the operator of the premises (Vanessa Richards on behalf of the Wallich) attended the site visit.

At the site meeting, Officers received another representation from the resident including a letter and photographs of the surrounding area which are attached to this sheet for Members' information as **Appendix A**.

In addition, paragraph 6 on page 85 of the report should refer to the fact that the site lies within the settlement boundary of Pyle/Kenfig Hill/North Cornelly and not Bridgend.

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P/16/251/OUT

The fourth point in condition 2 in the report should be deleted as it refers to plots 10-12 which have been omitted from the application.

RECOMMENDATION:

Condition 2 should read as follows:-

The consent hereby granted shall be limited to the construction of no more than 9 dwellings and details of the appearance, landscaping, layout, and scale, (hereinafter called "the Reserved Matters") shall accord with the following requirements:

- No development is permitted in the 1% and 0.1% fluvial flood outline of Nant Bryncethin and therefore within the area hatched in blue on the 'Illustrative Masterplan' BRYN-02 Revision C received on 24 November 2016;
- A distance of 21m between directly facing habitable room windows, in relation to existing properties;
- The dwellings on Plots 1 and 9 being sited a minimum distance of 12m from the side facing habitable room windows in 33 and 34 Ffordd Leyshon respectively;
- Car parking provision in accordance with SPG 17 – Parking Standards

Reason: In the interests of safeguarding the living conditions of existing and future residents and highway safety

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P/18/509/FUL

A Panel Site Visit was undertaken on Wednesday 29th August, 2018.

The Local Ward Member (Cllr. Kearn (who is also a Member of the DC Committee), a representative from Pyle Community Councillor and the applicant attended the site visit. The exact location of the proposed right of way through the site was queried at the site meeting. Whilst Officers are satisfied that the scheme will not prejudice it in any way, Officers have requested an update from the Rights of Way Officer (Andrew Mason) with regard to the

Definitive Map Modification Order for a new route between the new bus stop and the rear lane of 4 Moriah Place.

16 **159** **FORMAL DESIGNATION OF PRESWYLFA COURT CONSERVATION AREA AS AN ARTICLE 4 DIRECTION AREA (INCLUDING SUMMARY OF CONSULTATION RESPONSES FROM RESIDENTS)**

A decision letter from the Welsh Government is attached as **Appendix B** (referred to as Appendix 3 in the report)

18 **197** **SUSTAINABILITY APPRAISAL SCOPING REPORT AND THE INITIAL HRA SCREENING REPORT**

The Draft Sustainability Appraisal Scoping Report and the Initial HRA Screening Report was subject to a 5 week stakeholder consultation period commencing 23rd July 2018 until 27th August 2018. The LPA received 9 consultation responses. A summary of the key issues raised in relation to the reports is provided in the SA Scoping Report Consultation Report attached as a PDF below.

SA Scoping Report - Consultation Report



The amended final version of the Sustainability Appraisal Scoping Report and the Initial HRA Screening Report are attached as appendices 1 & 2 below and update the originals.

Appendix 1 – Bridgend LDP Review Sustainability Appraisal Scoping Report: Updated Post Consultation (August 2018)



Appendix 2 – Bridgend LDP Review Initial HRA Screening Report



Also attached below is the 'Screening Determination' that provides a record of determination regarding the need or otherwise to incorporate a statutory strategic environmental assessment (SEA) within the wider Sustainability Appraisal (SA) being undertaken in respect of the review of the 1st Bridgend Local Development Plan (LDP), referred to as the LDP Review.

Bridgend LDP Review SEA Screening Determination



Revised recommendation

RECOMMENDATION:-

That Development Control Committee:

- (A) note the contents of the Sustainability Appraisal Scoping Report, the Initial HRA Screening Report and Screening Determination; and
- (B) give delegated authority to the Group Manager Development, Communities Directorate to make any factual corrections or amendments to the reports as considered necessary.

Reason: The SA, incorporating SEA, will be updated as a live document throughout the LDP Review.

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CANDIDATE SITE ASSESSMENT QUESTIONNAIRE

Summary of Key Issues Raised

The draft Candidate Site Assessment Questionnaire was subject to a 5 week stakeholder consultation period commencing 23rd July 2018 until 27th August 2018. The LPA received 7 consultation responses. A summary of the key issues raised in relation to the questionnaire is provided in the Candidate Site Assessment Consultation Report attached as a PDF below.

Candidate Site Assessment Questionnaire - Consultation Report



Candidate Site
Assessment Questio

The amended final version of the Candidate Site Assessment Questionnaire is attached as Appendix 1 below and updates the original.

Appendix 1 – Candidate Site Assessment Questionnaire (August 2018)



Appendix 1 -
Candidate Site Asse:

Revised recommendation

RECOMMENDATION:-

That Development Control Committee:

- (A) note the Candidate Site Assessment Questionnaire; and
- (B) give delegated authority to the Group Manager Development, Communities Directorate to make any factual corrections or amendments to the Candidate Site Assessment Questionnaire as considered necessary.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES
30 AUGUST 2018