Bridgend Local Development Plan

2006-2021

Cyngor Bwrdeistref Sirol
Pen-y-bont ar Ogwr
BRIDGEND
County Borough Council

Bridgend County Borough Council Examination Statement

Session 4: Regeneration and Mixed Use Sites

Bridgend Local Development Plan

Examination

http://www.bridgend.gov.uk/ldpexamination

Thursday 22 November 2012

Session 4 – Regeneration and Mixed Use Sites

Inspector's Agenda with Matters and Issues

1. FLEXIBILITY AND VIABILITY OF POLICY PLA3

[Figures in brackets identify a Representor and their representation number eg 793.1 refers to representor 793 and their representation 1].

1.1 Ashtenne Industrial Fund Ltd seeks to make PLA3 mixed use regeneration sites with employment allocations more flexible by allowing for alternative types of employment other than B1, B2 and B8 business uses. They suggest associated policy changes (793.1; 793.2; 793.3; 793.4).

1.2 Persimmon Homes (Wales) seeks greater flexibility either: by the removal of the PLA3 mixed-use sites from the employment sites listed in REG1; or by deleting the protection to employment land on mixed-use sites that is afforded by REG2 (911.3).

1.3 The Council considers that the approach it has taken in allocating its PLA3 sites allows for sufficient flexibility. The exact distribution, amount and type of each land use will be subject to more detailed negotiation at the development control stage. In order to coordinate the strategic planning of the whole of the County Borough, the Council has needed to attribute specific amounts of development to these individual land uses within the wider mixed use sites. These have been included in the plan and collectively total the strategic requirements over the Plan period. However, with respect to PLA3 sites, it is anticipated that the exact distribution, amount and type of each land use will be subject to more detailed negotiation at the development control stage. The LDP acts as a starting point and outlines the Council's policy requirements which will then be discussed with developers. If developers have evidence to suggest that a particular policy requirement will affect the deliverability of a scheme, then the Council may accept this as a material consideration in the determination of a planning application.

1.4 LDP Appendix 3 indicates the employment land available at REG1 sites which includes the employment element of PLA3 sites.

Qn1a. What other types of employment may be appropriate on PLA3 sites that are not allowed for by the policies?

The Council considers that the range of development types attributed to each of the PLA3 sites already allows for a wide variety of employment opportunities. This includes direct B1, B2 and B8 employment; retail, service and public sector based employment and, initially, the construction industry. These are readily identified

and cross-referenced to the constituent land use policies in Chapter 9 of the plan: Delivery and Implementation.

Furthermore, where mixed use allocations, defined by the umbrella PLA3 policy, contain an element of 'employment' land defined by REG1, these are subject to Policy REG2 which although protecting identified employment sites, is also flexible enough to accommodate uses not within use classes B1, B2 and B8, provided they are justified as being complementary and/or ancillary to the employment use.

Such acceptable developments could include crèches, hotels, public houses, conferences facilities and services. In addition, suitable sui generis uses would be permitted, for example veterinary surgeries and car showrooms etc. all of which generate jobs and employment. Similarly, Policy REG3 also permits certain types of leisure developments on employment land (subject to satisfying criteria). With respect to PLA3 (and COM1 and COM2) sites which are allocated for residential development, other 'C' class uses, besides dwelling houses, such as nursing homes and hotels, could also be regarded as suitable which would also generate employment in their own right.

Qn1b. What would be the implications of the suggested changes to Policies REG1 and/or REG2 for the delivery of employment land and the amount of housing and would they affect the soundness of the Plan?

By removing the PLA3 sites from Policy REG1 and/or loosening the requirements of Policy REG2 on PLA3 sites, the Council considers that this could jeopardise the holistic approach to the future delivery of employment land which the LDP seeks to address.

In terms of the suggested changes effect on the soundness of the Plan; if there were a 'carte blanche' approach resulting in 100% residential development of PLA3 sites, the sustainability credentials of the LDP and the balance of providing new residential communities with an opportunity to work in close proximity, could be undermined.

The amounts of employment land to be developed as part of mixed use sites are given in Appendix 3 of the Plan. Given the present market conditions, the Council appreciates that it is a struggle for developers to provide employment development as part of their schemes. However, in the context that many of the PLA3 sites were former 100% employment allocations, there is an expectation that the residential / commercial elements of the mixed use PLA3 will 'enable' the delivery of employment land.

The removal of the sites from REG1 will increase pressure for 100% residential schemes which will not necessarily deliver any employment development. This, in turn, will lead to an increase in pressure on the rest of the REG1 and SP9 sites to deliver the majority of employment development during the plan period at a time when appetite for 100% employment schemes is limited. This could therefore stifle the regeneration-led strategy of the Plan and restrict economic growth.

The Council does accept that Policy PLA3 does not specifically lay all the land-use parameters for sites in one place in the Plan and is therefore potentially confusing. Therefore it suggests that Appendix 1 could be amended to give these details, as

amended by any other changes to sites subsequently recommended by the Inspector.

1.5 Persimmon Homes (Wales) refers to existing wording in relation to PLA3 sites including their land at Ewenny Road, Maesteg and which appears at Paragraph 3.1.22 [not 3.1.21 as stated in the representation]. The wording reads *'Provision of a comprehensive residential, employment and commercial development to meet the identified need for such uses, whilst providing new transportation, community, education or recreation facilities to serve the respective sites and existing communities'.* The Representor considers that the text *'places a significant and unclear responsibility on the site and may raise aspirations which may be difficult to achieve (and if not adjusted could delay more deliverable and equally valuable initiatives)'* and therefore seeks the addition of the words *'subject to viability'* in either that paragraph or by rewording Policy PLA3 itself.

1.6 PLA3 does not specify the content of each development in detail but refers instead to the use of a master plan/development brief which would need to be agreed with the Council.

Qn1c. Would the negotiation of an agreed master plan/development brief inevitably need to have regard to viability? In which case why is the rewording need to make the Plan sound?

The Council will await the response from Persimmon Homes (Wales).

2. PLA3(9) and REG1(15) PWLL-Y-WAUN, PORTHCAWL & PLA3(10) LAND WEST OF MAESTEG ROAD, TONDU

2.1 The Countryside Council for Wales points out that a significant area of the PLA3(9) allocation consists of the Pwll-y-Waun Site of Importance for Nature Conservation (SINC), which is designated for its lake and broadleaved woodland. Protection of the integrity of the SINC should be identified as a site requirement in 'Chapter 9' (54.21). Similarly any development at PLA3(10) should protect the integrity of the Tyncoed Farm, Bryncethin SINC which supports wet grassland and woodland and be similarly referenced. (54.21; 54.22; 54.72)

2.2 The Council has declined to amend Chapter 9 but has prepared Background Paper 10 'Delivery & Implementation' which includes relevant references under 'Other Issues/Comments' for these sites. This paper is an intended precursor of an online LDP site database to accompany the Annual Monitoring Report.

Qn2a. Has the Background Paper suitably addressed the Representor's concerns?

The Council will await the response from the Countryside Council for Wales.

Qn2b. Should the proposed database be referenced in Chapter 9 of the Plan?

The Council considers that the proposed online database could usefully be referenced in Chapter 9 of the LDP. Additionally, the Council would welcome the Inspector's views on omitting the tables from Chapter 9 (which could become out-

of-date quickly on Plan adoption) and relying on the database as a 'live' companion to the LDP.

Qn2c. In the Policy should REG1(15) have an asterisk to cross refer to PLA3(9) as a mixed use site?

Yes. The Council consider this would be a minor amendment to the Plan.

3. PLA3(3) COITY ROAD SIDINGS, BRIDGEND

3.1 Bridgend Town Council considers that Coity Sidings should be considered for a new allotment site to address under-provision in the town. The consequential changes associated with this proposal would result in the deletion of Policies COM1(4) Residential Allocations, REG1(3) Employment Sites and PLA7(8) Transportation Proposals (35.2).

3.2 The County Borough Council responds that it does not have sufficient evidence to demonstrate that the development of Allotments at this location is realistic and deliverable within the plan period. However, if opportunities arose within the plan period to support the delivery of an allotment facility as part of the comprehensive development of the area, there are policies within the plan to support such a proposal.

3.3 Background Paper 10 describes the site area as 6.47 ha and provides that the mix of uses could include the possible expansion of adjacent allotment facilities.

Qn3a. What is the Town Council's response to the Council's comments and the Background Paper?

The Council will await the response from the Bridgend Town Council.

4. PLA3(7) EWENNY ROAD, MAESTEG

4.1 The Ewenny Road site is a brownfield former employment site that was allocated for employment in the UDP and is now proposed for allocation for mixed use development as PLA3(7). Appendix A1.7.2 refers to an opportunity to create a new mixed use neighbourhood. Appendix 3 indicates that 3.5ha are available for employment out of a total site area of 7.69ha. Policy COM1(16) indicates that the site would provide 125 dwellings including 19 affordable dwellings. Representations concerning the affordable housing provision are to be considered in Session 3. Policy REG1(10) provides that it would include B1, B2 and B8 business development. Policy REG3 allows for the change of use of existing industrial buildings on REG1 sites to D2 Assembly and leisure uses subject to criteria.

4.2 The Council controls part of the site. The Representor controls another part and considers that it should be de-allocated as an employment site in Policy REG1(10) because Policy REG2 would restrict any substantial deviation from conventional employment generating development. Alternatively the Plan should specify that REG2 does not apply to PLA3 sites. The Policy should allow for consideration of the value and merit of alternatives, the economics of delivery, supply elsewhere, and current vacancy and condition (911.2).

4.3 The representor considers that the site is capable of accommodating 200-250 dwellings and this should be reflected in the LDP (911.6).

4.4 The Council responds that PLA3 provides adequate flexibility. The Council has needed to make provision for employment and has reduced the overall employment supply by comparison with the UDP. To state that policy requirements will always be relaxed would risk unbalanced development. The release of employment land for other purposes should be taken on a holistic basis and not site by site. The exact distribution, amount and type of development will be subject to detailed negotiation at the development control stage. The LDP acts as a starting point. If developers have evidence to suggest that a particular policy requirement will affect deliverability this may be a material consideration provided that it does not undermine the LDP strategy and strategic needs as a whole.

Qn4a. The Inspector asks that a Plan be provided indicating how the land ownership is divided.

A plan showing land ownership at the Ewenny Road site is attached at the end of this document at Appendix A.

Qn4b. How has the dwellings figure been arrived at, and is it an upper limit?

The dwelling figure was arrived at as a result of an early masterplanning exercise which was undertaken by the Council; however due to uncertainty regarding change in ownership this was never completed. It is not necessarily an upper limit, but is subject to further negotiation with the sites new owners.

Qn4c. Is 3.5ha the intended fixed allocation of land for employment and what scope is there for variation within the policy?

As stated above and elsewhere, the exact distribution of land uses is subject to further negotiation. Given the former major employment use of the site, and the limited choice of flat vacant employment sites in the Llynfi Valley, the expectation from the community is that the site will deliver significant employment opportunities in the long term.

Qn4d. If the housing provision were to be raised to 250 dwellings, with no change to the service centre floorspace, what would be the implications for employment provision?

Using average household densities, this would require 3.5ha of land which would reduce the employment allocation to zero.

Qn4e. If the site is removed from REG1 or if REG2 does not apply, would anything prevent the entire site from being developed for housing?

The Council, as part landowner, would not wish to see the entire site developed 100% for residential purposes and would use its landholding interests to influence its development for a mix of uses, including employment to maximise the regeneration benefits of this key site within the LDP SRGA and the wider 'Western

Valleys Strategic Regeneration Area'. Policy PLA3 requires a masterplan / development brief to be prepared for each designated site; the Council will therefore work with the new landowner to bring forward a Masterplan on the whole of the site in the near future.

Qn4f. REG2 refers specifically to the loss of 'industrial land or buildings identified in Policy REG1'. However REG1 does not define the extent of the industrial land to be protected and it allows for mixes of uses which can include office and storage/distribution uses. How does REG2 apply to such land and how is the extent of industrial provision to be protected to be determined?

Appendix 3 defines the amount of land anticipated to be delivered for employment development and will now also be referenced in Appendix 1, subject to endorsement by the Inspector (see Question 1b. above). The ambiguity surrounding the term: "industrial land or buildings" has been addressed by the Council in responses to Session 1: Strategy.

Policy REG2 has a dual purpose. Firstly, as a starting point for negotiation, it protects the land identified in Appendix 3 from development other than employment purposes. Secondly, it protects existing / developed employment development from proposals which seek to change their use to a non-employment one.

4.5 Policy REG5(4) provides for a local service centre of up to 1,000 sq m as a mix of A1, A2, A3, D1 and D2 uses REG5(4) indicates that the local service centre at Ewenny Road, Maesteg would be a mix of A1(shops), A2 (financial and profession services), A3 (food and drink), D1 (non-residential institution) and D2 (assembly and leisure).

4.6 Persimmon Homes (Wales) Ltd considers that the quantitative target of 1,000sqm for a new local service centre at Ewenny Road should be removed from Policy REG5(4) or it should be increased to 2,000sqm to allow provision to respond to the mixture of uses and add to or improve viability and performance (911.4).

4.7 The Council considers the existing limit of 1,000 sq m for a local service centre is appropriate in quantitative terms for the scale of development proposed at Ewenny Road, Maesteg. This level of provision is considered appropriate, in quantitative terms, given that the CACI Retail Need Report has identified that there is no further capacity for convenience retailing in the Maesteg area. However, it is anticipated that the exact distribution, amount and type of each land use will be subject to more detailed negotiation at the development control / master planning stage albeit not at such a scale for the purpose of local retailing if this would prejudice the vitality and viability of nearby Maesteg town centre. The LDP acts as a starting point and outlines the Council's policy requirements which will then be discussed with developers. If developers have evidence to suggest that a particular policy requirement will affect the deliverability of a scheme, then the Council may accept this as a material consideration in the determination of a planning application.

4.8 The representor agrees that the site is also suitable for bulky goods retail development as proposed by (REG11(1) but considers that it should not be obliged

to reserve land to accommodate the retail development should demand not exist to develop it and it could be developed for an alternative use. (911.5).

4.9 The Council responds that flexibility on this issue is already contained within the deposit Plan at paragraphs 5.2.33 and 5.2.34.

Qn4g. What could be the outcome if a floorspace limit were removed and would that accord with other local and national policy for the location of retail floorspace in particular?

The opening text of Policy REG5 would still permit new small-scale retailing. However, the presence of the floorspace areas in Policy REG5 gives an indication of the scale of retail development which the Council considers would be appropriate for the site. PPW advocates not setting rigid floorspace limits. However, as mentioned above, this would be subject to further detail and negotiation at the Masterplanning stage of a development.

Qn4h. As the Council considers that there is no need requirement for convenience retailing in Maesteg area, what mix of uses do they consider likely to take place?

The Council recognises that there is an existing qualitative lack of local convenience / comparison retailing opportunities in this part of Maesteg. It therefore envisaged a small parade of shops, with a variety of uses mentioned in Policy REG5 to go some way in making up this, very localised, qualitative deficit in provision. The mix of uses would be initially controlled by condition until the area was established, but would typically consist of 50% A1, 20% A2, 20% A3 and 10% other; a mix previously considered acceptable and has been successfully delivered elsewhere; for example, at Broadlands District Centre.

Qn4i. Should there be separate limits for convenience floorspace and for the other uses and, if so, what should those limits be?

PPW advises against the setting of rigid floorspace figures for retail development. The Council considers that this mix is more appropriately left to the Masterplanning / Planning Application negotiation stage of the development process.

Qn4j. Does the text provide adequate flexibility in relation to the viability of bulky goods retailing?

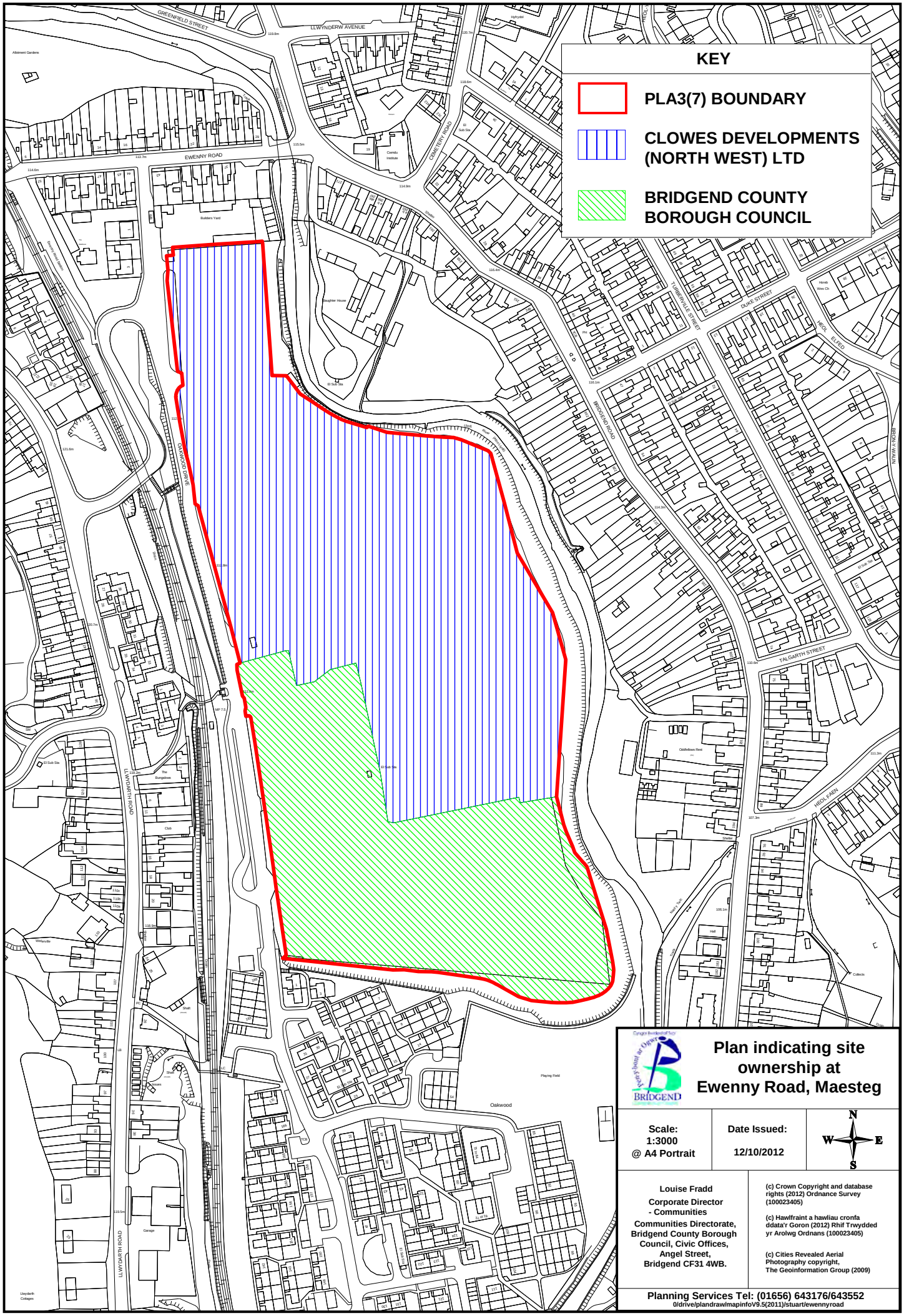
The Council believes it does.

Qn4k. If the site were not developed for bulky goods retailing due to viability concerns, how would the plan accommodate the identified need for such floorspace elsewhere?

The Council has allocated the site at Ewenny Road for bulky goods retailing on the basis of the need identified at paragraph 5.2.28 of the Plan. The Council's position on the flexibility on this issue is highlighted at paragraphs 5.2.33 and 5.2.34. Should operator demand change then the need could be accommodated in the plan by policy SP10. This is based on national policy which requires the various retail

tests to be applied; the first of which; demonstration of need, will already have been passed.

Appendix A


KEY
PLA3(7) BOUNDARY
CLOWES DEVELOPMENTS (NORTH WEST) LTD
BRIDGEND COUNTY BOROUGH COUNCIL
GREENFIELD STREET
LLWYNDERW AVENUE
EWENNY ROAD
CEMETERY ROAD
BRIDGEND ROAD
DUKE STREET
TURBERVILLE STREET
TALGARTH STREET
OAKWOOD DRIVE
LLWYDARTH ROAD
Oakwood
Plan indicating site ownership at Ewenny Road, Maesteg
Scale: 1:3000 @ A4 Portrait
Date Issued: 12/10/2012
N
W
E
S
Louise Fradd
Corporate Director - Communities
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