

PLANNING TECHNICAL NOTE

Land off Oakwood Drive, Maesteg

November 2022



Summary

Proposal:

Proposed mixed use development comprising; residential; employment / enterprise hub, retail, transport interchange, public open space, access, engineering operations, and associated works

Location:

Land off Oakwood Drive, Maesteg

Date:

November 2022

Project Reference:

21.214

Client:

Pontardawe Coal and Metals Company Ltd

Product of:

Asbri Planning Limited
Unit 9 Oak Tree Court
Mulberry Drive
Cardiff Gate Business Park
Cardiff CF23 8RS

Prepared by:

Geraint Jones | Senior Planner

Approved by:

Jon Hurley | Director

Disclaimer:

This report has been prepared for the sole and exclusive use of the client for whom it was commissioned and has been prepared in response to their particular requirements and brief. This report may not be relied upon by any other party.

The Contracts (Rights of Third Parties) Act 1999 shall not apply to this report and the provisions of the said Act are expressly excluded from this report. This report may not be used for any purpose other than that for which it was commissioned. This report may not be reproduced and/or made public by print, photocopy, microfilm or any other means without the prior written permission of Asbri Planning Ltd. The conclusions resulting from this study and contained in this report are not necessarily indicative of future conditions or operating practices at or adjacent to the Site. Much of the information presented in this report is based on information provided by others. That information has neither been checked nor verified by Asbri Planning Ltd.

Contents

Section 1	
Introduction	4
Section 2	
Proposed Development	6
Section 3	
Planning Policy	9
Section 4	
Appraisal	16
Section 5	
Conclusion	19

Introduction

- 1.1 This Planning Technical Note has been prepared on behalf of Pontardawe Coal and Metals Company Ltd to accompany a resubmission of plans and documentation relating to application ref: P/13/808/OUT for a mixed use development comprising residential development, employment, commercial and park and ride and associated works, including engineering operations.
- 1.2 The application was initially submitted in November 2013 and was reported to the Development Control Committee in June 2014 where it was recommended for approval, subject to the completion of a legal agreement.
- 1.3 Subsequently there were further discussions between the applicant and the LPA regarding the viability and delivery of the scheme. There were on-going discussions between the agent and the Council in terms of implementing the project and the principle of providing an extra care facility on the site was revisited. Therefore, the applicant requested amendments including the increase of dwellings from 115 to 138, to omit the provision of a river walkway and modifications to the wording of planning conditions to allow additional flexibility in their implementation.
- 1.4 The changes to the Masterplan were subject to public consultation and the application was again reported to Development Control Committee in 2016 where it was again recommended for approval subject to a S106 agreement. However, the S106 agreement was not signed and the decision notice was not issued. As such, the application remains 'live'.
- 1.5 In subsequent years the flood risk position associated with the site has changed. Accordingly a detailed FCA is included with the submission. Further details as to the proposed works required by the FCA is included later within the report.
- 1.6 A new revised scheme is therefore being submitted which comprises the following plans:

Drawing name	Drawing reference
Site Location Plan	090 A
Masterplan	100 F

Parameter Plan – Land Use (including building widths/heights/lengths)	200 B
Parameter Plan – Scale (including building widths/heights/lengths)	202 B
Access and Movement	201 B
Green Infrastructure	203 B
General Arrangement	0002 P02
Remediation	0004 P02
New Service Connections	0005 P02
Site Sections	0006 P02
Typical Road Cross Sections	0007 P01

1.7 In addition, the following supporting documents are submitted.

Document name (reference where appropriate)	Prepared by
Planning application forms (1APP)	Asbri Planning
Planning Technical Note	Asbri Planning
Design and Access Statement	Powell Dobson
Highway Technical Note	Asbri Transport
Ecological Appraisal and Reptile Survey	Tetra Tech
Flood Consequences Assessment	WSP

1.8 The purpose of this Planning Technical Note is to summarise the proposals at Section 2, discuss policy changes since the application was submitted in Section 3 and provide an overview of the changes to the proposal from the original application at Section 4. Section 5 draws together the conclusions.

Proposed Development

- 2.1 The submission is accompanied by a Masterplan prepared by Powell Dobson Architects which illustrates that the site can accommodate a wide range of uses. In relation to the residential development of the site this could comprises the following mix:
- family homes
 - FOGs
 - flats
 - 26 maisonettes
- 2.2 The residential masterplan is centred along the primary roadway and central square with mews streets extending to the site's peripheries. Placemaking and sustainability principles formed a key part of the brief and vision for the updated masterplan which is reflected in the site layout. In respect of placemaking, green infrastructure and open space feature heavily within the illustrative site layout. A Neighbourhood Equipped Area of Play is also proposed for the development.
- 2.3 An employment / enterprise hub is proposed to be established along the northwest boundary of the site immediately off Oakwood Drive. The accompanying masterplan shows that 6,000m² of floorspace can be created.
- 2.4 An element of the scheme is also proposed for commercial / retail use. Adjacent to the office space, it is proposed that 720m² of retail floorspace will be established.
- 2.5 Assisting in improving upon the sustainability credentials of the site a Park and ride facility is also proposed to be created in the north of the site.
- 2.6 The provision of office, retail and park and ride uses coupled with the location of the site with immediate access to other services and facilities will ensure that the site is sustainable and reduces reliance on the private car.
- 2.7 As the site comprises a former industrial use and a significant amount of remediation/enabling works are required to ensure that it is suitable for residential, office and retail development. Cardiff Capital Region have established a fund to assist in addressing viability issues which have prevented sites from being developed usually due to remediation, the removal of pollutants or contaminants typically from land which has had previous industrial use. The proposed development will therefore be assisted by the Cardiff Capital Region fund for the proposed remediation/enabling works required.

- 2.8 In addition to the above site works, there is a requirement due to the flood position associated with the site as set out in the TAN15 DAM maps, to secure changes to the site levels through the creation of a flood channel along the site's eastern boundary. In the event of a flood, water from the Llynfi River will be directed through the channel instead of onto the site. Further details on the flood mitigation measures are included within the accompanying Flood Consequences Assessment.
- 2.9 Consideration of the early phasing associated with the site remediation and flood works will need to be undertaken. It is also now proposed that the outline application now considers 'access' in terms of the strategic access routes into the relevant development parcels as shown within the updated masterplan, and the relevant WSP engineering plans.

Planning Policy

- 3.1 The following section provides an overview of the relevant policy framework relating to the application proposals. In accordance with S38(6) of the Planning and Compulsory Purchase Act 2004, this application should be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 3.2 The development plan comprises the Bridgend County Borough Council Local Development Plan (adopted November 2010) and Future Wales: The National Plan 2040.
- 3.3 In addition to the above, other key “relevant material considerations” include, in particular, Planning Policy Wales (Edition 11, February 2021) (“PPW”), associated Technical Advice Notes (“TANs”), Supplementary Planning Guidance (“SPGs”) and the Well-being of Future Generations Act (2015).

Future Wales: The National Plan 2040

- 3.4 Future Wales: The National Plan 2040, adopted in February 2021, establishes a national framework setting the direction for development in Wales to 2040. It forms part of the development plan with a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.
- 3.5 Policy 1 (Where Wales Will Grow) identifies National Growth Areas and states:

“The Welsh Government supports sustainable growth in all parts of Wales. In three National Growth Areas there will be growth in employment and housing opportunities and investment in infrastructure. The National Growth Areas are:

- *Cardiff, Newport and the Valleys*
- *Swansea Bay and Llanelli*
- *Wrexham and Deeside*

- 3.6 Cardiff, Newport and the Valleys, the region within which the site is located, will be the main focus for growth and investment in the South East region.
- 3.7 Policy 33 relates to the Cardiff, Newport and the Valleys and states:

The Welsh Government will work with regional bodies and local authorities in the region and in neighbouring regions of England to

promote and enhance Cardiff, Newport and the Valleys' strategic role and ensure key investment decisions support places in the National Growth Area and the wider region.

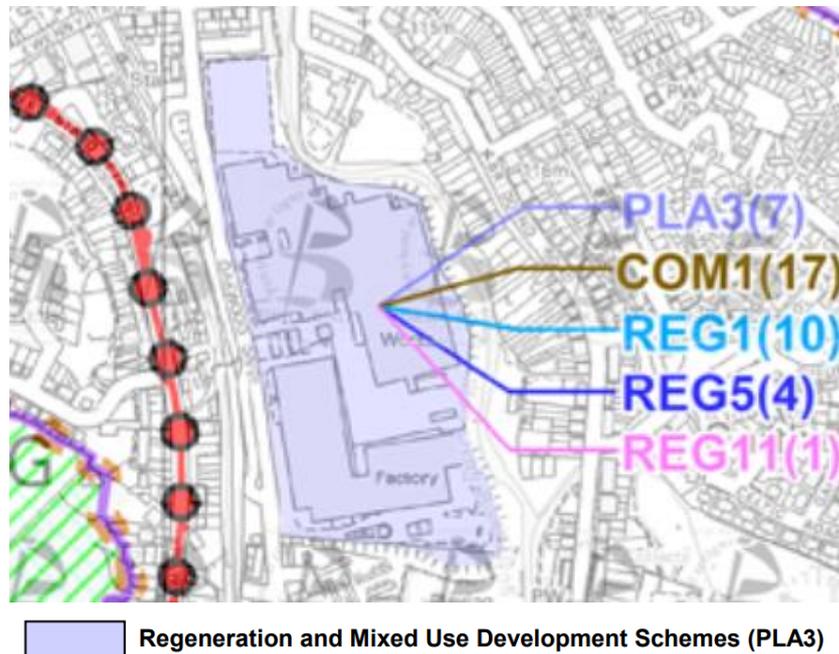
The Welsh Government supports co-ordinated regeneration and investment in the Valleys area to improve well-being, increase prosperity and address social inequalities. The Welsh Government will work with regional bodies, local authorities, businesses, the third sector, agencies and stakeholders to support investment, including in the manufacturing sector, and to ensure a regional approach is taken to addressing socio-economic issues in the Valleys.

Bridgend County Borough Council Local Development Plan

3.8 The Bridgend County Borough Council Local Development Plan (LDP) was adopted in September 2013 and provides the framework for the development and use of land within the County Borough over the plan period.

3.9 The site is situated within the settlement boundary for Maesteg and is allocated for a regeneration and mixed use development scheme (Ref: PLA3):

Figure 2: Bridgend CBC LDP Extract



3.10 The following policies are considered relevant to the proposed development:

Policy Reference	In relation to
<i>Producing High Quality Sustainable Places</i>	
SP1	Regeneration-Led Development – Spatial distribution of Growth
PLA1	Settlement Hierarchy and Urban Management
PLA2	Implementation of Regeneration Strategies
PLA3	Regeneration and Mixed Use Development Schemes
SP2	Design and Sustainable Place Making
SP3	Strategic Transport Planning Principles
PLA11	Parking Standards
<i>Protecting and Enhancing the Environment</i>	
SP4	Conservation and Enhancement of the Natural Environment
ENV5	Green Infrastructure
ENV6	Nature Conservation
ENV7	Natural Resource Protection and Public Health
<i>To Spread Prosperity and Opportunity Through Regeneration</i>	
SP9	Employment and the Economy
REG1	Employment Sites
SP10	Retail and Commercial Hierarchy
REG5	Local Retailing and Commercial Development
REG11	New Bulky Goods Retail Development Out of Centre Retail Development Sites
<i>To Create Safe, Healthy and Inclusive Communities</i>	
SP12	Housing
COM3	Residential Re-Use of a Building or Land
COM4	Residential Density
COM5	Affordable Housing
COM11	Provision of Outdoor Recreation Facilities

Supplementary Planning Guidance

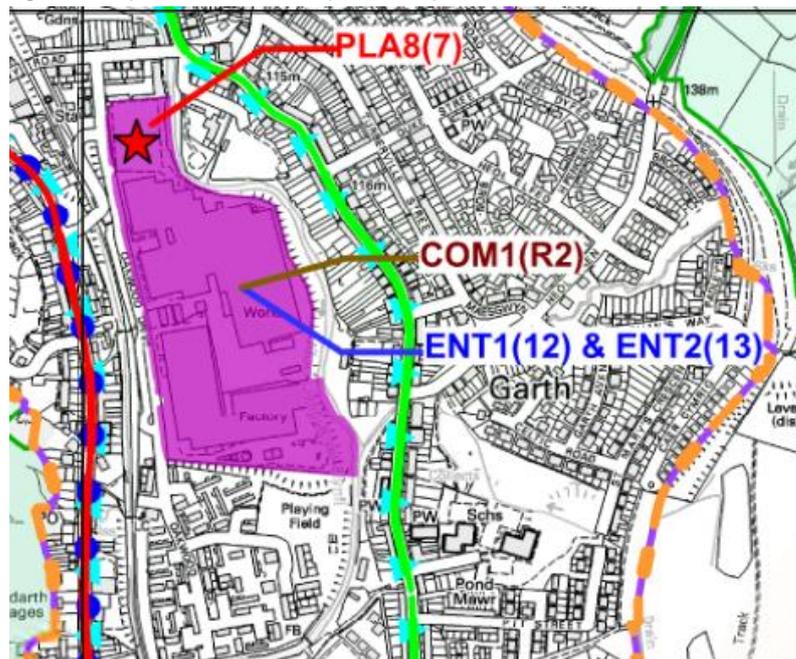
3.11 The following SPG documents are considered to be relevant in the consideration of this application:

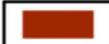
- SPG 7 – Trees and Development
- SPG 8 – Residential Development
- SPG 13 – Affordable Housing
- SPG 17 – Parking Standards
- SPG 19 – Biodiversity and Development

Bridgend Replacement County Borough Local Development Plan 2018 – 2033

3.12 The Replacement LDP is yet to be adopted but in its advanced stages and the Authority published a Deposit Plan in 2022. Within the Document, it is proposed that the site is allocated for a new park and ride facility in accordance with Policy PLA8 (Transportation Proposals), 138no. dwellings in accordance with Policy COM1 (R2) and 3.5 hectares of employment as detailed by policy ENT1 (Employment Allocations) and ENT2 (Protection of Employment Sites).

Figure 3: Replacement LDP Proposals Map Extract



- | | |
|---|--|
|  | New Park & Ride Facility at Ewenny Road, Maesteg - PLA8(7) |
|  | Residential - COM1 |
|  | Employment - SP11 |

3.13 It should be emphasised that within the Replacement LDP, the site is deemed a long term regeneration site and is not counted as part of the immediate housing land supply.

Planning Policy Wales

3.14 National planning policy is contained within the 11th edition of Planning Policy Wales (PPW), published by the Welsh Government in February 2021. It constitutes guidance for Local Planning Authorities (LPAs) and decision-makers and sets out the Government's planning policies for Wales and how these are expected to be applied.

3.15 Paragraph 3.3 states

“Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places.”

3.16 Paragraph 3.55 states that where possible, previously developed land should be used in preference to greenfield sites where its re-use will promote sustainability principles.

3.17 Section 4 – Active and Social Places defines those places which promote our social, economic, environmental and cultural well-being by providing well-connected cohesive communities. Places which are active and social contribute to the seven goals of the Well-being of Future Generations Act.

3.18 Paragraph 4.19 states that the planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- *are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;*
- *are designed in a way which integrates them with existing land uses and neighbourhoods; and*
- *make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.*

3.19 In regard to affordable housing, paragraph 4.2.25 states:

“A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications. Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place

to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers.”

- 3.20 Paragraph 4.3.2 relates to retail and commercial development and states:
- 3.21 *“Retail and commercial centres should be identified in development plans and include established city, town, district, local, village and neighbourhood centres, which provide a range of shopping, commercial and leisure opportunities as well as places of employment, education, civic identity and social interaction. Opportunities to live in these centres, combined with their good public transport links, make them the most sustainable places.”*
- 3.22 PPW emphasises that the planning system should support economic growth within the context of sustainable development and that economic development should facilitate regeneration and promote social and environmental sustainability.
- 3.23 Para 5.4.2 states *“Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services.”*
- 3.24 Para 5.4.4 States *“Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development.”*

Technical Advice Notes

- 3.27 Technical Advice Notes (TANs) should be taken into account by local planning authorities and should be read alongside PPW. They provide more detailed planning policy guidance on technical disciplines that are broadly covered within PPW.
- 3.28 Technical Advice Note 2 (TAN 2) ‘Planning and Affordable Housing’ (2006) provides practical guidance on the role of the planning system in delivering affordable housing.
- 3.29 Technical Advice Note 5 (TAN5) ‘Nature Conservation and Planning’ (2009) provides further guidance on the need to protect trees and biodiversity in planning, with Technical Advice Note 10 (“TAN10”) ‘Tree Preservation Orders’ (1997) providing specific guidance on trees, and trees subject to TPOs.
- 3.30 Technical Advice Note 12 (TAN12) ‘Design’ (2016) provides more detail on the design aspects set out in PPW as well as providing detail on five

key aspects of good design that should be integrated into proposed developments.

- 3.31 Technical Advice Note 15 (TAN 15) 'Development and Flood Risk' (2004) advises on development and flood risk and provides a framework within which risks arising from both river and coastal flooding, and from additional run-off from development in any location, can be assessed.
- 3.32 Technical Advice Note 18 (TAN18) 'Transport' (2007) continues the theme established in PPW of minimising the need to travel, especially by the private car, and to seek to encourage the increased use of sustainable modes of travel, including public transport, walking and cycling.

Appraisal

Overview

4.1 This section aims to identify the main issues relevant to the determination of the application and assess the scheme against the relevant planning policy framework. These matters are considered to be as follows:

- **The principle of development** in terms of land use planning policy and sustainable development;
- The impact of the development in terms of **highways, access and traffic generation**;
- The acceptability of the proposal in respect of **flooding**;
- The impact of the development on **biodiversity**; and
- The impact of the development in respect of **air quality and noise**.

The Principle of Development

4.2 Within the adopted LDP, the site is allocated for a mixed use comprising:

Mixed Use Components	Total Area 7.7 Hectares		Implementation and Funding Source
Policy Reference	Type	Amount	
COM1(17)	Residential	125 units	Western Valleys Regeneration Fund and the private sector (including 106)
REG1(10)	Employment	3.50 ha	
REG5(4)	Local Retailing	New local service centre Up to 1,000sqm net	
REG11(1)	Bulky Comparison Goods	5,400sqm net	

4.3 The principle of residential, office and retail use at the site is therefore firmly established which is evidenced through both the 2014 and 2016 schemes receiving resolutions to grant planning permission subject to S106 agreement for similar uses.

4.4 In addition, within the emerging replacement LDP, the site is allocated for the following:

- 138 Residential Units (Policy COM1 (R2))
- 3.5 hectares of employment land (Policy ENT1 (12))

- Park and Ride facility (Policy PLA8 (7))

4.5 It is acknowledged that the parameters of the allocations in terms of unit numbers and employment and retail provision differs from the proposed development. However as previously outlined, the development is to be subject to CCR funding and is therefore required to be deliverable and viable for the funding to be granted. As such, the uses on site are acceptable in this context. The provision of 3.5 ha of employment use is considered to be in excess of that which would be realistically delivered in terms of current employment market conditions. The most recent Annual Monitoring Report for the Local Development Plan (2019) identified that the LDP's strategic aim of delivering 6.3ha of employment land per annum was not met for the sixth consecutive year. As such, it is considered that there is an overprovision of employment land within the Authority. In addition, the Covid-19 pandemic has resulted in a change to work patterns with working from home more widely utilised which has reduced the demand for office space. As such, a reduced level of office floorspace is therefore considered appropriate.

4.6 Similarly, a reduced level of retail provision from the allocation will permit a greater number of residential dwellings on the site to increase the site's viability and therefore deliverability.

4.7 The site comprises brownfield land and it is important that such sites are brought forward in order to achieve sustainability objectives. Within the Draft Replacement LDP the site is deemed a long term regeneration site and is not counted as part of the immediate housing land supply due to its undeliverability. Whereas, the proposed development, supported by CCR funding will enable the site to be delivered. Whilst it is acknowledged that the parameters of the allocation differ from that which is proposed, the development of the site is a material consideration of sufficient weight to overcome departure from the designation – not in terms of land use but the quantum of development proposed.

Highways, access and traffic generation

4.8 The submission is supported by a Transport Note which demonstrates that the current proposals have an impact commensurate with that assessed in the 2013 Transport Assessment.

4.9 Whilst car parking is a matter reserved for future determination, parking will be provided where possible in accordance with the Council's SPG.

The acceptability of the proposal in respect of flooding

- 4.10 The submission is accompanied by a Flood Consequences Assessment prepared by WSP. This confirms that ground remediation works will be required at the site which will result in levels being altered. The FCA confirms that with these remediated levels they can be set such that they have a net overall benefit to flood consequences in Maesteg and that the level of risk and consequences are acceptable when assessed against the requirements of TAN15.

The impact of the development on biodiversity

- 4.14 The submission is accompanied by a Preliminary Ecological Appraisal and Reptile Survey prepared by Tetra Tech this confirms that there are no ecological matters which would prevent the site being developed in line with the proposed masterplan and recommendations.

The impact of the development in respect of air quality and noise

- 4.15 The scale of the development is similar to that which was previously proposed albeit is more focused to residential development. Both schemes received a resolution to grant planning permission and were therefore deemed acceptable in respect of air quality and noise. The proposed development is consequently also considered to be acceptable.

Conclusion

- 5.1 This Planning Technical Note has been produced on behalf of Pontardawe Coal and Metals Company Ltd in respect of a mixed use development comprising; residential; employment / enterprise hub, retail, transport interchange, public open space, access, engineering operations, and associated works.
- 5.2 In terms of highways, the application has been fully assessed by way of a Transport Statement which confirms that the proposed use of the site will be acceptable.
- 5.3 For flood risk, the FCA confirms that the proposed enabling / engineering works would ensure a net overall; benefit to Maesteg in terms of flooding.
- 5.4 The landscaping, layout, scale and appearance are reserved for future determination. Notwithstanding, it is evident that a development of high quality can be delivered which not only adopts the best facets of design but also addresses the impact of climate change.
- 5.5 The proposed redevelopment of this redundant site will see the delivery of an LDP allocation which has previously failed to come forward due to viability concerns for residential, employment, retail and park and ride uses which will benefit Maesteg as a whole.