

REFERENCE: P/19/911/RLX

APPLICANT: Ward Jones (Bridgend) Ltd.
c/o John Matthews Development Consultant,
47 Anglesey House, Anglesey Way, Nottage CF36 3QP

LOCATION: Land at Moor Lane, Porthcawl CF36 3EJ

PROPOSAL: Vary conditions 1, 3, 8, 9, 10, 11, 12, 13, 14, 18, 19, 23 and 24 of P/19/115/RLX to facilitate an increased provision of timber chalet accommodation units from 56 to 80

RECEIVED: 06 December 2019

APPLICATION/SITE DESCRIPTION

The application seeks to vary conditions 1, 3, 8, 9, 10, 11, 12, 13, 14, 18, 19, 23 and 24 of P/19/115/RLX to allow an increase in the number of timber chalet accommodation units on the site from 56 to 80. The original consent (P/16/497/FUL) related to the change of use of the land for the provision of high quality self-catering mobile wooden chalet tourist accommodation units and supporting facilities and that application was reported to DC Committee in April 2017.

The relevant conditions and proposed changes are as follows:

1. The consent hereby approved shall be limited to the siting of 56 timber chalet accommodation units, which shall be mobile, not fixed to the ground laid out in accordance with the 1:1250 scale Site Plan received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC and in accordance with the 1:100 scale plans of the 3 bed, 2 bed and smaller 2 bed timber units received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC together with the 1:200 scale plan of the Service Centre Building received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC.

The applicant seeks the following amendment to the condition:-

*The consent hereby approved shall be limited to the siting of **80** timber chalet accommodation units, which shall be mobile, not fixed to the ground laid out in accordance with the revised 1:1250 scale Site Plan received on 6th December 2019 and in accordance with the 1:100 scale plans of the 3 bed, 2 bed and smaller 2 bed timber units received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC together with the 1:200 scale plan of the Service Centre Building received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC.*

3. This consent permits the year round occupation of the timber chalet units but no unit shall be occupied as a person's or persons' place of residence nor shall any unit be occupied by the same person or persons for a period exceeding 42 days between April and September (inclusive) and 42 days between October and March (inclusive).

The applicant seeks the following amendment to the condition:-

*This consent permits the year round occupation of the timber chalet units but no unit shall be occupied as a person's or persons' place of residence nor shall any unit be occupied by the same person or persons for a period exceeding **28** days within any 12 month period.*

8. 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 Method Statement shall be adhered to throughout the site clearance and construction period. The Statement shall provide for:
- I. the routing of HGV construction traffic to/from the site in order to avoid the village of Nottage
 - II. specify the type and number of vehicles used during construction;
 - III. the parking of vehicles of site operatives and visitors;
 - IV. loading and unloading of plant and materials;
 - V. storage of plant and materials used in constructing the development;
 - VI. details of how and where the assembly of the wooden chalets will take place and the programming of such works;
 - VII. wheel washing facilities;
 - VIII. measures to control the emission of dust and dirt during construction;
 - IX. the provision of temporary traffic and pedestrian management along the agreed construction route

The applicant seeks the following amendment to the condition:-

The development shall strictly accord with the Construction Method Statement as approved under App. No. P/18/827/DOC dated 15th February 2019.

9. No development shall commence until a scheme for the provision of a direct pedestrian access to the adjacent public right of way on the eastern site boundary has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the approved development being brought into beneficial use and the access to the public right of way shall thereafter be maintained in perpetuity.

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the scheme for the provision of a direct pedestrian access to the adjacent public right of way on the eastern site boundary as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the approved development being brought into beneficial use and the access to the public right of way shall thereafter be retained and maintained in perpetuity.

10. No development shall commence until a scheme for the provision of traffic signs warning of the presence of pedestrians along Moor Lane to its termination at the A4229 and Pyle Road together with any necessary illumination has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the development being brought into beneficial use and shall thereafter be maintained in perpetuity

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the scheme for the provision of traffic signs warning of pedestrians along Moor Lane to its termination at the A4229 and Pyle Road together with necessary illumination as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the development being brought into beneficial use and shall thereafter be retained and maintained in perpetuity.

11. No development shall commence until a scheme for the provision of stepping off/refuge areas along Moor Lane from the site access to the A4229 and Pyle Road has been submitted to and agreed in writing by the Local Planning Authority. The stepping off/refuge areas shall thereafter be provided in accordance with the agreed scheme prior to the approved development being brought into beneficial use and shall thereafter be maintained in perpetuity

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the scheme for the provision of stepping off/refuge areas along Moor Lane from the site access to the A4229 and Pyle Road as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the approved development being brought into beneficial use and shall thereafter be retained and maintained in perpetuity.

12. No development shall commence until a scheme for the provision of tourist direction signs directing guests to the site has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the approved development being brought into beneficial use.

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the scheme for the provision of tourist direction signs directing guests to the site as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the development being brought into beneficial use and shall thereafter be retained and maintained in perpetuity.

13. No development shall commence until a Traffic & Delivery Management Plan for the site has been submitted to and agreed in writing by the Local Planning Authority. All guest arrivals and departures and servicing and delivery vehicles movements to the site shall be made in accordance with the agreed Traffic & Delivery Plan once the development is brought into beneficial use.

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the Traffic and Delivery Management Plan as approved under App. No. P/18/827/DOC dated 15th February, 2019. All guest arrivals and departures and servicing and delivery vehicle movements to the site shall be made in accordance with the agreed Traffic and Delivery Management Plan once the development is brought into beneficial use.

14. No development shall commence until a scheme for the provision of off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking areas shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the scheme for the provision of off-street parking spaces as approved under App. No. P/18/827/DOC dated 15th February, 2019. The parking areas shall be completed in permanent materials with

the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

18. No development shall take place until details of the siting and design of the wooden chalets within each of the plots and plans of the siting, design and layout of the proposed Service Centre Block (to include a reception/office, a shop, a cycle hire facility and storage areas), including samples or detailed specifications of the materials to be used in the construction of the external surfaces of the chalets and buildings hereby permitted and for any replacement units, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the details of the siting and design of the wooden chalets within each of the plots as shown on the 1:1250 scale Revised Site Plan dated 02/07/2019, and, the plans of the siting, design and layout of the proposed Service Centre Block (to include a reception/office, a shop, a cycle hire facility and storage areas), and for any replacement units as approved under App. No. P/18/827/DOC dated 15th February, 2019. Development shall be carried out in accordance with the agreed details.

19. No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority 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. The agreed landscaping works 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.

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the landscaping details as shown on Revised Site Plan – Proposed Tree Planting of Central Green & Proposed Tree Planting of Central Green – Table, and, the Landscaping Proposals plan as approved under App. No. P/18/827/DOC dated 15th February, 2019. The agreed landscaping works shall be carried out prior to the occupation of any part of the development in accordance with a programme agreed with the Local Planning Authority prior to the development commencing on site.

23. No site clearance shall take place until further information has been submitted to and agreed in writing by the Local Planning Authority in respect of:-

- *Appropriate pollution prevention to Moor Lane Pond SINC;
- *Bat sensitive light design;
- *Method Statement for vegetation clearance in respect of birds, reptiles and amphibians;
- *Eradication strategy for Japanese Knotweed

The applicant seeks the following amendment to the condition:-

Site clearance works shall be taken in full accordance with:

- *The details relating to lighting design, method for vegetation clearance, knotweed protocol as approved under App. No. P/18/827/DOC dated 15th February, 2019.*

- *The pollution prevention measures which comprise a 5m wide buffer zone from the SINC along with a 2m x 1m clay bund as approved under App. No. P/19/307/DOC dated 31st May, 2019.*

24. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul sewage, road, roof and yard water will be dealt with, including future maintenance requirements has been submitted to and agreed in writing by the Local Planning Authority. The drainage system shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use

The applicant seeks the following amendment to the condition:-

The development shall be implemented in strict accordance with the Drainage Strategy Plan as approved under App. No. P/19/307/DOC.

The following conditions are retained as per the latest consent (P/19/115/RLX):

2. The timber chalet units shall be used for holiday accommodation only and for no other purpose including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order, 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
4. An up to date register shall be kept at the holiday accommodation hereby permitted from first beneficial occupation of the holiday accommodation and the register shall be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their dates of arrival at and departure from the accommodation.
5. Within one month of any change of operator/ownership of either the site (or any part thereof) or of any individual chalet unit on the site, the Local Planning Authority shall be advised by the operator or the owners of any individual chalet in writing of such change including the name and home address of the new owner.
6. A statutory declaration shall be submitted by each or any owner of the site (or any part thereof) or of any individual unit on the site to the Local Planning Authority not later than 31st January annually in each successive year stating that the chalets have not been used for permanent residential accommodation.
7. The proposed convenience shop within the reception block shall be completed and open to guests prior to the first occupation of the site and shall be open each day the site is open to guests.
15. The proposed means of access shall be no less than 5.5m wide laid out with 6.0 metre radius kerbing on both sides of the entrance constructed and retained in permanent materials as approved in writing by the Local Planning Authority with vision splays of 2.4m x 43m in both directions and surfaced in permanent materials for a distance of no less than 10m before the development is brought into beneficial use and shall thereafter be retained as such in perpetuity.
16. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

17. Any entrance barrier/gates shall be set back not less than 12 metres from the nearside edge of carriageway.
20. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The landscape management plan shall be carried out as agreed.
21. All hard and soft landscape works shall be carried out in accordance with the approved details. The works 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.
22. All site clearance works shall be undertaken in accordance with the methods and measures contained within the Mitigation Method Statement - Great Crested Newt prepared by Soltys Brewster Ecology (dated 28 October 2016).
25. Prior to the diversion of Footpath 12 along the eastern and northern boundaries of the site, a scheme for a catch ball fence a minimum of 3m in height shall be submitted to and agreed in writing with the Local Planning Authority. The agreed fencing shall thereafter be implemented prior to the diverted footpath being opened to public use and shall be retained and regularly maintained in perpetuity.



Illustration 1: Aerial Photograph of the Application Site

Members will recall that the application site is a roughly rectangular area of land on the northern side of Moor Lane adjoining the north eastern and eastern boundaries of the former Gas Holder Compound.

The site extends to approximately 3.8 hectares of land, which is currently rough grassland. Footpath 12 runs diagonally from a point in the south eastern corner of the site, adjacent to the access point onto Moor Lane, to the north eastern corner before continuing in a north easterly direction until it meets the A4229. The Grove Golf Course adjoins the northern and eastern site boundaries with agricultural land laying to the south.

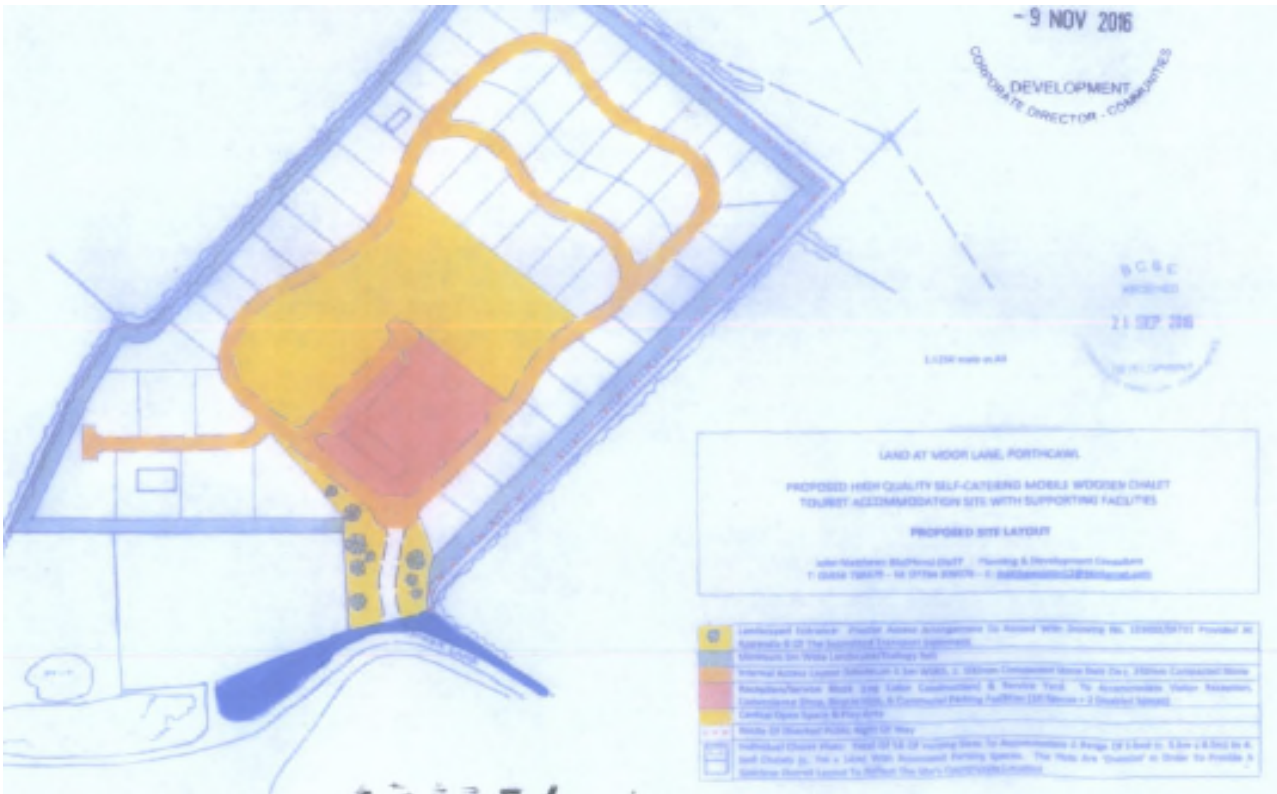


Illustration 2: Approved Plan under P/16/497/FUL

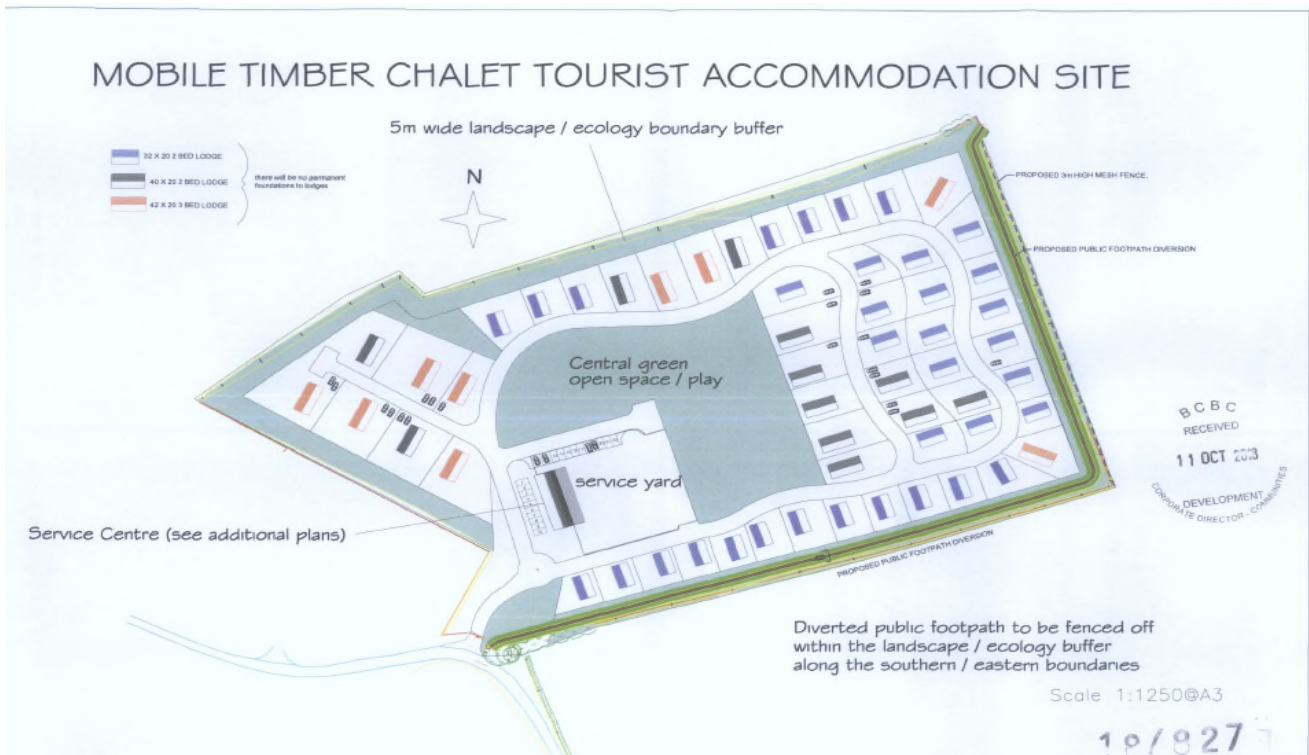


Illustration 3: Approved Plan under P/18/827/DOC

MOBILE TIMBER CHALET TOURIST ACCOMMODATION SITE

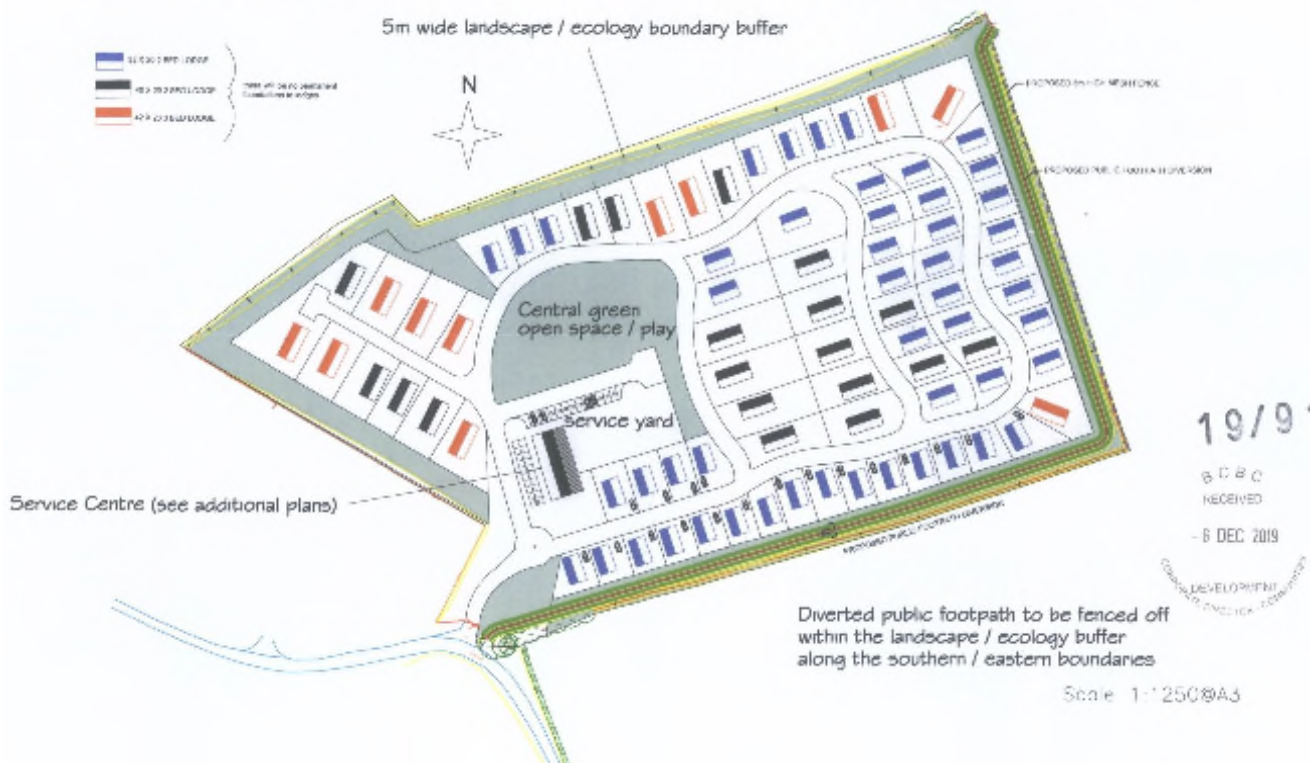


Illustration 4: Proposed Layout Plan

RELEVANT HISTORY

6782/350/2280/71 - Light industrial purposes & Council Yard - Approved with conds July, 1972

75/400 - Industrial Estate - Deemed Consent - October, 1975

75/1301 - Transport Depot - Deemed Consent - January, 1976

99/628 - 2 Light Industrial Units - Approved with conditions - 14/03/00

P/01/221/OUT - 10 residential units - Refused - 15/05/01 (Dismissed on Appeal 11/12/01)

P/02/186/FUL - Warehouse with integral office - Approved with conditions - September, 2002

P/07/896/FUL - Healthcare complex - Refused - 21/12/07

P/07/897/FUL - Office/Commercial Dev't (5 offices & 8 commercial units) – Refused - 21/12/07

P/08/116 - B2/B8 Unit with access road - Refused - 13/03/09

P/12/450/FUL - Fencing & entrance gates to site boundary & diversion of Footpath 12 - Approved with conditions - 19/10/12

P/13/573/FUL - Landscape Business (turf, soil & stone sorting & distribution) with 2 agricultural type sheds - Refused - 22/10/13

P/16/497/FUL - Change of use of land for the provision of high quality self-catering mobile wooden chalets, tourist accommodation & supporting facilities – Approved with conditions - 13/04/17

P/17/554/RLX - Variation of condition 2 of P/16/497/FUL relating to occupancy of chalets – Approved with conditions – 16/03/18

P/18/827/DOC - Approval of details for conditions 8-15, 19, 20, 24, 25 and 26 of P/17/554/RLX – Details Agreed – 18/02/20

P/18/954/RLX - Vary condition 1 of P/17/554/RLX to amend the height of the chalet units from 3.05m to 5m – Approved with conditions – 16/03/18

P/19/307/DOC - Approval of details for conditions 23 & 24 of P/19/115/RLX – Details Agreed - 31/05/19

P/19/115/RLX - Removal of condition 12 and variation of condition 25 of P/18/954/RLX – Approved with conditions – 02/05/19

PUBLICITY

This application has been advertised through the neighbour notifications and via a notice erected on site. The period allowed for response to consultations / publicity expired on 6 January 2020.

CONSULTATION RESPONSES

Highways Officer – The applicant has provided a Transport Statement to accompany this application which seeks to quantify the vehicle movements resulting from the uplift in units. It should be noted that the trip generation patterns and volumes of traffic for a rental holiday chalet are significantly different to a privately owned chalet that would attract longer stays. The revised transport statement quantifies the traffic generated by an uplift in chalet numbers from 56 to 80. In addition the applicant has removed the previous request for a certain number of units to be privately owned and therefore all 80 chalets will be holiday lets with a restriction on length of stay. The new total of 80 chalets operating solely as holiday chalets will generate between 195 and 208 vehicle trips per day. Based on the worst-case baseline traffic flow on Moor Lane calculated by the Highway Authority of 769 two-way movements, the inclusion of the traffic generation from 80 units would equate to total two-way flows of 977 vehicles. This does not exceed the quiet lane threshold of 1,000 vehicle movements along Moor Lane.

It should be noted that the applicant's Transport Consultant calculated the baseline traffic movements along Moor Lane as 449 vehicle movements per day. However, the Highway Authority has sought to calculate the absolute worst case scenario and take a robust position whereby all traffic already using Moor Lane is travelling in the same direction and along the same section of Moor Lane in the peak hour. In addition, within that calculation it assumes that all other caravan and campsites which use Moor Lane are at full occupation on a bank holiday weekend.

Therefore, even with the above robust background traffic calculation and the traffic generated by the development, Moor Lane remains within the quiet lane threshold and it is considered not to materially affect the peak traffic hours of the local highway network.

It is noted that a number of conditions associated with the previous consent have now been discharged, therefore I would request that the LPA re-words those conditions to ensure the scheme is constructed as per the agreed plans. All other highway related conditions would remain the same and should be applied to this consent. I would advise that the observations of the Highway Authority are: -

No objection subject to of the imposition of all previous highway related conditions imposed on any previous consent.

Dwr Cymru/Welsh Water – No objection.

Land Drainage – Originally, the Land Drainage Officer was unable to agree to the suggested working for drainage condition and required a revised drainage strategy report to be provided and reviewed prior to agreeing to the addition of a new drainage condition. Additional details and calculations have been submitted and the Land Drainage Officer considers that the proposals are acceptable subject to a condition requiring the revised details to be submitted to and approved in writing prior to the commencement of development on site.

Porthcawl Town Council – Objection: Maintain original objection to conditions 1 and 9. Over-intensification. No works to commence until conditions 1 and 9 have been revised.

REPRESENTATIONS RECEIVED

Councillor Norah Clarke – “I object most strongly to increasing the number of chalet units from 56 to 80 for the following reasons:-

1. In 2001 an application for 10 dwellings was refused by the Local Planning Authority on this particular site which then went to appeal & was refused by the inspector. One of the reasons for refusal by the inspector was the volume of traffic that would be generated by this number of dwellings. During the last 18 years volumes of traffic & reliance on the motor car has substantially increased.
2. Moor Lane is just that a lane. It's an unclassified road which is 1.6km in length between the classified roads known as West Road (to the west) and the A4229 Pyle Road (to the east) & is confined to a single width track along extensive sections of its length & is considered to be substandard in nature due to its constrained & narrow width (ranging between 3m & 5m) lack of segregated pedestrian footways, tortuous alignment, substandard forward visibility at numerous locations, national speed limit of 60mph & lack of adequate headroom clearance (limited to 9'6" or 2.89m) under the nearby rail bridge (cuckoo bridge) which is a listed structure & has restricted width.
3. Moor Lane is predominately used by walkers, dog walkers, horse riders, cyclists, caravans & vehicles with no footpaths.
4. Moor Lane has been supported, promoted & sponsored by Bridgend County Borough Council for the Nottage Circular Walk & Nottage & Sker Point Circular Walk.
5. The site lies in a remote countryside location which is not on a public bus route & will lead to substantial reliance on the private motor vehicle.

Taking into account all of the above I strongly object to this application on the grounds that an increase in the number of chalet units from 56 to 80 will inevitably add to the volume of traffic (i.e. private motor vehicles & delivery vehicles) along Moor Lane to & from the site which will be detrimental to road safety.

I would request a full site visit to the location also that the members of DC focus on the access route to the site i.e. Moor Lane along its length from all routes.

Also, if this application is given approval by the planning department I would wish to address DC committee.”

Porthcawl Civic Trust Society – Strongly object – This would increase the potential of 80 cars plus delivery vehicles accessing an egressing the site. Moor Lane is predominantly a single track lane with passing places without a pavement used by cars, caravans, walkers, cyclists and horse riders.

The addition of 80 chalets plus a shop will result in an increase in vehicular movements along the lane which in this Society's opinion will be detrimental to highway safety. Moor Lane is subject to the national speed limit.

The Traffic Management Plan suggested is totally impractical as merely erecting a sign for vehicles exiting the site to "please turn right" is not enforceable. If vehicles reach the site from a south eastern approach via Cuckoo Bridge, human nature and also satellite navigation systems will also choose the same route away from the site. The shortest and quickest route to Porthcawl Town and the M4 is to turn left when exiting the site.

The Highways Act requires local authorities to take reasonable steps to enhance the provision made for walkers and cyclists and to have regard to the needs of walkers and cyclists. In our opinion if this application is granted it will lead to an increased motor vehicular activity at unrestricted speeds along the lane which will not enhance the needs of walkers and cyclists as it will compromise their safety.

The site is in a remote location and not accessible by a range of different transport modes leading to a reliance on the use of private motor vehicles.

COMMENTS ON REPRESENTATIONS RECEIVED

It is noted that concerns have been expressed about highway/pedestrian safety along Moor Lane, the increase in the number of chalets on this site from 56 to 80 and the subsequent increase in traffic along Moor Lane.

These concerns are addressed in the Appraisal Section of this report, however, it should be noted that the potential for the approved tourist chalets being sold to private investors and becoming second homes/longer term holiday accommodation has been removed, the ancillary facilities (shop etc.) have not increased in size or extent despite the increase in the number of units, the shorter term stays will result in a reduced number of vehicular movements to and from the site compared to the consented scheme and pedestrian refuges have been secured along Moor Lane under previous consents.

RELEVANT POLICIES

Members will recall that in determining the original planning application (P/16/497/FUL), due regard was had to:-

National Policy

Planning Policy Wales (Paragraph 4.6.4) states that "The Countryside is a dynamic and multi-purpose resource. In line with sustainability principles, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological and agricultural value and for its landscape and natural resources, balancing the need to conserve these attributes against economic, social and recreational needs of local communities and visitors."

In addition, paragraph 11.3.1 states that "In determining planning applications for tourism developments, local planning authorities need to consider the impact of proposals on the environment and local community. They may seek to reduce the impact of development using arrangements for traffic and visitor management."

Since then, a new version of Planning Policy Wales has been adopted (PPW 10 December 2018) and paragraph 3.34 repeats the same advice in terms of the protection of the countryside.

Local Policy

The site is located outside of any settlement boundary as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP) and is, therefore, located in the countryside where Policy ENV1 ensures that development is strictly controlled. ENV1 states that development may be acceptable where it is necessary for:-

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

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

Having regard to national policy and the criteria set out above and the fact that principle of such a development has been established through the previous consent, the scheme can be considered as an appropriate rural enterprise in accord with criterion 3 of Policy ENV1.

Policy SP11 of the LDP also states that tourism development will be promoted at the strategically important resort of Porthcawl. Whilst the site is located approximately 300m outside the settlement boundary of Porthcawl, the town centre is located approximately 1.3 miles to the south providing adequate services and facilities for holiday makers.

Policy REG12 of the LDP states that new tourist facilities in the countryside will only be permitted where the activity is compatible with and complimentary to the countryside, the development is part of a rural enterprise scheme and the proposal is considered acceptable in principle. Due consideration was also given to the suitability of Moor Lane to serve the proposed development.

APPRAISAL

The application is referred to Committee to consider the objections and concerns raised by the Ward Member, Porthcawl Town Council and Porthcawl Civic Trust Society and the call-in by the Local Ward Member in respect of the extent and number of chalets on this site and the subsequent impact on the adjoining highway(s).

This application seeks to vary a number of conditions attached to the most recent application and consent (P/19/115/RLX).

Since the original consent (P/16/497/FUL) for the change of use of the land for the provision of 56 high quality self-catering mobile wooden chalet tourist accommodation units and supporting facilities, the applicant(s) relaxed/removed various conditions relating to the occupancy of the chalets (P/17/554/RLX), the height of the chalet units (P/18/954/RLX) and the provision of a pedestrian refuge on the A4229 to the north (following the results of a Safety Audit) and the drainage of the site due to the lack of a public sewerage system in the vicinity of the site (P/19/115/RLX).

This application seeks to reverse the scope to sell these chalets to private investors by ensuring that they are rented out as holiday lets only (as per the original consent) and to restrict the length of stay to 28 days in any 12 month period (as per the original consent) but to

increase the number of units on the site from 56 to a maximum of 80 in order to ensure the viability of the development.

It has been clarified that the chalets will not be available for purchase by individuals and they will all remain in the site operator's ownership for letting as part of the business model for the site. The site operator will retain full control and responsibility for the registration of all holiday occupier visits.

On the basis of a Transport Assessment submitted with the original application, it was accepted that Moor Lane would constitute a "Quiet Lane" (not exceed 1000 per day) suitable for shared use by vehicles, pedestrians, cyclists and equestrians and therefore that it would be suitable to serve the development. This was on the basis that the total number of vehicle movements along Moor Lane including the holiday chalet site was calculated to be 909 using the originally supplied TRICS data. This figure was reached by agreeing that the proposed holiday chalet site would generate 140 vehicle trips per day in addition to the existing background traffic already using Moor Lane.

For the previous application to vary the length of occupancy of these units (P/17/554/RLX) a further TRICS analysis in which the whole site was unrestricted and privately owned was sought. The data was required to obtain a "worse case" scenario using vehicle movements from the busiest holiday month (August) and on a weekend. This would enable calculation of the potential increase in vehicle movements as a result of an unrestricted site. On the basis of that data, a trip rate of 3.441 trips per day per chalet was calculated which multiplied by the number of chalets (56) resulted in 193 vehicle movements per day potentially emanating from an unrestricted Moor Lane site.

When combined with the existing background traffic already using Moor Lane, a total of 962 vehicles per day could be generated on that basis. The overall total therefore remained within the 1000 vehicle threshold and would not so significantly increase movements as to be detrimental to highway safety.

The current application to vary the wording of the conditions has once again been accompanied by additional information to supplement the original Transport Assessment in order to quantify whether the number of vehicle movements expected from the holiday chalets would change due to the proposed increase in numbers and the proposal to revert back to 100% short term holiday lets.

The trip generation patterns and volumes of traffic for a rental holiday chalet are significantly different when compared to a privately owned chalet that would attract longer stays.

The traffic generated by chalets used as holiday lets is considerably less than chalets which are privately owned and occupied for longer durations. The Technical Note - Transport submitted with the application (and corroborated by the Highways Officer) states that short term holiday lets generate 1.3 trips per unit per day, as opposed to 3.441 trips per unit per day for a site with the potential for longer term stays as previously approved (42 days in any six month period).

Therefore, with a new total of 80 chalets operating solely as shorter term holiday chalets will generate between 195 and 208 vehicle trips per day compared to 193 trips per day for 56 units with longer periods of stay.

Based on the worst-case baseline traffic flow on Moor Lane, calculated by the Highway Authority, of 769 two-way movements, the inclusion of the traffic generation from 80 units would equate to total two-way flows of 977 vehicles. This, therefore, still does not exceed the quiet lane threshold of 1,000 vehicle movements along Moor Lane and compares favourably

with the 962 vehicles per day generated by 56 units (and background traffic) with longer periods of stay as previously approved.

For clarity, it should be noted that the applicant's Transport Consultant calculated the baseline traffic movements along Moor Lane as 449 vehicle movements per day, however, the Highway Authority has sought to calculate the absolute worst case scenario and take a robust position whereby all traffic already using Moor Lane is travelling in the same direction and along the same section of Moor Lane in the peak hour.

In addition, that calculation assumes that all other caravan and campsites which use Moor Lane are at full occupation on a bank holiday weekend.

However, even with the above robust background traffic calculation, the traffic generated by this development at Moor Lane remains within the quiet lane threshold and it is considered that it would not materially affect the peak traffic hours of the local highway network.

The Draft Framework Travel Management Plan submitted with the application includes sustainable transport initiatives and information to be provided to holiday makers and sustainable travel will be encouraged through the provision of travel information within a residents welcome pack. The travel information will demonstrate walking and cycling routes, show key local facilities and provide details of public transport. In addition, the site will provide a cycle hire facility to encourage cycling and an on-site shop to reduce the need to travel off-site. These measures will seek to minimise the level of vehicle trips on the network, wherever possible.

All other highway related conditions remain the same and will be re-applied to this consent and the Highways Officer has no objection to the proposals.

Given the unsustainable nature of the site with regard to access to local services, schools, health services and the wider transport network, any unfettered residential use would be unacceptable and maintaining the requirement for occupation to be for holiday purposes only is considered necessary from a highway safety viewpoint.

In planning terms, there was also a concern that relaxing the occupancy condition could result in longer stays at the site and would not provide the necessary high turnover of occupancy that is required to contribute to the local economy and meet the needs of the serviced accommodation demands. Now that the scheme has reverted back to 100% holiday lets for short term occupancy (maximum of 28 days in any 12 month period), it is considered that the benefits to the local economy will be maximised and any concerns that the site could eventually evolve into a 'second home' park have been addressed.

In terms of ecology/biodiversity, the original condition has been discharged recently (condition 23 under P/18/827/DOC) and the development will be conditioned so that it adheres to the details as approved.

CONCLUSION

The amended conditions are considered to be acceptable in providing a purely tourism related development and are sufficient to control the maximum number of units on the site and the nature of the occupancy of the units on the site. In essence, whilst the number chalets on the site has increased from 56 to 80, the restriction of occupancy to 28 days per 12 month period will ensure that the nature of the use of the site will be tourism related and the subsequent number of trips generated from each chalet will be less than previously consented.

More specifically, the restricted occupancy does not give rise to any issues relating to highway safety, drainage or biodiversity.

RECOMMENDATION

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

1. The consent hereby approved shall be limited to the siting of 80 timber chalet accommodation units, which shall be mobile, not fixed to the ground laid out in accordance with the revised 1:1250 scale Site Plan received on 6th December 2019 and in accordance with the 1:100 scale plans of the 3 bed, 2 bed and smaller 2 bed timber units received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC together with the 1:200 scale plan of the Service Centre Building received on 11th October, 2018 and submitted as part of the discharge of condition application P/18/827/DOC.

Reason: For the avoidance of doubt as to the extent of the development permitted and to protect the safety and free flow of traffic on the surrounding highway network

2. The timber chalet units shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

3. This consent permits the year round occupation of the timber chalet units but no unit shall be occupied as a person's or persons' place of residence nor shall any unit be occupied by the same person or persons for a period exceeding 28 days within any 12 month period.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

4. An up to date register shall be kept at the holiday accommodation hereby permitted from first beneficial occupation of the holiday accommodation and the register shall be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their dates of arrival at and departure from the accommodation.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

5. Within one month of any change of operator/ownership of the site, the Local Planning Authority shall be advised by the operator in writing of such a change including the name and home address of the new owner.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

6. A statutory declaration shall be submitted by each or any owner of the site (or any part thereof) to the Local Planning Authority not later than 31 January annually in each

successive year stating that the timber chalets have not been used for permanent residential accommodation.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

7. The proposed convenience shop within the reception block shall be completed and open to guests prior to the first occupation of the site and shall be open each day the site is open to guests.

Reason: For the avoidance of doubt and to protect the safety and free flow of traffic

8. The development shall strictly accord with the Construction Method Statement as approved under App. No. P/18/827/DOC dated 15th February 2019.

Reason: In the interests of highway safety.

9. The development shall be implemented in accordance with the scheme for the provision of a direct pedestrian access to the adjacent public right of way on the eastern site boundary as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the approved development being brought into beneficial use and the access to the public right of way shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

10. The development shall be implemented in accordance with the scheme for the provision of traffic signs warning of pedestrians along Moor Lane to its termination at the A4229 and Pyle Road together with necessary illumination as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the development being brought into beneficial use and the traffic warning signs shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of highway safety

11. The development shall be implemented in accordance with the scheme for the provision of stepping off/refuge areas along Moor Lane from the site access to the A4229 and Pyle Road as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the approved development being brought into beneficial use and the stepping off/refuge areas shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of highway safety.

12. The development shall be implemented in accordance with the scheme for the provision of tourist direction signs directing guests to the site as approved under App. No. P/18/827/DOC dated 15th February, 2019 prior to the development being brought into beneficial use and the tourist direction signs shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of highway safety.

13. The development shall be implemented in accordance with the Traffic and Delivery Management Plan as approved under App. No. P/18/827/DOC dated 15th February, 2019. All guest arrivals and departures and servicing and delivery vehicle movements to the site shall be made in accordance with the agreed Traffic and Delivery

Management Plan once the development is brought into beneficial use.

Reason: In the interests of highway safety.

14. The development shall be implemented in accordance with the scheme for the provision of off-street parking spaces as approved under App. No. P/18/827/DOC dated 15th February, 2019. The parking areas shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

15. The proposed means of access shall be no less than 5.5m wide laid out with 6.0 metre radius kerbing on both sides of the entrance constructed and retained in permanent materials as approved in writing by the Local Planning Authority with vision splays of 2.4m x 43m in both directions and surfaced in permanent materials for a distance of no less than 10m before the development is brought into beneficial use and shall thereafter be retained as such in perpetuity.

Reason: In the interests of highway safety.

16. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

17. Any entrance barrier/gates shall be set back not less than 12 metres from the nearside edge of carriageway.

Reason: In the interests of highway safety.

18. The development shall be implemented in strict accordance with the details of the siting and design of the wooden chalets within each of the plots as shown on the 1:1250 scale Revised Site Plan dated 02/07/2019, and, the plans of the siting, design and layout of the proposed Service Centre Block (to include a reception/office, a shop, a cycle hire facility and storage areas) and for any replacement units as approved under App. No. P/18/827/DOC dated 15th February, 2019. Development shall be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory and sympathetic form of development so as to enhance and protect the visual amenities of the area and in the interests of highway safety.

19. The development shall be implemented in accordance with the landscaping details as shown on Revised Site Plan – Proposed Tree Planting of Central Green & Proposed Tree Planting of Central Green – Table, and, the Landscaping Proposals plan as approved under App. No. P/18/827/DOC dated 15th February, 2019. The agreed landscaping works shall be carried out prior to the occupation of any part of the development in accordance with a programme agreed with the Local Planning Authority prior to the development commencing on site.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

20. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The Landscape Management Plan shall be carried out as agreed.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

21. All hard and soft landscape works shall be carried out in accordance with the approved plans under condition 1. The works 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.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

22. No site clearance shall take place until further information has been submitted to and agreed in writing by the Local Planning Authority in respect of:-

*Appropriate pollution prevention to Moor Lane Pond SINC;

*Bat sensitive light design;

*Method Statement for vegetation clearance in respect of birds, reptiles and amphibians;

*Eradication strategy for Japanese Knotweed.

Reason: In the interests of the protection of biodiversity and Moor Lane Pond SINC

23. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul sewage, road, roof and yard water will be dealt with, including future maintenance requirements has been submitted to and agreed in writing by the Local Planning Authority. The drainage system shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that floor risk is not increased.

24. Prior to the diversion of Footpath 12 along the eastern and northern boundaries of the site, a scheme for a catch ball fence a minimum of 3m in height shall be submitted to and agreed in writing with the Local Planning Authority. The agreed fencing shall thereafter be implemented prior to the diverted footpath being opened to public use and shall be retained and regularly maintained in perpetuity.

Reason: In the interests of the safety and wellbeing of users of the diverted Public Rights of way.

25. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *

a. The application can be recommended for approval because the development is considered to comply with Government and Council policy and will not adversely impact on privacy nor so significantly harms highway safety, visual amenities or the amenities of neighbouring properties as to warrant refusal of the scheme.

b. The site owner will require a Site Licence under the Caravan and Control of Development Act 1960.

c. Permission will be required to divert Footpath 12 Porthcawl.

- d. No surface water is allowed to discharge to the public highway.
- e. No land drainage run-off will be permitted to discharge, either directly or indirectly, into the public sewerage system.
- f. In order to satisfy the drainage condition the following supplementary information will be required:-
 - (i). Details of infiltration tests to confirm the acceptability of any proposed infiltration system;
 - (ii). Design calculations, storm period and intensity, the method employed to delay and control the surface water discharge from the site;
 - (iii). Details of measures to prevent any surface water discharge polluting any receiving ground water and/or surface water system;
 - (iv). Timetable for implementation;
 - (v). Maintenance and management plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- g. The Traffic and Delivery Management Plan required to address Condition 10 will need to contain sufficient information in respect of the following:-
 - (i). Guest arrival and departure arrangements (directions to the site and timing of those movements);
 - (ii). Guest arrival and departures of the adjacent Brodawel Caravan Park;
 - (iii). Proposed Delivery Schedules;
 - (iv). Proposed Delivery Vehicle/Service Vehicles sizes;
 - (v). Supporting swept path diagrams; and
 - (vi). The need to review the plan in the event that any of the above arrangements change or at the request of the Highway Authority.
- h. 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;
 - iii) give not less than one calendar month's 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.

JONATHAN PARSONS
GROUP MANAGER PLANNING AND DEVELOPMENT SERVICES

Background Papers
None