

REFERENCE: P/22/484/FUL

APPLICANT: Mr B Brinkley c/o Hayston Developments & Planning Ltd, Hayston Bridge, Johnston, Haverfordwest, SA62 3HJ

LOCATION: Land at Primrose Stables Old Coachman's Lane Court Colman Bridgend CF31 4NG

PROPOSAL: Use of land as a travelling show persons accommodation yard for family members to include three mobile lodges/caravans, two communal day rooms and associated works

RECEIVED: 6 July 2022

APPLICATION/SITE DESCRIPTION

The application site is a level triangular parcel of land, measuring approximately 0.16ha. It is situated immediately to the south of the M4 motorway cutting and fronts the eastern side of Old Coachman's Lane, approximately 3km to the northwest of the centre of Bridgend.

A Public Right of Way (Footpath NEW/8/28) runs along the northern site boundary with the southern boundary adjoined by an electricity substation and an underground reservoir, owned by Dwr Cymru Welsh Water. The site shares an access point onto Old Coachman's Lane with the substation and reservoir. The site can be seen in figure 1 below:

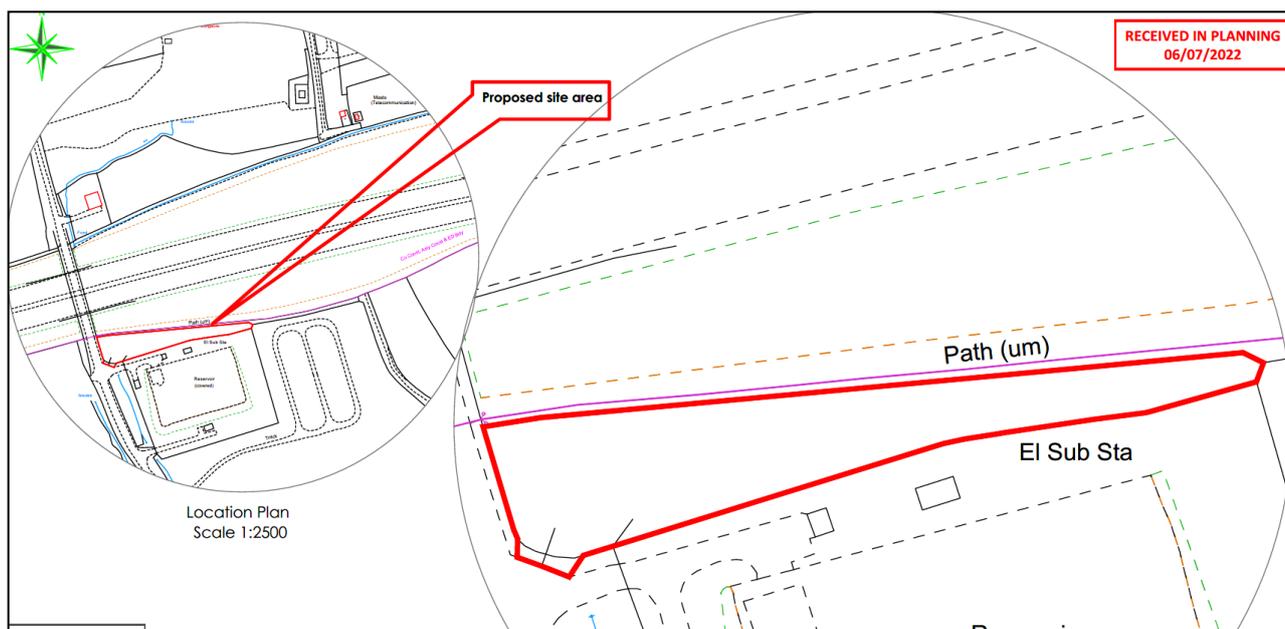


Figure1 site Location plan

The application comprises the following components:

- The provision of one 3-bedroom and one, 2-bedroom mobile lodges/caravans to meet the definition of a caravan in the Caravan Sites Act 1968, the 2006 Order and Section 56 of the Mobile Homes (Wales) Act 2013
- The construction of an 'L' shaped single storey pitched roof communal day/utility room at the easterly end of the yard area, measuring 10.8m x 4.8m with a projecting front wing measuring 4.7m x 2.3m and a maximum height of 2.3m to the eaves and 3.6m to the ridge. This will be constructed on concrete foundations with the external walls constructed in rendered block work with painted timber cladding under a blue/black slate or interlocking tiles.

- c) There is a second rectangular single storey pitched roof communal / utility room at the westerly end of the yard measuring 16.8 m x 5.4m. This will be constructed on concrete foundations with rendered block walls and a slate roof.
- d) Surface water from the caravans/lodges and the day/utility room will be disposed via soakaways and foul water will be disposed to an underground private treatment plant.
- e) The yard will be surfaced in permeable hardcore with a minimum of 8 car parking spaces provided together with vehicle turning facilities.
- f) The existing access point will be re-surfaced and any gates will be set back a minimum of 5.5m and will open inwards. Visibility splays of 2.4m x 43m in both directions will be provided at the site entrance onto Old Coachman's Lane.
- g) A small children's play area will be provided on the easterly side of the site where additional native species trees and shrubs will be planted. The existing peripheral trees and hedging will be retained.
- h) A 2.5 high timber fence will be constructed along the northern boundary; the existing hedgerow and Dwr Cymru Welsh Water boundary will be retained

Access to the site will be via the existing road junction and gated driveway.

Regarding drainage, it is proposed to sustainably drain the site and sewerage will be dealt with via a treatment plant in the eastern corner of the site. Full details have not been provided at this stage.. The proposed layout of the site can be seen below in Figure 2:

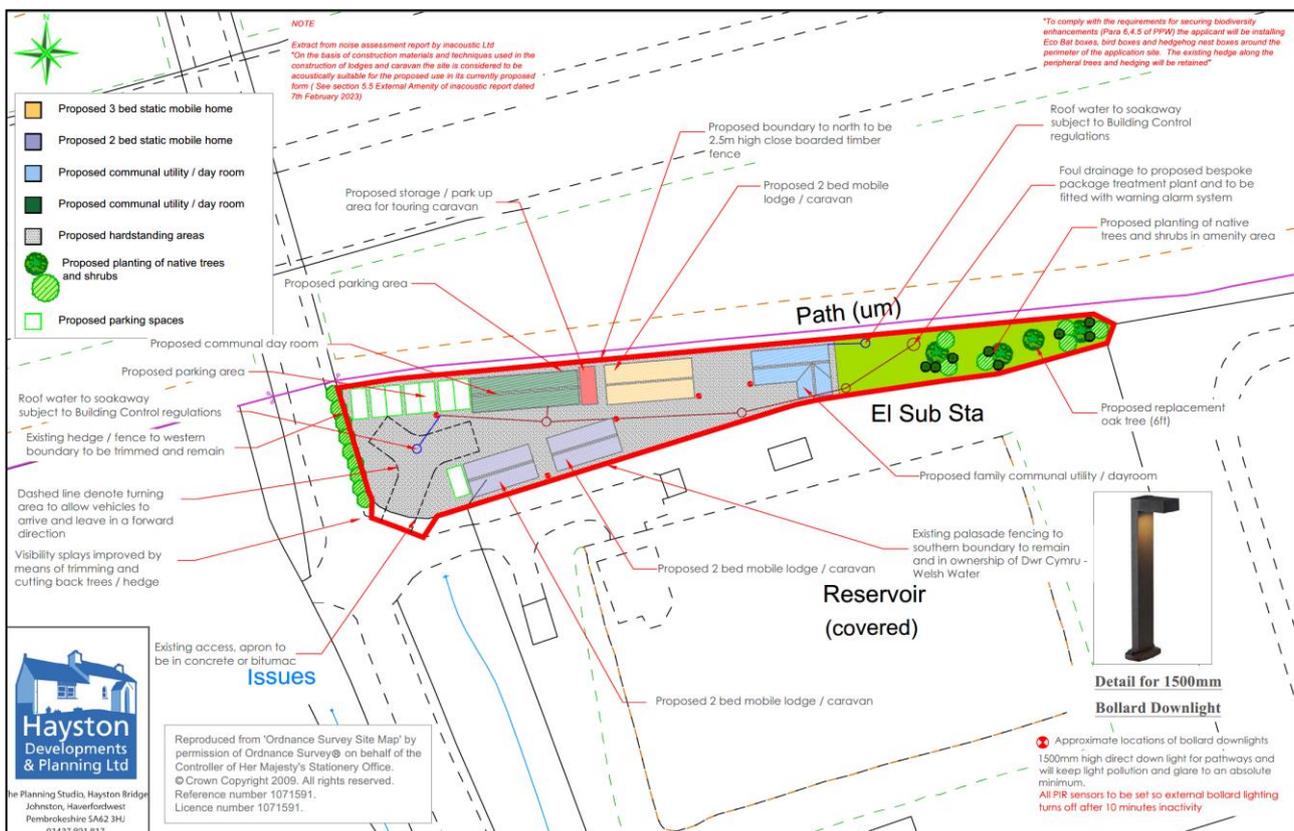


Figure 2 Site Layout

RELEVANT HISTORY

P/20/103/FUL Construction of 4 stables - Approved 29/09/2020

P/21/104/FUL Retain a caravan on site to be used for storage, shelter and security whilst building stables - Approved 10/05/2022

CONSULTATION RESPONSES

Cllr Heidi Bennett – Requested the application be determined by the Development Control Committee as there have been concerns raised by her constituents around a variety of material issues such as highway and pedestrian safety, and visual and residential amenity, ecology etc

Transportation Officer (Highways): No objection subject to condition.

Land Drainage: No objection subject to conditions.

Dwr Cymru Welsh Water: No objection.

Shared Regulatory Services (Neighbourhood Services): No objection subject to conditions.

Shared Regulatory Services (Environment): No objection subject to conditions.

Local Authority's Ecologist: No objection subject to conditions.

Natural Resources Wales: No objection.

Rights of Way Officer: No objection.

REPRESENTATIONS RECEIVED

The application has been advertised on site. The period allowed for response to consultations publicity has expired.

Six letters of objection have been received from (10 Clos Y Talcen; 38 Chantal Avenue; 60 Graham Avenue; Gamekeepers Cottage, Pen Y Fai; Nest Bungalow, Penyfai and Orchard House, Heol Eglwys). The objections raised are summarised as follows:

Highway and Pedestrian Safety concerns

- a) The proposal does not provide sufficient car parking versus number of units and intended use which would result in vehicles parking on narrow access road causing a danger to public.
- b) The site has poor vehicular access served only by a narrow country lane - proposal does not allow for sufficient space to accommodate associated travellers show equipment / vehicles.
- c) The community buildings will have large numbers of users attending (insufficient parking to accommodate such use).
- d) The proposed site does not have a safe point of access and egress onto a public network road that can accommodate the traffic that would be attributable to the development. The entrance and visual splay to allow safe access, is insufficient to mitigate the risk.
- e) Whilst the site is noted to be near Penyfai, Aberkenfig and Cefn Cribwr, it is not able to be considered as 'well related to community services or facilities' - it is placed in an area where there is no safe walking route to any local small settlement, school or shops. There are narrow lanes and blind bends. The roads are unlit, and no pavement or active travel route serves this area, nor is there a bus route – not to any of the local settlements nor from them. There is no public transport service.

Visual Amenity concerns

- a) Proposal is out of keeping with countryside location

Ecology concerns

- a) Objections are based on the impact on the local countryside environment, this being a greenfield site - an ecological report should be expected as residents are aware of bats and dormice inhabiting the area. Such a development in this area does not have due regard to the protection of local amenity or the local environment.
- b) The question re existing trees etc is answered in the negative but this is not true. This week Nov 1st 2022, several broadleaf trees have been cut down.
- c) Under Biodiversity the area is near NRW sites and has a lush country landscape teeming with wildlife and biodiversity. Residents would request an ecological report be provided.
- d) Trees and hedges: The applicant has ticked 'no', the answer should be 'yes' as there are mature trees and in place.

Public Right of Way

- a) There is a concern that site boundaries are being expanded to encroach on the current PROW and query whether the map is up to date with the existing fence line very recently being removed by the landowner.

Policy issues

- a) The proposed site is not an earmarked site for such a development in the current LDP, and whilst the replacement LDP is on deposit, it has not yet been approved by WG and may still be subject to change.
- b) Residents note there has been no community consultation and query whether this site has been set for this purpose in the existing adopted LDP (recognising a replacement plan is under development but has not yet been adopted).

Waste concerns

- a) Waste disposal – the application states no provision for this but how can 3 families and others using day rooms safely and in an environmentally friendly way, exist without adequate waste provision?

Other concerns and issues

- a) The allowance of mobile lodgings means it will be difficult to control the number of dwellings located on the site
- b) The description on the redacted form is incorrect (previous submission)
- c) The existing use is inaccurately described. The parcel of land is currently used as a dump.
- d) a static caravan recently received retrospective planning in July 2022 for the purposes described 'secure shelter and storage'. This is not the case.
- e) On the form there is a question - Is it currently vacant? The applicant has ticked 'No'. However, no one occupies or maintains the land.
- f) Waste storage and collection. This is ticked 'no'. This causes concerns for residents – proper waste collection and recycling should be in place.
- g) I was not made aware by the Local Authority that this was even submitted!
- h) An allegation has been made that the applicant is known to the police.
- i) An allegation has been made that the applicant has fly tipped on land which does not belong to him next to Laleston Cemetery.
- j) The site notice was allegedly removed by the applicant.
- k) The applicant, originally from Bridgend, has a sister who works for Bridgend Council.
- l) A separate application was submitted for the same type of site, in a different area of Bridgend, but was denied as locals were given the chance to submit their thoughts. We, however, have not been able to do that.

RESPONSE TO REPRESENTATIONS RECEIVED

Highway and Pedestrian Safety concerns

- a) The site provides 8 spaces which is sufficient parking for the size of the development
- b) Access has been designed with the appropriate vision splays and considered to be acceptable for the use. No commercial activities will take place at the site.
- c) This is a private site for the applicant and his family. There communal buildings are for their use only and not the public.
- d) Access and egress to the site has been addressed within the report
- e) The site being dependant on the use of a car and there being no safe alternatives will be addressed within the appraisal section of the report.

Visual Amenity concerns

- a) The impact the development has upon the countryside location will be addressed within the appraisal section of the report.

Ecology concerns

- a) The application has been assessed by the Local Authorities Ecologist who has advised that they have no objection to the proposal. The following sections of the report details how ecology and biodiversity would be enhanced at the site. The main body of the site has little biodiversity interest, the main interest is the surrounding trees and hedgerows which would be retained protected and enhanced.
- b) It has been mentioned that some trees have been felled on this site, whilst its regretful to lose trees this is sometime required to facilitate development. However, the trees that have been felled were not protected. As such no permission was required for them to be felled and the applicant being the landowner would be able to fell trees on his own land.
- c) The application has been assessed by NRW and the Local Authority Ecologist who have no objections to the proposed development subject to conditions to protect and enhance the site.
- d) There are trees and hedgerows on and adjacent to the site which have been addressed within the report and conditions imposed to protect and enhance hedgerows.

Public Right of Way

- a) The Local Authority's Public Rights of Way Officer has advised that the public right of way has not been encroached upon. The right of way is close to the M4 boundary fence and there are no issues with the erection of a fence along the applicant's boundary.

Policy issues

- a) This site was not allocated in the existing Bridgend Local Development Plan (LDP) as the family's needs were not identified when the existing LDP was prepared. However, the Council has a statutory duty to carry out an assessment of the accommodation needs of Gypsies and Travellers under Part 3 of the Housing (Wales) Act 2014 at least every 5 years. If an assessment identifies need for additional pitches, the Council has a legal duty to ensure that need is met. The family's needs for a showperson site have been identified through the 2020 Gypsy and Traveller Accommodation Assessment and the Council is therefore duty bound to meet these needs.

For this reason, the site is proposed as a showperson site allocation within the Replacement Local Development Plan, which was approved by Council (on 19th October 2022) for submission to Welsh Government and Planning and Environment Decisions Wales for independent examination. While the examination is still ongoing, the identified need and proposed allocation was discussed at the recent Hearing Session and no issues were raised by the Inspector.

Moreover, this application has been submitted in advance of the Replacement LDP being adopted and has been assessed under existing LDP policies. The existing adopted LDP recognises that additional Gypsy and Traveller needs can arise and contains criteria-based Policy COM6 to make provision for any additional need arising throughout the existing LDP period. The application has been assessed and determined on its merits against existing Policy COM6 and the existing LDP as a whole.

- b) The site is not specifically allocated under the existing LDP and would therefore have not been subject to public consultation when the existing LDP was prepared. However, the site was proposed as part of the Replacement LDP, which was subject to public Deposit Stage consultation from 1st June 2021 to 27th July 2021. The outcome of the consultation exercise is detailed within the Deposit Consultation Report (SD4), which is available to view on the Replacement LDP Examination Library webpage.

Moreover, this application has been subject to the statutory 21 day period of consultation required for planning applications.

Waste concerns

- a) Issues relating to waste disposal has been addressed within the following report and can be addressed via a suitably worded condition

Other concerns and issues

- a) A condition can be imposed to restrict the number of Mobile homes allowed on the site.
- b) The description of development has been changed to reflect the current development.
- c) The applicant has provided an accurate planning history of the application site
- d) The applicant applied for retrospective consent as they had already sited a temporary caravan on the site.
- e) The applicant has provided the planning history of the site with the application form
- f) This has been addressed within the report and a condition has been recommended
- g) Publicity of the application has been undertaken in accordance with The Town and Country Planning (Development Management Procedure) (Wales) Order 2012
- h) This is not a material planning consideration
- i) This is not relevant to this planning application and therefore will not be taken into consideration
- j) The local Planning Authority is satisfied that the application has been publicised in accordance with The Town and Country Planning (Development Management Procedure) (Wales) Order 2012
- k) This is not a material planning consideration
- l) This is not relevant to this planning application and therefore will not be taken into consideration. The application has been advertised correctly and the public able to make comments if they wished to do so.

RELEVANT POLICIES

National Planning Policy and Guidance

Planning Policy Wales (Edition 11) was revised and restructured in February 2021 to coincide with publication of, and take into account the policies, themes and approaches set out in, Future Wales - the National Plan 2040 and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015

Planning Policy Wales Edition 11 states in para 4.3.25 that “*Local authorities are required to assess **the accommodation needs of Gypsy and traveller families.***” It is therefore important that local planning authorities have policies for the provision of Gypsy sites in their development plans.

PPW is supported by a series of more detailed Technical Advice Notes (TANs), of which the following are of relevance: -

- Technical Advice Note 5 – Nature Conservation and Planning (2009).
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 18 – Transport (2007).

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven sustainable development (or wellbeing) goals/objectives. This report has been prepared in consideration of the Council’s duty and the “sustainable development principle” as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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.

Other Guidance

Planning Circular 05/2018 – *Planning for Gypsy and Traveller and show people sites Caravan Sites*, provides updated guidance on the planning aspects of finding sustainable sites for Gypsies and Travellers and how local authorities and Gypsies and Travellers can work together to achieve this aim.

Designing Gypsy and Travellers Sites May 2015

Local Policies

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

Strategic Policy

- Policy SP2: Design and Sustainable Place Making
- Policy SP3: Strategic Transport principles
- Policy SP4: Conservation and Enhancement of the Natural Environment
- Policy SP6: Minerals
- Policy SP7: Policy Waste Management
- Policy SP12: Housing

Topic Based Policy

- Policy PLA4: Climate Change and Peak Oil
- Policy PLA11: Parking Standards
- Policy ENV1: Development in the Countryside
- Policy ENV5: Green infrastructure
- Policy ENV7: Natural resource protection and Public Health
- Policy ENV9 : Development in mineral safeguarding areas
- Policy ENV15: Waste Management in New development
- Policy COM6: Gypsy and Traveller Sites

Supplementary Planning Guidance

SPG7: Trees and development

SPG17: Parking Standards

SPG19 – Biodiversity and Development

APPRAISAL

In assessing the proposal against the above policies and guidance it is considered that the main issues are (i) whether the principle of development is justified in this countryside location, having particular regard to the principles of sustainable development, the impact on the character and appearance of the area and any biodiversity interests (ii) the proposal's effect on highway safety and if harm is found in respect of issues (i) and (ii) (or one or the other of them) whether this would be outweighed by other material considerations, namely the need for a Gypsy/Traveller/show persons site, the availability of alternative sites, and (should the need arise) the personal circumstances of the intended occupiers.

Principle of the Development

Paragraphs 29-34 of Planning Circular 05/2018 – Planning for Gypsy and Traveller and show people sites Caravan Sites, refers to the statutory duty of local planning authorities to determine planning applications in accordance with the development plan unless material considerations indicate otherwise, and advises that other considerations for Gypsy and Traveller site applications will usually include the impact on the surrounding area, the existing level of provision and need for sites in the area, the availability (or lack of) alternative accommodation for the applicants and their specific personal circumstances.

In terms of the local and national policy background to the development, the application 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:

“Development in the countryside of the County Borough will be strictly controlled. Development may be acceptable where it is necessary:

- 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.

Criterion 10 of Policy ENV1 identifies the provision of Gypsy and Traveller accommodation as a suitable exception to the strict control of development in the Countryside. The proposal is for ‘Travelling Show Persons Accommodation’ and Section 108 of the Housing (Wales) Act 2014 defines ‘Gypsies and Travellers’ as including ‘members of an organised group of travelling show people’. Accordingly, the principle of the proposed development in policy terms is considered acceptable subject to other criteria and for that reason accords with Policy ENV1 and guidance contained in Circular 005/2018.

Policy COM6 of the LDP provides a framework against which proposals for Gypsy, Traveller and Travelling Show people sites will be assessed. The policy states:

Sites and/or pitches to accommodate gypsies and travellers residing in or resorting to the County Borough will be permitted where they satisfy the following criteria:

1. *There is an identified need for a site and/or pitch.*
2. *In sequential order of preference, it has been demonstrated that there are firstly no suitable sites or pitches available within existing settlement boundaries; or secondly that a site or pitch cannot be located within the curtilage of an existing development within the countryside.*
3. *Are well related to community services and facilities.*
4. *Capable of being served by utilities including waste disposal and recovery.*
5. *Can accommodate residential and home-based business uses without detriment to amenity and character of the area.*
6. *Capable of being screened and suitably landscaped to a standard compatible with either its urban or rural surroundings; and*
7. *Provide an appropriate layout, in terms of pitches, amenity buildings, hard standings and open spaces.*

Circular 005/2018 sets out guidance on the planning aspects of finding sustainable sites for 'Gypsies and Travellers' who are defined in the Circular as follows: persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.

Circular 005/2018 makes it clear that LPAs should use the Accommodation Assessments when determining planning applications for Gypsy Sites including Private Sites. In addition, the Housing (Wales) Act requires local authorities to undertake Gypsy and Traveller Accommodation Assessments (GTAA) and includes a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified in those Assessments.

Taking each of the criteria of Policy COM6 as follows:

In terms of **critterion 1**, the Council commissioned a refreshed Gypsy and Traveller Accommodation Assessment (GTAA) in 2020, which was completed in 2021. The GTAA covers the period 2018-2033 and identifies the additional pitch provision needed for Gypsies, Travellers and Show people in the County Borough. For the first 5 years of the GTAA period, a need for 5 additional pitches was identified, and for the remainder of the GTAA plan period, a need for 2 additional pitches was identified. This equates to a total need of 7 additional pitches over the entirety of the Replacement LDP period (2018-2033). All identified need was for permanent pitches and there was no need identified for local transit site provision. The site owner took part in the GTAA and 3 of the 7-pitch need identified within the County Borough arose from the site owner's family. The application seeks to develop 3 mobile lodges/caravans and 2 communal day rooms which would meet the family's accommodation needs up until 2033 as identified within the GTAA.

In terms of **critterion 2**, Circular 005/2018 makes it clear that 'sites in the countryside, away from existing settlements, can be considered for Gypsy and Traveller sites if there is a lack of suitable sustainable locations within or adjacent to existing settlement boundaries.' In this instance, there is considered to be a lack of alternative sustainable locations within or adjacent to existing settlement boundaries. Furthermore, the applicant has purchased this site as a permanent private pitch which will be used solely for his immediate family members, and this will provide a year-round home for his wife and children.

In respect of **critterion 3**, whilst the site is considered to be relatively isolated from community services and facilities, Circular 005/2018 emphasises that an 'over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller Site in a countryside location would be inappropriate.' In this case particularly with the need identified by the GTAA it would be considered inappropriate to refuse the application based on such grounds.

In terms of **critterion 4**, the site has an existing water and electricity supply. In common with the majority of properties in the surrounding area there is no public sewer available therefore a private treatment system is proposed to serve the development with surface water being disposed via a soakaway. No adverse comments have been received from the Council's Land Drainage Team, NRW or Welsh Water. Details of foul and surface water drainage can be dealt with through a suitably worded condition. Domestic waste will be placed at the site entrance and collected by the Authority's waste collection service

In relation to **critterion 5**, the policy requires sites to be able to accommodate residential and home-based business uses without detriment to amenity and character of the area. The applicant does not intend using the site in connection with his commercial vehicle business as his current business premises on the Waterton Industrial Estate are secure. Conditions will be imposed to prevent any commercial uses in the future. Homeworking from the existing and proposed caravans should be able to take place without having any detriment to amenity or the character of the area. Any impacts would be on the occupants of the site only.

With regards to **critterion 6**, as described above, the site represents a wedge of land between the M4 motorway and Dwr Cymru/Welsh Water's underground reservoir. The site will be screened by vertical timber fencing and existing trees and hedging will be retained and replanted/thickened where required and supplemented with additional landscaping and planting. The proposed static caravans/lodges and the day/utility room are low level structures which are reasonably unobtrusive and will therefore have a minimal impact on the character and appearance of the surrounding landscape. As such it is considered that the proposed development would be reasonably screened and would have no significant impact on its rural setting.

Criterion 7, Welsh Government published guidance in 2015 to assist Local Authorities and others in the development and improvement of Gypsy and Traveller sites. The guidance considers site design, site facilities, and site safety and more specifically layout, access, boundaries, pitch design, the hardstanding, and the amenity block. The layout will be determined by several factors including the number of families to be accommodated, type and location of facilities or amenities, access issues and the environment and aesthetics of the land to be developed. Smaller sites are however easier to manage. Site orientation, privacy – balancing the need to provide a degree of privacy whilst ensuring a sense of community is maintained is important. Although the caravans on the submitted layout are sited relatively close, their positions are off set to avoid any direct overlooking.

The layout of the pitch will depend on the overall site design. However, an important element in the design and size of pitches is the intended capacity. In this case, sufficient space is available, just, to provide the required amenity block, mobile home, touring caravan, associated services, parking for 8 vehicles and turning area without appearing cramped or being visually prominent. Even though the site is relatively small the site also provides landscaping and a small open space area to the east for the future occupant to enjoy. As such it is considered that the layout is sufficient for this scale of development.

Overall, the development would appear to generally accord with the Welsh Government guidance on designing Gypsy and Traveller Sites and therefore criterion 7 of Policy COM6.

The application site is also located within a high purity limestone safeguarding area and buffer zone. Policy ENV9 Development in mineral safeguarding zones states *“Development proposals within mineral safeguarding areas, either permanent or temporary, will need to demonstrate that:*

- 1. If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and*
- 2. In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and*
- 3. In the case of temporary development, it can be implemented, and the site restored within the timescale the mineral is likely to be required.”*

In this case, the site takes up a small area and is located between the M4 Motorway and the Dwr Cymru/Welsh Water underground Reservoir. Working this resource in such a small, constrained site would be very unlikely given the limited resource and constraints caused by the M4 and Reservoir. As such it is considered that the proposal would comply with policy ENV9.

Impact on Visual Amenity

The site lies outside any designated settlement boundaries and, for the purpose of planning policy, is within the open countryside. The site itself does not have any special landscape or other such designation.

The development site is bordered to the North by a large mature tree, a fence and a hedge row which form the boundary of the site between a public right of way and embankment to the motorway. To the South of the site is Welsh Water's enclosed reservoir - this is a large open grassed area with trees and hedgerows surrounding the site. To the East of the site are trees and open countryside. The site is accessed from the West where it will utilise the existing Welsh Water access onto the main road. There is an existing timber close boarded fence that runs along this boundary and an existing hedgerow with some immature trees. The hedgerow is not in a good condition and could be improved.

It is proposed to erect new close board fencing to the Northern Boundary to provide privacy from the right of way and to minimise noise to the site. The hedgerow at the front of the site (west) will be retained and replanted to thicken and enhance it. A condition can be imposed to ensure this.

The site is well screened from the wider surrounding area and the proposed hedgerow enhancement and fencing would improve this situation further. The applicant also proposes to enhance the eastern side of the site with landscaping to compensate for the loss of a tree that was felled and to enhance the biodiversity characteristics of the site. Details of the planting have not been provided; however, a condition can be imposed to ensure this is implemented and suitable planting and trees are provided. This will further screen the site.

It is acknowledged that the introduction of caravans of a uniform design, new communal buildings which are finished in slate roofs with rendered walls, hardstanding and a new access will have an impact on the rural character and appearance of the site. The applicant has taken advice from the Local Planning Authority in relation to the layout and design of the site. The proposal is considered to be of an appropriate scale and size and its low scale together with its location, being sandwiched between the motorway and Welsh Water reservoir, would minimise any impacts.

Views of the development from the road would be minimal with only the tops of the roofs being visible and this would lessen over time once the planting has established. Apart from the small vista of the gated entrance (which is set back from the main road), views into the site would be restricted.

The applicant has advised that any external lighting for the caravans and the utility/day room will be low in intensity and will direct light downwards however details of the lighting have not been provided. A condition can be imposed to ensure any lighting would retain dark corridors around the site and to minimise any impact upon the countryside location.

In view of the above and subject to conditions, it is considered that the proposed development is not so visually incongruous or detrimental to the overall character and appearance of the area to warrant a refusal on such grounds and the development is therefore considered to be accords with Policy COM6 and SP2 (2) and SP2(3) of the Bridgend Local Development Plan (2013) in this respect.

Impact on Residential Amenity

Due to the remote and isolated nature of the application site within the open countryside, it is considered that the proposed development will have no adverse impact on any existing neighbouring amenities and therefore the development is considered to accord with Policy SP2(12) of the LDP (2013) and advice contained within the Council's Supplementary Planning Guidance SPG02: Householder Development.

Noise

The applicant has provided a Noise Assessment by InAcoustic dated Feb 2023 to support the application. This has been assessed by Shared Regulatory Services (Noise). The noise report recommends that no habitable room windows should face the northern boundary along which should be a 2.5m acoustic barrier (such as a close boarded fence or equivalent). The planning statement and justification report also states that no commercial activities should take place at the development. Accordingly, SRS advise that the development is acceptable in terms of noise impacts.

Subject to conditions relating to the Acoustic fence being implemented and retained, the static homes located to the north boundary having no habitable windows on the Northern façade, the parking of vehicles and no commercial activities being operated from the site, the scheme is acceptable. These requirements will be secured via a suitably worded condition.

Highway and Pedestrian Safety

The national guidance for Gypsy, Traveller and Showpeople Sites confirms that whether public or private they should be identified having regard to highways considerations. Vehicle movements for Gypsy and Traveller sites should be assessed on an individual basis for each site and should not be rejected if they would give rise to only modest additional daily vehicle movements and/or the impact on minor roads would not be significant.

In this case it should be noted that the Highway Authority have engaged with the applicant and the applicant's agent to negotiate an internal arrangement within the site that can accommodate all the uses without spilling out onto the highway.

The site is located on a country lane which is noted to carry local traffic only. Therefore, it is considered that the proposed development and the associated increase in traffic movements on Old Coachman's Lane can be accommodated without generating a material increase to the detriment of highway safety.

With regards to the sustainability credentials of the site, it is considered that the site is not well located to promote walking and cycling to local shops and services. In addition, public transport is not within a reasonable walking distance. It is considered that the future residents of the site will rely wholly on the private motor vehicle for even the shortest of journeys.

Notwithstanding the above, paragraph 39 of Welsh Government Circular 005/2018 makes it clear that, "over rigid application of national or development plan policies that seek a reduction in car borne travel in order to effectively block proposals for any Gypsy and Traveller Site in a countryside location would be inappropriate". On the basis that the

application is for a traveller's pitch on a site included for such purposes in the Local Authority's emerging LDP, a highway policy objection would be unjustified.

Therefore, having regard to the advice with the application of circular 005/2018, together with recent appeal decisions regarding Gypsy and Traveller sites, the Local Authority's Highways Officer has no objection. This is however subject to conditions to ensure the site is only used by Gypsy, Traveller and Show persons, the car parking area is completed in permanent materials, that the vision splays are provided and maintained and that no gates are within 5m of the carriageway. These will all be secured via suitably worded conditions

Rights of Way

The Council's Rights of Way Officer has been consulted and advises that Footpath 8 Newcastle Higher would appear to abut the northern boundary of the proposed development. They have advised that none of the works associated with the proposed development would adversely affect the public footpath. They have asked that the applicant be advised that the storage of materials on the footpath would not be permitted as access needs to be maintained along the footpath at all times for members of the public. This will be added as a note. As such the Rights of Way Section have no objection to the proposal

Drainage

The Council's Land Drainage Officer has assessed the submitted scheme and notes that the proposed development is not located within a flood risk zone, but part of the site is within 20m of a watercourse.

Foul Drainage

The Local Authority's Land Drainage Officer has advised that foul drainage will be to a package treatment plant that will require registration with NRW.

NRW have advised they have no objection to the proposed development as submitted and understand that the development is not in a sewered area and that foul drainage is to be discharged to a private sewerage system, i.e., a package treatment plant.

NRW have advised the applicant should be aware that to operate a private sewerage system, they will need to apply for an environmental permit or register an exemption with them. Septic tanks and small sewage treatment works may be registered as being exempt from the requirement to obtain an environmental permit if certain criteria are met. A note can be attached advising the applicant of NRW's comments.

Paragraph 2.10 of Circular 008/2018 states that before a planning application is made, the applicant should discuss with NRW the proposed sewage disposal arrangements for the development. The information submitted in support of the application does not confirm whether the Applicant has carried out any pre-application consultation with NRW's permitting service in relation to an application for an Environmental Permit or exemption. NRW have advised that the applicant has not undertaken consultation with their Permitting Team.

Dwr Cymru/Welsh Water has advised they have no objection as the proposal does not connect to a public sewer

Surface Water

The application form states that surface water will be disposed to a soakaway. These must be constructed in accordance with BRE Digest 365 and/or Building Regulations Approved Document Part H. The proposal includes two dwellings therefore a SAB application is required. The drainage officer has suggested the creation of rain gardens with the driveway and patio being specified to be constructed using permeable paving to reduce the surface water runoff generated by this development.

As such the Local Authority's Drainage Officer has no objection subject to a condition relating to preventing surface water from entering the public highway and a condition relating to 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 and infiltration tests. These recommendations will be imposed via suitably worded conditions.

Ecology

In assessing a planning application, the Local Planning 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, under the Environment (Wales) Act 2016.

Planning Policy Wales 11 (PPW11) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals."* it further goes on to state that *"All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission."*

Technical Advice Note 5: Nature Conservation and Planning states that: *"Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife."*

The site currently has permission for a stable and a grassed area for grazing which has little ecological interest. The main ecological value is around the perimeter where there are several trees and hedgerows. It should be noted for clarity that there was one large tree in the middle of the site, however, this was felled some months ago. The tree was not protected and as such no permission was required for it to be felled.

The applicant has confirmed that all other trees and hedgerows around the site are to be retained. The Local Authority's Ecologist has recommended a condition detailing how the retained trees and vegetation will be protected during the development, and this will be secured through a suitably worded condition.

The applicant has advised that any external lighting for the caravans and the utility/day room will be low in intensity and will direct light downwards. However, full lighting details have not been provided and a condition will be imposed to ensure details of any external lighting are provided to make sure that dark corridors around the site are maintained.

The planning statement also references tree planting and incorporating bat and bird boxes into the development. As such the Local Authority's Ecologist has recommended the submission of a landscaping plan that includes species to be planted, locations, numbers and densities, and a maintenance plan for how these will be cared for following planting. The plan should also include details and locations of any proposed ecological enhancements such as bird and bat boxes. This can be imposed via a suitably worded condition.

The Local Authority's Ecologist has also advised that the site has invasive species present including Himalayan Balsam. This species is listed under Part II of Schedule 9 of the Wildlife & Countryside Act (1981) which makes it an offence to deliberately cause (Invasive Species listed under Part II of Schedule 9) to grow in the wild. As such they have recommended that the applicant submit an invasive species management methodology for approval by the Local Planning Authority before being implemented. This can be imposed via a suitably worded condition. As such the Local Authority's Ecologist has advised that subject to the above recommendations and ecological enhancements, they have no objection to the proposal.

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. As such the proposal is acceptable in terms of Biodiversity.

Land Contamination

Shared Regulatory Services (SRS) Environment Team have advised that contamination is not known at this site, however, the potential for this cannot be ruled out and the 'unforeseen contamination' condition is recommended.

They have also advised that should there be any materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction of materials containing chemicals or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

Shared Regulatory Services have also recommended an informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with policy ENV7 of the Bridgend County Borough Council Local Development Plan

Waste Management

Policy ENV15 – Waste Management in Development – requires proposals for new build development to include provision for the proper design, location, storage, and management of waste generated by the development both during the construction and operation of the site. No details have been provided so a condition will be imposed to address such requirements.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

This application is recommended for approval on the basis that the development is, in principle, acceptable in this countryside location. Consistent with national planning policy, the adopted LDP advocates strict control in such areas. However, the provision of Gypsy and Traveller Showperson's accommodation is cited as a potential exception.

On balance, and having regard to the objections raised, it is considered that the proposal represents an appropriate form of development that would have no unacceptable impacts on the visual amenities of the open countryside, residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval.

Accordingly, the proposed development is considered to accord with Policies SP2, SP3 SP4 SP6, SP7, SP12, PLA4, PLA11, ENV1, ENV5, ENV7, ENV9, ENV15 and COM6 of the Bridgend Local Development Plan (2013).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

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:

01b -A3- AVH858 - Location Plan
02k - A3 - AVH858 - Site Plan
03e - A3 - AVH858 - Day Room Floor Plan
04e - A3 - AVH858 - Day Room Elevations
05e - A3 - AVH858 - 2 Bed Lodge Floor Plan (orange on site plan)
06e - A3 - AVH858 - 2 Bed Lodge Elevations (orange on site plan)
07e - A3 - AVH858 - 2 Bed Lodge Elevations (orange on site plan)
08c - A3 - AVH858 - 2 Bed Lodge Floor Plan (blue on site plan)
09d - A3 - AVH858 - 2 Bed Lodge Elevations(blue on site plan)
10d - A3 - AVH858 - 2 Bed Lodge Elevations (blue on site plan)
11b- A3 - AVH858 - Treatment Plant Details
12c- A3 - AVH858 - Communal Day Room - Floor Plan
13c- A3 - AVH858 - Communal Day Room - Elevations
Noise Assessment by Inacoustic dated Feb 2023
Planning Statement by Hastings Development and Planning Ltd.

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

2. The site shall only be occupied by Gypsy, Traveller and Showperson's as defined by paragraph 2 of Circular 05/2018.

Reason: The residential use of the site in this rural location would not be permitted unless occupied by a Gypsy, Traveller and Show person's, due to the special personal circumstances of the applicant, and to comply with Policy COM 6 of the Bridgend Local Development Plan.

3. No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 3 shall be a static caravan) shall be stationed on the site at any one time. Any caravans positioned on the site shall be capable of being lawfully moved onto the public highway without division into separate parts.

Reason: To ensure a satisfactory form of development, to protect the safety and free flow of traffic on the surrounding highway network, to protect public amenity and to

comply with Policy SP2, ENV1 and COM 6 of the Bridgend Local Development Plan.

4. The Communal Utility/Day rooms shall only be used in conjunction with the associated 3 pitches and not as separate units of accommodation.

Reason: For the avoidance of doubt and to ensure compliance with Policy SP2, ENV1 and COM6 of the Bridgend Local Development Plan.

5. When the land ceases to be occupied by Gypsy/Traveller/Showperson's, the use shall cease and all caravans, structures, materials and equipment brought on to or erected on the land or works undertaken to it in connection with the use, shall be removed and the land shall be restored to its original condition before the development took place within 6 calendar months of that date.

Reason: Due to the special personal circumstances of the applicant, and to comply with Policy SP2, ENV1 and COM6 of the Bridgend Local Development Plan.

6. Notwithstanding the submitted plans, prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that dark vegetated corridors tree lines around the site are retained. All external lighting shall be implemented in accordance with the approved details prior to the beneficial occupation of the site and retained as such thereafter in perpetuity.

Reason: To protect the visual amenities of the open countryside and ecology and to comply with Policy SP2, ENV1 ENV5 and COM 6 of the Bridgend Local Development Plan.

7. Notwithstanding the submitted plans, no development hereby approved shall commence until a scheme detailing the 2.5m high acoustic barrier along the Northern boundary has been submitted to and agreed in writing by the Local Planning Authority. The barrier shall have a minimum mass of 10kg/m², have no gaps between the fence or the ground, be continuous throughout its length and rot proof. The boundary treatment agreed by the Local Planning Authority shall be installed as approved prior the first beneficial use of the development and maintained and retained thereafter in perpetuity.

Reason: In the interests of the residential amenities of future occupiers and to comply with Policy SP2 and ENV7 of the Bridgend Local Development Plan.

8. Notwithstanding the submitted plans, no development hereby approved shall commence until details of the entrance gates shall be submitted to and agreed in writing by the Local Planning Authority. The entrance gates shall be set back not less than 5 metres from the nearside edge of the adjoining carriageway. The entrance gates shall be completed in strict accordance with the agreed details prior the first beneficial use of the development and maintained and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety and the visual amenities of the site and to comply with Policy SP2 of the Bridgend Local Development Plan.

9. The parking, and turning area hereby approved shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained for the purpose of parking and turning thereafter in perpetuity.

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

10. The proposed vision splays of 2.4m x 43m in both directions shall be provided before the development is brought into beneficial use and retained in perpetuity. 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 and to comply with Policy SP2 of the Bridgend Local Development Plan.

11. No commercial activities shall take place on the land including the storage of commercial plant or material.

Reason: In the interests of visual amenity, residential amenity and highway safety and to comply with Policies SP2, ENV1, ENV7 and COM 6 of the Bridgend Local Development Plan.

12. No more than one commercial vehicle per caravan plot shall be kept on the land for use by the occupiers of the caravans and they shall not exceed 3.5 tonnes in weight.

Reason: In the interests of visual amenity, residential amenity and highway safety and to comply with Policies SP2, ENV1, ENV7 and COM 6 of the Bridgend Local Development Plan.

13. Prior to their use in the construction of the development hereby permitted, details and samples of the materials to be used in the construction of the external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development in the interests of the visual amenities of the area and to ensure the development complies with Policy SP2 of the Bridgend Local Development Plan

14. 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 comply with Policy ENV7 of the Bridgend Local Development Plan.

15. 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 shall be implemented prior to the beneficial use of the site.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased and to comply with Policy ENV7 of the Bridgend Local Development Plan.

16. Notwithstanding the submitted plans, within 3 months of the date of this consent, details of soft landscape works, and supplementary hedgerow planting shall be

submitted to the Local Planning Authority. The soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate, an implementation programme (including phasing of work where relevant) and details of its management. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The agreed landscaping works shall be carried out in the first planting season after the date of this consent in accordance with the approved details and shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenities of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP2 and ENV5 of the Bridgend Local Development Plan.

17. No development hereby approved shall commence until a scheme detailing the proposed bat, bird and Hedgehog boxes around the applications has been submitted to and approved in writing by the Local Planning Authority. The agreed bird, bat and hedgehog boxes shall be implemented in accordance with the approved scheme prior to the first beneficial use of the development and retained thereafter.

Reason: To provide a net benefit to biodiversity, in accordance with Policy 9 of Future Wales and to ensure compliance with ENV5 of the Bridgend Local Development Plan.

18. Prior to the commencement of works on site, an invasive species management plan detailing treatment and management methods for the control of Himalayan Balsam at the site shall be submitted to and approved in writing by the Local Planning Authority. This methodology should also include how the works will mitigate for the invasive species at the site, monitoring to ensure that the invasive species do not spread and recolonise at the site and what remedial works will be undertaken if these species are found to be spreading. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of controlling invasive species and safeguarding general amenities, Himalayan balsam is listed under Part II of Schedule 9 of the Wildlife & Countryside Act (1981) which makes it an offence to deliberately cause (Invasive Species listed under Part II of Schedule 9) to grow in the wild. and to accord with Policy SP2 and ENV5 of the Bridgend Local Development Plan.

19. No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of the trees and hedgerows on and around the perimeter of the site. The development shall be carried out in accordance with the agreed details.

Reason: To ensure all existing trees are protected throughout the construction of the development, in the interests of visual amenity and to ensure the development complies with Policies SP2 and ENV5 of the Bridgend Local Development Plan.

20. No development shall commence until a Waste Management Plan for the control, management, storage and disposal of any waste material generated during the clearance and construction of the development has been submitted to the Local

Planning Authority. All waste shall be treated in accordance with the agreed waste plan.

Reason: To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy ENV15 of the Bridgend Local Development Plan.

21. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure compliance with Policy SP2 and ENV7 of the Bridgend Local Development Plan (2006-2021).

22. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced and to ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policy SP2 and ENV7 of the Bridgend Local Development Plan.

23. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the Welsh Local Government Association guidance 'Requirements for the Chemical Testing of Imported Materials for Various End Uses'. Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

Reason: To ensure that risks from imported aggregates (other than virgin quarry stone)

to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors and to ensure that the safety of future occupiers is not prejudiced and to ensure compliance with Policy SP2 and ENV7 of the Bridgend Local Development Plan.

24. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

A) The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

This application is recommended for approval on the basis that the development is, in principle, acceptable in this countryside location. Consistent with national planning policy, the adopted LDP advocates strict control in such areas. However, the provision of Gypsy and Traveller Showperson's accommodation is cited as a potential exception. On balance and having regard to the objections raised, the proposal represents an appropriate form of development that would have no unacceptable impact on visual amenity of the open countryside, residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP2, SP3 SP4 SP6, SP7, SP12, PLA4, PLA11, ENV1, ENV5, ENV7, ENV9, ENV15 and COM6 of the Bridgend Local Development Plan (2013)

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

B) DRAINAGE ADVISORY NOTE

Please note that from 7th January 2019, all new developments of more than 1 house, or where a construction area is of 100m² or more, plus if the SAB authority believe that any redevelopment of land has significant surface water drainage implications. This will require sustainable drainage - built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers - to manage on-site surface water. More information is available in Schedule 3 of the Flood & Water Management Act 2010.

These systems must be approved by the Council's SAB & Highway Development Control Section before construction work begins. In this respect it is essential that a developer of any such project gain SAB approval of its surface water drainage alongside any relevant planning permission. You will not be allowed to start construction until both permissions have been approved.

No surface water is allowed to discharge to the public highway

In order to satisfy the comprehensive and integrated drainage condition the following supplementary information is required:

- Confirm proposed foul and surface water disposal method including discharge point;

- Provide a construction management plan identifying how surface water runoff will be managed during the construction phase to protect existing properties on lower levels;
 - Proposed a registration document from NRW for the package treatment plant;
 - The applicant shall submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).
- In order to satisfy the drainage infiltration test condition the following supplementary information is required:
- Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk);
 - Provide surface water drainage layout (including location of proposed soakaway, if required).
 - 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.

C) NRW NOTE:

The Applicant should be aware that to operate a private sewerage system, they will need to apply for an environmental permit or register an exemption with us. Septic tanks and small sewage treatment works may be registered as exempt from the requirement to obtain an environmental permit if certain criteria are met. Paragraph 2.10 of Circular 008/2018 states that before a planning application is made, the applicant should discuss with NRW the proposed sewage disposal arrangements for the development. The information submitted in support of the application does not confirm whether the Applicant has carried out any pre-application consultation with NRW's permitting service in relation to an application for an Environmental Permit or exemption. We therefore advise that if the applicant has not undertaken consultation with our Permitting Team (telephone 0300 065 3000), they should do so at the earliest opportunity to try to ensure that there is no conflict between any planning permission granted and the environmental permitting requirements.

The Applicant should note that a grant of planning permission does not guarantee a Permit or exemption will be granted. Notwithstanding a grant of planning permission, a proposal may be deemed to be unacceptable (e.g. because the permitting application process identifies an unacceptable environmental risk or because there is a feasible connection to mains sewer).

More information, including a step by step guide to registering and the relevant application forms are available on our website. Where private sewage treatment/disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations. We also refer the Applicant to Guidance for Pollution Prevention 4 on the NetRegs website, which provides further information.

Works Near a Watercourse

Due to the proximity of the site to watercourses, all works at the site must be carried

out in accordance with GPP5 and PPG6: 'Works and maintenance in or near water' and 'Working at construction and demolition sites' which are available on the following website: <http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/>

D) RIGHTS OF WAY NOTE

The applicant is made aware that the storage of materials on the footpath would not be permitted as access needs to be maintained along the footpath at all times for members of the public.

**JANINE NIGHINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None