

REFERENCE: P/22/455/RLX

APPLICANT: Park Tree Homes Ltd c/o C2J Architects, Unit 1a Compass Business Park, Pacific Road, Cardiff, CF24 5HL

LOCATION: Coed Parc Park Street Bridgend CF31 4BA

PROPOSAL: Vary condition 1 of P/22/85/RLX to substitute plans and propose amended house designs for Phase 3 of the development

APPLICATION/SITE DESCRIPTION

The Section 73 application seeks to vary Condition 1 of the latest consent for the wider development (PO/22/85/RLX) in order to amend plans and the design of the approved dwellings in Phase 3 of the residential development at Coed Parc, Park Street, Bridgend.

The application seeks to change the design of the nine dwellings in Phase 3 of the development to include extra bedrooms in the roof space.

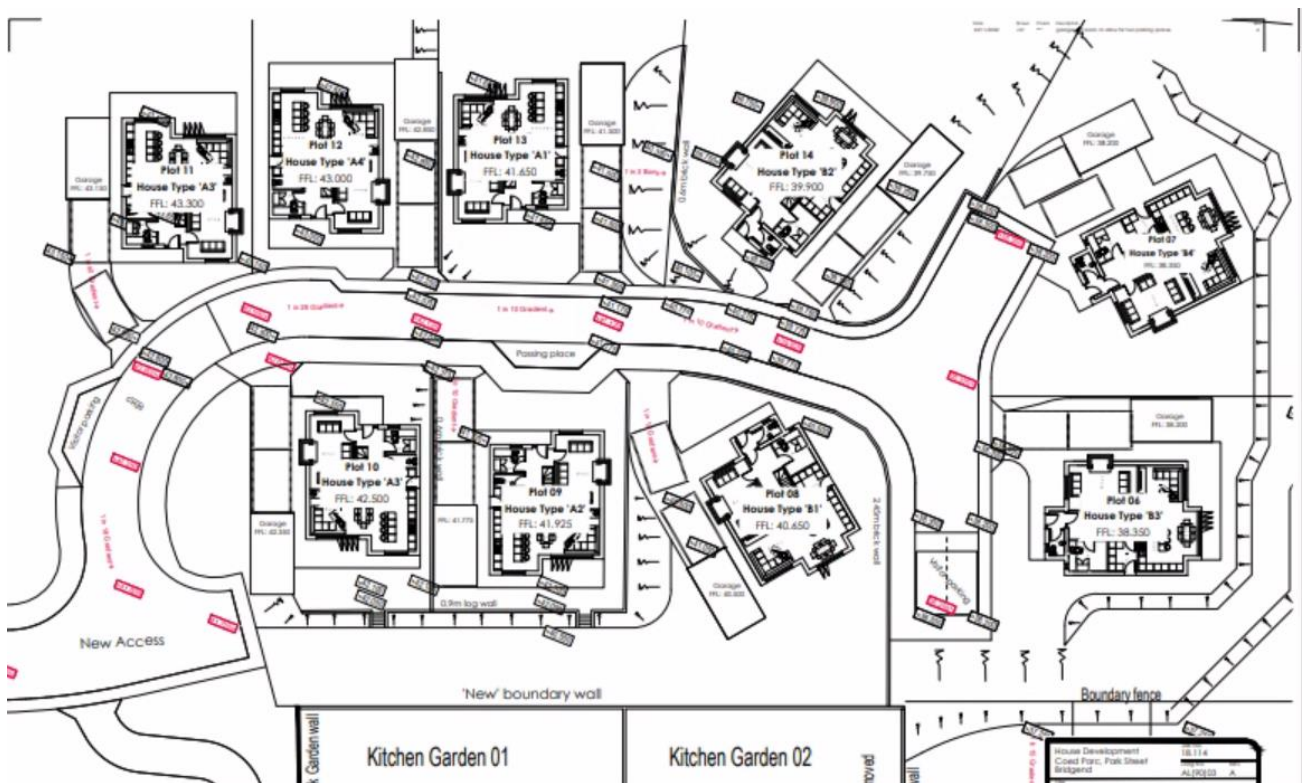


Fig. 1 – Site Layout Plan

The nine dwellings that will form Phase 3 of the development are all detached dwellings and are a mix of housetypes (A1 - plot 13, A2 – plot 9, A3 – plots 10 and 11, A4 – plot 12, B1 – plot 8, B2 – plot 14, B3 – plot 6 and B4 – plot 7).

All of the plots benefit from three on-site parking spaces (including a detached garage) and front and rear amenity space. This part of the development will be accessed via Walters Road to the west although heavy construction traffic will utilise the access drive off Park Street to the south (as approved by Members in January under pp. No. P/22/85/RLX).

The original scheme that was allowed at appeal had the same number of dwellings in this part of the site (9) and in the same locations but with only two housetypes (A and B).



Fig. 2 – Site Layout Plan Allowed under P/16/610/FUL

The differences in the schemes/housetypes are illustrated below:



Fig. 3 – Housetype A allowed at appeal



Fig. 4 – Housetype B allowed at appeal



Fig. 5 – Proposed Housetype A1 (plot 13)



Fig. 6 – Proposed Housetype A2 (plot 9)



Proposed GA Ground Floor Plan

Proposed GA First Floor Plan

Proposed GA Second Floor Plan



Proposed GA Front Elevation

Proposed GA Rear Elevation

Fig. 7 – Proposed Housetype A3 (plots 10 and 11)



Proposed GA Ground Floor Plan

Proposed GA First Floor Plan

Proposed GA Second Floor Plan



Proposed GA Front Elevation

Proposed GA Rear Elevation

Fig. 8 – Proposed Housetype A4 (plot 12)



Fig. 9 – Proposed Housetype B1 (plot 8)



Fig. 10 – Proposed Housetype B2 (plot 14)



Fig. 11 – Proposed Housetype B3 (plot 6)



Fig. 12 – Proposed Housetype B4 (plot 7)

As well as there being more of a variety of finishes and designs, the “A” housetypes will incorporate first floor terrace areas accessed from the master bedroom. All housetypes will also incorporate two bedrooms in the roofspace (one with en-suite bathroom) with rooflights to the rear roof slopes and a flat roofed dormer addition to the front elevation overlooking the internal cul-de-sac.

The garages have been re-positioned to the rear of the driveways to allow at least 3 on-site parking spaces on each plot, in line with the original scheme which was allowed at appeal.

The application site is located approximately 1km to the west of the defined boundary of Bridgend town centre. The site is located in the Newcastle Hill Conservation Area and is currently accessed directly off Park Road (A473) to the south, which connects the town centre to the A48.

The site is located within an established residential area, with existing dwellings adjoining the site to the north, east and west on West Road, Coed Parc Court and Walters Road respectively. The site is bordered to the south by Park Street. The site is rectangular in shape and extends to an area of approximately 1.48 hectares and gradually slopes down from north to south. A large number of mature trees subject to a TPO are located across the site.

The site comprises a Grade II Listed building (Coed Parc), encompassing the main house, former coach house and adjacent single storey buildings which formerly accommodated the headquarters of the Bridgend Library and Information Services.

The building comprises a two-storey structure, constructed in masonry with a painted rendered finish. The roof structure has a pitched form with a natural slate finish. External doors and windows are painted timber single glazed units. To the west of the main building is the former coach house, a two-storey structure constructed in solid masonry with a painted render finish. The roof structure comprises a pitched form with a natural slate finish.

Plots 3, 4, 5 and 15 have been constructed and are occupied.

RELEVANT HISTORY

P/16/610/FUL - Convert/renovate Coed Parc to 2 No. residential dwellings (inc. extension, alterations, part demolition) & construct 13no. new residential dwellings with new access, landscaping, parking & assoc. works – Refused – Allowed on Appeal – 15/12/2017

P/16/611/LIS - Listed Building application to convert/renovate Coed Parc to 2 residential dwellings (including extension, alterations, part demolition) in conjunction with the planning application to convert/renovate Coed Parc to 2 residential dwellings (including extension, alterations, part demolition) & construct 13 residential dwellings with new access, landscaping, parking & associated works – Approved (with conditions) – 14/08/2017

P/19/174/RLX - Vary condition 2 of appeal decision A/17/3181972 (P/16/610/FUL) to refer to amended plans – Approved (with conditions) – 28/06/2019

P/19/544/DOC - Approval of details for conditions 2, 3, 4, 5, 10, 11 & 15 of Appeal ref: A/17/3181972 & P/19/174/RLX – conditions discharged (split decision) - 02/04/2020

P/21/542/DOC - Approval of details for condition 5 (drainage) of P/19/174/RLX – condition discharged – 15/07/2021

P/21/953/DOC - Approval of details for conditions 2, 3 and 4 of P/16/611/LIS – conditions discharged – 11/04/2022

P/22/85/RLX - Remove condition 19 (Construction Method Statement) of P/19/174/RLX by the provision of details – Approved 05/01/2023

P/22/601/DOC - Approval of details for condition 5 of P/16/611/LIS – Application withdrawn

P/22/605/RLX - Variation of condition 1 of P/16/611/LIS to refer to amended plans for the Listed Building – Application withdrawn

P/22/620/RLX - Vary condition 1 of P/19/174/RLX to amend house design (House Type C) to include log burner and retention of access gate – Application withdrawn

P/23/424/DOC - Approval of details for conditions 9 (landscaping), 13 (vehicle turning area) and 15 (parking layout) of P/22/85/RLX – conditions discharged – 04/08/2023

PUBLICITY

Neighbouring properties were notified of the application.

The consultation period for the amended plans expired on 18 July 2023.

CONSULTATION RESPONSES

Bridgend Town Council - Bridgend Town Council objects to the proposals on the following grounds:

The Planning Committee note the increase in number of bedrooms and supporting information provided however local residents have continued to express concerns regarding the increase in traffic that this could cause. The Council supports the concerns of local residents and therefore re-iterates the previous objections made known to the Planning dept for this development and disagree with the relaxation as set out.

Shared Regulatory Services (Air Quality) – No objections subject to a condition to specify the type of log burner/fire to be used in the 9 dwellings to avoid a statutory nuisance aspect for nearby residents under the Environmental Protection Act 1990. Confident that log burners will not have a detrimental impact on the Park Street AQMA, where issues are caused by heavy traffic close to properties less than 1m from the road.

Highways Officer (16/11/23) – Initial comments on the original submission advised that additional details were required in order to provide comprehensive highway observations. It was also noted that the application seeks to increase the number of bedrooms from 4 to 6 although the applicant had not provided a transport statement to quantify the increase in vehicle movements which the increase in bedrooms may generate. The transport statement should include information from the TRICS database as evidence. Finally it is noted that the consented site layout from P/19/174/RLX shows the locations of the garages towards the back of the plot which allows for sufficient off-street parking in front of the garage, however, on the plans submitted with this application the garages have significantly moved to the front of the plots, which has removed off-street parking from each site. The applicant should return the garages to the location previously consented as the current garage location is not acceptable.

Highways Officer (31/08/23) – No objections, subject to a condition.

Building Conservation and Design Officer – No objections subject to approval of finishing materials.

REPRESENTATIONS RECEIVED

The application was first submitted in June 2022 and amended plans were received in June 2023 following negotiations.

The Local Planning Authority received representations on both the original proposals and the revised plans. Letters of support were received from the occupiers of 3, 4 Coed Parc although they would appreciate a buffer zone of trees to ensure privacy for all dwellings already living at Coed Parc.

Letters of objection have been received from the occupiers of 4, 10, 11, 13, 15, 17, 19 Walters Road; 29, 31, 33, 35, 37 West Road; 6, 7 Coed Parc Court; 46 Park Street; 5 Coed Parc

The objections can be summarised as follows:

- inadequate parking on the site for 6 bedroom houses.
- inadequate provision for visitor parking.
- more vehicular and foot traffic generated by the larger properties through Walters Road.
- second floor windows will overlook the surrounding area to a greater degree than the first floor windows.
- rooflights not in keeping with the site and at odds with the style and character of the listed building.
- piece meal approach is devaluing the planning process.
- many trees have been removed compromising the landscape and setting of the listed building.
- new proposals feature additional windows at the rear and front of the buildings so privacy to the gardens and properties along West Road is a major concern.
- scale of the houses and the impact on the Listed building.
- no explanation for the changes and missing various relevant details.
- The proposal by P/22/455/RLX to increase the size of the Phase 3 houses from 4-bedrooms to 6-bedrooms runs counter to these aspirations. If this application were approved it would mean a 50% increase in bedrooms, a potential 50% increase in the Phase 3 population, a potential 50% increase in cars, and a potential 50% increase in household waste. This cannot have anything other than a negative effect on the environment of the Listed building and its extension, as well as Walters Road, West Road and Coed Parc Court
- the new housetypes are higher and wider/deeper than the old housetypes and are not being subservient to the Listed Building.
- the rear of the houses in plots 8, 9 and 10 are under 10.5m from the back walls of the Kitchen Gardens of the Listed building and its extension.
- the introduction of balconies compromises the privacy of adjoining gardens.
- the potential overall increase in cars will have implications for Road Safety and Trip rates along the sub-standard Walters Road/St. Leonards Road junction.
- the proposals could lead to on-road parking within Phase 3 or on Walters Road and likely conflicts between neighbours.
- if the chimneys are real they will emit greenhouse gases.
- there remains the possibility that a refuse storage facility will be placed at the entrance to phase 3.
- the application is destructive to the look and feel of the conservation area and environment.
- complete disregard for birds and other wildlife.
- service vehicles regularly being parked on both sides of lower St Leonard's Road causing cars to cross the centre line to the detriment of highway safety.
- the inclusion of large open fireplaces and chimneys for use by log burners or open fires will increase particulate air pollution in the Bridgend Air Quality Management Area.
- the size of the properties raises questions about their affordability as family homes and raises the prospect of the properties becoming HMOs or Air b&b's.
- the increased occupancy of the homes will mean less peace and privacy for those living in phase 2 of the development and surrounding streets with extra noise, traffic and overlooking into our properties.

- the increased length of time of construction and subsequent disruption.
- further delays in completing the library and landscaping to phases 1 & 2 of the site.
- permitted development rights should be removed.
- there is no legal access to the planned building site from West Road.
- this plan was originally refused by the council but yet again the council has changed their minds and are supporting it.
- there is no design statement and the tree report is out of date.
- the plans do not extend to the boundary for plots 11, 12, 13 and 14.
- the proposed velux windows will cause light pollution.

Comments were also received from local ward Members as follows:

Cllr S. Bletsoe –

09/09/22 - *“Further to planning application P/22/455/RLX and the consultation process. I have tried to educate myself as much as possible to this application and how it relates to the original approval, so that I can make a decision on whether I feel it should be passed under delegated authority or whether it should be decided by the Development Control Committee. In relation to the principle of increasing the properties from 4 bedroom to 6 bedroom, then I have no major objection to this matter other than the AQMA that has been declared on areas of Park Street and any increase in car journeys around this area and any reduction in mature trees on this site will have a detrimental effect on the effectiveness of the AQPA that is currently also out for consultation. Therefore any matters around this should be fully considered before being passed. I have more serious concerns around information that has been provided in objection to this proposal by residents who live on Walters Road and West Road which detail an increase in height of the properties, a slight moving of location of the properties and a proposed further removing of mature trees (that as mentioned will affect the local AQMA situation. I do not have enough evidence available to me, or experience in this long and drawn out process to give a full thought on the application as to whether I feel it should be approved or declined. However, on the basis of what I have written above, I do feel that there is enough material difference to the previously approved application to warrant a referral of this application to the Development Control Committee as I feel that the basis of the very in depth information provided by residents in their objections justifies such action. I believe that there is material changes to the approved application that would negate the ability to approve this under devolved authority. I have copied in my colleague @Cllr Timothy Wood into this email for his information. Given his position as Mayor of Bridgend Town and his civic responsibilities to the Town in the current national situation, he may be too busy to be able to write to you himself on this particular case.”*

14/07/23 – *“Firstly, I would like to request, as the local member, that this application is referred to Development Control Committee for consideration, due to the complexities of the variations proposed. This is barely a variation of conditions as much as a brand new planning application given how many variations are proposed. I believe that there are numerous documents submitted over an extended period of time which require a full report of the current permissions granted (some on appeal with the Wales Planning Inspector), the recently granted access plan and I believe that many local residents who will be affected by this development and the variations proposed are “lost” in the number of documents and what is approved Vs proposed Vs pending. In that respect I ask that a full report is made available for the democratically appointed Development Control Committee to consider, in full and with a site visit if necessary to consider such wide-ranging variations with details on what has been approved. After this request, I would like to make the following observations that I believe to be of a material nature and that I have noted from conversations with local residents, who I am elected to represent. The move from 4 – 6 bedrooms. I am concerned around this matter as there could be over intensification of a*

small area, not with properties but with numbers of people and vehicles expected to be using such a confined area. The original plans that were rejected by this authority made reference to the original numbers proposed as a concern, which was overturned on appeal, but I believe that increasing the number of bedrooms by a further 50% makes the matter worse. I have noted correspondence between a resident of West Road and the planning authority around restrictions that could be placed for control the short-term holiday let market (referred to as the Air BnB sector) by insisting that it is "residential only". Could I therefore ask if the proposed restrictions would be C3 or C4 usage as I do not believe that a residential property with a family living there who a room or rooms available that they make available for booking on an ad hoc basis through any online web portal is able to be restricted. On this basis I have concerns about additional traffic generated to a confined area. Fuel chimneys. I am told that there is a proposal to turn the decorative chimneys on each property, added for aesthetic design have now been varied to be chimneys for solid fuel burning. The Coed Parc development neighbours an official AQMA and has high reading of NO₂ due to its location. I do not believe that any solid fuel burning facilities should be added to the properties whilst the authority is looking at ways to deal with the AQMA that is already in place and could be made worse by this variation application. Light pollution from sky lights. The proposals show drastic increases in glassed areas, including sky lights in the roof and this would drastically increase the light pollution for the area. I do not believe that this should be allowed for the existing neighbours or the natural habitat of the area. Loss of trees and failure to protect with existing. I have found it quite difficult to "keep up" with the proposals for tree landscaping on this development with numerous proposals and documents. I am not fully aware of what the proposals are for this "variation application" but I am led to believe by a local resident that the original plan that was accepted on the original document is not compatible with the plans that were approved under the appeal and that the current tree plan is currently "held up" as the original contractor has refused to alter their submissions when requested. Having looked at the plans I am able to access I can see that substantial trees, currently in place are shown as touching the houses of the new proposals and I have very serious concerns around this. I am no tree expert, but I am told by colleagues who have undertaken BCBC DCC training that roots mirror branches in many occurrences of trees and therefore I have concerns that if these various plans of variation are approved that these trees will simply be sacrificed for the houses that are being built. This cannot be allowed to happen, as previous reference has been made to the AQMA in place in the locality and the important role that existing mature trees do to combat the NO₂ in our environment. Therefore, I ask that we look into the history of the original plans for tree landscaping not being compatible with the approved plans for the houses and raise further concerns in relation to this variation request. We simply cannot say "they are just trees and they can come down." Balconies too close to existing properties. As far as I can see, there are no approved plans for this development that include balconies on the middle floor. I have asked the question twice, but have received no reply. I do not believe that plans should be approved or varied that include any balconies for plots 11, 12 or 13 in the proposals due to their close proximity to existing properties on West Road. I have visited these existing properties, with copies of the proposals and seen that the distance from these balconies would be as little as 10.5m from the boundary line and looking directly into their gardens and houses. This I believe is contrary to planning guidance, based on my experience of another local property recently. As I have said previously in this email, it has been extremely difficult for me to formulate this response due to the amount of documents that are regularly submitted for this development as well as the number of residents in the surrounding areas and those who live in the houses already built on site in contravention of the original approval (discharging of conditions) about the ongoing situation, which I believe could have been completely avoidable. Residents are already concerned by what the next three years hold for them and the fact that we have another variation request, and no work has commenced on site to build what has already been approved, including landscaping for the houses that have already been built causes much reason for concern

for local residents. Trust has completely gone and concerns are high. The clock for completion of the builds being for self-build and selling of sites to other builders is already ticking and nothing has started, just further variation applications. I am very concerned about that has happened and what continues to happen. In the meantime, please accept my observations on the points raised above as part of the original consultation process and I reinforce my request that this variation application is passed to the Development Control Committee and not decided under delegated powers to officers.”

Cllr. T. Wood –

13/09/22 – “Further to the application P/22/455/RLX for change to of the approved planning application for Coed Parc. As the elected Councillor for Bridgend Central I wish to make the following submission. I request that this application is referred to the Development Control Committee, as I don’t believe that it is correct that it is dealt with under delegated authority given the material changes to the original plans.

It is evident that more bedrooms for these properties will lead to more car journeys, either immediately or in the near future. I have very severe concerns over the safety of residents on Walters Rd. St. Leonards Rd. and Park St. already and I am aware that measures are already in consultation around restricting traffic flow here to deal with the AQMA in the locality. I believe that any proposals to increase vehicle journeys, in contradiction to the proposals of the AQAP needs full and proper scrutiny from the Development Control Committee and not done under Delegated Authority.”

16/07/23 – “I would like to make my objections to the planning application P/22/455/RLX

I would firstly like this application to be referred to the Development Control Committee due to the complex nature of the application and the ongoing changes that keep happening.

1. I am very concerned at the loss of trees and existing trees, considering we were told many were being kept and had TPO’s on them.

2. The increase from 4 to 6-bedroom properties thus increasing traffic to and from the new houses and to the whole of the new estate.

3. The decorative chimneys being changed to “Fuel Chimneys” thus enabling owners to burn solid fuels and increasing CO2 levels in the area.

4. #1, #2 and #3 both will have a significant impact on the existing AQMA and the AQAP, this causes me grave concerns, as BCBC are struggling to lower the levels to accepted levels in this area.

5. Light pollution because of the installation of sky lights to the properties.

6. Lack and loss of privacy to existing properties due to the installation of sky lights, full height glazing, balconies, and terraces to the new properties.

Please accept these points raised as part of the original consultation and that this variation application be passed to the Development Control Committee and not decided under delegated powers to officers.”

COMMENTS ON REPRESENTATIONS RECEIVED

The vast majority of the concerns raised are addressed in the Appraisal section of this report.

The proposal has had to be made on the basis that all nine units could be 6 bed dwellings for a comprehensive highway impact assessment to be undertaken. However, it is likely that future occupiers will utilise the loft space for other domestic means such as a home working office, a walk-in wardrobe, storage space, playroom etc. It is also the case that separate planning permission would be required to convert any of these houses to a House in Multiple Occupation (HMO - Use Class C4) or to an Air BnB (Use Class C6).

Conditions have already been added to the consent to remove permitted development rights and a condition will be added to ensure that the detached garages can only be used for the parking of vehicles.

In terms of the protected trees that have and will be felled and the proposed landscaping of the site, these have been the subject of applications and consents most notably the application to discharge conditions 9 (landscaping), 13 (vehicle turning area) and 15 (parking layout) of P/22/85/RLX with updated tree reports and landscaping schemes.

The up to date landscaping plan is as follows and shows a number of trees to be retained as well as new trees to be planted throughout this part of the site:



Fig. 13 – Approved Landscaping Scheme

The reference to rooflights not being a form of permitted development in Conservation Areas is correct but that does not mean that developers cannot apply for them in Conservation Areas – it just means that planning permission is required.

It is also confirmed that the Council's domestic waste contractor will be able to enter and leave the site and cul-de-sac so there will not be a requirement for a refuse storage facility close to the access onto Walters Road.

The site does not provide any affordable homes and the market value of the units is not a material planning consideration.

There is no intention for a vehicular access from West Road and there are three visitor parking spaces in this part of the development (one close to the entrance into the site and two in the extended turning head opposite plot 6) which is in excess of the standard 1 visitor space per five dwellings.

Finally, it is not a case of supporting the scheme after originally refusing the development (which was then allowed at appeal) but a case of considering the material planning impacts of the revised designs. The quantum of units on this site will not increase as a result of this proposal.

RELEVANT POLICIES

The relevant policies of the Local Development Plan and supplementary Planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy
Strategic Policy SP2	Design and Sustainable Place Making
Strategic Policy SP3	Strategic transport Planning Principles
Strategic Policy SP5	Conservation of the Built and Historic Environment
Strategic Policy SP14	Infrastructure
Policy ENV8	Heritage Assets and Regeneration
Policy PLA11	Parking Standards

Supplementary Planning Guidance 02	Householder Development
Supplementary Planning Guidance 08	Residential Development
Supplementary Planning Guidance 17	Parking Standards

In the determination of a Planning application, regard should also be given to the local requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this Planning application:

Future Wales – The National Plan 2040	
Planning Policy Wales Edition 11	
Planning Policy Wales TAN 5	Nature Conservation and Planning
Planning Policy Wales TAN 10	Tree Preservation Orders
Planning Policy Wales TAN 12	Design

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without comprising 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 well-being 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.

BACKGROUND

It is worth noting that the Local Planning Authority (LPA) refused the original planning application for the residential redevelopment of this site (App. No. P/16/610/FUL) on 21 July 2017 for the following reasons:

- 1. The increased use of a sub-standard access will result in additional traffic hazards to the detriment of highway safety in and around the site, contrary to Policies SP2 (6) and SP3 of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9, November 2016) and Technical Advice Note 18 – Transport (2007).*
- 2. The proposed development, by reason of its layout, design and siting, will generate reversing movements to or from the public highway, creating traffic hazards to the detriment of highway safety contrary to Policies SP2 (6) and SP3 of the Bridgend Local Development Plan (2013) and advice contained within Planning Policy Wales (Edition 9, November 2016) and Technical Advice Note 18 – Transport (2007).*

The applicant at the time (Castell Homes as part of Wales and West Housing Association) lodged an appeal against the LPA's decision to refuse the application with the then Planning Inspectorate and the appeal was allowed on 15 December 2017 subject to compliance with a number of conditions.

APPRAISAL

The application is reported to the Development Control Committee as a follow up to the determination of App. No. P/22/85/RLX (relating to the Construction Method Statement for this phase of development) and in acknowledgement of call-in requests by Local Ward Members, an objection by Bridgend Town Council and the number of objections received from neighbouring residential occupiers.

The proposal seeks to vary condition 1 of P/22/85/RLX to substitute plans and propose amended house designs for Phase 3 of the development at Coed Parc, Park Street.

The main issues to consider in this application are the impact of the scale and design of the proposed alterations to the nine dwellings in Phase 3 of the wider development (Plots 6-14 to the north of the site) on neighbouring residential amenities; the surrounding highway network; the setting of the Conservation Area and Grade II Listed Building and on the environment. The principle of the development has been established through the Inspector's appeal decision for this site.

Impact on Neighbouring Residential Amenities

Criterion (12) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that the viability and amenity of neighbouring uses and their users/occupiers is not adversely affected by development proposals and in addition, seeks to ensure that an appropriate level of amenity is afforded to future occupiers of a development.

Although Supplementary Planning Guidance Note 02 Householder Development (SPG02) relates to household development, it is considered that the principles are applicable in this instance.

The application site and its relationship to residential dwellings bordering the site is shown in Fig. 13 above. The overall number of units in this part of the Coed Parc redevelopment is constant and their location are generally in keeping with the approved layout.

However, as noted above, there are changes to the design of the units/housetypes and these changes (additional 2 bedrooms in the roofspace, additional rooflights/dormer windows and introduction of 1st floor rear terraces on the "A" housetypes) could potentially have a detrimental impact on the residential amenities of neighbouring residential occupiers.

There are no dormer windows proposed in the outward looking rear elevations of these units. However, there are rooflights proposed for the rear roofslopes and these are designed to be a flush fitting, conservation type of rooflight and are minimal in terms of their size and number. It is considered that the rooflights, by their nature, will not allow unrestricted views into adjoining gardens and properties and as they serve the secondary accommodation in the roofspace it is unlikely that there will be extended daytime occupancy of these rooms.

Note 6 of SPG02 states that 'An extension should respect the privacy of neighbouring houses'. Paragraph 4.6.1 of the SPG notes that a sense of privacy within the house and a freedom from overlooking in at least a part of the garden are aspects of residential amenity.

The minimum distance between directly facing habitable room windows in adjacent properties should normally be 21m. Reductions may be acceptable where the angle of overlooking between windows is not direct, allowing the distance between windows to be reduced as the angle between them is increased. To reduce the loss of privacy within gardens, the minimum distance from a new habitable room window to the boundary of the property should be 10.5m.

The guidance also refers to balconies and advises that while few rear gardens are entirely private some features can create a sense of unreasonable overlooking in neighbouring property. If a balcony is proposed it should be located or screened to prevent or minimise overlooking.

In this instance, the relationship between the new dwellings and existing dwellings is illustrated in Fig. 13 above.

The main areas of concern for adjoining residents relate to potential overlooking at the north-west corner of the site (plots 11, 12 and 13 backing on to 27, 29 and 31 West Road) and at the south-east corner of the phase (plot 6 backing on to Coed Parc Court). This concern is exacerbated by the inclusion of terraces at first floor level at the north-west corner of the site although there are no terraces in the "B" type units at the south-eastern corner of the site.

Having reviewed the scheme and the planning history of the site, it is apparent that the site is slightly lower than the properties along West Road, the sites are separated by established boundary planting (which will also be supplemented) and the terrace is relatively limited in scale and serves a bedroom rather than a first floor living room, where extended day-time occupancy would be expected.

In terms of the distance between the terrace and a rear bedroom window and the boundary with 31 West Road, Fig. 14 below illustrates that, at its nearest point, there is a distance of 10.42m between the rear elevation of plot 12 and the shared boundary and there is a distance of 23.17m between habitable room windows (and between the terrace and bedroom window of 31 West Road). This, together with the retention of trees along the boundary will comply with the recommended standards.

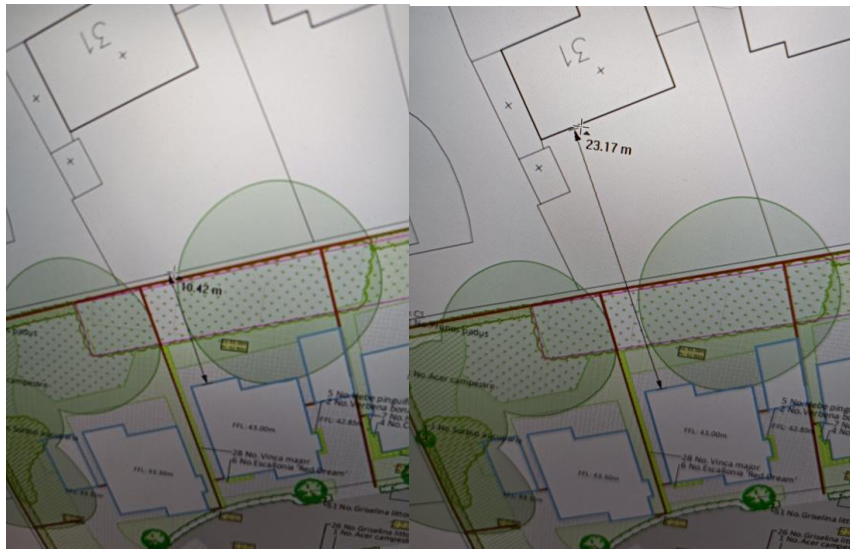


Fig. 14 – Relationship with 31 West Road

The shortest distances between plot 13 and 29 West Road equate to 8.86m from the rear elevation to the shared boundary but this extends to 9.54m between the terrace and the shared boundary and 24.08m between habitable room windows (see Fig. 15 below).



Fig. 15 – Relationship with 29 West Road

Whilst this is slightly below the suggested 10.5m distance to the boundary, the plot is positioned at a lower level than the properties along West Road and the limited usage of the north facing terrace attached to a bedroom together with the retention of established planting on both sides of the boundary, will sufficiently mitigate the feeling of being overlooked from the terrace. It should also be noted that the Inspector allowed these units in these positions and the terrace does not project beyond the line of the rear bedroom window.

Having regard to the design and layout of the new units, their orientation and relationship with the existing properties on West Road and the characteristics of the site and boundary treatments, it is considered that the privacy of the principal rear garden areas and habitable room windows of adjoining properties to the north will be preserved.

Turning to the potential impact of the development on properties in Court Parc Court to the east of the site (and properties at Coed Parc to the south of the site), it can be seen that there are no terrace elements to the rear of plot 6 and the rear 1st floor bedroom windows are separated from the adjoining properties by dense vegetation which will be retained as part of the development. The application site is also at an elevated level with bedroom windows overlooking the roofscapes beyond. There is still a distance of 10.18m between the rear elevation of plot 6 and the shared boundary and 18.69m between habitable room windows although they will not be directly in line.



Fig. 16 – Relationship with Coed Parc Court

Plot 6 is perpendicular to the properties at Coed Parc to the south and does not have any side facing habitable room windows so will not have any impact on the residential amenities of those occupiers.

Given the above, the proposal is considered to be acceptable in terms of its impact on neighbouring amenity. It is considered that the dwellings would not be so detrimental to the levels of privacy and amenity currently afforded to the properties to such an extent which would warrant a refusal of the Planning application on such grounds. Therefore, on balance the proposed development is considered to be acceptable, in accord with criterion (12) of Policy SP2 of the Local Development Plan (2013) and guidance contained within SPG02.

Impact on the Surrounding Highway Network

Policy PLA11 of the adopted Local Development Plan (2013) stipulates that all development will be required to provide appropriate levels of parking in accordance with the adopted parking standards.

Note 9 of SPG02 states that off-street parking should be available to meet the County Borough Council’s guidelines for a dwelling of the size after extension and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a maximum of 3 spaces.

Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage. Supplementary Planning Guidance Note 17: Parking Standards (SPG17) stipulates that garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m.

The scheme retains three on-site parking spaces for each household and provides three visitor parking spaces within the cul-de-sac. It will be stipulated that the detached garages are retained for the parking of private vehicles only.

The Council's Highways Officer noted that the submitted application did not have any supporting information relating to the increase in bedrooms from 4 to 6. As a result, the applicant instructed a transport consultant to provide additional data and assessment of the proposed increase in bedrooms and the increase in traffic that would result. The applicant prepared a technical note to address the HA's concerns with the aim of estimating the likely volume of trips generated by the scheme for nine 6 bed houses.

The consented scheme for nine 4 bed houses (consisting of 36 bedrooms) could generate up to seven vehicular movements (two-way) in the morning peak period and up to six vehicular movements (two-way) in the afternoon peak with a total of 60 vehicle movements (two-way) across the whole day.

The proposed development of nine, 6-bedroom houses could generate up to 10 vehicle movements (two-way) in the AM peak period and up to nine vehicle movements (two-way) in the PM peak, with a total of 90 vehicle movements (two-way). Vehicles are likely to be the most popular mode of travel for trips to and from the site, representing 57% of all trips.

The proposed development consisting of nine, 6-bedroom dwellings is likely to generate up to 34 pedestrian movements (two-way) throughout the day. This is only 11 more pedestrian movements than what would be expected from nine, 4-bedroom dwellings.

Similarly, the proposed development is likely to generate only one more public transport user than what is expected from the consented scheme.

The technical note therefore concludes that the proposed development will have a minimal impact on the surrounding transport network, and it can be accommodated within the existing highway and public transport networks.

It is important to note that the trip/traffic database used by all transport consultants nationwide, known as the TRICS database, does not include trip data for 6 bedroom houses.

Therefore, it was agreed by the Highways Officer that an extremely robust methodology would be to interrogate the database for a trip rate for a 4 bedroomed house, divide that trip rate by 4 to get a 'per bedroom trip rate' then multiply that rate by 6 to get a trip rate for a 6 bedroom dwelling.

It should also be noted that this is considered to be a methodology which is likely to overestimate the trips generated by a 6 bedroom house for the following reasons:

- It is unlikely that a 6 bedroomed house would support a family with 2 parents and 5 children of driving age and unlikely that all 9 houses would support such a family unit.
- One of the bedroom sizes would be considered a box room and unlikely to support a non-dependant child of driving age.
- The Census for the area shows that 73% of households in the area have dependent children under driving age and therefore it is unlikely that the proposed 6 bedroom dwellings will be fully occupied by children of driving age.

Notwithstanding the above, further analysis of the data provided by the transport consultant shows that the trip rate for a 6 bedroom house is 10 trips in the peak AM hour 8-9am and 9 Trips in the peak PM hour 5-6pm. This is an increase from the consented trip rate of 7 trips in the AM peak and 6 trips in the PM peak. The analysis shows that the proposed increase in bedrooms for 9 dwellings could potentially result in a worst-case scenario of 3 additional vehicle trips per hour. Whilst it is understood this is an increase in traffic of 50% it should be noted that it's a 50% increase of a low number to start with.

Therefore, the predicted 10 trips in the peak hour of 8-9am results in one vehicle using the local highway network every 6 minutes in addition to the vehicles already in the network. It is considered by the Highways Officer that 1 vehicle every 6 minutes would not be detrimental to highway safety and, in such a town centre location, would be considered part of the normal daily fluctuations of traffic in the local area.

As a result of the supporting information provided and the robust methodology in calculating trips for a 6 bedroom house, the findings of the Transport Consultant's technical note are accepted.

It is noted that several local residents have raised concerns with the increased use of the Walters Road/St. Leonard's Road priority junction. Whilst it is acknowledged that the Highway Authority originally objected to the development on the grounds that the increased use of the Walters Road/St. Leonard's Road priority junction would result in Highway safety concerns, the Planning Inspector determined that the increased use of the junction did not raise any concerns and went further to conclude that "there would not be a significant detrimental effect on Highway Safety". The relevant section of the inspector's report is copied below:

16. Consequently, I am satisfied that the increase in traffic and available visibility is such that there would not be a significant detrimental effect on highway safety as a result of the development. As such the development would offer efficient access to road connections and maintains road safety in accordance with LDP policies SP2 and SP3.

Considering the planning inspector's decision, it would be inappropriate for the Highway Officer to contest the inspector's position on the matter of junction safety as the decision has already been made. Furthermore, in 17 days' time, legislation comes into force in Wales to reduce the default speed limit from 30 mph to 20mph. The effect of that imminent legislation on this planning application is that the vision splay requirements for the Walters Road/St. Leonard's Road priority junction will reduce and the speed limit reduction is expected to promote Highway safety on the local highway network.

In addition to the above and to increase the sustainability credentials of the proposed dwellings, it is important to ensure that, should future occupants want to store cycles, there is room to do so. As such the HA request a condition that the garage is retained for parking of private vehicles as well as cycle storage as per the requirements of the Active Travel Act to promote walking and cycling and reduce vehicular trips for short journeys.

In conclusion, the Highways Officer accepts that the increase from 4-6 bedrooms would not materially increase trips on the local highway network or materially increase highway safety concerns. In addition, the introduction of the 20mph speed limit legislation would mitigate any highway safety concerns over the increased use of the Walters Road Junction in the future.

Having regard to the above advice, the development is compliant with the guidance contained within SPG17 and is in accord with Policy PLA11 of the Local Development Plan (2013). The scheme is acceptable from a highway safety perspective subject to the imposition of a Planning condition which requires the retention of the garage to park private vehicles and to store private cycles.

Impact of the Development on the Setting of the Newcastle Hill Conservation Area and Grade II Listed Building

Concerns had been previously expressed by BCBC Building Conservation Officers regarding the intensity of increasing the number of bedrooms in each proposed residential unit and the subsequent design which was detrimental to the setting of the listed building and the wider character of the conservation area.

Amended designs have been submitted for consideration. The amended designs show projecting dormers on the front of each dwelling which are a similar colour to the proposed roof. This helps them to be slightly recessive reducing their visual impact and is supported by the Building Conservation Officer.

It is recommended, that either a lead standing seam finish is used, or a matching hanging tile is used in this location to coordinate with a small- scale roof tile. Samples or specifications will be required to be submitted for approval prior to their installation on site.

The front elevation fenestration also features a projecting box frame feature set either in rendered or brick elevations. This represents a design of its time and is supported. The front elevations are acceptable in terms of their fenestration and simple palette of colours.

The use of brick, chimney stacks and rendering are reflections of earlier periods of construction. It is recommended that traditional plastering is implemented on this site. Permitted development rights will be removed to protect the character of the conservation area and the setting of the listed building. As such the proposal is not considered to have a detrimental impact on the setting of the listed building or the wider conservation area.

The proposed residences are set within modest front gardens with garages. The submitted amendments will result in a successful development and an improvement on the previously allowed scheme, that will contribute positively to the conservation area and the setting of Coed Parc House. Accordingly, the proposed development is considered to accord with Policy SP2(2), SP2(3) and SP(5) of the LDP 2013.

Other Matters and Conditions

The proposal to change the design of the nine dwellings on this part of the wider site does not have any implications in terms of ecology, drainage or contaminated land.

Following discussions with the applicant and Air Quality Officer, it is evident that the exact type of log burner/fire to be installed in each dwelling has yet to be determined. However, whilst the originally approved scheme shows chimneys and fireplaces and the Air Quality Officer is confident that log burners would not have a detrimental impact on the Park Street Air Quality Management Area (as the issues there are caused by heavy traffic close to properties less than a metre from the road) there are some concerns regarding the statutory nuisance aspect and impact on neighbouring residents under the Environmental Protection Act 1990.

Therefore, it is important to be able to ascertain and approve the type of installation for the units. In view of this, it is considered necessary to attach an additional condition requesting further details to be submitted regarding the type of fire burning system to be used in the units.

CONCLUSION

Having regard to the above, particularly the Inspector's decision on the original proposal (P/16/610/FUL refers) and notwithstanding the concerns raised by local residents, the Town Council and Ward Members, this application is recommended for approval. The principle of the development has already been established by way of the planning appeal decision and other consents.

Taking all material matters into consideration, on balance the amended design of the nine dwellings that form Phase 3 of the redevelopment of the wider Coed Parc site complies with Council policy and guidelines and will not adversely affect the residential amenities of neighbouring properties, the visual amenities and setting of the Conservation Area and Grade II Listed building or highway safety in and around the site.

RECOMMENDATION

(R53) 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:

Transport Note 2, AR060003, AR60004, AR61002, AR61003, AR062002, AR062003, AR062005, AR900008, Supplementary Note and Transport Note, Bat Survey, Ecological Assessment, Heritage Statement, Flood and Drainage Report, Archaeological Assessment and Highway Technical Report approved under appeal decision APP/F6915/A/17/3181972 (App. No. P/16/610/FUL); Amended plans AL(90) 01 Proposed Site Plan (insofar as it relates to Phases 1 and 2), PL (00)02 REV B – House Type D Plans, AL(00) 03 REV B – House Type D Elevations, AL(00)04 REV A – House Type C Garage received on the 10 June 2019 and Amended Plan AL (00)01 REV C – House Type C Plans and Elevations received on the 26 June 2019 under App. No. P/19/174/RLX; and, AL(90)03 Rev. A Proposed Phase 3 Site Plan, AL(01)01 Proposed GA Floor Plans (A1), AL(01)02 Proposed GA Elevations (A1), AL(01)04 Proposed GA Floor Plans (A2), AL(01)05 Proposed GA Elevations (A2), AL(01)07 Proposed GA Floor Plans (A3), AL(01)08 Proposed GA Elevations (A3), AL(01)10 Proposed GA Floor Plans (A4), AL(01)11 Proposed GA Elevations (A4), AL(01)13 Proposed GA Floor Plans (B1), AL(01)14 Proposed GA Elevations (B1), AL(01)16 Proposed GA Floor Plans (B2), AL(01)17 Proposed GA Elevations (B2), AL(01)19 Proposed GA Floor Plans (B3), AL(01)20 Proposed GA Elevations (B3), AL(01)22 Proposed GA Floor Plans (B4), AL(01)23 Proposed GA Elevations (B4) received on 22 June 2023 and Transport Technical Note by Lime Transport received on 6 December 2022 under App. No. P/22/455/RLX.

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

2. The development shall be carried out in accordance with the Construction Method Statement received on 21 November 2022 as approved under App. No. P/22/85/RLX on 5 January 2023.

Reason: To ensure a satisfactory form of development.

3. The development shall be carried out in accordance with the Phasing Plan as approved under App. No. P/19/544/DOC on 2 April 2020. The development within the site shall thereafter conform to the agreed Phasing Plan.

Reason: To ensure that the development is undertaken in an orderly and co-ordinated manner in the interests of visual and residential amenity and highway safety and to

preserve the setting of the Grade II Listed Building.

4. The extension and dwellings shall be carried out in accordance with the details of the materials to be used in the construction of the external surfaces as approved under App. No. P/19/544/DOC on 2 April 2020.

Reason: To ensure that the materials of construction enhance and protect the visual amenities of the area.

5. The extension and dwellings shall be carried out in accordance with the boundary treatment details as approved under App. No. P/19/544/DOC on 2 April 2020. The boundary treatment shall be completed as approved before the remaining dwellings are beneficially occupied.

Reason: To ensure that the general amenities of the area are protected.

6. The development shall be carried out in accordance with the surface water drainage scheme as approved under App. No. P/21/542/DOC on 15 July 2021.

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

7. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no development shall be carried out other than those expressly authorised by this permission.

Reason: To enable the Local Planning Authority future control over the scale of development as well as the installation of new windows or dormers or the extension of the properties to the rear, in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no building, structure, enclosure, fences, gates or walls shall be erected within the curtilage of any dwelling house hereby permitted.

Reason: To enable the Local Planning Authority future control over the scale of development in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

9. Hard and soft landscape works shall be carried out in accordance with the details approved under App. No. P/23/424/DOC on 4 August 2023.

The development shall be implemented in accordance with the approved scheme prior to the beneficial occupation of the dwellings in Phase 3.

Reason: For the avoidance of doubt as to the extent of the approved scheme and to maintain and improve the appearance of the area in the interests of visual amenity whilst promoting nature conservation.

10. The landscaping works shall be carried out in accordance with the approved details during the first planting season as per the agreed implementation programme. The completed scheme shall be managed and maintained in accordance with an approved scheme of management and maintenance.

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

11. The development shall be carried out in accordance with the existing and finished ground levels approved under App. No. P/19/544/DOC on 2 April 2020.

Reason: To ensure a satisfactory form of development.

12. The development shall be carried out in accordance with the scheme for the protection of existing trees, as agreed under App. No. P/19/544/DOC on 2 April 2020 and under App. No. P/23/424/DOC on 4 August 2023, throughout the course of the development.

Reason: In the interests of biodiversity and to preserve the character and appearance of the site.

13. Within 3 months of the date of this consent, a scheme for the provision of a vehicle turning and visitor parking area on the private drive serving Plots 2, 3, 4, 5 and 15 shall be submitted to and approved in writing by the Local Planning Authority. The turning and visitor parking area shall be completed in materials in accordance with the approved layout prior to the occupation of plot 2 and shall be kept available for vehicle turning and parking in perpetuity.

Reason: In the interests of highway safety.

14. The parking spaces for Plots 3, 4 and 5 Coed Parc shall be kept available for vehicle parking in perpetuity.

Reason: In the interests of highway safety.

15. Prior to the beneficial occupation of the dwellings in Phases 2 and 3, details of all parking places and driveways shall be submitted to and approved by the Local Planning Authority. The parking places and driveways shall be completed in accordance with the approved details and shall be retained in perpetuity.

Reason: In the interests of highway safety.

16. The development shall be carried out in accordance with the footway widening scheme on Walters Road as approved under App. No. P/19/544/DOC on 2 April 2020. The approved scheme shall be implemented prior to any of the dwellings in Phase 3 being brought into beneficial use.

Reason: In the interests of pedestrian and highway safety.

17. The extended access road from the new turning head at the eastern end of Walters Road serving units 6-14 including the turning head, passing place and visitor parking, shall be laid out in permanent materials in accordance with the approved layout prior to the occupation of those units.

Reason: In the interests of highway safety.

18. The entrance gates shall be removed from the access road at the junction with Park Street before works on Phase 3 commence and any proposal for their reinstatement shall be the subject of a separate planning permission.

Reason: In the interests of highway safety.

19. Prior to the beneficial occupation of the dwellings in Phase 3, a scheme for the provision of a passing place sign and a sign confirming that the road serving units 6-14 is private shall be submitted to and approved in writing by the Local Planning Authority. The signs shall also be erected in accordance with the approved scheme prior to the occupation of the dwellings in Phase 3 and shall be retained in perpetuity thereafter.

Reason: In the interests of highway safety.

20. Prior to the commencement of works on Phase 3, the proposed access road shall be temporarily widened at the bend opposite the Listed Building to not less than 5.5 metres wide to serve the proposed development during the construction period.

Reason: In the interests of highway safety.

21. Notwithstanding the submitted and agreed Construction Method Statement, no further development on Phase 3 of the development shall commence until the provision of a 1m wide fully heras fenced pedestrian refuge is provided on the eastern edge of the existing access driveway. The pedestrian refuge will link the dwellings of plots 2,3 & 4 to the existing footway provision. The pedestrian refuge shall be implemented before any further development on Phase 3 and retained for pedestrian safety for the duration of the construction period.

Reason: In the interests of highway and pedestrian safety.

22. The detached garages hereby approved shall be used as a private garage only and at no time shall they be converted to a room or living accommodation.

Reason: To ensure that adequate vehicle and cycle parking facilities are provided within the curtilage of the site.

23. Notwithstanding the plans hereby approved, and condition 4 above, prior to the construction of the 9 dwellings, detailed specifications or samples of the materials to be used in the construction of the external surfaces of the dwellings at Phase 3 shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to preserve and enhance the setting of the Conservation Area and Grade II Listed building.

24. Prior to the occupation of each dwelling in Phase 3 of the development, details or specifications of the type of fire installation shall be submitted to and approved by the local planning authority. The installation shall be completed as approved before the beneficial occupation of the dwelling and retained as such thereafter.

Reason: To ensure a satisfactory form of dwelling and to preserve the amenities of neighbouring residential occupiers.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None