

**Bridgend County Borough Council
Bridgend Local Development Plan Examination**

Schedule of Matters Arising Changes (MAC)

Session 5 – Environment

MAC Reference	Location in LDP	Details of Change	Reason for Change
MAC5.1 (Action Point 5.1)	Below Para 4.1.5	<p>Insert new paragraph under paragraph 4.1.5 to read:</p> <p><i><u>Development which affects a site of national importance for nature conservation, (a Site of Special Scientific Interest or a National Nature Reserve), will be subject to special scrutiny to establish any potential or indirect effects upon those sites. Where potential impacts remain unknown, a 'precautionary approach' will be followed by the Council weighted in favour of the preservation of those sites. Full regard will be given to Government advice and policies relevant to a site's status, its intrinsic value, and its value to the national network of such sites. Where an overriding need for a proposed development is claimed, the onus is firmly placed on any potential developer and/or owner to clearly demonstrate the case for the site's development, and why development should not be located elsewhere on a site of less significance to nature conservation. Sensitive design in conjunction with appropriate planning conditions and/or planning obligations/agreements will be pursued by the local planning authority with a view to overcoming potential adverse impacts on the environmental resource, and to ensure protection and enhancement of a site's nature conservation interest.</u></i></p>	<p>To provide further clarity to the Plan in terms of how proposals effecting nationally designated sites, such as Sites of Special Scientific Interest (SSSI's) and National Nature Reserves (NNR's) will be dealt with.</p>
		<p>IC1 - Agreed</p>	
MAC5.2 (Action Point 5.2)	Paras 4.1.4 & 4.1.5	<p>Amend paragraph 4.1.4 to read:</p> <p>The LDP Habitats Regulation Assessment (HRA) concludes that future development may may <u>could potentially</u> have an impact on water resources...</p>	<p>For improved clarity.</p>

		<p>Amend third sentence of paragraph 4.1.5 to read:</p> <p><i>Assessment will need to take into account the effects on water quality and quantity; air quality; <u>and of</u> human impact and coastal change amongst others.</i></p>	
		IC2 – Is this additional text at the end of 4.1.4? If so, agreed.	

Action Point 5.4 **Agenda Item No. Qn 5a**

Note from BCBC to Inspector – Procedural and other implications including time delays of including on the Proposals Map only existing SINC designations in the current LBAP and any other which have been subject to appropriate designation and consultation with confirmed boundaries.

The SINC's included in the LBAP are adopted and have been consulted on. There are also additional 'candidate' SINC's which have been identified since the adoption of the LBAP. In the interest of having an up-to-date layer showing the SINC's for planning and management purposes, the Council has commissioned consultants to carry out a substantial review of both the adopted and candidate SINC's and identify any additional ones which maybe present in the County Borough. The updated GIS layers are not yet finalised.

With regards to including the adopted SINC's as they appear in the LBAP on the LDP Proposals Map, this could be done immediately without the need for consultation. However, the Council is concerned about potentially out-of-date information being included on the Proposals Map which would almost immediately (within the next year) be replaced by the updated layers once they have been consulted on. The Council is aware that some of the boundaries of the adopted SINC's as they appear in the LBAP extend over areas which are developed. This is not to say that the remaining undeveloped part of these SINC's do not still have SINC status, and that appropriate mitigation has been implemented to maintain their ecological value as part of the development. However, It could be considered that, for this reason, it would be more appropriate to include the revised SINC's on the Proposals Map.

Note from BCBC to Inspector – Procedural stages the Council would need to go through to enable up-to-date designated Sites of Importance to Nature Conservation (SINC's) to be included on the Proposals Map in terms of how long it would take to finalise the designations and the time needed to be allowed for consultation, if it were to be a formal change to the LDP.

There are two options to consider in this regard:

1. The Council is now in receipt of the updated layers, albeit the boundaries need to be thoroughly examined by the County Borough Ecologist and the Planning Department for accuracy etc. The Council considers that the layers and accompanying report could be ready by February 2013. The report would then have to go through the following consultation stages:
 - Internal Committee Report Consultation – Approval from the Director, Head of Service, Legal and Finance Departments
 - Development Control Committee – Endorsement to go out for statutory six week public consultation
 - Statutory six week public consultation
 - Council to consider representations, amend document and prepare report for Development Control Committee
 - Internal Committee Report Consultation – Approval from the Director, Head of Service, Legal and Finance Departments
 - Development Control Committee – Endorsement to take report to Council for adoption
 - Prepare Council Report
 - Internal Committee Report Consultation – Approval from the Director, Head of Service, Legal and Finance Departments
 - Report to Council – Endorsement to adopt
 - Adoption

Based on planned dates for future Committee/Council meetings, and the assumption that the layers and report are not subject to objection (which they are likely to be) the approximate date for adoption would be late June.

2. In conjunction with the layers being finalised, the Council is producing a Green Infrastructure SPG which the finalised SINC's will append. The Council envisages that the SPG will be ready by March 2013 following which it will have to go through the same consultation process as highlighted in option 1 with an expected adoption date of late August/early September 2013.

In conclusion the Council considers that to just include the currently adopted SINC's on the Proposals Map would not be appropriate and potentially misleading. The Council also considers that the timescales for the approval of the candidate and revised SINC's, to allow them to be included on the Proposals Map potentially goes beyond the likely adoption date for the LDP/consideration at this examination. In this regard, the Council considers that the exclusion of the SINC's from the Proposals Map in this iteration of the Plan is in accord with paragraph 5.4.6 of PPW which states:

“the areas to which policies for the conservation and enhancement of natural heritage apply... should, wherever practicable, be clearly identified on the proposals maps...”

The Council considers that the on-line database will also appropriately sign post when there are SINC's that may overlap land-use allocations, as a potential constraint to development.

The Council refers the Inspector to Questions 3a and 3b of Session 6 Island Farm where CCW endorses the Councils recommended approach to provide an updated and comprehensive schedule/maps of SINC's as part of the Green Infrastructure SPG, which they are preparing in partnership with the Council.

IC3 – In the particular circumstances cited above I consider that it would be misleading to show the soon to be revised SINC areas on the Proposals Map. It would cause unacceptable delay to the Plan to wait until the revisions have been subject to appropriate consultation and adoption by the Council. I therefore agree the Council's suggested approach of not showing the SINC's on the Proposals Map, at least until the next plan review. In the meantime the SPG would be prepared with public consultation to incorporate the results of the review. However it would be helpful to update the final sentence of LDP paragraph 4.1.22 to explain progress on the SINC review.

MAC Reference	Location in LDP	Details of Change	Reason for Change
MAC5.4 (Action Point 5.5)	Policy ENV6(2)	<p>Amend Criterion 2 to read:</p> <p><i>Where this is demonstrated not to be possible, translocation or replacement will be required as part of <u>suitable</u> mitigation or compensatory measures on order <u>will be required</u> to secure biodiversity including future management programmes.</i></p>	To provide further clarity to the Policy.
		IC4 - Agreed	

Action Point 5 Agenda Item No. Qn 8a
Note from BCBC to Inspector – Information and justification from Conservation and Design Team including consideration of what procedures would be needed for the areas to be designated.

Areas of historical importance could range from a small terrace of dwellings representing good examples of local building style/materials to a street of traditional properties with characteristically large front gardens and wide carriageway identified through a characterisation study. Such sites or areas, whilst falling short of criteria of the statutory designation such as an area of "Special architectural or historic interest", nevertheless have a strong local identity. Indeed some of these areas may have been identified by

the local community themselves via characterisation studies. The definition as to what constitutes ‘Areas of Historical Importance’ is included in paragraph 4.2.5 (3):-

“All the modest background buildings that contribute to local identity, that reflect the continuity of local history, and that act as a collective memory that binds the community of Bridgend County Borough together”.

However, to identify these sites/areas on the proposals map would be impractical and would be of little use without some local designation process as suggested. In light of the above, the Council would suggest the following;

MAC Reference	Location in LDP	Details of Change	Reason for Change
BCBC Proposed MAC	Policy SP5	Delete reference to “<i>Areas of Historical Significance</i>”	To provide clarity to the Policy.
		IC5 – Agreed	
BCBC Proposed MAC	Policy SP2	Amend SP2(2) to read: <i>“Having a design of the highest quality possible, whilst respecting and enhancing local <u>character and</u> distinctiveness and landscape character;”</i>	To ensure that local character is considered as part of development proposals where relevant and justified.
		IC6 - Agreed	
BCBC Proposed MAC	Para 3.2.2	Amend paragraph 3.2.2 to read: <i>“The statements will be monitored to ensure development maintains and enhances <u>both local character</u>, the ‘sense of place’ it creates, and/or sustains <u>within existing communities.</u>”</i>	To ensure that local character is considered as part of development proposals where relevant and justified.
		IC7 - Agreed	

The Council considers that the above amendments, SPG, the use of Development /Design Briefs and close monitoring of design and access statements would allow the Council to achieve its aspirations in relation to ‘Areas of Historical Importance’.

MAC Reference	Location in LDP	Details of Change	Reason for Change
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MAC5.6 (Action Point 5.7)	Para 5.3.7	Include additional text at the end of paragraph 5.3.7: <i>'However, increased visitor numbers can sometimes result in erosion, damage, litter, the spread of disease and other management issues. Proposals should therefore contain appropriate measures to mitigate such impacts'.</i>	To provide further clarity to the Policy.
		IC8 - Agreed	