

REFERENCE: P/20/953/FUL

APPLICANT: Mr H Studts Brodawel Camping And Touring Park, Moor Lane ,
Porthcawl, CF36 3EJ

LOCATION: Brodawel Camping and Touring Park Moor Lane Porthcawl CF36
3EJ

PROPOSAL: Change of 25 Touring Caravans to 25 Static Caravans, associated
infrastructure, ecological and landscaping enhancements and the
retention of 68no. touring pitches

RECEIVED: 26 November 2020

EOT AGREED: 1 November 2021

APPLICATION/SITE DESCRIPTION

The application seeks full planning permission for the change of 25 Touring Caravans to 25 Static Caravans, associated infrastructure, ecological and landscaping enhancements and the retention of 68 Touring pitches at Brodawel Camping Park, Moor Lane, Porthcawl.



Fig. 1 – Aerial Photograph of the Application Site and Surroundings

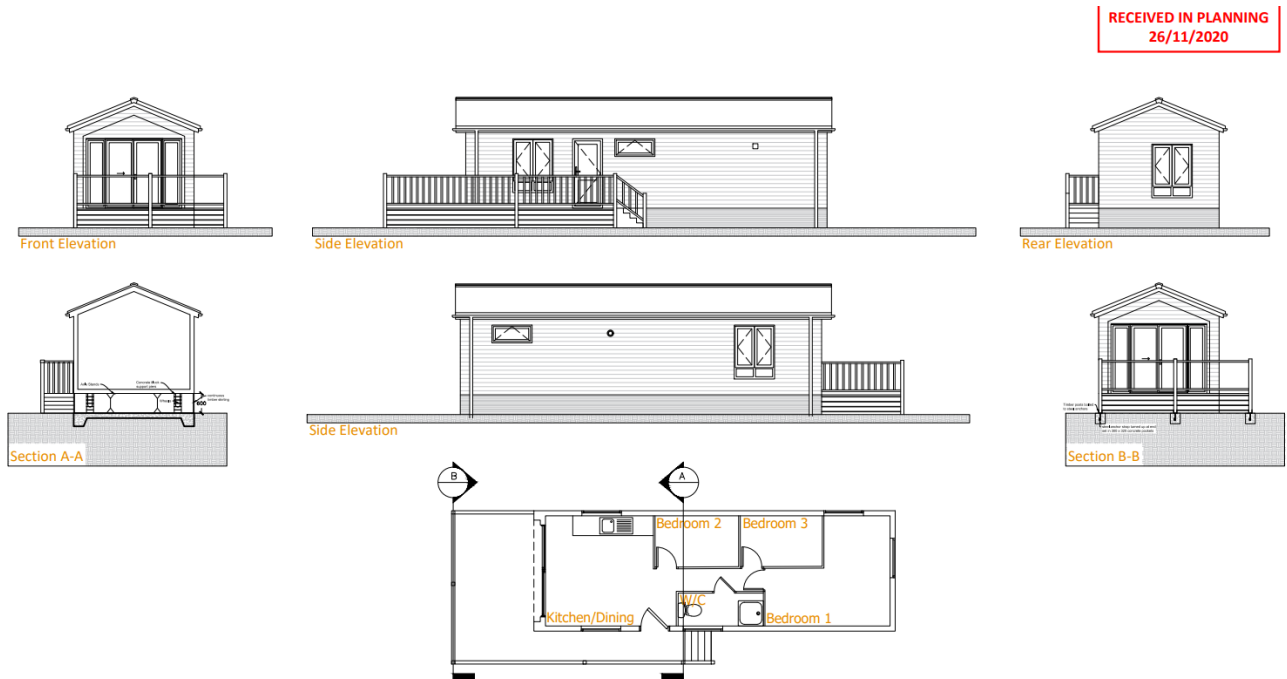
Initially, the application proposed the change of use of 125 touring caravans to 50 static caravans with associated infrastructure improvements and ecological mitigations and enhancement. Following a number of concerns raised by the Local Planning Authority regarding the loss of touring pitches at the site and highway safety concerns, an amended scheme was submitted on 10 May 2021, which proposed the change of 25 Touring Caravans to 25 Static Caravans and the retention of 68no. Touring pitches with a revised Transportation Statement for the site submitted on 2 September 2021.

The proposed scheme now comprises of 25 static caravans that will be positioned to the front and along the south-eastern boundary of the site. Each static caravan will be served by its own parking space and amenity space with proposed landscaping between each pitch. The rest of the site will be retained for touring pitches as existing.



Fig. 2 – Proposed Site Layout

The proposed static caravans will measure approximately 11m x 4m and to an overall height of 3.8m with a pitched roof. Each static caravan will comprise of three bedrooms, kitchen/dining area and w/c with shower. The wheels will be supported by concrete block piers and axle stands and will be covered by a continuous timber skirting. There will be a decked area erected around part of the caravan which will measure approximately 7.7m x 4.5m and to height of 1.5m with a wooden balustrade.



RECEIVED IN PLANNING
26/11/2020

Fig. 3 – Proposed Elevations and Floor Plans of the Static Caravan:

The application also proposes ecological and landscaping enhancements on the site, which include the following:

- Planting new native trees and shrubs;
- The creation of a wildlife garden;
- Enhanced areas for invertebrates, lizards and mammals;
- Protection of breeding birds and great crested newts;
- Protection of boundary hedgerow and retention of internal hedges; and,
- Enhancement of existing boundaries.

The proposed development will also create two additional full time jobs at the site.

The application has been accompanied by a Planning/Design and Access Statement, Drainage Report, Ecological and Protected Species Survey, Landscaping Scheme and a revised Transport Statement.

The application site lies outside the settlement boundary of Porthcawl as defined by Policy PLA1 of the BLDP(2013) and within the open countryside. The application site currently comprises a 3.8 acre site with 125 touring and camping pitches and has operated as a successful caravan and camping park since 1996. The caravan site includes a site shop, laundrette, modern toilet and shower facilities and an indoor family games room. The site is surrounded by open fields to the south and east of the site with residential dwellings backing onto the northern and south-western boundaries of the site. The main access to the site is via a single-lane track known as Moor Lane, which connects to Pyle Road.

RELEVANT HISTORY

P/97/554/LAE – Certificate of Lawfulness for use of land as touring caravan site – Granted – 07/10/1997.

Related applications located within close proximity to the application site:

P/20/489/FUL – Parc Newydd Farm Caravan Park, Moor Lane, Porthcawl - Increase to the number of pitches within the existing approved mobile caravan/campervan site from 30 to 35 plus an extension to the existing approved site area to provide for an additional 10 pitches (45 pitches for the total site) – Approved (subject to conditions) – 26/01/2021.

P/16/497/FUL (and subsequent S.73 applications to vary conditions) – Land at Moor Lane, Porthcawl - Change of use of land for the provision of high quality self-catering mobile wooden chalets, tourist accommodation & supporting facilities – Approved (subject to conditions) – 13/04/2017.

PUBLICITY

The application was advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 21 January 2021. A re-consultation process was undertaken on a revised scheme which expired on 25 June 2021.

CONSULTATION RESPONSES

Porthcawl Town Council – raises an objection due to insufficient information provided in relation to the use of the proposed static caravans.

Highways Officer – No objection subject to conditions.

Land Drainage Officer – No objection subject to compliance with two conditions regarding a comprehensive drainage scheme and a infiltration tests. SAB approval is also required.

Destination and Countryside Manager (Ecology) – No objection subject to compliance with Ecological survey and advisory notes.

Welsh Water Development Services – No objection as private treatments works are proposed to be used.

Economic Development (Tourism) – would object to the loss of any more than the proposed 25 touring pitches, but taking the supporting statement into account, the loss of 25 touring pitches would not be opposed, especially if the transition was gradual, with the introduction of the static units over an extended period of time to allow the supply of touring pitches elsewhere in the borough to adjust according to demand.

Shared Regulatory Services – No objection subject to an advisory note regarding a site licence.

REPRESENTATIONS RECEIVED

Cllr Norah Clarke (Local Ward Member) – objects to the proposed development and raises the following concerns:

- This application very much reduces touring caravanning opportunities for visitors to the only seaside resort in the County Borough.
- Porthcawl already has one of the largest static caravan parks within Europe with 2000 static caravans.
- The closing of Sandy Bay that has remained vacant for over a decade catered for touring caravans/motor homes. The closing of this facility resulted in a very much reduced capacity for those visitors with touring caravans/motor homes.
- Brodawel has been a very popular touring caravan/mobile home site within Porthcawl if this facility loses 25 more touring caravan pitches/motor homes then the holidaying provision/experience within Porthcawl will change
- Happy Valley another touring caravan site within Porthcawl has within the last few weeks issued instructions to all their touring caravan owners to remove their caravans and I understand that the owners are considering placing static caravans on this site this will again reduce the touring caravanning offer in Porthcawl.
- Soon the way the touring sites are changing within Porthcawl there will be no permanent facilities for touring caravans/motor homes. There will just have an abundance of static holiday homes available.
- Touring caravanning and motor homes is an ever growing popular industry especially amongst the over 50s. Porthcawl's offer for this type of vacation will soon be non-existent.
- Although the supporting statement is dated April 2021 I am surprised that there is no mention of how covid will impact upon the range/type of accommodation that is required as many people decide to stay in the UK & take their holidays. This hasn't been taken into account.
- In 2018 Bridgend embarked upon a four year plan to boost tourism. One of Bridgend's tourist "pull factors" identified in the plan is "an enthusiastic belief that there is a future in tourism in the county, as well as an aspiration to work to improve the offer for tourists". Unfortunately, the offer seems to be diminishing not improving.
- Over many years now serviced accommodation within Porthcawl has reduced significantly and is a very worrying trend as the County's only seaside area. This is concerning in itself without other available diverse tourist facilities disappearing as well.

This application will add to the other static caravan experience further along Moor Lane that has been allowed for 80 static caravans. So with Trecco Bay caravan park who have

2000 static vans there will be a total of 2,130 static caravans available to visitors whilst the availability for those visitors who are looking for touring caravan/mobile home pitches are reducing rapidly in Porthcawl & will be almost non-existent.

3 Tythegston Close - Objects to the proposed scheme and raises concerns about land usage and occupation of the site for 6 months to all year round which is detrimental to our well-being and creates noise issues.

4 Tythegston Close - Objects to the proposed scheme and raises the following concerns:

- Loss of tourist pitches;
- Impact of change on the small village;
- Static caravans – not necessary;
- Boundary concerns with hedge of application site and my boundary;
- Concern over responsibility of hedge and its maintenance.

6 Tythegston Close - No objection to the proposed scheme.

9 Tythegston Close - have no objections subject to the following (if not then i may wish to raise an objection): -

- We would like to ensure that there are no plans to plant or maintain shrubbery/foliage/plants that are invasive or will climb the wall of our property or cause damage to foundations or our walls please.
- Again we'd like to raise concern as to access to light on our ground floor all along this boundary, due to the placement of Caravans directly blocking light on the boundary to windows facing out along the boundary (we encounter this now when caravans are placed too close or taller caravans with awnings are placed there). The windows I refer to are clearly evident on the photos taken from your colleagues the prior site visit. One is a small window into the kitchen(problematic as window Already lets minimal light in), one into our downstairs bathroom, two others are below a skylight in to our lounge and the other is into a second lounge/study room (Large impact to light coming in to this room) where the wall with overgrown ivy is invading from the caravan over the wall into our side of the property too. As such with this re-development in mind I'd like to ask that any planned Caravan pitches on this boundary be placed and clearly marked at a reasonable and safe distance away from our property so's not to directly block light into the property or overlook directly through our windows please. I can provide photographic evidence of the light & overlooking issue if so required. Can we ensure this is being or will be taken into account?
- One further point on location of the caravans along the boundary of our property I'd ask that the distance from our property and between caravans is ensured to be of the utmost safety for Fire & Health and safety reasons also please.
- Again I'd ask that any headland along the border of our property and the caravan park be maintained as part of this development and not simply left to become overgrown. We wish to avoid plants/trees, shrubs climbers etc. from causing damp or damage to the house along the length of our property on this border.
- Might I also check that the static caravans being added are indeed for holidaymakers only and not long term residents living there? I note that was raised by Porthcawl Town Council but I haven't seen anything confirming that they are for holiday use only.

COMMENTS ON REPRESENTATIONS RECEIVED

The majority of the concerns raised are addressed within the appraisal section of this report.

The locations of the static caravans are not proposed along the rear boundary with Tythegston Close. The existing touring caravan pitches will be retained.

Land ownership and boundary disputes are not material planning considerations.

The applicant's agent has confirmed that the proposed static caravans will be for holiday use only and some will be privately owned for holiday use only. They have also confirmed that there will be no restriction on the length of stay. The current site licence, allows the park to operate between the 1st of March to the 1st of November. The applicant will not wish this to change. This information was sent to Porthcawl Town Council on 25 January 2021.

With regard to the loss of touring sites within Porthcawl, this matter was raised with the applicant who amended the application from a change of use of the entire site for 50 static caravans, with the loss of all the touring pitches to a change of use of only 25 touring pitches to 25 static caravans with the retention of 68 touring pitches in order to continue to provide this type of accommodation within Porthcawl.

RELEVANT PLANNING POLICES

The Development Plan for the area comprises the Bridgend Local Development Plan 2006-2021 (LDP) which was formally adopted by the Council in September 2013, and within which the following policies are of relevance:-

- Strategic Policy SP2 – Design and Sustainable Place Making
- Strategic Policy SP3 – Strategic Transport Planning Principles
- Strategic Policy SP11 – Tourism
- Policy PLA1 – Settlement Hierarchy and Urban Management
- Policy ENV1 – Development in the Countryside
- Policy ENV6 – Nature Conservation
- Policy REG12 - New or Extended Tourist Facilities, Accommodation and Attractions

Supplementary Planning Guidance

SPG17 – Parking Standards

SPG19 – Biodiversity and Development

National Planning Policy and Guidance

National Planning guidance in the form of Planning Policy Wales (Edition 11, February 2021) (PPW) and Future Wales – the National Plan 2040 (Feb. 2021) are of relevance to the determination of this application.

Technical Advice Notes:

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

Technical Advice Note 12 – Design (2016)

Technical Advice Note 13 – Tourism (1997)

Technical Advice Note 18 – Transport (2007)

Wellbeing of Future Generations (Wales) Act 2015

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

The well-being goals identified in the Act are:

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

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

THE SOCIO ECONOMIC DUTY

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021 has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

The application is referred to Committee to consider the representations made by the Local Ward Member, Porthcawl Town Council and local residents.

The application seeks full planning permission for the change of 25 Touring Caravans to 25 Static Caravans, associated infrastructure, ecological and landscaping enhancements and the retention of 68 Touring pitches at Brodawel Camping Park, Moor Lane, Porthcawl

The following main issues will be considered as part of this report:

- Principle of development;
- Loss of touring pitches in Porthcawl;
- Visual impact on the character and appearance of this open countryside location;
- The impact on the amenities of neighbouring residents
- Highways Safety
- Ecology
- Drainage

Principle of Development

The site is located outside of any settlement boundary as defined by LDP Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted 2013 and is, therefore, located in the countryside where Policy ENV1 Development in the Countryside of the LDP ensures that development is strictly controlled. Development may be acceptable where it can meet one of the following ten criteria:

- 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 extension to, existing structurally sound rural buildings where the development is modest in scale and clearly subordinate 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 in the countryside it should where possible, utilise existing buildings and previously developed land and/or have an appropriate scale, form and detail for its context.

Such development is strictly controlled and only considered acceptable if it meets one of the ten criteria of Policy ENV1. Of these, the proposal would comply with criterion 3: Appropriate rural enterprises where a countryside location is necessary for the development.

Whilst the proposal may be appropriate in the countryside in respect of Policy ENV1, the policy forms the starting point for assessment and proposals will need to satisfy other relevant policies in the LDP. In this regard, Policy SP11 - Tourism of the LDP is relevant and states that *'appropriate tourism development which promotes high quality accommodation, upgrade facilities, promote sustainable and activity based tourism, business, events and cultural tourism will be permitted'*. The proposal seeks to change a part of its provision from 25 touring caravan pitches to 25 static caravan units. The layout plan indicates that the same footprint could accommodate the change in use, which would suggest that the proposal complies with Policy SP11.

In addition to SP11, Policy REG12 of the LDP states:

New or extended tourist facilities, accommodation and attractions in the countryside will only be permitted where:

1. The activity is compatible with and complimentary to the countryside location, including nature conservation interests;
2. The proposed development is part of an appropriate rural enterprise/farm diversification scheme;
3. The proposal assists in the promotion, and is compatible with the role of Bryngarw Country Park and Pontycymmer, Blaengarw, Llangeinor, Blackmill, Nantymoel and Caerau as destination hubs; and/or
4. The proposed development is compatible with the enhancement of its context in terms of its form, materials and details.

Criteria 1, 2 and 4 are relevant to this proposal. As an already established camping and touring park, the proposal is acceptable in the context of criteria 2.

With regards to criteria 1, a static caravan site is, broadly speaking, a complimentary use within the countryside provided that the scale and nature of the site does not materially alter the character of the area. The proposal would not appear to raise any nature conservation issues and is of a scale that appears comparable to its existing use. Provided the caravans are sufficiently shielded from public view, it would be considered an appropriate development within this setting.

With regards to criteria 4, the form and materials of this proposal are considered appropriate, provided that the caravans are suitably coloured. Caravans can prove incongruous within a rural setting if they are afforded a high degree of prominence in the landscape. However, being mindful of the existing use of the site, it is not considered that the proposed static caravans would be any more visually intrusive than touring caravans.

In light of the above, no policy objection is raised in principle to this proposal subject to other criteria and policies of the LDP.

Loss of touring pitches in Porthcawl

The Council's Tourism Officer has stated that the proposed change of 25 Touring Caravans to 25 Static Caravans, associated infrastructure, ecological and landscaping enhancements and the retention of 68 touring pitches is preferable to a greater loss of touring pitches at Brodawel and it is acknowledged that there are additional benefits to the local economy of static caravans compared to touring pitches as outlined in the applicants supporting statement. The applicant's agent has submitted a supporting statement which sets out the demand for such accommodation and the investment it would bring not only to the applicant's business but to the area as a whole. On that basis, the Destination Management Team would object to the loss of any more than the proposed 25 touring pitches, but taking the supporting statement into account, the loss of 25 touring pitches would not be opposed, especially if the transition was gradual, with the introduction of the static units over an extended period of time to allow the supply of touring pitches elsewhere in the borough to adjust according to demand. The applicant's agent has advised that the static caravans will be implemented on a gradual bases on the site over a period of 5 years due to financial restrictions.

All touring sites within Porthcawl are referred to in the table below, along with information on number of pitches. It is noted that Happy Valley is now closed and Woods and Dunes did not open this year and is unlikely to operate again as a public campsite. This leaves 8 sites with touring pitches, with some of these as a mix of static and touring. There are just 6 pure touring sites and just 5 sites taking tents.

Figure 4 – Touring sites in Porthcawl:

Name	Location	Pitches	Type
Bryn Hyfryd Campimg & Caravanning	Bridgend	32	Holiday/Seasonal - Static Caravan, Touring Caravan, Tents
The White Wheat Caravan Site	Porthcawl	15	Holiday/Seasonal - Touring Caravan
Parc Newydd Farm	Porthcawl	30	Holiday/Seasonal - Touring Caravan
Seashore Enterprises	Porthcawl	70	Holiday/Seasonal - Touring Caravan
Brodwawel	Porthcawl	125	Holiday/Seasonal - Touring Caravan, Tents
Danygraig Holiday Park	Porthcawl	90	Holiday/Seasonal - Static Caravan, Touring Caravan, Tents
Rooklands	Porthcawl	10	Holiday/Seasonal - Touring Caravan, Tents
Happy Valley	Wigfach	530	Holiday/Seasonal - Static Caravan, Touring Caravan, Tents
Our Welsh	Bridgend	55	Holiday/Seasonal - Touring Caravan, Tents
Woods and Dune	Bridgend	10	Holiday/Seasonal - Touring Tents

Source: Destination Management Team, BCBC

Currently, Brodawel is one of eight touring sites in Bridgend County Borough and is the only touring site with more than 100 touring pitches accounting for 37% of the 337 touring pitches within the County. In contrast there are 2669 static caravan pitches.

At the time of responding to the planning consultation, the Destination Management Team advised that the loss of the 25 touring pitches would not have a significant adverse impact on the overall number of touring pitches within Porthcawl.

It is important to note that in January 2021, a planning application was approved at Parc Newydd Farm, Moor Lane, Porthcawl for an increase to the number of touring pitches within the existing approved mobile caravan/campervan site from 30 to 35 plus an extension to the existing approved site area to provide for an additional 10 pitches (45 pitches for the total site). This was approved and has now been implemented on site. These additional touring pitches have not been taken into account within the table above but have added an additional 15 touring pitches to the overall number offered within Porthcawl.

There were also some temporary touring sites operating this summer under the 56 days permitted development rights rule which also contributes to the overall provision of touring pitches available within Porthcawl.

In view of the above, it is considered that the loss of 25 touring pitches as a result of the proposed development will not have a significant adverse impact on the provision of this type of accommodation within Porthcawl, especially taking into consideration the existing provision for touring pitches already being provided within the area and therefore accords with Policy SP11 and REG13 of the BLDP (2013).

Visual impact on the character and appearance of this open countryside location

With regard to the visual impact of the replacement of touring caravans with static caravans on the site, it is considered that this will be minimal due to the similar design and nature of the use. It is also considered that this would result in a betterment in visual terms, as the proposed static caravans would have purpose built wooden decking located around the caravans thus removing the need for material awnings and other paraphernalia such as windbreaks. Also, the static caravans are proposed to be located at the entrance to the site which will provide a much more aesthetically pleasing approach to the caravan park. As stated above, due to the form and materials of this proposal, they are considered appropriate, provided that the caravans are suitably coloured. However, being mindful of the existing use of the site, it is considered that the proposed static caravans would not be any more visually intrusive than touring caravans within this countryside location.

Accordingly, the proposed development is not considered to have a significantly adverse visual impact on the character and appearance of this open countryside location and therefore, accords with Policy SP2 (2) and SP2 (3) of the Bridgend LDP (2013).

The impact on the amenities of neighbouring residents

Due to the location of the proposed 25 static caravans at the entrance and along the southern boundary of the site, it is considered that there will no significant adverse impact on the existing amenities currently enjoyed by the neighbouring properties that abut the boundary of the site.

As stated above, the locations of the static caravans are not proposed to be along the rear boundary with Tythegston Close with the existing touring caravan pitches being retained along the western boundary of the site. In addition, enhanced landscaping is proposed along all four boundaries of the site.

Accordingly, it is considered that the proposed development will not have a significant adverse impact on the residential amenities of the neighbouring properties and therefore, accords with Policy SP2 (12) of the Bridgend LDP (2013).

Highway Safety

The Highways Officer has assessed the submitted details and it is noted that during the course of the planning application process the applicant has changed the description of the application and has also reduced the number of static caravans proposed on the site.

It is also noted that the applicant has submitted a revised transport assessment detailing the level of traffic generated by the 68 touring caravans and 25 static caravans on the advice of the Highway Authority.

In addition to the above, the applicant's transport consultant was made aware that Moor Lane is currently classed as a quiet lane by the Highway Authority and, therefore, vehicular traffic should not exceed 1000 vehicles per day. Furthermore, the applicant's transport consultant was advised to refer to the Transport Assessment completed for the holiday chalets further north along Moor Lane and add the traffic generated by the consented scheme, into the traffic generated by this proposal.

The revised Transport Assessment assessed the traffic generating potential of the existing use of the site using the TRICS trip rate database, which is an accepted methodology in this instance. The sample of surveyed sites considered as part of the Brodowel trip rate assessment was further refined by limiting the sample sites to those sites in free-standing locations, limited facilities and sites of no more than 200 units.

The TRICS data suggests that the existing use of the site of 115 touring caravan pitches has the potential to generate some 336 vehicle movements on weekdays and 409 on weekend days. The proposed development of 25 static caravans and the retention of 68 touring pitches (making a total of 93 static and touring caravans on site), equates to a reduction of 22 compared to the current 115 caravan pitches. As a result, the proposed reduction to 93 units in total will generate 271 vehicle movements each weekday and 331 each weekend day. Therefore, the proposed development will result in a reduction of 64 daily trips on weekdays and 78 on weekend days. This reduction in vehicular traffic is considered a betterment for the local highway network and its users and has the potential to improve conditions along Moor Lane. In addition, there will be a reduction in the movements of touring caravans and towing vehicles along Moor Lane, which previously raised concerns with the highway authority, especially the impact on the narrow and low Cuckoo Bridge on Moor Lane.

In summary of the above, it is considered that the proposed development will not have a detrimental impact on the local highway network.

Notwithstanding the above, it is noted that the Transport Assessment has indicated that the site is in close proximity to a number of services and facilities in Nottage Village and beyond. However, the Transport Assessment has not indicated how the proposal will encourage sustainable and active travel modes to reach these short journey destinations. As a result, it is considered necessary to request a condition for the submission of a travel plan for new visitors to the site as well as a number of additional conditions to improve highway safety and the sustainability credentials of the site.

Accordingly, it is considered that the proposed development is acceptable subject to conditions and accords with Policy SP2 (6) of the LDP 2013 and Council's Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

The proposed development site is not located within a flood risk zone, is not located within 20m of a watercourse and does not propose to increase flood risk elsewhere.

Foul water will be disposed of via a package treatment plant and an outline foul drainage layout has been provided. The applicant shall provide details of the proposed package treatment plant and shall liaise with NRW to obtain a registration document from NRW for the package treatment plant.

Surface water will be disposed of via a Sustainable Drainage System (SuDS). The applicant has provided three potential surface water drainage layouts:

- Option 1 – Surface water disposed to two large infiltration basins via aco channel kerb drains;
- Option 2 – Surface water disposed to one pond and one infiltration basin via a infiltration swales;
- Option 3 – Surface water disposed to one large infiltration basins via a piped surface water drainage network.

A review of the mapping database identifies a public surface water sewer located within the adjacent highway and neighbouring field. Infiltration systems must be designed in accordance with BRE-Digest 365 and must not be situated within 5m of buildings or boundaries. A minimum of three infiltration tests shall be undertaken for each trial hole. The applicant shall undertake infiltration testing to confirm the preferred method of surface water disposal.

As the development is over 100 sq. m. a sustainable drainage system application will be required. As the site is considered as one landowner, maintenance of the sustainable drainage features will remain with the single landowner rather than the SuDS Approval Body (the Council).

The Council's Drainage Officer has raised no objection to the proposed development subject to the imposition of two conditions to any granted consent regarding the submission of a comprehensive and integrated drainage scheme and infiltration tests to be submitted and agreed by the LPA prior to any works commencing on the site, which accords with Policy SP2 (13) of the LDP. It is also advised that SAB approval would be required for the proposed development.

Landscaping

A detailed landscaping scheme has been submitted which proposes a number of ecological and landscaping enhancements on the site, which include planting new native trees and shrubs, creating a wildlife garden, enhanced areas for invertebrates, lizards and mammals, protection of breeding birds and great crested newts, protection of boundary hedgerow and the retention of internal hedges as well as the enhancement of existing boundaries to retain as much biodiversity features at the site as possible and to enhance the character and appearance of the area.

However, it is considered necessary to attach a condition requesting further details of the proposed hard and soft landscaping scheme, proposals for surface treatment, indications of all existing trees and hedgerows on the site, and details of any to be retained, together with measures for their protection in the course of development. In view of this, the landscaping proposals are considered acceptable and accord with Policies SP2 (10) and ENV6 of the LDP and the Council's Supplementary planning Guidance SPG19: Biodiversity and Development.

Other Matters

Biodiversity/Ecology

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

March, 2016.

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

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether “the three tests” have been met, prior to determining the application.

The three tests that must be satisfied are:

1. That the development is “in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment”.
2. That there is “no satisfactory alternative”
3. That the derogation is “not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range

The Council’s Ecologist has reviewed the Ecological and Protected Species Survey (Sept 2020) prepared by Consultant Ecologist Neil Taylor. No objection is raised subject to Section 7 *Recommendations* of the Ecological and Protected Species Survey being included in the conditions of approval.

It is also recommended that consideration be given to the provision of nest boxes within the development for bat and bird species. Suitable bird species include house sparrow, swift and house martin as they are identified as species which are declining in numbers due to a reduction in suitable nesting sites. The incorporation of bat bricks, bat tiles and bat boxes into the development, would provide summer roosting opportunities for bats and would contribute to the environmental sustainability of the development.

Incorporating biodiversity enhancements will help contribute to the environmental sustainability of the development. Such enhancements will demonstrate local authority compliance with Section 6 of the Environment (Wales) Act 2016 that places a duty on public authorities to ‘seek to maintain and enhance biodiversity’ so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to ‘promote the resilience of ecosystems’.

Given the nature of the development and the existing use as a caravan and camping park, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity subject to conditions. 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.

CONCLUSION

Having regard to the above and in particular the original representations and the changes to the development during the course of the application process, it is considered that, on

balance, the development complies with Council policy and guidelines and the loss of the touring provision pitch provision will not materially dilute the attractiveness of Porthcawl as a destination. Furthermore the development would not adversely affect the character and appearance of this open countryside location, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities to warrant refusal on those grounds.

RECOMMENDATION

(R02) 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:

Amended Site Location Plan received 25 May 2021;

Proposed Static Caravan Plans, Elevations and Sections Drawing No.4 received on 26 November 2020;

Ecological and Protection Species Survey (dated September 2020) prepared by Neil Taylor received on 26 November 2020;

Drainage Report prepared by Excal (dated August 2020) and received on 26 November 2020;

Amended Landscape and Conservation Plan received 25 May 2021;

Amended Proposed Block Plan Drawing No. 03 REV D received 25 May 2021;

Amended Transport Statement prepared by Acstro received on 2 September 2021.

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

2. The static caravans shall be occupied 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) including 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 that the Local Planning Authority retains effective control over the use of the static caravans and to prevent the holiday accommodation being used as permanent residential accommodation, which would be detrimental to the amenities of the area and contrary to Policies ENV1 and REG12 of the Bridgend Local Development Plan.

3. The static caravans hereby approved shall only be occupied from 1 March to 1 November in any calendar year.

Reason: To ensure that the Local Planning Authority retains effective control over the use of the static caravans and to accord with the requirements of the existing site licence and Policy SP2 of the Bridgend Local Development Plan 2013.

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 static caravans and to prevent the holiday accommodation being used as permanent residential accommodation.

5. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the static caravans hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and shall thereafter be retained in perpetuity.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

6. Notwithstanding the requirements of Condition 1, 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 all hard and soft landscaping, 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 beneficial occupation of any part of the approved development and shall thereafter be retained and maintained in perpetuity.

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

7. Within one month of the date of this decision, a short journey travel plan shall be submitted in writing to the Local Planning Authority. The agreed travel plan shall be implemented within 6 months of the date of the first beneficial use of any static caravan permitted by this consent. The travel plan shall contain measures and initiatives relating to the encouragement and promotion of the use of sustainable and active transport modes for short journeys to and from the site for new and existing visitors. The agreed travel plan shall be given to any owners or occupiers of the caravans permitted by this consent.

Reason: In the interests of promoting sustainable and active travel modes of transport to and from the site and to accord with Policy SP2 and SP3 of the Bridgend Local Development Plan 2013.

8. The entrance gates to the site shall be set back not less than 8 metres from the nearside edge of carriageway to allow towing vehicles to clear the live carriageway in accordance with a scheme to be submitted to and approved by the Local Planning Authority before the beneficial use of the development. The scheme shall be implemented in accordance with the agreed details and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

9. No development shall commence until a scheme for the provision of a towing vehicle turning area has been submitted to and agreed in writing by the Local Planning Authority. The turning area shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for vehicle turning purposes in perpetuity.

Reason: In the interests of highway safety and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

10. No development shall commence until a scheme for the provision of 10 cycle parking stands has been submitted to and approved in writing by the Local Planning Authority.

The stands shall be implemented before the approved development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of promoting sustainable means of travel to / from the site and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

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

Reason: In the interests of highway safety and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

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

Reason: to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased and to accord with Policy SP2 of the Bridgend Local Development Plan 2013.

13. No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: to ensure that effective satisfactory management and disposal of surface water is provided for the proposed development accord with Policy SP2 of the Bridgend Local Development Plan 2013.

14. **** THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS**

- a. This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character and appearance of this open countryside location, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities. The concerns raised by the Local Ward Member and neighbours are acknowledged, however, in this case and on balance they are not considered to outweigh the other material issues connected to the development as to warrant refusal on those grounds.

- b. The applicant is advised that the design construction and layout of the site will be subject to the site licence issued by BCBC under the Caravan Sites & Control of Development Act 1960. Should the proposed development go ahead, the site owner will be required to submit an application to Shared Regulatory Services for the amendment of the existing site licence and they should ensure that the development will comply with the standard Licence Conditions

- c. No surface water is allowed to discharge to the public highway.

- d. No land drainage run-off will be permitted to discharge, either directly or indirectly, into the public sewerage system.

- f. In order to satisfy conditions 11 and 12 the following supplementary information will

be required:-

- Confirm preferred method of surface water disposal method;
- Provide foul and surface water drainage layouts of preferred drainage options;
- Provide details of existing or proposed package treatment plant
- Provide an agreement in principle from NRW for registration document of package treatment plant;
- Provide an agreement in principle from DCWW for foul and surface water (if required) disposal to the public sewer;
- Provide a surface water drainage layout including the location of infiltration system;
- Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE 365;
- Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
- Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;
- Provide a timetable for its implementation; and
- Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.

g. The applicant is recommend to give consideration to the provision of nest boxes within the development for bat and bird species. Suitable bird species include house sparrow, swift and house martin - species which are declining in number due to a reduction in suitable nest sites. Further information can be found on page 55 section 16.0 in the following SPG: Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach.

h. The incorporation of bat bricks, bat tiles and bat boxes into the development, would provide summer roosting opportunities for bats and would contribute to the environmental sustainability of the development. Further information can be found on page 46 section 7.0 of the above SPG.

i. Incorporating biodiversity enhancements will help contribute to the environmental sustainability of the development. Such enhancements will demonstrate local authority compliance with Section 6 of the Environment (Wales) Act 2016 that places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background papers

None