

# PLANNING STATEMENT

---

Land off Waunscil Avenue, Brackla, Bridgend

# PLANNING STATEMENT

---

Land off Waunscil Avenue, Brackla, Bridgend

Mullberry Homes Ltd

December 2020

YOUR REF: PP-09354903v1

OUR REF: JA/OM M17 0713-02.RPT

---

TETLOW KING PLANNING  
UNIT 2, ECLIPSE OFFICE PARK, HIGH STREET, STAPLE HILL, BRISTOL, BS16 5EL  
Tel: 0117 9561916 Fax: 0117 9701293 Email: [all@tetlow-king.co.uk](mailto:all@tetlow-king.co.uk)

[www.tetlow-king.co.uk](http://www.tetlow-king.co.uk)

## Contents

Section 1	Introduction	1
Section 2	Site and Surroundings	2
Section 3	Planning Policy Context	5
Section 4	Planning Justification	13
Section 5	Conclusions	25

# Introduction

---

## Section 1

- 1.1 This Statement has been prepared by **Tetlow King Planning** on behalf of **Mulberry Homes Limited** and forms part of the planning application. It supports this application for the erection of 70 dwellings, community route and associated play area and public open space.
- 1.2 The statement provides a background to the proposal, together with a description of the site and surroundings. It demonstrates the planning merits of the proposal, having regard to relevant National and Local Planning Policy and other important material considerations upon which it is considered this application should be determined.
- 1.3 This statement is set out in the following sections:
- Section 2 sets out the context of the site and its surroundings;
  - Section 3 sets out the planning policy context and explores other material considerations;
  - Section 4 sets out the planning justification for the application with reference to the planning policy context and other material considerations; and
  - Section 5 concludes that the proposals are supported by planning policy and therefore the application should be approved.

# Site and Surroundings

---

## Section 2

### **The Site, Surroundings and Proposals**

- 2.1 The application site comprises of previously developed land and a former railway embankment, approximately 700 metres north east of Bridgend town centre. The site is a long, linear parcel of land situated between two areas of residential development.
- 2.2 To the west are older terraced properties in Charles Street, Vernon Street and Herbert Street, with former Local-Authority owned houses and flats in Waunscil Avenue. To the east are more recent two-storey houses and bungalows at Clos-y-Waun, Heol Brynglas, Chorleywood Close and Gwaun Coed.
- 2.3 The site is approximately 730 metres in length stretching from the boundary with 39 Charles Street in the north to 66-68 Waunscil Avenue in the south. The width of the site varies from about 21 to 45 metres. It is overgrown and enclosed with some self-seeded trees and hedgerows along the boundaries.
- 2.4 The site has two distinctive characters, the northern section and the southern section.

### **Northern Section of the Site**

- 2.5 The northern section is a former railway embankment, about four to five metres above the level of existing development at Charles Street, Vernon Street and Herbert Street. The views of the site from these roads are of the metal boundary fence and grassed embankment and overgrown vegetation. The sidewalls of existing neighbouring properties are situated close to the site boundary.
- 2.6 As the levels are of similar height, the northern part of the site is visible from rear first floor windows from the housing at the Brackla development. Wales and West Housing Association own many of these properties. Here the site is bordered by 1.8 metres high close-boarded fencing and overgrown bushes/brambles.
- 2.7 The views of the site from the rear windows of these neighbouring properties are of an unkempt area of land and associated vegetation. From this part of the site it is possible to view the neighbouring streets and associated buildings to the west due to the height of the site above adjoining development.

### **Southern Section of the Site**

- 2.8 The southern part of the site is where the railway went into cutting, but it has since been filled to the same level as the adjoining land. The views into it from neighbouring properties are largely screened by existing vegetation. From this higher ground there are far reaching views of the surrounding countryside and hills beyond.
- 2.9 Here there are existing bungalows, which are situated closer to the site boundary, in contrast to the two storey properties in Waunscil Avenue, which have longer rear gardens of about 15 metres in length.
- 2.10 Although the site is privately owned it is currently used as an informal amenity area for dog walking and is crossed by two footpaths. There are also a number of informal footpaths across the site including one that runs the entire length of the site and another at Waunscil Avenue that crosses the former railway bridge.
- 2.11 The site has an unkempt appearance and is enclosed by existing vegetation particularly within the narrower northern section. The informal footpath that has been created is quite narrow in places particularly where the site changes in level. Elsewhere, the site comprises of a wider open area of grassland with some trees and bushes at the boundary. The site attracts tipping and dumping.
- 2.12 The application site is vacant, previously developed urban land. It is within walking distance of the town centre, close to a range of community facilities and services and bus and rail transport facilities.

### **Proposals**

- 2.13 The proposals are for the erection of 70 dwellings together with the creation of a community route and associated play area and public open space.

### **Planning History**

- 2.14 The site has a complex and extensive history. The most relevant planning application is that made in 2010 for the erection of 75 dwellings, a community route running the full length of the site, the provision of public open space and an equipped play area in the north, and vehicular access only from Waunscil Avenue (reference P/10/853/FUL).
- 2.15 The application was refused by the Council on 13 May 2011 but the Council's sole reason for refusal was based on affordable housing, rather than because of any objections to the principle or detail of the proposals. The subsequent appeal was also dismissed on this ground alone.

2.16 The most recent application on part of the site dates from 2017, but only sought consent for four dwellings and did not bring any of the benefits (for instance in the provision of the community route) that this scheme will provide.

2.17 The planning history since 2000 is set out in the table below:

Application	Description	Decision
<b>04/976/FUL</b>	Approval of reserved matters for 82 dwellings comprising of a mix of style and type of terraced, semi-detached and detached houses with associated car parking, open space and a continuous community route	Planning application submitted June 2004 but not determined.  Appeal dismissed on grounds of: <ul style="list-style-type: none"> <li>• Neighbours living conditions</li> <li>• Design did not meet high standards</li> <li>• Insufficient landscaping details</li> <li>• Specific sections of community route could be improved</li> <li>• Highway safety</li> </ul>
<b>P/05/396/RLX</b>	Variation of condition 3 (time limit for submission of reserved matters) to vary from three to five years	Planning application refused 12 May 2005.  Appeal allowed.
<b>P/06/506/RES/PT</b>	Approval of reserved matters (siting, design and external appearance, means of access and landscaping) for the erection of 93 residential units	Planning application submitted April 2006 but not determined.  Appeal against non-determination dismissed
<b>P/08/349/FUL</b>	75 dwellings	Planning application submitted in April 2008 but not determined.  Planning appeal against non-determination dismissed solely on one ground
<b>P/10/853/FUL</b>	Erection of 75 dwellings, a community route running the full length of the site, the provision of public open space and an equipped play area in the north, and vehicular access only from Waunscil Avenue	Planning application refused 13 May 2011.  Planning appeal dismissed solely on one ground
<b>P/17/75/FUL</b>	Erection of four dwellings	Refused on 22 June 2017

# Planning Policy Context

## Section 3

### Introduction

- 3.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 3.2 The Development Plan for the administrative area comprises the Bridgend Local Development Plan 2006 – 2021, adopted September 2013.
- 3.3 Other material considerations include Planning Policy for Wales, Technical Advice Notes and Bridgend Borough Council Supplementary Planning Guidance.

### The Development Plan

#### Bridgend Local Development Plan (LDP) 2006 – 2021

- 3.4 The Bridgend Local Development Plan sets out the Council’s objectives and policies for the development and use of land in Bridgend County Borough over the plan period to 2021.
- 3.5 The first objective of the Local Plan (OBJ1a) is to *“promote Bridgend as the key principal settlement of the County Borough where major residential development is focused.”*
- 3.6 The following policies of the Local Development Plan are considered relevant to this application. Each Strategic policy (SP) are followed by more detailed policies (PLA):

Policy	Commentary
<b>SP1 – Regeneration-Led Development Spatial distribution of Growth</b>	Permits development in the County Borough where it provides the maximum benefits to regeneration at a scale that reflects the role and function of settlements as set out in the settlement hierarchy.
<b>PLA1 – Settlement Hierarchy and Urban Management</b>	Sets out the Settlement Hierarchy, where development will be permitted within settlement boundaries.  Bridgend is identified as the Primary Key Settlement within the County Borough. The supporting text advises that Bridgend is distinguished as the Primary Key Settlement on

Policy	Commentary
	<p>the basis that it accommodates the largest proportion of the population and is the focus of employment, retail and services serving the whole of the County Borough.</p>
<p><b>SP2 – Design and Sustainable Place Making</b></p>	<p>Requires all development to contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.</p> <p>These include:</p> <ul style="list-style-type: none"> <li>• using land efficiently by being of a density which maximises the development potential of the land whilst respecting that of the surrounding development;</li> <li>• Providing for an appropriate mix of land uses;</li> <li>• Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;</li> <li>• Minimising opportunities for crime to be generated or increased;</li> <li>• Avoiding or minimising noise, air, soil and water pollution;</li> <li>• Incorporating methods to ensure the site is free from contamination (including invasive species);</li> <li>• Safeguarding and enhancing biodiversity and green infrastructure;</li> <li>• Ensuring equality of access by all;</li> <li>• Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;</li> <li>• Incorporating appropriate arrangements for the disposal of foul sewage, waste and water.</li> <li>• Make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change; and</li> <li>• Appropriately contributing towards local, physical, social and community infrastructure</li> </ul>
<p><b>SP3 Strategic Transport Planning Principles</b></p>	<p>Requires that all development proposals should promote safe, sustainable and healthy forms of transport through good design, enhanced walking and cycling provision, and improved public transport provision.</p> <p>This includes maximising the potential for sustainable transport infrastructure and services.</p>
<p><b>PLA7 – Transportation Proposals</b></p>	<p>The policy safeguards transportation proposals (including walking and cycling proposals) from development that would prevent their implementation.</p>

Policy	Commentary
	<p>One such route is PLA7(12) between Bridgend Industrial Estate and Wildmill, which would pass through the application site.</p> <p>The supporting text (at paragraph 3.3.17) states that “<i>the provision of a high-quality network of dedicated walking and cycle routes is an essential element in realising the LDP Strategy and will promote sustainability, encourage healthier lifestyles and increased physical activity</i>”.</p>
<p><b>PLA9 – Development affecting Public Rights of Way</b></p>	<p>The policy states that development proposals that do not cater for public rights of way and/or do not protect the existing or proposed network for public use, will not be permitted.</p> <p>It continues that proposals for alternative routes for a public right of way should provide a route of similar or improved quality to that of the existing route.</p>
<p><b>PLA10 – Safeguarding of Disused Railway Infrastructure</b></p>	<p>Policy PLA10 seeks to resist development that would inhibit the re-opening of disused or redundant railway infrastructure or their re-use for alternative transport purposes.</p>
<p><b>PLA11 – Parking Standards</b></p>	<p>All development will be required to provide appropriate levels of parking, in accordance with adopted parking standards.</p>
<p><b>SP4 – Conservation and Enhancement of the Natural Environment</b></p>	<p>Strategic Policy SP4 favours the conservation and, where possible, enhancement of the natural environment.</p>
<p><b>ENV5 – Green Infrastructure</b></p>	<p>This policy makes clear that green infrastructure will be provided through the enhancement of existing natural assets and the creation of new multi-functional areas of green space.</p> <p>The supporting text identifies that green infrastructure includes amenity green space and green corridors including public rights of way.</p>
<p><b>SP12 – Housing</b></p>	<p>This policy sets out the requirement for dwellings in the County Borough. It requires the delivery of 9,690 dwellings from 2006 – 2021. This is broken-down into in five-year tranches:</p> <ul style="list-style-type: none"> <li>• 2,085 dwellings for the period 2006 – 2011;</li> <li>• 2,888 dwellings 2011 – 2016 and</li> <li>• 4,717 dwellings 2016 – 2021.</li> </ul>

Policy	Commentary
	It also requires an appropriate mix of dwelling size, type and tenure, including 1,370 units of affordable housing, to meet the needs of the County Borough.
<b>COM3 – Residential Re-Use of a Building or Land</b>	Residential development within settlement boundaries defined in Policy PLA1 on ‘windfall’ sites or for the re-use of vacant or under-utilised land will be permitted where no other LDP policy protects the building for an alternative development.
<b>COM4 – Residential Density</b>	On sites exceeding 0.15 hectares in size policy COM4 requires new residential developments to be built at a density of at least 35 dwellings per hectare.
<b>COM5 – Affordable Housing</b>	<p>Where a local need is demonstrated, the Council will normally expect an appropriate element of 'affordable housing' to be provided on sites capable of accommodating 5 or more dwellings or exceeding 0.15 hectares in size at 20% in Bridgend.</p> <p>However, the supporting text acknowledges that the provision of affordable housing can affect the viability of residential development.</p>
<b>COM11 – Provision of Outdoor Recreational Facilities</b>	<p>All new housing developments will be required to make provision (or the equivalent value) of outdoor recreation space.</p> <p>This will be based on:</p> <ul style="list-style-type: none"> <li>• 1.6ha/1,000 population for outdoor sport</li> <li>• 0.8ha/1,000 population for children’s playing space</li> <li>• 0.2ha/1,000 population for allotment provision</li> </ul> <p>The range and type is subject to negotiation and may be provided on-and off-site, or the equivalent value in contributions.</p>
<b>COM13 – Provision of Accessible Natural Greenspace (including public open space)</b>	<p>The Council will promote the provision of accessible natural greenspace (including public open space) wherever suitable opportunities arise.</p> <p>Allocated sites include the application site as COM13(9) Land off Waunscil Avenue, Bridgend.</p> <p>The supporting text describes these areas as less formal in character, which provide the opportunity for a mixture of activities to be enjoyed by all ages of the community</p>
<b>SP13 – Social and Community Facilities</b>	Strategic Policy SP13 makes clear that, in order to maintain and improve the quality of life of residents, social and community uses (including outdoor recreation) will be retained or enhanced.

Policy	Commentary
<b>SP14 – Infrastructure</b>	The policy requires that applications for development should include proposals which deal with the fair and reasonable infrastructural requirements of the development.

### Other Material Considerations – National Guidance

#### Planning Policy Wales (Edition 10, December 2018)

- 3.7 Edition 10 of Planning Policy Wales (PPW10) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs).
- 3.8 Chapter 3 deals with Strategic and Spatial choices. At paragraph 3.51, it makes clear that previously developed land (including sites that have previously been used for waste disposal) should wherever possible, be used in preference to greenfield sites where it is suitable for development.
- 3.9 In the same paragraph, it specifically advises that *“In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.”*
- 3.10 This approach is also supported by paragraph 4.2.17 which encourages *“maximising the use of suitable previously developed and/or underutilised land for housing development”* which can *“assist regeneration and at the same time relieve pressure for development on greenfield sites.”*
- 3.11 Chapter 4 seeks to encourage active and social places. Page 44 makes clear that a Healthier Wales can be achieved through improving access to green spaces and recreation facilities to support people adopt healthy lifestyles, creating the right conditions for better health, well-being and greater physical activity.
- 3.12 Paragraph 4.1.30 encourages planning authorities to support active travel by ensuring new development is fully accessible by walking and cycling.
- 3.13 Section 4.2 of PPW10 deals specifically with housing. It makes clear (paragraph 4.2.2) that the planning system must *“...enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places...”*

- 3.14 In respect of affordable housing, paragraph 4.2.21 advises that a viability assessment should be considered having regard to all the circumstances in the case, including whether the development plan and the viability evidence underpinning it are up-to-date, and any change in circumstances since the plan was adopted.
- 3.15 Such circumstances could also include where further information on infrastructure or site costs is required or where a recession or similar significant economic changes have occurred since the plan was adopted.

### **Technical Advice Notes**

#### **TAN16 – Sport, Recreation and Open Space (2008)**

- 3.16 TAN16 provides technical guidance to supplement policy set out in PPW. It advises on the role of the planning system in making provision for sport and recreational facilities and informal open spaces.
- 3.17 Paragraph 3.13 of TAN16 states that the Government’s aim is that *“everyone has easy local access, by means other than the car, to formal and informal recreational facilities and open space.”*
- 3.18 It goes on to say that *“this can include linear green spaces or waterways, which connect into a wider open space network. In considering provision, local planning authorities should be mindful of the needs of disabled people and of people in deprived communities, and the more limited ability of people in disadvantaged groups to travel far from their local areas”*.

### **BCBC Supplementary Planning Guidance**

#### **SPG8 – Residential Development**

- 3.19 SPG8 provides guidance on the standard of design in residential development. Under the second objective it encourages the efficient use of land, with a density that reflects the site’s character and context.

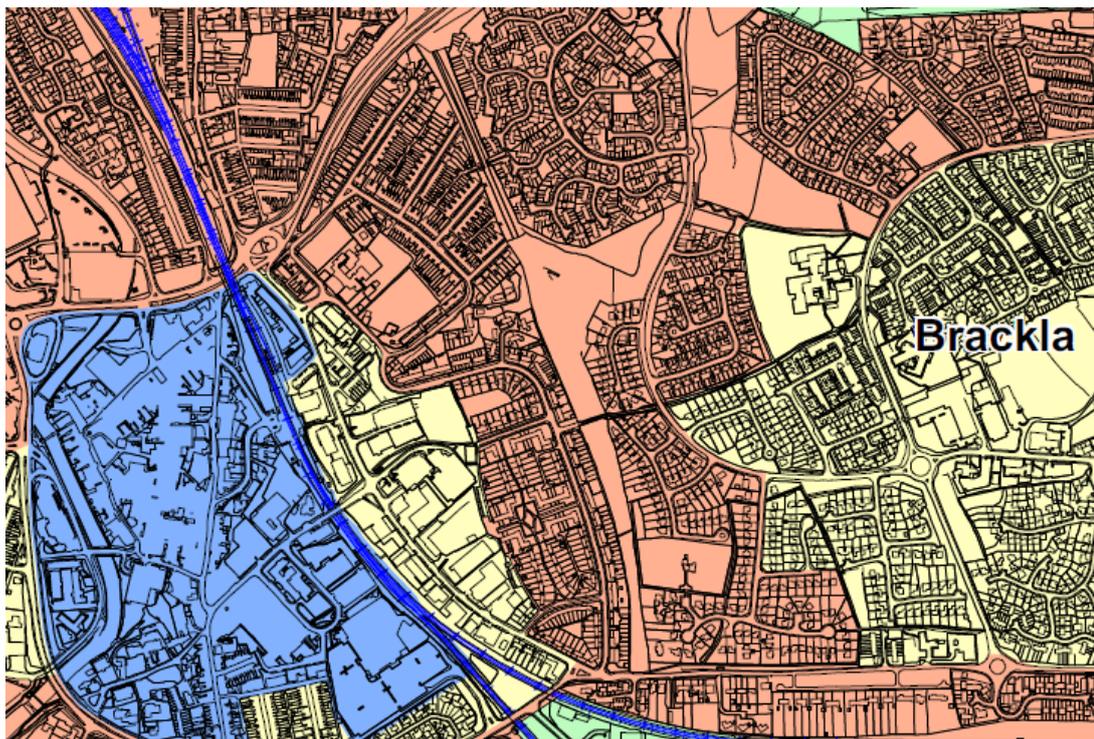
#### **SPG13 – Affordable Housing (October 2015)**

- 3.20 SPG13 provides local guidance on affordable housing in Bridgend. At paragraph 5.1, The Council recognises that the expected provision of affordable housing can affect land values for residential development at any given location.
- 3.21 It also acknowledges that where there are significant abnormal costs associated with developing a site, the levels of affordable housing sought in policy may result in a development becoming unviable.

### SPG17 – Parking Standards

- 3.22 The most up-to-date parking standards are those contained in SPG17 dated September 2011.
- 3.23 For the purposes of the parking standards, the application site lies within Zone 4 (orange), which is described as ‘Suburban’, being mainly residential but with some local facilities and access to public transport.

*Figure 3.1 – Extract from SPG17 Parking Standards Zones, Map 27*



Source: BCBC

- 3.24 The standards are maximums. Given the Zone 4 designation of site, the maximum number of spaces required are 1 space per bedroom (up to 3 spaces) for residents.

### Five Year Housing Land Supply

- 3.25 The most recent evidence available is in the Joint Housing Land Availability Study dated August 2019. It identifies that the housing land supply stands at **2.9 years**. This is shown in figure 3.2 below. It should be noted that this is a fall from the previous year.

Figure 3.2 – Bridgend CBC Five Years’ Housing Land Supply Calculation

<b>A</b>	Total Housing Requirement (as set out in the adopted Development Plan)	9690
<b>B</b>	Completions from 2006 – 2018 (large and small sites)	5947
<b>C</b>	Residual Requirement (A-B)	3743
<b>D</b>	5 year requirement *	5681
<b>E</b>	Annual Need *	1136
<b>F</b>	Total 5 year land supply	3289
<b>G</b>	<b>Land Supply in years</b>	<b>2.9</b>

Source: BCBC Joint Housing Land Availability Study 2019

### Emerging Policy

#### Replacement Bridgend Local Development Plan (2018 – 2033)

- 3.26 The Planning and Compulsory Purchase Act 2004 and regulations of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 requires that a Local Planning Authority must commence a full Review of its LDP every four years.
- 3.27 The Council are currently in the process of producing the Replacement Bridgend Local Development Plan (2018 – 2033). The most recent Delivery Agreement is dated August 2020 and incorporates an extension of time agreed with the Welsh Government to reflect the impact of Coronavirus.
- 3.28 The Delivery Agreement anticipates that the Deposit Draft will be published in January 2021, with a 6-week consultation period until March 2021. Submission of the Plan will take place in September 2021, with final adoption scheduled for Spring 2022.

# Planning Justification

---

## Section 4

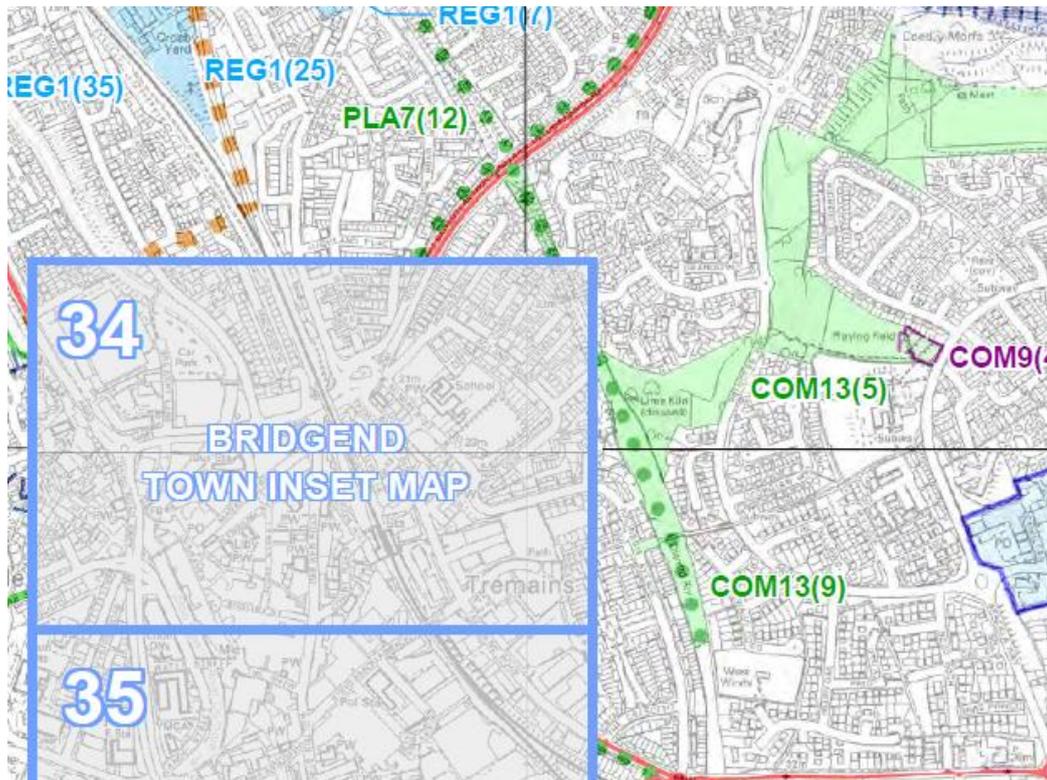
### **Principle and Sustainable Location**

- 4.1 Policy SP1 permits development in the County Borough where it provides the maximum benefits to regeneration at a scale that reflects the role and function of settlements as set out in the settlement hierarchy.
- 4.2 Bridgend is identified in policy PLA1 as the Primary Key Settlement within the County Borough, accommodating the largest proportion of the population and is the focus of employment, retail and services serving the whole of the County Borough.
- 4.3 The site is within the Settlement Boundary for Bridgend in a sustainable location close to services, facilities and transport links. Further details are provided in the Transport Assessment.
- 4.4 The principle of development is therefore in accordance with policies SP1 and PLA1. The site is identified as potential Accessible Natural Greenspace and for a Transportation Proposal and, as will be made clear below, the proposal would secure the realisation of these proposals.

### **The Community Route and Accessible Natural Greenspace**

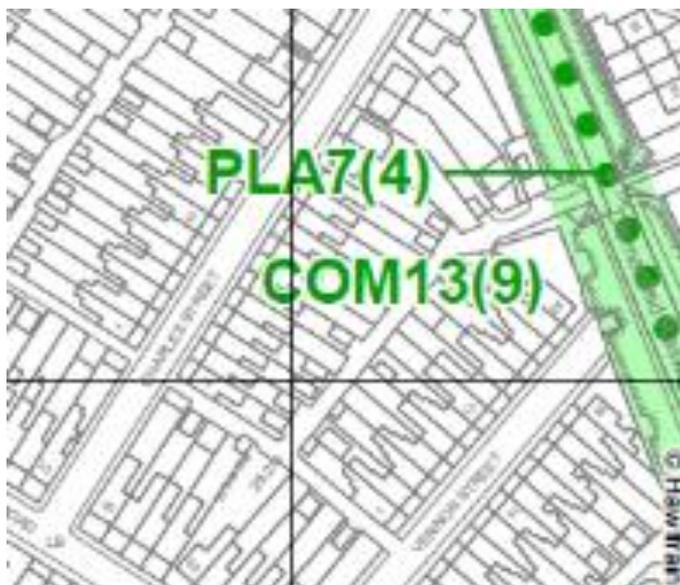
- 4.5 The site is identified in the Bridgend County development Plan 2006 – 2021 as being Accessible Natural Greenspace. This is shown on the Proposals Map, an extract of which is provided at Figure 4.1.

Figure 4.1 – Extract from Bridgend County Development Plan, map 27



- 4.6 The site is also identified in the Bridgend Town Inset Map 34, as shown in Figure 4.2 below:

Figure 4.2 – Part of Bridgend Town Inset Map 34



- 4.7 The relevant policy is COM13. This states that “The Council will promote the provision of accessible natural greenspace (including public open space) wherever

*suitable opportunities arise.*” The application site is allocated in this respect as COM13(9), land of Waunscil Avenue. This reflects the aspiration of the Welsh Government in PPW10 to create a ‘Healthier Wales’.

- 4.8 The scheme is a comprehensive proposal for natural greenspace throughout the length of the site. Of the total application site, only its southern half will be developed for housing, gardens and the access road.
- 4.9 The rest of the site will consist of the community route together with public open space and an equipped play area. This will provide the opportunity for a mixture of activities to be enjoyed by all ages of the community.
- 4.10 The community route will consist of a linear pathway stretching from Charles Street (and beyond) to the north, to the southern end of Gwaun Coed to the south. At Gwaun Coed the route will connect with existing footpaths south, east and west.
- 4.11 Along the way, access points at Charles Street; from the footpath to the north of Vernon Street (with connections to the east and west), and at Wainscul Avenue (also with connections with existing routes east and west) as well as from Gwaun Coed.
- 4.12 During previous planning appeals, Inspectors have considered and found acceptable the combination of residential proposals and the Council’s aspirations for public open space and a community route at the site. The location of open space and the route of the community path was considered acceptable in earlier schemes.
- 4.13 For example, in the 2005 appeal (reference APP/F6915/A/05/1180711), the Inspector found that the site’s development for both housing and the community route would provide an opportunity for a significant section of the community route to be provided.
- 4.14 The Inspector stated in paragraphs 16 and 17 that: *“Such a route would be of particular benefit to local residents, some of whom currently traverse the route despite its gradient, its overgrown and muddy state, and the absence of lighting or natural surveillance. Thus, I consider that in relation to the desire to promote public open space and play area provision and to achieve cycle and community routes, the envisaged development has the potential of meeting the aims of the Council’s development plan.”*
- 4.15 Similarly in the 2010 appeal (reference APP/F6915/A/08/2080480/WF) the Inspector considered that the proposed landscaping, community route and new access points would *“significantly improve the provision of public open space in the area.”* (Paragraph 10). The Inspector added that the proposal presented a realistic opportunity to achieve the provision of public open space as part of the development.

- 4.16 Again in the 2011 appeal (reference APP/F6915/A/11/2154074), the Inspector recognised “*the benefits of the scheme in terms of the use of derelict, brownfield land to provide a sustainable development of housing and the associated community route and public open space*” which he made clear were “*in accordance with development plan policies*”.
- 4.17 It is recognised that the most recent application on part of the site (reference P/17/75/FUL was refused partly on the grounds that the development proposed then would prejudice the provision of accessible natural green space. The proposal overcomes this refusal reason, by actively making provision for this space, which the 2017 application did not provide.

### **Transportation Proposals**

- 4.18 As well as being a potential natural green space, the site is shown on the Proposals Map (under policy PLA7) as a ‘Transportation Proposal’. This designation runs along the linear route of the dismantled railway. This is because the application site is identified as part of a walking and cycling proposal between Bridgend Industrial Estate and Wildmill, numbered PLA7(12)<sup>1</sup>.
- 4.19 This accords with Strategic Policy SP3, and the strategic policy target whereby the Council aims to implement the transport improvement schemes detailed in Policy PLA7, to increase sustainable forms of transport and reduce overall levels of traffic congestion.
- 4.20 Appendix 5 to the LDP identifies the phasing of implementation as being between 2011 and 2021 and that implementation and funding would be achieved by the public and private sectors.
- 4.21 However, the most recent Annual Monitoring Report (2018-2019), published in December 2019, makes clear that this is not a scheme for which public funding is available through the Bridgend’s Local Transport Plan (LTP) programme, up to 2021, and that the scheme would not fall for delivery within the Development Plan period. Realistically, therefore, private investment is the only way in which this facility will be delivered.
- 4.22 Policy PLA7 states that “*...transportation proposals are allocated and safeguarded from development that would prevent their implementation*”.

---

<sup>1</sup> As shown in figure 4.2, the Inset map refers instead to PLA7(4), but this relates to a route between Bridgend and Pencoed, so is erroneous. The correct designation of PLA7(12) is shown on the main Map (figure 4.1).

- 4.23 Far from preventing the implementation of this important potential facility, the application proposals would be the only way of securing its delivery, as part of the overall proposal for much-needed housing development.

#### **Impact on Residential Properties**

- 4.24 Local development Plan Policy SP2 requires that amenity of neighbouring uses and their users/occupiers will not be adversely affected by development proposals. The proposal has been designed to ensure that existing and future occupiers would have adequate light, outlook and privacy.

#### Northern Section

- 4.25 For its northern section, the proposal will consist just of the community route and public open space. On its east side the site bounds Charles Street, Vernon Street and Herbert Street. These streets are two-storey Victorian terraces which terminate at the site (from when the railway line formed the boundary).
- 4.26 Being a former embankment, the site is about four to five metres above the level of existing development although the urban form means that the dwellings in these streets are essentially side-on to the proposed community route.
- 4.27 On the western side of the northern part of the site, residential properties on Clos-Y-Wain, Heol Brynglas and Heol-Y-Coed Rise (to the west) are adjacent to the site. These are modern, 1980s dwellings some of which have rear elevations and gardens backing onto the site.
- 4.28 The proposed community route takes its primary route through the middle of the site, with public open space either side of this route. Significant landscaping will remain and existing boundary treatments (walls and fences) will ensure there is no overlooking from the community route into neighbouring dwellings.

#### Southern Section

- 4.29 The southern section of the site is level with adjacent land, having been filled. It adjoins residential development to its east and west. To the east of this section is Napier Close and Waunscil Avenue.
- 4.30 Napier Close consists of two-storey semi-detached dwellings, some of which back onto the site of the proposed dwellings and the community route. Most of the dwellings proposed would face north/south, meaning that there would be no direct overlooking

from primary windows. The community route would be divided from the rear of properties on Napier Close by boundary treatments.

- 4.31 Waunscil Avenue consists of two- and three-storey blocks of former local authority housing running parallel to the site. Most of the proposed dwellings on the site would face in the direction of the rear of properties on Waunscil Avenue, being sited parallel to these properties.
- 4.32 The available distance provides enough space between the blocks to accommodate the access road, front gardens and parking and community route. This is sufficient to ensure adequate privacy, light and outlook to existing and future occupiers.
- 4.33 To the east of the southern part of the site is Chorleywood Close and Gwaun Coed. These are areas predominantly of bungalows, but with some two-storey houses as levels fall to the south.
- 4.34 In considering the 2017 application for 4 dwellings, the case officer commented that the impact on privacy would potentially be at its greatest here (opposite the Waunscil Spur and bridge), where the adjacent dwellings are bungalows and have short gardens.
- 4.35 That application did not contain any information regarding floor levels and even then, the Officer Report comments that *“the amenity of residents may not be enough to refuse permission for this reason alone”*.
- 4.36 The distance between the closest plots (26-30) with the closest properties on Chorleywood Road would be within acceptable levels. Further to the south (Gwaun Coed), there is greater distance between properties.
- 4.37 Overall, the proposal will not harm the living conditions of neighbouring properties and would comply with Local development Plan Policy SP2.

#### **Land Contamination**

- 4.38 The site is a filled railway cutting. Surveys have been undertaken to establish whether there is methane within the area of landfill.
- 4.39 Relevant to this issue is the comments of the Inspector in dealing with the appeal reference P/10/0853/FUL which also included extensive and detailed information about land contamination and drainage.
- 4.40 In respect of this issue the Inspector, at paragraph 32 of his decision, stated that: *“Japanese Knotweed, landfill gas and ground contamination are acknowledged as*

*matters to be addressed and are not uncommon problems on brownfield sites. There are well established means of dealing with these, and suitable conditions could be applied to any planning permission to provide adequate safeguards.”*

- 4.41 Indeed, the Inspector went on to say that: *“In some ways neighbouring residents might gain more assurance knowing these matters were being dealt with than if they were left unattended.”* Although the appeal was dismissed, this was not in respect of land contamination.
- 4.42 Since then, the site has been subject to further contamination assessment through borehole measurement. A detailed ground investigation has been carried out by CJ Associates Ltd. This included deep boreholes, trial pits, full chemical and soil assessments and methane testing.
- 4.43 This has involved clearing the site, drilling four boreholes (depths 12-18) and soil and water samples being taken, together with lockable steel caps being installed to enable future methane tests to be undertaken.
- 4.44 Four boreholes were initially undertaken in 2019. Of the four, one identified high levels of Methane, borehole 1 (BH1). Four additional boreholes were then drilled in late 2019 in a small circle around BH1. All of these were clear, proving the methane was only a local issue at BH1. If there are any concerns from the Council in respect of methane levels, these can be checked again.
- 4.45 The 2008 Contamination Report is provided with this application. The report is still valid in respect of geology and contamination as there have been no changes to the site in these respects since 2008.
- 4.46 The proposal will therefore deal with contamination, which can be the subject of further planning conditions if necessary.

#### **Sustainability, Highway Safety and Parking**

- 4.47 As identified in the Transport Assessment, the proposed development is highly sustainable and fully meets the policies of the Welsh Assembly and the Local Plan, in that it seeks to reduce the dependence on the car and promotes walking, cycling and the use of public transport. Residents on the site can gain safe access to local facilities by travelling on foot and by bicycle, without the need to use a car.
- 4.48 Waunscil Avenue and all the adjacent roads have footways on both sides. The site has good footway links into Bridgend and the town centre. The roads are reasonably flat and suitable for walking.

- 4.49 Manual for Streets in section 4.4 establishes that ‘walkable neighbourhoods’ are characterised by having a range of facilities within 10 minutes walking distance (in the order of 800m) from residential areas.
- 4.50 It also acknowledges that walking offers the greatest potential to replace short car trips for journeys up to 2km in length. The Table below shows the measured distances between the site and existing facilities. Distances are measured to the centre of the site.

<b>Facility</b>	<b>Measured Distance</b>
Convenience Store	40m
Brackla Primary School	370m
Brytag Comprehensive School	1300m
Thomas Hardye Upper School	2570m
Bus Stop	100m
Railway Station	500m
Bus Station	900m
Town Centre	500m
Nearest Significant Employment	200m

- 4.51 In accordance with policies the proposals include a significant section of Community Path. The access road within the development would all be designed in accordance with guidelines in Manual for Streets.
- 4.52 Road geometry would be such that traffic speeds would be constrained to 20 mph or less. Footways within the development would be designed such that there is a comprehensive link to all dwellings and to the existing footway/cycleway network outside of the site.
- 4.53 The site is highly sustainable and within walking/cycling distance of the whole of Bridgend. Residents on the site would have a choice of transport modes to gain access to a comprehensive range of local facilities and that they could meet their day-to-day travel needs without the need to use a car.
- 4.54 In respect of traffic movements, it is predicted that the increase in traffic on Waunscil Avenue is only approximately 35 vehicles in the morning and evening peak hour. Even with on-street parking the capacity of Waunscil Avenue is a minimum of 750 vehs/hour, and therefore the increase in traffic due to the proposed development is minimal.

- 4.55 In respect of parking, the application site lies within Zone 4 of the Parking Standards Zones, meaning it has a 'suburban' categorisation. This categorisation includes locations with 'at least an hourly bus service to the town centre' and 'some local facilities'.
- 4.56 The proposal would comply with the relevant standards as set out in the Design and Access Statement.

#### **Impact on the Character and Appearance of the Area**

- 4.57 The proposals have been designed to take into account the pattern of development in the surrounding area. The layout reflects to the site context, taking an essentially linear form through the site, with dwellings fronting the proposed road throughout the 'spine' of the site.
- 4.58 This starts at the southern end, with smaller detached units and a lower density. The site widens as one travels north and this allows for variety in orientation and a greater density, with some units being turned at 90 degrees. At the northern end, the layout provides for terminating views, helping the legibility of the site. Building heights reflect the variety of those in the local area.
- 4.59 The proposals will have a positive impact on the character and appearance of the area, turning what is currently an unused and unkept area into a useable and attractive space.

#### **Public Open Space**

- 4.60 TAN 16 relates to Planning New Open Space and Recreation Facilities. It states (paragraph 3.13) that the provision of open space should aim to provide everyone has easy local access, by means other than the car, to formal and informal recreational facilities and open space. This can include linear green spaces or waterways, which connect into a wider open space network.
- 4.61 In considering provision, local planning authorities should be mindful of the needs of disabled people and of people in deprived communities, and the more limited ability of people in disadvantaged groups to travel far from their local areas.
- 4.62 The proposals will fully comply with this requirement, providing a linear green space which connects to the wider network.

### **Trees**

- 4.63 TAN 12 advises (5.11.3) that, to help integrate old and new development and reinforce hierarchy between spaces, consideration should be given to retaining mature trees and hedgerows within housing areas as well as introducing new planting appropriate to the area.
- 4.64 The proposed layout would seek to retain some of the existing mature trees within the site, as shown on the submitted Tree Protection Plan and the proposed layout.

### **Protected Species**

- 4.65 The site has been the subject of Ecological Investigation. The site does not contain or lie adjacent to any statutory sites of nature conservation value such as Sites of Special Scientific Interest or Local Nature Reserves, nor any non-statutory sites. There is a local nature reserve and two SINCs within 1km of the site.
- 4.66 Within the site is a mosaic of habitats including grassland, scrub, trees and woodland. All of the habitats are however considered to be of low value. Although there will be some negative impacts as a result of the proposed development, these are not considered to be of more than local significance and likely impacts can be mitigated for or compensated through proposed mitigation measures.
- 4.67 These measures include clearance work avoiding the main bird nesting season, close inspection of large trees subject to management works or felling (to ensure appropriate actions re bats), a precautionary approach and agreement of detailed method statement in respect of mitigation for reptiles and measures to prevent the spread of Japanese Knotweed.
- 4.68 Indeed, habitats in the northern end of the site will be retained and will provide areas which can be enhanced for additional biodiversity through additional planting and management. These can include native species planting, bat and bird nesting boxes in suitable trees and a management plan to guide the long-term management of semi-natural habitats.
- 4.69 These measures and further details are provided in the Ecology Assessment by David Clements Ecology.

### **Flooding**

- 4.70 The site lies within Zone A of Natural Resource Wales's Flood Risk Map. This means that it is considered to be at little or no risk of fluvial or coastal/tidal flooding.

### **Affordable Housing and Housing Mix**

- 4.71 Local Plan policy COM5 makes clear that the Council will normally expect an appropriate element of affordable housing to be provided on sites of five or more dwellings. It acknowledges that the provision of affordable housing can affect the viability of residential development, and such a requirement will therefore be subject to negotiation.
- 4.72 In respect of affordable housing, paragraph 4.2.21 of PPW advises that a viability assessment should be considered having regard to all the circumstances in the case, including whether the development plan and the viability evidence underpinning it are up-to-date, and any change in circumstances since the plan was adopted.
- 4.73 Such circumstances could also include where further information on infrastructure or site costs is required or where a recession or similar significant economic changes have occurred since the plan was adopted. The coronavirus pandemic and its economic effects are of course one such event.
- 4.74 Bridgend's SPG13 makes clear that where the viability of providing affordable housing is considered to be an issue, developers will be required to provide information to the Council to enable Officers to undertake a financial assessment of the costs and anticipated profits of the scheme based on properly sourced evidence.
- 4.75 The Council will then use a Development Appraisal Toolkit to examine the economics of the development and determine the viability of affordable housing provision. Where a development appraisal indicates that the provision of affordable housing required would not be viable, a lower percentage may be negotiated.
- 4.76 SPG13 advises that information has to be provided where viability is in question. This includes the acquisition price of the site, projected construction costs, any abnormal costs, proposed final sales values per unit, developers profit requirement, unit types, finance costs and any other relevant information.
- 4.77 Laurence Rae Associates Ltd have carried out detailed assessments for the site. The Development Viability Model is based upon a detailed cost assessment of the works and the predicted sales values of the dwellings to prepare a detailed Financial Viability Appraisal which includes the profitability or loss of constructing the site for 70 dwellings. The DVM is able to include Affordable Housing or Shared Equity Housing and to factor up or down the predicted works costs or selling values.

- 4.78 Based upon the Strongs report and the PJC sales assessment provided with this submission, the viability results indicate that the proposal would not be viable if affordable housing provision had to be made.
- 4.79 This is not unexpected as the housing market is in severe decline due to the uncertainty for buyers due to Covid19, as well as the costs associated with the development.
- 4.80 Therefore, although affordable housing will regrettably not be provided, the scheme complies with Local Plan policy COM5.

#### **Planning Obligations**

- 4.81 Policy SP14 relates to planning obligations and infrastructure. It advises that the requirements for such agreements will include consideration of a number of areas including open space. The scheme will provide a significant community benefit in the form of the community open space.

# Conclusions

---

## Section 5

- 5.1 The proposals will result in significant benefits to the local area. Specifically, they will:
- Provide a high-quality dedicated walking and cycle route described in the Local Plan as part of an essential element in promoting sustainability, encouraging healthier lifestyles and increased physical activity.
  - Replace an unkept and overgrown area with a valuable community resource and Accessible Natural Greenspace encouraged by policy COM13(9)
  - Deliver a much-needed additional 70 dwellings in a sustainable location
  - Deliver these dwellings on brownfield land where the Council's policy and PPW states that land should be used efficiently to a density which maximises its development potential
  - Help to ensure that previous contamination (including Japanese knotweed) is remediated
- 5.2 The proposal is fully supported by Planning Policy Wales which encourages maximising the use of suitable previously developed and/or underutilised land for housing development which can assist regeneration and at the same time relieve pressure for development on greenfield sites.
- 5.3 It is also fully supported by the Bridgend Local Development Plan and by TANs 12 and 16 and by Bridgend Borough Council's Supplementary Planning Guidance.
- 5.4 The proposal will not result in harm to the living conditions of nearby properties, highway safety, contamination or any other material planning consideration.
- 5.5 In the absence of any harm to outweigh the benefits of additional residential accommodation, the case for granting planning permission is compelling.