

# Merthyr Mawr Community Council

## Bridgend Local Development Plan Examination

Hearing Session 6 – Wednesday 28 November 2012 – 10am

### SUBMISSION

#### 1. ALLOCATION STATUS

##### Qn. 1A

**Would HD Ltd provide details of the 2008 planning application including what part of the allocation it does and does not cover and an update on progress towards completing the S106 agreement?**

##### MMCC response

We trust that HD Ltd will make available to the Inspector all background planning documents for P/08/1114/OUT including in particular those listed below:

##### A.

Planning Application P/08/1114/OUT

**Sustainability Statement;** September 2009

See page 3 Section B items B1 – B5

**HD quantify** the employment, investment, local economy, resource efficiency, confident & successful region, **reasons for** the Strategic Employment Site in policy SP9.

**Planning Support Statement** September 2009

See page 32 6.2.6; 6.2.7; 6.2.8

**HD reasoning on employment levels.**

Reason that despite low land availability for high technology the P/08/1114/OUT project would more than make up for the loss of jobs by the employment of staff and multiplier effect of the sporting facility.

##### B.

**Progress on completion of S106 agreement**

This is not known to MMCC, however Mr Nicolas Hegarty has indicated to Bridgend Town Councillors that the P/08/1114/OUT project is “low on his list of priorities” Which makes the protection of this land area and the soundness of policies to protect for the future – should the project not come to fruition – even more important.

##### C.

**What part of the allocation is covered by P/08/1114/OUT**

MMCC point out that there is a field of 2.812Ha owned by Merthyr Mawr estates which is included but not owned by HD.

BCBC will no doubt advise the Inspector that they own a part of the allocation – namely the old Crossways Country Club site and the old Prisoner of War camp area.

## **Qn. 1b**

**How likely is it that the sports/leisure/commercial development will be implemented in its proposed form?**

### MMCC response

MMCC contended at the planning application meeting for P/08/1114/OUT that it was highly unlikely that the development would ever be built in the proposal form for the following reasons:

#### **Financial viability**

It was recognised that the financial viability of the application was not a matter for the Development Control Committee however we brought to the attention of the committee that HD Ltd company report accounts showed a net asset value of the order of £2m.

MMCC submitted questions to Mr Hegarty in advance of the planning decision.

HD had included in the planning submission “the financing of the project is likely to be jointly funded and is viewed as a community led project with the applicant taking an enabling role”

Mr Hegarty wrote to MMCC in answer to questions put regarding this statement

“The funding will be a blend of sources including private and public sector contributions once planning permission is granted. The applicant will lead the role of securing funding but very much sees this as acting on behalf of the community”

“ It is premature to discuss details of Euro funding until permission is secured but is one of several sources of potential funds to be explored”

MMCC considered that in the current economic recession and proposed cutting of Council budgets it was naïve to put forward this planning application without exploring and presenting avenues of financing and without supplying a business plan for the project.

Since it is now a year since permission was granted, the securing of funding goes to the heart of the matter of implementation of the project and will HD be able to indicate what progress has been made regarding this funding?

#### **Level of Demand**

Three stadia plus a tennis academy are included in P/08/1114/OUT

The 15,000 seat stadium was to be for the Celtic Crusaders who are now extant, plus more minor sporting activities

The 5k stadium is to be for Bridgend Rugby Union whose attendance levels fall well below this level usually.

The 2k stadium is to be for Bridgend Football whose attendances are again very variable.

MMCC submission is that, given the above facts there is very little likelihood of the plan coming to fruition and therefore a sound protection policy is required for the site

**Qn. 1c Does the Council's apparent support for that proposal make the delivery of 11Ha of high technology business improbable.**

MMCC response

Councillors took the argument that the planning application would indeed facilitate the strategic development into account when approval was given at the Development Control and Full Council approval meetings. HD and the Planning Officer who presented at the Development Control Committee stated and emphasised the advantage of passing the application in order to facilitate the implementation of the employment site even more quickly than might otherwise be the case. Given these assurances by HD and Planners, BCBC would appear to believe that the delivery would be aided rather than impeded by the proposal

**Qn. 1d What part of the site is controlled by the Council and by other landowners?**

MMCC response

To our knowledge and given in the P/08/1114/OUT application

13.3 Ha BCBC

35.8 Ha HD Ltd

2.8 Ha Merthyr Mawr estates

Total 52 Ha

**Qn.1f Would the whole site up to New Inn Road be included in that settlement boundary?**

MMCC response

If we assume for arguments sake that this is what is envisaged by HD Ltd we would point out that in the Inspector's report on the UDP she suggested that the settlement boundary be at the lower, south end of the Strategic development site ( should the planning application in existence at that time not be implemented -which it was not)

MMCC would argue that there are sound reasons for a settlement boundary as the UDP Inspector recommended, both for the reason that the planning proposal will not- in our view- be implemented in its current form and also because of the important landscape surrounding the Island Farm Area and to the south.

This will be expanded upon in the Green Wedge section

**Qn. 1g How is early engagement to be defined ( the LDP period commenced in 2006)? Why is the change needed to make the plan sound?**

MMCC response

We support the argument put forward by BCBC. In our view “early engagement “ is a very imprecise term not conducive to the implementation of planning policies.

## **2. ROAD ACCESS**

### **Qn. 2a Has the Council supported the road in the 2008 application to which residents object?**

#### MMCC response

Representations were made to MMCC Council members early in the consultation period for P/08/1114/OUT from local residents regarding the unsuitability of the proposed road through the site and MMCC agreed that an objection to the road would be submitted to BCBC in its response to the planning application.

Our view is that the road passes too close to the Island Farm and Island Close roads and will cause severe curtailment of the enjoyment of the residents.

We are also aware through surveys carried out by IFCA that the business premises on the current High Technology site also express concerns about the road, citing environmental and security problems.

The High Technology site, and any proposed extension of the site was to be earmarked and marketed as a quiet and attractive location suitable for High Technology companies requiring this appropriate setting.

It is acknowledged by HD and BCBC that there is need to monitor high levels of Nitrogen Dioxide at the Ewenny roundabout and that the Broadlands roundabout and Ewenny roundabout will need to be reconfigured to accommodate the planning proposal. HD Ltd, in their proposal, included an underpass for the A48, close to the entrance to the development. Councillors at the development control meeting were advised that this had been removed from the submission.

BCBC appear to support the planning proposal for the upgrading of the A48 as they stated they were to enter into a section 106 agreement with HD to contribute all or part of the cost of upgrading the A48 as part of the planning approval.

HD however, in their application appear to set high the probability of government funding for this project as they say in a written answer to MMCC in 2009

Ques. "What is the likely timing of the WAG decision re the upgrading of the A48, re Dualing and improvement of roundabouts and likely costs"

Ans "SEWTA has submitted its Final Regional Transport Report to WAG on 30th September 2009. WAG will now assess Sewta's Plan and lay it before the Assembly for Statutory adoption. The actual date for this approval is unknown however we have been advised by representatives of BCBC that it will be made shortly."

To our knowledge, this road improvement scheme is one of 10 on a priority list and the current budget for this type of road improvement has been set at a very low figure by WAG. BCBC may be able to give the Inspector information on the current situation.

We would submit that this adds to the likelihood of the planning proposal not coming to fruition in the term of the LDP, thus requiring safeguards to be included in the LDP for the land.

### **QN. 2b How does that affect any remaining SP9(2) land and the implementation of PLA8(5)**

#### MMCC response

Without P/08/1114/OUT implementation, there will be no PLA8(5) and access to SP9(2) would be through Ewenny road – as envisaged by BCBC to MMCC when the current High Technology site was built.

The alternative suggested was to use a new A48 access for the second section part of the High Technology area. It was emphasised to residents at the time of the implementation of the current High Technology site that there would never be a link road from the A48 to Ewenny road, through the site.

**Qn. 2c How would HD Ltd propose to provide access for their expanded allocation site**

MMCC response

HD Ltd will reply to this.

However we would submit that there should never be an entrance off New Inn Road. This is a narrow road, with a low height railway bridge (which serves the coastal route to Cardiff from Bridgend. The route has been upgraded in terms of the frequency of trains in the past few years) There is also the ancient Dipping Bridge on New Inn road which cannot take excessive or heavy traffic.

The road is a gateway to the historic and environmentally important area of Merthyr Mawr - an aspect enlarged upon in Green wedge questions.

MMCC contend there should also not be an entrance off Merthyr Mawr Road South.

This was described by a Planning Inspector at a previous Inquiry as “tortuous”, it is also the boundary to the area designated “wildlife” in P/08/1114/OUT. An area to be set aside in the proposed development for the protected species on the Island Farm site

### 3. SITE OF IMPORTANCE FOR NATURE CONSERVATION (SINC)

**Qn. 3a Would the Council please provide a plan which defines the extent of the SINC and how it relates to the 25.95Ha site allocation and the 11Ha of employment land. Should the SINC be shown on the proposals Map**

#### MMCC Response

We support the BCBC suggestion of an online LDP Site Data Base, reviewed and updated annually. We also support the inclusion of the SINC on the Proposals Map. Given the importance of the species on the Island Farm site we feel this is a necessity, especially if the planning proposal is not implemented. In view of the Data Base description, this SINC area can also be revised annually as BCBC say that “specific site details are constantly changing”.

In aid of importance of the Island Farm area we refer the Inspector to environmental reports submitted by HD for the planning proposal. In particular:

#### **P/08/1114/OUT – Environmental Statement Volume 3**

Technical Appendix for Chapter 9

Ecology and nature Conservation

Table 2 Notable species for Island Farm and 500m buffer

It includes Dormouse, lesser Horseshoe Bat

#### Appendix 9.2 Hedgerows

All hedgerows on Island farm were listed as Hedgerow Priority Habitat on the UK BAP, with 4 hedges as Important

#### Appendix 9.3 Bat survey

Seven species of bat were recorded including lesser horseshoe and Barbastelle

#### Appendix 9.5 Birds

It concluded that the development site and buffer zone are of local significance owing to the relatively high level of usage by both common and locally common species, and the presence of species of high national and/or local conservation concern. Should however the farmland be come re-colonised by Northern lapwing, the site should then be considered as of Authority area significance.

Page 21 – Extensive plant species recorded on site

#### Appendix 1 Butterflies and Moths

Carried out by the Glamorgan Moth Recording group from 1997 to 2001 who were commissioned to provide a report for HD in August 2002.

A recommendation was made that “The site is important for the unusual abundance of butterflies rather than the known occurrence of rarities. If development is considered essential it must be borne in mind that this would reduce the abundance, so high priority should be given to maximise the retention of regenerating grassland and to the provision of management for it”

#### **P/08/1114/OUT Environmental Statement Volume 1**

Chapter 8 Archaeology and Historic Landscape

Page 88 Activity Walkover survey on 7<sup>th</sup> August 2009. Sites identified from regional Historic Environment Record & National Monuments Record visited (sample photos in Vol 3 Appendix 8.1)

Key Figures plans & Photographs Volume 2

Fig 19 show Archaeological interest at Island farm including cairns, post medieval items

**Qn. 3b Should the allocation excluded the SINC land**

MMCC response

We take this to mean – should the SINC be shown or not on the LDP map?  
We believe it should be.

**Re 3.4**

MMCC response

We agree with the CCW concerns re the SINC land and agree that if the development proposal is implemented that the implementation should include sufficient and accessible areas for the retention of protected species on the site, together with regard to the important flora and fauna and bird life present on this site, areas of which have been relatively undisturbed for over 60 years.

#### **4. GREEN WEDGE**

**Qn. 4a Has the subject land previously been the subject of any green wedge or other landscape protection as none is shown on the 2005 UDP proposals map**

MMCC response

A green wedge was proposed by Planning Officers and shown on the draft 2005 UDP Proposals Map -which had gone out to public consultation- when it was presented for ratification to Full Council. The green wedge was then removed on a vote in Council following the motion by the Leader of the Council to delete. The argument put forward was that the WRU wanted to site a stadium at Island farm. This suggestion never came to fruition, however by that time the UDP had advanced to the adoption stage.

**Qn. 4b What has happened to the Sand and Gravel resource safeguarding area shown on the UDP proposals Map but not shown on the LDP Proposals map**

MMCC response

At the development control meeting which passed P/08/1114/OUT the Planning Officer explained that they had viewed the report from HD  
See Environmental Statement Volume 3  
Technical Appendices for Chapters 1-4

Mineral Assessment – Page 8

This details site investigation for HD and makes the assumption that the gravel bed is an average thickness of 1.5m across the 17.6 ha sand and gravel safe guarding area.

It concludes that there is limited deposit and comparing marine resources to land resources that it is unlikely that extraction would occur during the LDP ( incorrectly written as UDP) period.

We suggest that this is insufficient reason to exclude the area from the LDP and that the Planning Officer was incorrect at the time of P/08/1114/OUT to make this decision.

We also suggest that reliance should not be made by BCBC on the surveys carried out by HD consultants but that BCBC should conduct their own surveys before coming to a decision on the quality of the resource and viability compared with marine resources and we also ask that reference be made to the British Geological Survey when it has been conducted for this area.

MMCC is concerned that the application for sand and gravel which remains to the West of Merthyr Mawr road south will now impinge directly on the proposed wildlife area in the planning proposal. Where will a buffer area be located and how will it affect the planning proposal?

In support of the suggestion that the allocation for sand and gravel at Island Farm be retained on the LDP map we say that

- for reasons given in other questions, we believe the planning proposal will not be implemented in its present form.

- we query the assumptions made in the HD environmental report on sand and gravel that it is of low grade and suggest BCBC should determine this independently.

MMCC also repeat a suggestion made by it previously that the LDP should include a policy defining that selection of sand and gravel extraction be subjected to “sequential testing” of available sand and gravel deposits in the Borough. This to have consequence in the determination of any planning application for extraction. Factors to be taken into account to include effect on the environment, local amenities and transport.



**Qn. 4c Should Merthyr Mawr be considered as a settlement and would it otherwise qualify for separation by a green wedge?**

MMCC response

The green wedge proposed by BCBC Planners in the draft proposal UDP document recognised the need for separation between the then planned second stage High Technology park and the land to the south of it.

We refer you to the BCBC LDP – pre deposit proposals.

At 3.6.4 Under Spacial Assessment Merthyr Mawr is described as a satellite village of Bridgend Town

MMCC support the designation of Merthyr Mawr village as a settlement for the following reasons :

- MM Community Council area is very widespread ( see LDP proposal map). The natural centre for the coastal agricultural land and dunes is Merthyr Mawr village. It is always referred to as a village in BCBC tourist and other publications.
- The village consists essentially of thatched cottages - all owned by Merthyr Mawr estate, a village church, a building which had served as a Village Hall for many years, a post office- now closed, together with new offices in an old stable block, which have been well located and renovated in keeping with the historic village. The focal point for the village is the 1806-9 built and listed Merthyr Mawr House together with its designated historic parkland.
- This settlement has a distinct entity and it should be recognised as such and protected by a separation green wedge from the proposed development P/08/1114/OUT

MMCC note that in connection with other LDP's now in preparation, discussion papers have been written considering the ramifications of Green Wedge and Green Belt. Conclusions appear to have been reached that it is essential to have designations which identify means of preventing coalescence and concepts such as “separation areas” and “local green space” have been mooted.

South of the village are the famed sand dunes, reputed to be the second highest ( or first depending on authority) in Europe. They have special protections which you will note already included in the LDP. The village and surrounding area are famed for tourism and must be allowed to keep their identity.

The Heritage Coast is nearby as delineated on the LDP proposal map.

The encroaching development of P/08/1114/OUT - should it take place- will have a serious visual impact on the land to the south, especially on Merthyr Mawr House and historic parkland. Indeed the Merthyr Mawr road south was described as “the gateway” to the historic land further south by a BCBC planning officer at a Public Inquiry.

We refer the Inspector to documents relating to the historic record of Island Farm and vicinity Royal Commission on Ancient and Historical Monuments – Collection records.

C805076 & C807208 Photos of Newbridge Farm Roman road. This Roman road runs through the Island Farm development (see agger). From Ewenny road past the now defunct Residential home into the Island Farm site.

Gwent/Glamorgan Archaeological Trust [www.wggat.org.uk/cadw/historic\\_landscape](http://www.wggat.org.uk/cadw/historic_landscape)

Merthyr Mawr, Kenfig and Margam Burrows

017 Ochr Draw and Island Farm

This refers to medieval strip fields, C17 Ochr Draw farm, the POW camp, the Roman road.

See also An. 3a

**Qn. 4d If there is no Green wedge ( and if the site is not allocated for development and settlement extension as proposed by HD Ltd) would other LDP policies and designations (including PLA1 and ENV1) adequately control this location.**

MMCC response

MMCC believes not. HD in their planning application Non Technical Summary, Planning History, page 8 record the historic planning applications for Island Farm and say- despite the fact that all applications were turned down until P/08/1114/OUT -

**“The site's planning history illustrates that the principle of development on the Island Farm site is long established”**

MMCC would contend that this is *not* the case and urge the Inspector to be persuaded by the answers to questions above that

The likelihood of P/08/1114/OUT being completed in its current form is unlikely

Island Farm is a special area of note for reasons set out above

Protection measures set out by BCBC in the LDP proposal document are inadequate should the proposed P/08/1114/OUT development not be completed in full **or only in part.**

If completed in part there is considerable likelihood that an application for housing would be submitted, given the application to the LDP Inspector to designate the site for Mixed Use

**HD submit that there is a plentiful supply of employment land elsewhere in the County Borough and seek the de-allocation of the Strategic Employment site.**

**MMCC point out that in November 2011 it was this same company that persuaded Councillors to pass P/08/1114/OUT on the basis that it would facilitate the Strategic Employment site.**

**5.11.2012**