

REFERENCE: P/16/385/BCB

APPLICANT: Bridgend County Borough Council Civic Offices, Angel Street, Bridgend, CF31 4WB

LOCATION: Land Rear 297-311 Erw Hir Brackla

PROPOSAL: Proposed Park & Ride Facility (Phase 1)

RECEIVED: 19 May 2016

SITE INSPECTED: 26 May 2016

APPLICATION/SITE DESCRIPTION

Planning permission is sought for the first phase of the Brackla Park and Ride Facility which proposes the construction of the car park with associated works which includes the realigned kerb line, access control measures, (swing gate and sunken control plates) and new site drainage arrangements.

The application site is positioned between a line of dense scrub that forms the boundary with the Swansea to Paddington mainline and the rear boundaries, generally defined by 1.8m close boarded fencing, with properties on Erw Hir (no's 297-311). It comprises mainly semi improved natural grassland, with pockets of tall ruderal grasses on the northern part of the site.

It is intended that the Brackla Park and Ride Facility will be delivered in phases with the initial works (car park) funded by developer's contributions previously secured by the Council through S106 Planning Obligations. The future phases of the development which are contained in the Council's Local Transport Plan, Welsh Government's National Transport Finance Plan and the Metro proposals, will include the platforms, bridge and ramped access into Bridgend Industrial Estate.

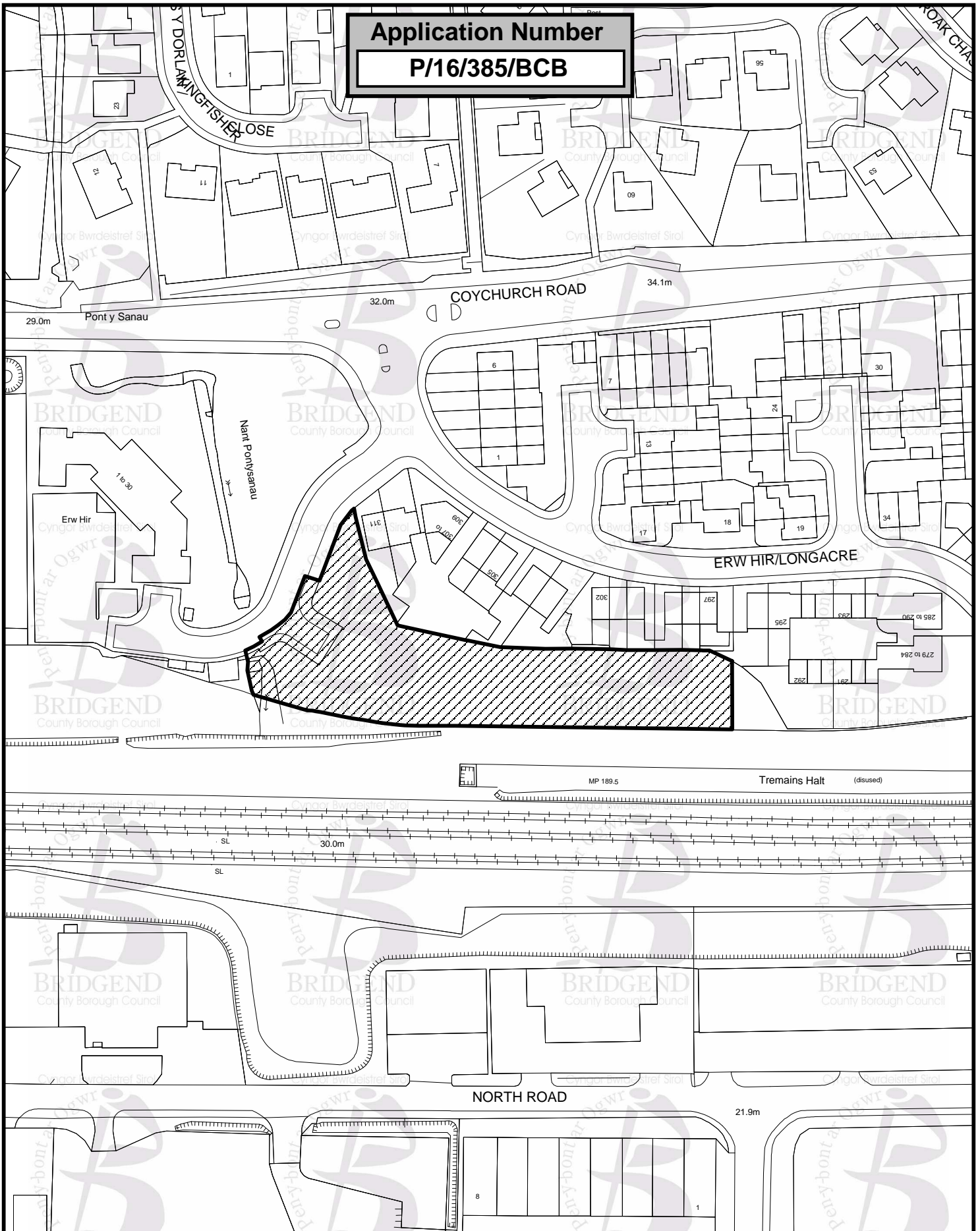
The submitted layout plans proposes 26 parking spaces and turning area, positioned along the northern part of the site, separated from the existing boundary fence with the neighbouring properties by a 1.8m footway which will connect back into the existing highway network at the site entrance. The plans indicate that the existing junction will be modified to create a two-way access into the site with the access controlled by a swinging gate and the egress by 'sunken' traffic control plates to prevent unauthorised access when the swing gate is closed. Full depth road construction will be provided for the first 20m leading to a 'Grass Paving' construction over the parking area. The parking area will have a slight 'fall' away from the existing properties toward the proposed vegetated swale drainage feature.

The associated landscaping plan confirms that the existing scrub/amenity grassland will be retained adjacent to the site entrance with a perennial native wildflower seed mix proposed over the remaining green space.

The application has also been accompanied by a Preliminary Ecological Appraisal (Capita - May 2016).

Application Number

P/16/385/BCB



Scale 1:1,250

Date Issued:
30/06/2016

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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RELEVANT HISTORY

P/02/929/OUT: Outline planning permission was granted for residential development and associated access on land that included the application site on 22nd June 2004. It was subject to a Section 106 Planning Obligation which required, amongst other things for the developer to contribute a sum of £308,000 towards the construction of a footbridge over the main railway line in connection with the proposed Brackla Park and Ride Scheme and towards highway improvements at the junction of Coychurch Road and Heol Simonston

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the application.

The period allowed for responses to consultations/publicity expired on 16th June 2016.

NEGOTIATIONS

None

REPRESENTATIONS RECEIVED

Letters of objections have been received from the following residents:

296, 298, 300, 303, 306 and 307 Erw Hir

The following is a summary of the objections received:

1. The Council should first seek to extend the option over the land.
2. There is no current requirement for any car parking at this location without full development of the railway station and pedestrian bridge so the development is not in accordance with the Development Plan.
3. The area: the area is totally unsuitable for the proposed development due to the proximity of the resident's rear gardens. There is also the issue of the adverse effect on the current wildlife
4. Parking and a footpath will only offer increased noise, increased pollution and increased dust plus an enormous negative impact on the enjoyment of our gardens.
5. Loss of Privacy: Having a public right of way behind the houses with pedestrians and cars will invade our privacy, incur possible costs for extra window coverings and spoil the current private outlook we currently have and enjoy as part of our lifestyles
6. Nuisance and Disturbance: The proposed Park & Ride will make a huge negative impact with car engine noise, car doors closing, people conversing, maybe drunken outbursts after an evening in the city if the facility is in use later into the evening/night, which will also disturb sleep

7. The car park, if not secured to restrict access, will attract groups of young people in the evening joyriding, using skateboards, congregating to eat, drink and smoke and generally make noise which will spoil the quality of my life and privacy in my home and garden.

8. Extra traffic coming into the estate for the Park and Ride could spill over into the estate restricting parking for ourselves and any visitors we may have.

CONSULTATION RESPONSES

Cllr J Spanswick: I wish to support this application and look forward to the whole Brackla Parks & Ride Scheme becoming a reality and providing many benefits to the local community and the wider area of Bridgend.

Brackla Community Council welcomes any development that enhances the amenities to the residents of Brackla. The provision of 29 car parking spaces is seen as wholly inadequate for the purposes of Park and Ride. The application does not mention any prior discussion with train operators so it is speculation to assume that they would agree to a stop-thus making this a local service only - one that is already sufficiently covered by bus transport. It is also not mentioned whether the bus operators have been consulted on their view if the increased competition for their services. It seems to the community council that this will be very expensive scheme. The members questioned the planning officer and were surprised to learn that no costing has been undertaken either for Phase 1 or Phase 2. What developer would entertain a development application without any idea of the cost of that development? As Phase 1 is wholly dependent on Phase 2, the Council questions why the applications have been split in this fashion.

Head of Street Scene (Land Drainage): No objection subject to conditions.

Dwr Cymru/Welsh Water: We would request that if you are minded to grant planning consent for the development that the recommended conditions and notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

COMMENTS IN RESPONSE TO REPRESENTATIONS RECEIVED

1. An option agreement was made between the original landowner (Clerical Medical now Zurich) and the Council as prospective purchasers/developers of the land. Whilst the 'option' followed on from the original outline planning permission and could be the subject of re-negotiation, this is not material to the determination of this planning application.

2. Paragraph 3.1.2 of Planning Policy Wales – Edition 8 (January 2016) confirms that in line with a presumption in favour of sustainable development, applications for planning permission should be determined in accordance with the adopted development plan for the area unless material considerations indicate otherwise. Under the adopted Bridgend Local Development Plan (2013), the application site is allocated and safeguarded for transportation proposals consisting of a new railway station at Brackla (Policy PLA7 (17) refers) and a new Park and Ride Facility at Brackla (Policy PLA7 (20) refers). Whilst it would be preferable for the projects to be developed together, this not a requirement of the local plan policy. Nor does it prevent their delivery in phases. The proposed development will not prejudice the implementation of the projects referred to above but represents the first phase of the larger scheme which is in accordance with the adopted development plan and wider regional and national objectives to deliver more sustainable travel.

3. The application site boundaries reflect the site's allocation in the Bridgend Local Development Plan and this immediately adjoins the rear gardens of properties on Erw Hir. The car park is an essential element of any Park and Ride Facility with site circumstances dictating that it will be positioned adjacent to existing residential properties. Whilst residents may have enjoyed the relatively peaceful nature of this undeveloped land, it has long been allocated and safeguarded for a park and ride facility, as part of series of improvements to the passenger rail network which included the development of park and ride facilities at Wildmill and Pencoed. Notwithstanding the proximity of Bridgend Station, a new facility at Brackla will enhance the rail infrastructure and services to the public.

The Council's Ecologist has examined the preliminary ecological assessment report and no objection to the recommendations which require further survey work to be undertaken prior to work commencing.

4, 5 and 6. Although the land may have formed a 'natural buffer' between the housing and the railway line, it was never intended for such a use. Site limitations and the need to retain space for bus stops at the front of the proposed station have constrained the parking layout, The existing fencing 1.8m high fencing which currently offers privacy and security to the properties will be retained but there is some opportunity to introduce additional screen fencing to parking bays 17-24 where the existing rear elevations of the existing dwellings (which accommodate habitable room windows) are less than 10m from the proposed footway and parking spaces. This is a matter that is subject of discussion with the applicant department and will be referred to again on the amendment sheet.

The applicant department has also commissioned a noise survey which examines the impact of the proposed road traffic and construction noise on the residents. The report which will be examined by the Council's Public Protection Section, concludes that the introduction of the car park will increase noise levels by 2dB in the day and 2.3dB in the night. The report indicates that anything up to 3dB is generally acceptable from a car park and concludes that the scheme does not raise objections in terms of compliance with the noise regulations. It should be noted that the car park will only be operational between 07:00 hours – 18:00 hours and will be closed and secured outside those times. Furthermore, the car park will not be operational until the remaining phases of the 'Park and Ride' facility are developed.

Construction noise will be managed by a planning condition controlling working times.

No evidence has been offered by the objectors in terms of increased pollution levels nor have any concerns been offered by the Public Protection Section subject to a condition requiring the car parking operating between 07:00 hours - 18:00 hours.

7. Outside the operational hours, the car park will be closed to vehicles. In addition to the swing gate and traffic control plates, fencing around the entrance should prevent vehicles entering. From the submitted plans the footways into the site will be accessible and consideration will be given to the provision of further controls on pedestrian access. In the view of residents, an empty car park would draw in skateboarders and other users to the site. Prior to the site becoming fully operational, it will be necessary to install lighting and possibly CCTV cameras to act as a deterrent to anti-social behaviour. The use of 'Grass Paving' rather than asphalt or tarmac may also dissuade skateboarders from using the site. Whilst the aforementioned measures may not prevent unauthorised access to the car park, they are considered reasonable steps to enable the site to be brought forward in accordance with its local plan allocation without significantly harming the living conditions and well-being of the nearest residents.

8. The 26 spaces are considered adequate to serve this local park and ride facility which is so located to encourage footfall from the nearby Brackla Housing Estate. As part of the further phases there may be an opportunity to provide some additional car parking but it is intended that public transport vehicles will be able to access the facility. Problems of overspill parking would be monitored but it should be noted that a traffic order and yellow lines exist along the sections of road that immediately serve the proposed development.

COMMENTS ON REPRESENTATIONS RECEIVED FROM BRACKLA COMMUNITY COUNCIL

1. The proposed Brackla station is contained in the Welsh Government's National Transport Finance Plan and the Regional Transport Plan. Rail schemes are subject to considerable lead-in times due to a range of practical and operational constraints. The project will be delivered in conjunction with WG, Network Rail and other key industry stakeholders but is critical, due to the time constraint on the land option, to deliver the first phase.

2. The applicant department is confident that the inclusion of the Brackla station in Welsh Government's National Transport Finance Plan, and the Metro proposals suggests that the station will be built and believes it inconceivable that the station would be built without land for park-and-ride and the associated footbridge.

3. The applicant department has indicated that it is premature to have a total cost for the whole scheme. Total cost structure can be broken into two parts: a) cost of land; b) cost of park-and-ride and footbridge. Initial works will be funded by developer contributions and it is expected that future investment will be funded under grants from Welsh Government, Capital City Metro proposals and applicable developer contributions that may become available.

APPRAISAL

The application is referred to the Development Control Committee for determination in view of the number of objections received from local residents and Brackla Community Council.

The application seeks planning consent for the first phase of the Brackla Park and Ride Facility which proposes the construction of the car park (26 spaces) with associated works which includes the realigned kerb line, access control measures, (swing gate and sunken control plates) and new site drainage arrangements.

The main issues relevant to the determination of this application are whether the development complies with the policies of the Bridgend Local Development Plan in relation to the effect of the proposal on the character and amenities of the area and specifically those enjoyed by local residents and the effect of the development on the existing drainage systems, highway network and highway safety generally.

The application site is allocated and safeguarded for transportation proposals consisting of a new railway station at Brackla (Policy PLA7 (17) refers) and a new Park and Ride Facility at Brackla (Policy PLA7 (20) refers) under the adopted Bridgend Local Development Plan (2013). The proposed development is in accordance with its allocation in the Bridgend Local Development (BLDP 2013).

All development should contribute to creating a high quality, attractive sustainable places which enhance the community in which they are located and it has been necessary to evaluate the proposal against the relevant criteria of Policy SP2 which represents the starting point for the assessment of all planning applications. Making a positive contribution towards tackling the causes of climate change and peak oil issues is also an objective of the plan and a development which reflects sustainable transport and access principles whilst improving public transport provision is one means of achieving this objective, (Policies PLA4 and SP3 of the BLDP 2013 refer). Good design will generally have to balance the wider benefits of the development against the more immediate impacts on the local community. Policies SP2, ENV5, ENV6 and ENV7 consider the scale of development, the impact on local character and biodiversity interests, the need to avoid or minimise noise and air pollution, whilst also ensuring that the amenity of adjoining occupiers are not adversely affected. The objections received from residents have been considered in the previous section of this report and whilst the introduction of the use will inevitably have impacts on those residents that immediately adjoin the site, they have to be weighed against the local and national policy objectives to improve opportunities for sustainable travel and less reliance on car-borne journeys. Site constraints have influenced the design but it is considered that through appropriate management (controls over access and hours of operation, CCTV etc.) the impacts on the residents can be minimised. The noise survey that accompanies the application indicates that noise from vehicles using the site should not adversely affect the amenity of residents. It is considered however that any impacts from the development are outweighed by the wider and long term benefits of initiating and safeguarding the Brackla Park and Ride and rail station.

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

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

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are: 1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment". 2. That there is "no satisfactory alternative" 3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the site it is considered that, overall there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

In respect of the Wellbeing of Future Generations (Wales) Act 2015, Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

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

The duty has been considered in the assessment of this application. It is considered that the impact of the development on the achievement of the well-being goals and objectives has been addressed in the appraisal.

In respect of all other considerations, ranging from site drainage to ecology, it is considered that the submitted plans and documents confirm that biodiversity interests will not be significantly affected and the appropriate measures for the disposal of surface water will be provided.

CONCLUSION

This application is recommended for approval because the development complies with national and Council policy and is acceptable in terms of its impact on privacy, visual amenities and residential amenities. The proposed development is also considered to be acceptable in terms of highway safety and parking provision and will initiate the provision of a facility that will in the long term improve opportunities for sustainable travel.

RECOMMENDATION

(R28) 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: plan numbers:

GC2461 Site Location Plan
GC2461 Site Clearance
GC/002461 General Arrangements
GC 2461 Earthworks
GC2461 Landscape & Ecology
GC/002461 Site Extents & Limitations of Use
GC002461 Traffic Signs and Road Markings
GC/002461 Fencing and Gates
GC/002461 Drainage

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

2. Construction works shall not take place outside 07:30 hours to 17:30 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason : In the interests of residential amenities.

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

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

4. The agreed landscaping works (Drawing: BPR-CAP-00-XX-SK-C-007) shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.

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

5. Prior to the Brackla Park and Ride Facility being brought into beneficial use, CCTV cameras shall be installed to the car park in accordance with details to be submitted and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: In the interests of crime prevention.

6. The car park facility hereby permitted shall not be open outside the following times:-

07:00 - 18:00 hours

Reason: In the interests of residential amenities.

7. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with national and Council policy and is acceptable in terms of its impact on privacy, visual amenities and residential amenities. The proposed development is also considered to be acceptable in terms of highway safety and parking provision and will initiate the provision of a facility that will in the long term improve opportunities for sustainable travel.

Dwr Cymru Welsh Water has confirmed that the development site is crossed by a 300mm public combined sewer and 150mm emergency overflow with their approximate position being marked on the Statutory Public Sewer Record. Their position shall be accurately located and marked out on site before work commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewers.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None