

RECOMMENDATION : SECTION 106

REFERENCE: P/14/800/FUL

APPLICANT: MANNING CONSTRUCTION LTD
BRODAWEL COYCHURCH BRIDGEND

LOCATION: FMR COUNCIL OFFICE SITE GLANOGWR ROAD BRIDGEND

PROPOSAL: DEMOLISH COUNCIL OFFICES, DIVERT FOOTPATH 17 (BRIDGEND) & ERECTION OF 4NO. DETACHED DWELLINGS WITH INT. GARAGES

RECEIVED: 5th December 2014

SITE INSPECTED: 17th April 2015

SITE INSPECTED: 23rd July 2014

SITE INSPECTED: 20th February 2015

APPLICATION/SITE DESCRIPTION

The application seeks consent for the demolition of a Council office building known as 'Glanogwr' and the redevelopment of the site for four detached dwellings.

The site covers an approximate area of 0.23 hectares and is located in an area that is otherwise entirely residential. Extensive pre-application advice was given concerning the redevelopment of the site for residential purposes. A number of indicative layout sketches were submitted as part of the enquiry, one of which demonstrated a 4-dwelling scheme that is broadly similar to that presented in this formal application.

According to the proposed site layout plan, the site would be divided into four plots that would be generally of equal shape and size (rectangular with an approximate area of 13m x 33m). Two different house-types are proposed, however they would have a very similar scale and footprint:

House Type A would have a general footprint of 10m x 11m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge).

House Type B would have a general footprint of 10m x 10.2m, with a pitched roof reaching maximum heights of 5.7m (eaves) and 9.5m (ridge).

Vehicular and pedestrian access is from the east. This access extends from the termination point of Glanogwr Road and curves behind the extended parts of Glanogwr House. At this termination point, a registered public footpath extends across the eastern section of the site, providing pedestrian links from Glanogwr Road to Newbridge Fields.

There are other residential properties to the east and west of the site, mainly two-storeys in scale. They reflect a much lower density to Glanogwr House, with the majority on spacious plots, benefitting from multiple areas of outdoor amenity and off-street parking. It is, however, noted that to the immediate east of the site is a bungalow (36 Glanogwr Road) and Glanogwr Coach House, which is a Grade II Listed Building and currently in office use with a residential flat above

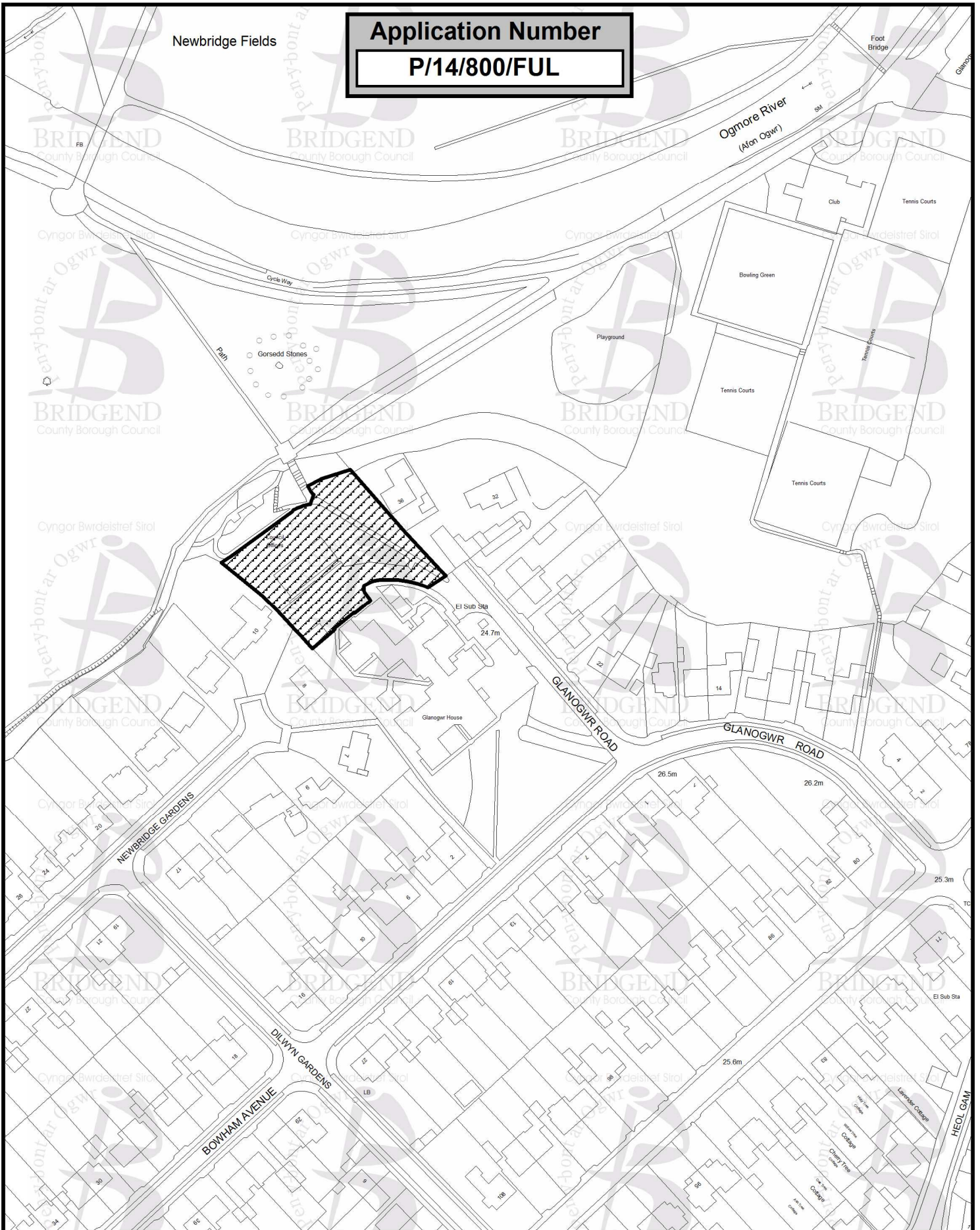
To the south of the site is Glanogwr House, which contains numerous flats and is a Grade II Listed Building. This building is predominantly three-storeys in scale and has been extended several times to form a relatively high density development.

To the north of the site is a large recreational and leisure area known as Newbridge Fields. It is located at a significantly lower level to the application site and is separated by a dense and

Application Number

P/14/800/FUL

Newbridge Fields



Scale 1:1,750

**Date Issued:
22/04/2015**

**Development-Mapping
Tel: 01656 643176**

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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Cyngor Bwrdeistref Sirol



mature woodland. This woodland is not covered by a tree preservation order and is located outside the application site.

The application was deferred at the Development Control Committee meeting on 3 April 2015 to allow for more information to be obtained in respect of the footpath.

A site survey was undertaken by the Local Planning Authority which found that a total of 103 (12 adults and 91 children) people used the footpath between the hours of 0800 and 0900 and a total of 141 (33 adults and 108 children) people used the footpath between the hours of 1500 and 1600. The survey was carried out on a week day during school term time and in fine weather.

The applicant provided the following additional information in relation to the application:-

'The North Eastern boundary between the application site and No.36 Glanogwr Road is defined by a scruffy timber post and rail fence obscured from general view by a hedge. The alignment of the fence/ hedge is shown on the topographical survey plan submitted with the application documents. As you know the environmental quality of the hedgerow varies along its length and discussions between representatives of the Applicant Company and the occupier of 36 Glanogwr Road revealed that maintenance of the facility was proving increasingly difficult, the neighbour considered that the hedge/fence would be better replaced by a screen wall comprising entirely of face brickwork which Manning Construction is willing to provide. The alignment of the wall would be straight and positioned so as not to extend beyond the boundary of the development site. '

RELEVANT HISTORY

75/227 - Construction of Glanogwr Offices (Approved)

PUBLICITY

The application has been advertised in the press and on site.

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 27 January 2015.

NEGOTIATIONS

The scheme was subject to extensive pre-application discussions, which involved informal advice being given on a number of different aspects of the proposal. During the determination of this formal application, the agent was requested to:

1. Improve the design of the repositioned public footpath
2. Submit plans of the rear patio area of the dwellings
3. Confirm, in principle, alternative external finishes
4. Submit a suite of tree-related surveys and reports
5. Sign Certificate B and serve Notice on the Council
6. Confirm their intention to enter into a legal agreement for a financial payment of £50,000 towards the provision of affordable housing

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 9th December 2014

Objects to the proposal:

1. Overdevelopment of the site
2. Loss of public open space, biodiversity and ecology

3. Detrimental to residential amenity of neighbouring properties
4. Highway safety and parking (including emergency vehicles)
5. Improper design for the proposed diverted footpath, thereby raising safety concerns (including the incidence and fear of crime and antisocial behaviour) and the loss of amenity to its users
6. The size and location of the refuse drop-off area serving the development would be inappropriate
7. Incorrect certificate signed within the application forms

Councillor G Phillips

Requested to speak against the development at the Development Control Committee and objects for the following reasons:-

- The development will destroy public access to Newcastle playing fields.
- Brynteg Governing body are concerned the development will lead to a problem with children using the footpath.
- The proposed footpath will create a platform for anti social behaviour

Councillor Philips advised that he is objecting as a local Member and on behalf of Brynteg School in his role as a Governor.

Councillor Mrs E M Hughes

Requests that the application be referred to Committee and requests to speak. The referral is based on the following grounds:

"The general opinion of people using the fields is that the approach to the fields will be spoiled and these concerns have been detailed to the Planning Department and Rights of Way. I trust there will be a site meeting. The opinion is that 3 homes may be acceptable but not 4 as this entails moving the path to the right and causing a channel which could be intimidating to users of the path. I and others have lodged a more detailed objection to moving the path and I hope due consideration has been given to our concerns."

Head Of Street Scene (Highways)

No objections to the proposal subject to a condition.

Destination & Countryside Management

No objections to the proposal subject to a condition and advisory notes.

Head Of Street Scene (Drainage)

No objections to the proposal subject to a condition and advisory notes.

Natural Resources Wales

No objections to the proposal subject to a condition and advisory notes. A copy of their observations was forwarded to the applicant's agent on 19/03/2015.

Welsh Water Developer Services

No objections to the proposal subject to advisory notes.

Glamorgan Gwent Archaeological Trust

No objections to the proposal subject to an advisory note.

Crime Prevention Design S.Wales Police

Provided a series of recommendations and advisory notes concerning the design and layout of the development. A copy of the observations was forwarded to the applicant's agent on 26 January 2015.

Conservation & Design

No objections to the proposal subject to conditions.

Rights Of Way Team

Provided the following comments on the process of applying for a footpath diversion:-

If it is determined that a Right of Way requires diversion a report will be presented to the Rights of Way Sub Committee for approval to make the Order. If this is received (it doesn't necessarily follow that the ROW sub committee will approve the report) an Order is made and advertised on site and in the press. Statutory bodies and user interest groups are served with copies of the Notice. The Notice will indicate a date on which any objections need to be received by. If objections are received the Council would need to forward the matter to the Planning Inspectorate for determination if the Council intends to proceed with the Order. The Inspectorate can then choose to deal with the matter by written representation, hearing or by a full public inquiry.

The Rights of Way Officer also advised that the width of a Public Right of Way is not set by legislation but instead by the width stated in the Definitive Statement which accompanies the Definitive Map. In the case of Footpath 17 Bridgend, which crosses the site, the width has been recorded as being 1.6m tapering to 1.4m as it runs down the slope. Any diversion order would have to propose a path no less than the registered width. However, as part of any diversion under the Town and Country Planning Act 1990 the Council has a set list of specifications for any footpath affected by development. In specification 3 it states "If the diversion is to be enclosed on both sides it shall be 1.8m wide. If the diversion is unfenced, or only fenced on one side, it shall be 1.4m wide."

The Footpath has only recently been formally designated as a Public Right of Way by means of a dedication by the Council as landowners. Prior to this the footpath was not recognised as a Public Right of Way and did not form part of the maintainable highways network. As such it was never designated as a safe route to school or included in any wider strategy.

REPRESENTATIONS RECEIVED

R C Hathaway On Behalf Of Mr D & M Forman, 36 Glanogwr Road

Advised that Mr D and Mr M Forman have no intention of allowing the hedge, which they own, to be taken down to be replaced with a brick wall, as suggested by the agent in the additional information submitted on 21 April 2015.

Mr Jefferey Dong, 8 Newbridge Gardens

We have no objections to the above planning application subject to our continued access to the north (rear) of our property, 8 Newbridge Gardens to Newbridge fields and that any building work does not undermine/damage any of the fabric of our house, outbuildings or boundary walls.

Petition, C/O Mike Minton

containing 289 signatories objecting on the following grounds:

1. The sale of the land surrounding the existing office building
2. Loss of public open space
3. Loss of parking

Objections and concerns have been received from the following:

3 (Speaker), 5, 7 (Speaker), 9, 10, 11, 15, 20, 21, 25, 27, 31, 42, 43, 44, 50 Bowham Avenue

1, 4, 8, 16, 18, 20, 22, 26, 30, 32, 34, 36 Glanogwr Road

48, 90, 101, 108 (Speaker), 127 Merthyr Mawr Road

20, 30 (Speaker), Newbridge Gardens

77 Bryntirion Hill

94, 100 Fairfield Road

3 Heol Tre Dwr

7 Melton Drive

7 College Close

4 Golwg y Fro

3 Dillwyn Gardens

32 Heol Bradford

14 Shelley Drive

111 Park Street

10 Grove Road

86 Grove Road (Speaker)

Bridgend Civic Trust

18a Gwaun Bant (Pontycymmer)

Winterstream, Penllyn (Cowbridge)

18 St Agnes Road (Cardiff) (Speaker)

Bethan Jenkins, AM

Carwyn Jones, AM

Additional comments were received from the resident of 36 Glanogwr Road with specific concern regarding the impact on their property.

Their objections and concerns have been summarised as follows:

1. Overdevelopment of the site, plot size not in keeping with area and there are already sufficient residential properties in the area and is subsequently unsuitable for additional dwellings. The development does not fully comply with Council policy and guidelines.
2. Loss of public open space and this land is not legally available for sale. The Council have an interest in this land.
3. Loss of visual amenity and adverse impact on local character and listed buildings, including alterations to the natural and historic surroundings
4. The design of the relocated footpath would restrict access to recreation and be unsuitable for its users, especially due to its width, alignment, accessibility and that it could raise fear and incidence of Crime/Anti-Social behaviour. It is also claimed that this element of the scheme

would breach Building Regulations and the Equality Act 2010

5. Loss of trees and adverse impact on biodiversity and ecology
6. Impact of the development on the amenities of neighbouring properties
7. Nuisance/Disturbance/Annoyance and adverse noise to local residents
8. Inappropriate size and location for the refuse area and increase in litter which could attract pests and adverse odours
9. Dog fouling and impact on public health
10. Loss of parking and adverse impact on highway/pedestrian safety, including traffic and access for emergency vehicles
11. No provision of bathrooms on the ground floor of the dwellings, therefore, the scheme discriminates disabled people
12. Lack of consultation
13. Where will the affordable housing contribution be spent?

COMMENTS ON REPRESENTATIONS RECEIVED

The objections and concerns are addressed as follows:

1. The site is within an area which is almost entirely residential and the redevelopment of this site for residential purposes is compatible, in principle. The development, therefore, is considered to satisfy the requirements of Policy COM3 of the BLDP.

The proposed dwellings would be visually interpreted to be part of the same complex of development, thereby creating a small new cul-de-sac with its own identity, but responding to the local context and the general character and density of the area.

The proposed dwellings would benefit from a reasonable degree of residential amenity. All habitable rooms in particular would benefit from adequate light, outlook and privacy. The amount of outdoor amenity space would be sufficient for family-sized dwellings and would be comparable to the amount serving properties in the immediate locality. Having considered the size of the dwellings, the provision of outdoor amenity space and parking requirements to serve each plot, together with the need to include a footpath which meets the standard width of the Public Rights of Way Section, it is considered that the proposed scheme would not represent overdevelopment of the site.

2. Refer to the 'Appraisal' section of the report for the assessment into the loss of public open space/amenity.

With regards to the sale of this land, following discussions with the Property and Legal Departments of the Council, it is understood that there are no legal restrictions or covenants associated with the sale of this land or that it must be retained for public use. In any event this is not a material planning consideration. Furthermore, the applicant has served notice on the Council and signed a Certificate B.

3. The existing Glanogwr offices, which is a building with no significant design merit, is considered to have a detrimental effect on the setting of both adjacent listed buildings and an incompatible relationship with the character and appearance of its surroundings. Whilst the proposal would increase the amount of development within the site, rather than being confined to

the footprint of the existing office building, it is considered that this scheme would result in the net improvement on the visual appearance of the site and enhance the setting of the listed buildings, which must be given special regard in the determination of this planning application. The Conservation and Design Team of the Council has no objections to the proposal subject to conditions requiring the agreement of materials. Glamorgan Gwent Archaeological Trust has no objections to the proposal subject to an advisory note. It is, therefore, considered that the scheme satisfies Policies SP5, ENV8 and the design and visual amenity criteria of Policy SP2 of the BLDP.

4. It is understood that the footpath which travels through the site has recently been formally registered as Footpath 17 (Bridgend). At pre-application stage, it was made clear that the pedestrian links between Glanogwr Road and Newbridge Fields must be retained and incorporated within any redevelopment proposals. The Public Rights of Way Team provided input at pre-application stage and recommended that any diversion of this footpath must achieve a minimum width of 1.8m. The width meets the accepted requirement for footpaths and adequate gradients can be provided, thereby ensuring that the footpath is accessible to a range of users, including the disabled. Notwithstanding any planning consent issued for the redevelopment of the site, separate consent would be required to formally divert the footpath which would be assessed on its own merits at that time.

However, the impact of a development on a Public Right of Way is a material consideration and for the purpose of this application, consideration must be given to the suitability of the footpath in the context of Policies SP2 and PLA9 of the BLDP. In this respect, the Police Crime Prevention Design Officer initially raised concern regarding the original design of the proposed footpath. The concerns were relayed to the agent and it subsequently led to the submission of amended plans.

Whilst the amended footpath does not wholly meet the recommendations of the Crime Prevention Design Officer, a reasonable attempt has been made to satisfy the requirements of Policies SP2 and PLA9 of the BLDP, particularly with regards to safety and the incidence and fear of crime. For example, the footpath would be at least 1.8m wide and meets the minimum requirements as provided by Public Rights of Way Team. The vision of users of the footpath has been greatly improved by chamfering the northern section of Plot 4, thereby creating a curved boundary treatment and removing the ability for concealed spaces. In doing so, the footpath would widen to approximately 6m at the critical section of the footpath which changes direction, thereby addressing the principal concern of the Crime Prevention Design Officer. Supplemented with boundary treatments consisting of rendered walls with timber panelling and agreement of the levels of the relocated footpath (both of which would be subject to conditions), it is considered that the footpath would not result in a development that would have an 'alleyway' ambience.

Whilst it is appreciated that the current footpath is not inherently enclosed by physical structures, the user is required to travel through a number of trees, some of which are coniferous which restrict light, vision and can be used as concealing areas.

The proposal, however, would 'standardise' the footpath by providing a clear and defined route for the user without encountering any concealed spaces or significant loss of vision. It is also noted that views of the new development would be from a relatively small section of the overall length of the footpath and pedestrians would retain the enjoyment and experience of walking through the woodland along the northern sections of the footpath. Having regard to the assessment of both the existing and proposed footpaths, it is considered that there would be negligible adverse impact on public safety, on the incidence and fear of crime or on the enjoyment of walking along the footpath. It must be emphasised that the use of the existing or the proposed diverted footpath, particularly during late evening and during the night, would be a matter of choice for the user. Additionally, since the footpath only provides access to recreational fields, it is not considered that the footpath would be significantly used during hours of darkness. There is, however, a street light at both ends of the footpath which enables a degree of

illumination to users of the footpath. Additionally, consideration is given to other footpaths in the locality. In this respect, it is considered that the proposed footpath would achieve a better standard of design than for example the existing footpath linking Newbridge Gardens and Bowham Avenue, which travels alongside the south-western boundary of Glanogwr House. Having regard to the above, it is considered that the proposal satisfied the requirements of Policies SP2 and PLA9 of the BLDP.

The Building Regulations are covered under separate legislation and the 1.8m wide footpath meets the requirement of the Equality Act 2010.

5. The application site contains a number of trees and there are further trees outside the site, mainly along the northern boundary. A tree survey, a Tree Evaluation Method for Preservation Orders (TEMPO) survey and a Tree and Root Protection Methodology for retained trees have been submitted by a qualified arborist.

The trees separating the site from Newbridge Fields play a fundamental part in establishing the setting of the site. Whilst these trees are not protected by a tree preservation order, they are located outside the site and would not be significantly affected by the proposed development, especially with the implementation of tree and root protection measures and pruning works.

With regards to the trees that are situated on the site, the survey indicates that there are approximately 22 present. The submitted tree survey accurately reflects the health and condition of the trees. The TEMPO survey has indicated that 8 trees have some amenity value, however, further consideration must be given to their qualities and balanced against other material considerations, in particular the potential benefits gained from the redevelopment of the site.

The majority of the trees are conifers (Lawson). This species is mainly planted in urban environments to screen physical structures, especially since they are considered to be fast-growing species and the crown delivers good all-year-round density. In this particular case, it would appear that they were deliberately planted to screen the office building. However, due to lack of maintenance, they have become taller than any neighbouring building and excessively dominate the site. Whilst it is acknowledged that they are prominent, they are not native to this area and are not considered to be a rare species, so as to warrant any special merit. The survey has identified several of the Lawson trees having weak limbs and, due to the size and density of the crown, they represent high risk of collapse and splitting. In view of their proximity to one another, the root pattern is likely to be intertwined and the removal of one is likely to undermine the other. Furthermore, several of the trees are located immediately adjacent to the office building and are likely to be adversely affected by the demolition of this structure. Coniferous trees are also prone to being a source of nuisance by reducing residential amenity, in particular light and outlook.

Having regard to the above, it is considered that their removal would significantly improve the openness of the site. More importantly, they would improve public views of the adjacent listed buildings and enable the trees outside the site, which benefit from higher amenity value, to be brought into sight.

T14 (Red Oak) and T17 (Common Oak) have been identified with the highest public amenity value within the site. However, the scheme has taken these two trees into consideration. T17 will be retained so that it is situated at the immediate end of the rear amenity space of Plot 4. T14 would be transplanted elsewhere within the site. In this particular instance, the soft landscaped area between the front boundary of Plot 4 and the site entrance has been identified as the most suitable location for transplanting, especially since it will be a publicly prominent location.

The remaining trees are not considered to offer a significant amount of public amenity value and, as such, are not worthy of retention. Furthermore, the benefits gained by this scheme, which would accommodate a more compatible use (residential) and a more visually sympathetic

development (especially with regards to the setting of the listed buildings), outweighs the need to retain the remaining trees on the site.

Subject to conditions requiring (i) the retention of T17, (ii) the transplanting of T14, (iii) the submission of a landscaping scheme and (iv) the submission of tree and root protection measures for T17, T14 and the trees located outside the northern boundary of the site it is considered that the scheme would not have such an adverse effect on public amenity as to warrant refusal of the scheme and the development satisfies Policy ENV6 of the BLDP.

A bat survey, which has been conducted by a licenced surveyor, indicates that a small number of bats occupy the existing office building. Any demolition or redevelopment proposals must, therefore, be subject of a derogation licence. Natural Resources Wales (the authorising body) has no objections to the proposal subject to conditions and advisory notes. The Council's Ecologist also has no objections to the proposal subject to conditions and advisory notes.

Having regard to the tree assessments and a number of conditions relating to trees, landscaping and protected species, it is not considered that the proposal would have any significant adverse effect on biodiversity/ecology.

6. The site is bounded on three sides by residential properties. To the south-east of the site is a block of flats known as Glanogwr House. The front elevation of the proposed dwellings would face an extended part of the flats. In this respect, most habitable windows on the front elevation of all the dwellings would achieve the recommended distance of 21m between directly facing habitable room windows of the flats at Glanogwr. Whilst some of the windows would be marginally within 21m, they would be at an indirect angle, or facing secondary windows which can already be viewed into from the office car park.

Having regard to the above, it is considered that the proposed development generally complies with the guidelines of Supplementary Planning Guidance 2: Householder Development (SPG2) and would not so significantly worsen the existing level of amenity associated with a small number of flats at Glanogwr as to warrant refusal of the scheme.

The south-western boundary of the site is primarily adjacent to 10 Newbridge Gardens, which is a two-storey detached dwelling constructed in the 1960s (66/66 refers) and extended in 1972 and 1983 (110/72 and 83/1297 respectively). The Case Officer visited the site from the grounds of this property since the proposed dwelling on Plot 1 would be adjacent its boundary.

In this respect, the nearest part of the dwelling on Plot 1 to No.10 would be adjacent to a single-storey flat roof structure containing a utility room. The proposed dwelling on Plot 1 would angle away from No.10, thereby increasing the distance between both properties towards the rear.

It was noted during the site visit that the side elevation of No.10 which faces the application site has one window on the ground floor and two windows on the first floor. The ground floor window is largely enclosed by the single-storey flat roof structure, a garden shed, a 1.8m high fence and a coniferous hedge. As such, the window does not benefit from any significant amount of light or outlook. Furthermore, this window serves an open plan kitchen/diner and the main source of outlook and light serving this room is from the windows positioned on the front elevation. No windows are proposed on the side elevation of the dwelling on Plot 1.

With regards to the two first-floor windows of No.10, it would appear that they serve habitable rooms. Approximate calculations indicate that the proposed development would comply with the guidelines of SPG2, especially with regards to dominance and loss of light, privacy and outlook. Conversely, the two first floor windows of No.10 would not result in any significant loss of privacy to the occupiers of the dwelling on Plot 1 since the proposed dwelling would screen the large part of the private rear amenity space.

To the south of the site is 8 Newbridge Gardens. The property and its rear garden predominantly back onto the grounds and flats of Glanogwr House. Part of the rear garden backs onto the parking area for the application site and there is a tall coniferous hedgerow along the boundary which would screen a significant part of the development from this neighbouring property. Having regard to the above, it is considered that this proposal would not have any significant adverse effect on the amenities of No.8, with particular regards to dominance or loss of light, privacy and outlook.

The north-eastern boundary of the site is primarily adjacent to 36 Glanogwr Road which is a detached bungalow granted planning consent in 1973 (121/73 refers). A maintained hedgerow forms the boundary between the bungalow and the application site.

The proposed dwelling on Plot 4 would be the nearest part of the development to No.36. The submitted site layout plan indicates that the footpath linking Glanogwr Road to Newbridge Fields would be diverted to be along this hedgerow and alongside new boundary treatments to enclose Plot 4. The applicant has indicated that a brick wall will be erected along the boundary of No.36, however, in order to ensure that the proposed diverted footpath and boundary treatment at this location does not have an adverse impact on the residential amenities of No.36, a condition shall be attached to any permission granted for the agreement of boundary treatment. With regard to the impact of the proposed dwelling on No.36, whilst the dwelling will be on a higher level, it will be set in line with No.36 and, as such, will not cause any significant adverse effect on the amenities of this property in terms of loss of light or dominance. In respect of the impact of the development on privacy standards, it was noted during the site visit that No.36 has a number of side facing windows which will face the proposed dwelling at Plot 4, however, due to the siting of the proposed dwelling at Plot 4, the privacy standards of these windows are considered to be retained. The rear garden serving No.36 enjoys a relatively high level of privacy and the rear first floor windows at Plot 4 will overlook the garden area as will the elevated rear patio. In order to ensure that privacy standards are retained a condition shall be attached to any permission granted requiring a screen to be erected at the end of the elevated rear patio of Plot 4 and the first floor window serving bedroom 3 to be fitted with obscure glazing up to 1.7m in height.

Glanogwr Coach House is currently occupied by offices on the ground floor and a residential flat above. This listed building is located to the east of the site and is adjacent to the access road off Glanogwr Road. The dwelling on Plot 4 would be at a right angle to the coach house and set back at an approximate distance of 16m. It is, therefore, considered that there would not be any significant adverse impact on the amenities of the first floor flat or the occupiers of the new dwellings, with particular regards to dominance or loss of light, privacy and outlook. Loss of view is not deemed to be a material planning consideration in the determination of planning applications.

34 Glanogwr Road is located between The Coach House and 36 Glanogwr Road. Whilst its vehicular and pedestrian access is adjacent to the application site, the property is located further away at an approximate distance of 16m from the boundary. The proposal would meet the guidelines set within SPG2 and, consequently, it is not considered that the proposal would have a significant adverse effect on the amenities of the occupiers of this property, with particular regards to dominance or loss of light, privacy and outlook.

All other neighbouring properties would be further away from the application site and would not be unreasonably affected by the proposal. As such, the scheme would satisfy the requirements of Policy SP2 of the BLDP and the guidelines of SPG2.

7. Whilst the footpath would be aligned to be along the boundary with neighbouring properties, it is not considered that the proposal, subject to a boundary treatments condition, would generate such unreasonable levels of noise, disturbance or loss of amenity to the occupiers of No.36 as to warrant refusal of the scheme. The land is currently open and there is no evidence to suggest that there will be any net increase in noise from the relocated path.

It is acknowledged that there would be a degree of adverse noise and disturbance during the demolition and redevelopment phases of the site, this is considered to be short-term only. As such, it is considered unreasonable to refuse the application on such grounds.

The long-term use of the site would be residential. This is considered compatible with its surroundings, especially since the site is within an area which is almost entirely residential. It is not considered that the residential use of the site would generate such unreasonable nuisance, disturbance or adverse noise to local residents so as to warrant refusal of the scheme.

8. The immediate site entrance will include an area to deposit bins for waste collection days. This is a requirement of Policy ENV15 of the BLDP. Whilst this element of the scheme would be located outside the gated and enclosed cul-de-sac, this 'drop-off' area is only intended to be occupied during collection days since bins must have unrestricted and public access by refuse staff since they do not enter onto private roads/drives. As such, this location and arrangement is considered appropriate and, subject to conditions for the agreement of boundary treatments and hard and soft landscaping, it is not considered that this element of the scheme would have any significant adverse effect on visual or residential amenity. Littering, dog fouling and pest control are mainly management issues which are enforced under separate legislation. Consequently, these matters can only be given limited weight in the determination of planning applications, however, the scheme satisfies the criteria of Policy ENV7 of the BLDP which is concerned with natural resources and public health. An advisory note would be attached to any consent issued, explaining that the 'drop-off' area should be used only on designated waste collection days.

9. Dog fouling is enforced by separate legislation and, as such, cannot be given significant weight in the determination of a planning application which is primarily for residential purposes and the repositioning of the public footpath.

10. The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to a condition relating to parking provisions. Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety and satisfies Policies SP2 and PLA11 of the BLDP.

11. Whilst there would not be any bathrooms located on the ground floors of the proposed dwellings, there is a WC. It is considered that this matter is outside of planning control and the accessibility of the dwellings would be subject to separate Building Regulations consent.

12. The application has been subject to formal consultation letters being sent to 46 local residents, the two local Members and Bridgend Town Council. Site notices were placed adjacent to the site and advertisements were placed in the press due to the proximity of the site to listed buildings and as the scheme would involve the diversion of Footpath 17 (Bridgend). The statutory time period for public consultation has been given and it is considered that adequate public consultation has been undertaken.

13. With regards to the Town Council's comments regarding an incorrect certificate, this matter was subsequently addressed by the agent by signing Certificate B within the application forms and serving the relevant Notice on the Property Department of the Council.

14. With regard to the comment raised in relation to the affordable housing S106 contribution, the contributions will be used to support overall affordable housing provision within the County Borough to be delivered in partnership with RSLs. Contributions will be used to provide either part or full funding for schemes, projects and initiatives which may include:

- To enable the purchase and refurbishment of long term empty properties by an RSL for reuse as affordable housing
- Purchase of land for Affordable Housing
- Delivery of Mortgage Rescue
- Development of Supported or Adapted Housing Schemes

- Supplementing on site affordable housing provision on other developments in the local area
- Any other scheme identified by the Council that will increase the supply of affordable housing in the County Borough.

APPRAISAL

The site is located within the designated settlement boundary of Bridgend, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan (BLDP). Policy COM3 of the BLDP states that residential developments within settlement boundaries defined in Policy PLA1 on 'windfall' and 'small scale' sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land will be permitted where there is no over-riding need to retain the existing use of the building or land for an alternative use.

The Council has deemed this building to be surplus to requirements and there is no over-riding need to retain the offices, especially since such uses are normally directed to allocated sites defined within the BLDP. In general terms, the site is within an area which is almost entirely residential and the redevelopment of this site for residential purposes is compatible, in principle. The development, therefore, is considered to satisfy the requirements of Policy COM3 of the BLDP.

With the principle established, the scheme must be considered against other relevant planning policies, guidelines and material considerations.

Policy COM5 of the BLDP states that affordable housing should be sought from sites capable of accommodating 5 or more dwellings or exceeding 0.15ha in size. The affordable housing target for Bridgend is 20%.

This site extends to approximately 0.23ha and therefore falls to be considered by this policy. However, having considered the need in the area and the type of units proposed, the Council's preferred means of securing affordable housing would be an off-site contribution which should be of 'broadly equivalent value' to what would have been provided on-site. Advice provided in a planning statement in January 2014 and in pre-application discussions in July 2014 stated that the sum required would be approximately £50,000. The applicant has offered a financial contribution of £50,000 towards affordable housing. On this basis, and following discussions with the Principal Section 106 Officer, it is considered that this sum fulfils the affordable housing requirements of Policy COM5. The applicant will be required to enter into a legally binding planning obligation to secure this contribution.

Since the site proposes 4 dwelling units, the development does not meet the threshold of 5 or more residential units contained within SPG16: Educational Facilities & Residential Development. As such, a contribution towards education is not required.

Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making of any new development. The proposed development and site context have been outlined under the 'Application/Site Description' Section of the report.

The site is largely inconspicuous from prominent public views. This is mainly due to the site being located behind a large two/three storey building (Glanogwr House), being adjacent to a dense and mature woodland and only be accessible from a private lane extending from the termination point of Glanogwr Road.

In respect of the residential element of the scheme, the proposal is based on good design principles and the layout of the site and the design of the dwellings generally follow the principles of Design Guide 1: Dwellings and Domestic Scale Buildings. The design, character and appearance of the dwellings would also be similar to one another and would benefit from design interest. The dwellings would be visually interpreted to be part of the same complex of development, thereby creating a small cul-de-sac with its own identity, but responding to the

local context and the general character and density of the area.

Following discussions with the agent, the dwellings would be largely finished in render and slate. However, since such details have not been submitted on plan, it is considered necessary to impose a condition for the external finishes of the dwellings to be agreed.

The submitted plans indicate that the boundary treatments to enclose the site would be rendered walls with timber panelling. This type of boundary treatment is considered visually acceptable, in principle, and would complement the external finishes of the new dwellings, thereby reinforcing the appearance of the development as a whole. However, in the absence of specific details, it is considered necessary to impose a condition for such details to be agreed.

It is acknowledged that the site would be visible from the retained but diverted footpath. This footpath can only be used by pedestrians and not vehicles travelling from Glanogwr Road to Newbridge Fields (or vice versa). However, the existing footpath allows views of the existing Glanogwr offices, which is a building with no significant design merit and which is considered to have a detrimental effect on the setting of both adjacent listed buildings and an incompatible relationship with the character and appearance of its surroundings.

It is considered that this scheme would improve the visual appearance of the site and enhance the setting of the listed buildings, which must be given special regard in the determination of this planning application. The Conservation and Design Team of the Council has no objections to the proposal subject to conditions requiring the agreement of materials. Glamorgan Gwent Archaeological Trust has no objections to the proposal subject to an advisory note. It is, therefore, considered that the scheme satisfies Policies SP5, ENV8 and the design and visual amenity criteria of Policy SP2 of the BLDP.

A site level survey has been submitted which shows the access and parking area being higher than the office building, with the land sloping downwards, towards the public footpath along the northern boundary of the site. The proposed levels indicate that the dwellings would be built up to be level of the access road. There would be a considerable visual improvement to the site frontage. This is mainly due to the massing of tarmac which forms part of the office parking area being removed and replaced with areas of soft landscaping and more suitable hard landscaping. This would result in improved visual integration between the site and the setting of the adjacent listed buildings.

The rear of each dwelling would contain an upper and lower level of outdoor amenity, consisting of elevated patios with steps leading to the lower 'soft' landscaped gardens. The proposed levels are considered appropriate since it will ensure that the dwellings are appropriately assimilated within the site whilst respecting the surrounding context. However, in the absence of specific details concerning hard and soft landscaping, it is considered necessary to impose a condition for such details to be agreed. A condition would also be imposed for the levels of the footpath to be agreed so that an appropriate balance can be secured between the levels of the proposed and existing dwellings, boundary treatments and the relocated footpath. This would be in the interests of visual, residential and public amenity.

The application site contains a number of trees and there are further trees outside the site, mainly along the northern boundary. A tree survey, a Tree Evaluation Method for Preservation Orders (TEMPO) survey and a tree and Root Protection Methodology for retained trees have been submitted by a qualified arborist.

A detailed assessment of the trees can be found under the 'Comments of Representations Received' Section of the report. Subject to conditions requiring (i) the retention of T17 (Common Oak), (ii) the transplanting of T14 (Red Oak), (iii) the submission of a landscaping scheme and (iv) the submission of tree and root protection measures for T17, T14 and the trees located outside the northern boundary of the site (backing onto Newbridge Fields), it is considered that

the scheme would not have such an adverse effect on public amenity and biodiversity as to warrant refusal of the scheme and, consequently, satisfies Policy ENV6 of the BLDP.

It is understood that the footpath which travels through the site has recently been formally registered as Footpath 17 (Bridgend). At pre-application stage, it was made clear that the pedestrian links between Glanogwr Road and Newbridge fields must be retained and incorporated within any redevelopment proposals. The amended plan demonstrates that the 1.8m width of the footpath would meet the standard requirements of footpaths (as advised by the Rights of Way Team) and adequate gradients could be provided, thereby ensuring that the path is accessible to a range of users, including the disabled. Notwithstanding any planning consent issued for the redevelopment of the site, separate consent would be required to formally divert the footpath which would be assessed on its own merits at that time.

A full assessment of the proposed relocated footpath can be found under the 'Comments of Representations Received' Section of the Report. In summary, the proposal suggests an alternative footpath that will satisfy the requirements of the Public Right of Way Team, the Crime Prevention Design Officer (Police) and Policies SP2 and PLA9 of the BLDP, particularly with regards to design, safety and the incidence and fear of crime. It is, therefore, considered that the proposal would not result in such unreasonable loss of public amenity as to warrant refusal of the scheme.

The proposal would result in a loss of a limited amount of public open space, mainly due to the realignment of the footpath to facilitate four plots. This open space is largely considered to represent the landscaped grounds of the office building and is deemed to be ancillary to users of the footpath and the offices rather than operating as a standalone function. It is apparent that users encounter this open space briefly before entering or when leaving the expanse of public open space located to the north of the site (Newbridge Fields). In this respect, the most important aspect of any proposal to redevelop the site is to retain a public footpath linking nearby streets to the large recreation fields. The scheme presented in this application has successfully achieved this aim. Furthermore, it is considered that the benefits gained from the demolition of a visually detrimental building (Glanogwr offices) and the construction of a more compatible and sympathetic form of development, clearly outweighs the limited loss of public open space or the negligible adverse impact of the diversion of the footpath. Having regard to the above and given the proximity of such expanse of recreational space within Newbridge Fields, it is considered that the scheme satisfies Policies SP13 (Social and Community Facilities) and COM7 (Protection of Social and Community Facilities) and would not result in such loss of public open space/amenity as to warrant refusal of the scheme.

The site is not located within a flood risk area and currently the office building contains drainage infrastructure. The Land Drainage Section of the Council has no objections to the proposal subject to a condition for the submission of a comprehensive drainage scheme. Welsh Water also has no objections to the proposal subject to advisory notes. It is, therefore, considered that this scheme would not have any significant adverse effect on drainage or materially increase the risk of flooding. The scheme, therefore, satisfies Policies SP2 and ENV7 of the BLDP. The site is reasonably served with all other utilities necessary for residential uses.

The existing office car park would be modified to provide off-street parking and access to the four proposed dwellings. The site would be entirely enclosed with the private access being limited to the occupiers of the new dwellings. The Group Manager Transportation and Engineering (Highways) has no objections to the proposal subject to a condition related to parking provisions. The design and appearance of the gated entrance would be controlled by a condition for the agreement of boundary treatments. Having regard to the above, it is not considered that the proposed development would have any significant adverse effect on highway/pedestrian safety and satisfies Policies SP2 and PLA11 of the BLDP.

The proposed dwellings would benefit from a reasonable degree of residential amenity. All

habitable rooms in particular would benefit from adequate light, outlook and privacy. The amount of outdoor amenity would be sufficient for family-sized dwellings and would be comparable to the amount serving properties in the immediate locality. Having considered the size of the dwellings and the provision of outdoor amenity space and parking requirements to serve each plot, and the need to include a footpath which meets the standard width of the Public Rights of Way Section, it is considered that the proposed scheme would not represent overdevelopment of the site.

The site is bounded on three sides by residential properties. An assessment into the impact of the proposed development on the amenities of immediate neighbouring properties can be found under the 'Comments of Representations Received' Section of the Report. It is concluded that, subject to conditions for the agreement of boundary treatments and screening along the ends of the elevated rear patios of all four dwellings, the proposal would satisfy the requirements of Policy SP2 of the BLDP and would generally meet the guidelines of SPG2. As such, it is considered that the scheme would not have such a significant adverse effect on the amenities of neighbouring properties as to warrant refusal of the scheme.

CONCLUSION

This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

RECOMMENDATION

(A) The applicant enters into a Section 106 Planning Obligation to provide a financial contribution for the sum of £50,000 towards the provision of affordable housing;

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Planning Obligation subject to the following conditions:

1 The development shall be carried out in accordance with the following approved plans and documents:

014:14/02 Rev.C Site Layout Plan (received 19 March 2015)

014:14/03 Ground Floor Plan - Type A (received 5 December 2014)

014:14/04 First Floor Plan - Type A (received 5 December 2014)

014:14/05 Elevations - Type A (received 5 December 2014)

014:14/06 Ground Floor Plan - Type B (received 5 December 2014)

014:14/07 First Floor Plan - Type B (received 5 December 2014)

014:14/08 Elevations - Type B (received 5 December 2014)

014:14/09 Cross Sections - Plots 1 & 2 (received 5 December 2014)

014:14/10 Cross Sections - Plots 3 & 4 (received 5 December 2014)

014:14/14 Plots 1-4 Rear Elevational Treatment (received 20 March 2015)

Ecology Mitigation/Compensation Section of Bat Survey conducted by: The Countryman - Wildlife Consultancy (received 5 December 2014)

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

- 2** Notwithstanding the requirements of condition 1, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area and to preserve and enhance the setting of adjacent listed buildings.

- 3** Notwithstanding the requirements of condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason: To ensure that the general amenities of the area are protected and to preserve and enhance the setting of adjacent listed buildings.

- 4** Notwithstanding the requirements of condition 1, no development (including demolition) shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme. The scheme shall include:

- i) Proposals for all hard and soft surface treatment;
- ii) Details of any tree works to be undertaken;
- iii) Measures for all retained and transplanted trees and hedgerows to be protected during the course of the development.

The landscaping works shall be carried out prior to the occupation of any part of the development hereby approved or in accordance with a programme to be agreed with the Local Planning Authority prior to any development commencing on site.

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

- 5** Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage and surface water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the beneficial occupation of any of the dwellings hereby approved.

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

- 6** Notwithstanding the requirements of condition 1, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing a 1.7m high solid screen to be erected along both ends of the elevated patio to the rear of the proposed dwellings. The screening shall be erected in accordance with the agreed scheme prior to the beneficial occupation of any of the dwellings and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

- 7** Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the provision of 3 off street parking spaces per plot and 1 off-street visitor parking space has been submitted to and agreed in writing by the Local Planning Authority. The parking areas shall be implemented in permanent materials before the beneficial occupation of any of the dwellings hereby approved and shall be retained thereafter in perpetuity.

Reason: In the interests of highway safety.

- 8** Notwithstanding the requirements of condition 1, no development (including demolition) shall commence until an Ecology method statement has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall be based on the mitigation outlined in the section titled 'Mitigation/Compensation' of the bat survey report conducted by The Countryman (received 5 December 2014) and shall include (but not be limited to):

- i) The timing of works
- ii) Measures to avoid killing & injuring bats during demolition and development works
- iii) Use of materials (such as timber, roof membranes)
- iv) The positioning and size of entrances
- v) The size and location of roosting areas
- vi) Details of any vegetation retention/management
- vii) Details of any proposed artificial lighting
- viii) Details of suitable roosting resource for bats to be incorporated within the site

Development (including demolition) shall be carried out in accordance with the agreed method statement.

Reason: In the interests of ecology.

- 9** Notwithstanding the requirements of condition 1, no development shall take place until details of the proposed surface levels of the relocated footpath in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: In the interests of public amenity, residential amenity and to ensure that the development relates appropriately to the topography of the site and the surrounding area.

- 10** Notwithstanding the submitted plans, the window serving bedroom 3 at Plot 4 shall be fitted with obscure glazing to a height of 1.7m from first floor level and to a minimum of level 3 on the Pilkington index of obscurity. The obscure glazing shall be retained as such in perpetuity.

Reason: In the interests of residential amenity.

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

- a) This application is recommended for approval because the development generally complies with Council policy and guidelines and does not adversely affect privacy, visual amenities, ecology/biodiversity, public amenity nor so significantly harms neighbours' amenities as to warrant refusal.

- b) The applicant/developer is advised that this consent does not preclude the need for a protected species (development) derogation license prior to the commencement of any development or demolition.
- c) The applicant/developer is advised that this consent does not preclude the need to obtain additional consent to formally divert Footpath 17 (Bridgend).
- d) Foul water and surface water discharges shall be drained separately from the site.
- e) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.
- f) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
- g) If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru/Welsh Water's Developer Services on 0800 917 2652.
- h) An adoption agreement from Dwr Cymru/Welsh Water may be required if a connection to the public sewerage system is required. For further information, please contact Developer Services.
- i) The applicant/developer is advised that the site is crossed by a public sewer. Under the Water Industry Act 1991, Dwr Cymru/Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3 metres either side of the centreline of the public sewer.
- j) In respect of Condition 5 (Drainage), the applicant/developer is required to submit an assessment into the potential for disposing of surface water by means of a sustainable drainage system, in accordance with the principles set out in Technical Advice Note 15. The submitted details must include:
- (1) A ground investigation report sufficient to support the design parameters and suitability of the proposed system.
 - (2) 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 to prevent the pollution of the receiving groundwater and/or surface water.
 - (3) A timetable for its implementation; and
 - (4) A management and maintenance plan, for the lifetime of the development and any agreements to secure the operation of the scheme throughout its lifetime.
- k) The applicant/developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system.
- l) Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.
- m) Where any species listed under Schedules 2 or 5 of the Conservation of Habitats and Species Regulations 2010 is present on site, or other identified area, in respect of which this permission is hereby granted, no works of site, clearance, demolition or construction shall take place unless a licence to disturb any such species has been granted by Welsh Government / Natural Resources Wales, in accordance with the aforementioned Regulations.
- n) If at any time nesting birds are observed, any works which may disturb them must cease immediately and advice sought from the Council's Ecologist. Any active nests identified should be protected until the young have fledged. Where a Schedule 1 species is involved, mitigation for

impacts, e.g. loss of nesting site, should be devised and implemented.

o) The applicant/developer is advised that should any unknown archaeological features be encountered during the development of the site, to cease works immediately and seek advice of Glamorgan Gwent Archaeological Trust on (01792) 655 208.

p) The applicant/developer is advised that the refuse 'drop-off' area should only be used for the depositing of bins on collection days and should not be occupied by waste at any other time.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None