

*Rydym yn croesawu gohebiaeth yn Gymraeg.  
Rhowch wybod i ni os mai Cymraeg yw eich  
dewis iaith.*

*We welcome correspondence in Welsh. Please  
let us know if your language choice is Welsh.*



**Gwasanaethau Gweithredol a Phartneriaethol /  
Operational and Partnership Services**

Deialu uniongyrchol / Direct line /: 01656 643148  
Gofynnwch am / Ask for: Mr Mark Anthony Galvin

Ein cyf / Our ref:  
Eich cyf / Your ref:

**Dyddiad/Date: 23 September 2016**

Dear Councillor,

**DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held in the Council Chamber, Civic Offices Angel Street Bridgend CF31 4WB on **Thursday, 29 September 2016 at 2.00 pm.**

**AGENDA**

1. Apologies for Absence  
To receive apologies for absence from Members.
2. Declarations of Interest  
To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are also Town and Community Councillors, in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008. Members having such dual roles should declare a personal interest in respect of their membership of such Town/Community Council and a prejudicial interest if they have taken part in the consideration of an item at that Town/Community Council contained in the Officer's Reports below.
3. Site Visits  
To confirm a date of Wednesday 26 October 2016 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
4. Approval of Minutes 3 - 6  
To receive and confirm the Minutes of a meeting of the Development Control Committee dated 1 September 2016
5. Public Speakers  
To advise Members of the names of the public speakers listed to speak at today's meeting (if any).
6. Amendment Sheet 7 - 16

That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.

7.	<u>Development Control Committee Guidance</u>	17 - 20
8.	<u>Officer's Reports</u>	
(a)	P/16/578/BCB - East of Heol Yr Ysgol, Tondu	21 - 32
(b)	P/16/603/BCB - Land off Penprysg Road, Pencoed	33 - 52
(c)	P/16/547/FUL - Penybont Football Club, Bryntirion Park, Llangewydd Road, Cefn Glas	53 - 62
(d)	P/16/373/FUL - Porthcawl Harbourside, Cosy Corner, Porthcawl	63 - 78
(e)	P/15/876/FUL - Rear of 46 John Street, Porthcawl	79 - 86
(f)	P/16/557/FUL - Block C, Unit 14, Parc Y Bont, Aneurin Bevan Avenue, Brynmenyn Ind. Estate, Brynmenyn	87 - 94
9.	<u>Development Control Committee Site Visit Panel</u>	95 - 96
10.	<u>Appeals</u>	97 - 98
11.	<u>Training Log</u>	99 - 100
12.	<u>BCBC - Joint Housing Land Availability Study 2016</u>	101 - 130
13.	<u>Bridgend Local Planning Authority - Annual Performance Report 2016</u>	131 - 132
14.	<u>Urgent Items</u> To consider any other item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency	

Yours faithfully

**P A Jolley**

Corporate Director Operational and Partnership Services

**Distribution:**

Councillors:

N Clarke  
GW Davies MBE  
PA Davies  
L Ellis  
CA Green  
DRW Lewis

Councillors

JE Lewis  
HE Morgan  
LC Morgan  
D Patel  
JC Spanswick  
G Thomas

Councillors

M Thomas  
JH Tildesley MBE  
C Westwood  
R Williams  
M Winter  
RE Young

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 1 SEPTEMBER 2016 AT 2.00 PM

Present

Councillor M Thomas – Chairperson

GW Davies MBE	PA Davies	CA Green	DRW Lewis
JE Lewis	HE Morgan	LC Morgan	JC Spanswick
G Thomas	JH Tildesley MBE	C Westwood	R Williams
M Winter	RE Young		

Officers:

Rhodri Davies	Development & Building Control Manager
Julie Ellams	Democratic Services Officer - Committees
Craig Flower	Planning Support Team Leader
Tony Godsall	Traffic & Transportation Manager
Susan B Jones	Development Planning Manager
Gary Jones	Head of Democratic Services
Rod Jones	Senior Lawyer
Jonathan Parsons	Group Manager Development
Andrew Rees	Senior Democratic Services Officer - Committees
Leigh Tuck	Senior Development Control Officer

791. APOLOGIES FOR ABSENCE

Apologies for absence were received from the following Members:

Councillor N Clarke  
Councillor D Patel

792. DECLARATIONS OF INTEREST

The following declarations of interest were made:

Councillor R Williams – P/16/553/FUL – Personal interest as a Member of Pencoed Town Council but takes no part in the consideration of planning matters.

Councillor GW Davies – P/16/495/FUL – Personal interest as a Member of Maesteg Town Council but takes no part in the consideration of planning matters and a prejudicial interest as he is known to one of the objectors. Councillor Davies withdrew from the meeting during consideration of the item.

793. SITE VISITS

RESOLVED: That the date for site inspections (if any) arising from the meeting or identified in advance of the next meeting of the Committee by the Chairperson was confirmed as Wednesday 28 September 2016.

794. APPROVAL OF MINUTES

RESOLVED: That the Minutes of the meeting of the Development Control Committee of 4 August 2016, be approved as a true and accurate record.

795. PUBLIC SPEAKERS

There were no public speakers.

796. AMENDMENT SHEET

There was no Amendment Sheet.

797. P/16/495/OUT THE GARTH INN 140 BRIDGEND ROAD MAESTEG CF34 0NE

RESOLVED: That the following application be granted, subject to the conditions contained in the report of the Corporate Director Communities:

Code No.                      Proposal

P/16/495/OUT                  Outline for 1 no. detached dwelling in rear garden of The Garth Inn

798. P/16/553/FUL 48 MINFFRWD ROAD, PENCOED CF35 6SD

RESOLVED: That the following application be granted, subject to the conditions contained in the report of the Corporate Director Communities:

Code No.                      Proposal

P/16/553/FUL                  Ground floor rear extension (Kitchen, dining, utility, bedroom), first floor dormer to provide access to sun deck/balcony

799. APPEALS

RESOLVED: That the following Appeals received as outlined in the report of the Corporate Director – Communities be noted:-

Code No.                      Subject of Appeal

A/16/3155147 (1776)          Erection of detached bungalow in garden, in lieu of      previously approved garage: garden of 19 Priory Gardens, Bridgend

A/16/3155051 (1777)          Remove detached garage and replace with a two storey granny annex: 63 Ewenny Road, Bridgend

A/16/3154814 (1778)          Relax condition 2 of P/98/555/FUL to extend opening hours until 12.30am Sundays-Wednesdays, 2.30am Thursdays, 3.30am Fridays & 4.30am Saturdays: 33 Market Street, Bridgend

A/16/3156036 (1779) Proposed detached dwelling: Land adjacent to 13 Heol Tre Dwr, Waterton, Bridgend.

800. TRAINING LOG

The Group Manager Development reported on an updated training log.

RESOLVED: That the report of the Corporate Director Communities be noted.

801. YSGOL BRYN CASTELL, BRIDGEND PHASE 2 DEVELOPMENT AND PLANNING BRIEF

The Development Planning Manager sought approval of the Ysgol Bryn Castell (Phase 2) Development and Planning Brief as a material consideration in the determination of future planning applications.

She reported that the former Ysgol Bryn Castell school has been relocated to the re-modelled Ogmores Comprehensive site in Bryncethin as part of the Council's School Modernisation Programme. She stated that part of the former Ysgol Bryn Castell school site has already been released and residential development is currently under construction on Phase 1.

She also reported to assist in the future development process and the disposal of Phase 2, a Development and Planning Brief had been undertaken by planning consultants. Its intention was to provide a framework for the redevelopment of the site and to demonstrate there are no significant technical constraints that could not be overcome with regard to its future development. She stated that the document had been developed in consultation with officers, including Highways, who are satisfied that the highway and access arrangements proposed are appropriate.

The Development Planning Manager summarised the contents of the Development Planning Brief in the context of an overview of the site; the planning policy context; constraints / opportunities and technical investigations; design principles and parameters and planning obligations.

RESOLVED: That the Ysgol Bryn Castell Development and Planning Brief be approved as Development Control guidance, to be used as a material consideration in the determination of future planning applications for the site.

802. URGENT ITEMS

There were no urgent items.

The meeting closed at 2.25 pm

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**DEVELOPMENT CONTROL COMMITTEE**

**29 SEPTEMBER 2016**

**AMENDMENT SHEET (AS) - circulated by email 28 September 2016  
Incorporating matters arising from  
Pre-Development Control Committee Meeting  
(Item number preceded by ASA)**

**The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.**

<b>ITEM NO.</b>	<b>PAGE NO.</b>	<b>APP. NO.</b>
<b>(AS) 8a</b>	<b>11</b>	<b>P/16/578/BCB</b>

A full Development Control Committee site visit was undertaken on Wednesday 28 September 2016.

The Local Ward Member, who is also a DC Committee Member, and three local residents attended the site visit.

### **RECOMMENDATION**

Condition 1 should be re-worded as follows:

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 900003, 010001, 010002, 020001, 900004, 1214-01 Rev D and the conclusions and recommendations included within Jubb's Transport Assessment.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of the safety and free flow of traffic.

Amend condition 14 to read:

14. Prior to the commencement of development, a comprehensive scheme of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority which shall restrict 85%ile traffic speeds to 20mph on the school access road from its junction with Heol yr Ysgol and the school access. The approved scheme shall be implemented prior to the development being brought into beneficial use.

Add Condition 19 as follows:

19. The approved school shall not be brought into beneficial occupation until the improvement works to the following junctions have been implemented:

Heol yr Ysgol/Bryn Road  
Heol Cwrddy/Heol Canola

Reason: In the interests of the safety and free flow of traffic.

Change the numbering for the “\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS” section of the recommendation from 19 to 20.

Add informative notes:



The approved traffic calming scheme shall incorporate pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit.

The development shall include for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix C of the submitted Transport Assessment.

### **(ASA)**

Amend additional Condition 19 as follows:

19. No development shall commence until details of extended access road into the school site from the junction with the access to Coleg Cymunedol y Dderwen and improvements to the Heol yr Ysgol/Bryn Road and Heol Cwrdy/Heol Canola junctions have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and the approved school shall not be brought into beneficial occupation until the improvement works have been implemented:

Reason: In the interests of the safety and free flow of traffic.

Add informative note:

The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain target, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.

**(AS) 8b**

**23**

**P/16/603/BCB**

The application was subject to a Committee Site Visit which took place on Wednesday 28 September 2016.

The Ward Members, Councillors J McCarthy and R Williams, Pencoed Town Councillors Mrs McCarthy and Mr D John and one local resident, Mr H Butler, were also in attendance.

Having reviewed the recommended conditions, conditions 2-5 need to be combined to form one condition, conditions 10-12, 15 and 19 need to be amended, conditions 16 and 17 are not considered to satisfy the tests laid down by Section 3 of the Welsh Government Circular on the Use of Conditions for Development Management 2014 and should be removed and an additional note is required.

### **RECOMMENDATION**

Combine conditions 2-5, amend conditions 10-12, 15 and 19, remove conditions 16 and 17 and add a note. For ease of reference the revised conditions and notes are as follows:-

1. The development shall be carried out in accordance with the following approved plans and documents:-

## **ARCHITECTURAL DRAWINGS**

A001 - Site Location Plan  
A002 - Existing Site Layout / Topographical Survey  
A100 - Proposed Site Layout Overall  
A101 - Proposed Site Layout Area 1  
A102 - Proposed Site Layout Area 2  
A103 - Proposed General Arrangement Ground Floor Plan  
A104 - Proposed General Arrangement First Floor Plan  
A105 - Proposed General Arrangement Elevations  
A119 - Site Layout Contractors Constraints  
A120 - Hoarding Details / Temporary Works / Site Sign Board  
A123 - Proposed 3D Model  
A600 - External Signage  
A909 - Fencing Details (Sheet 1)  
A910 - Fencing Details (Sheet 2)  
A911 - External Works – Sections (Sheet 1)  
A912 - External Works – Sections (Sheet 2)  
A913 - External Works – Sections (Sheet 3)  
A916 - External Works – Play Area (Sheet 1)  
A917 - External Works – Play Area (Sheet 2)  
A918 - External Works – Planting (Sheet 1)  
A919 - External Works – Planting (Sheet 2)  
A920 - Nursery Store / PE Store

## **DRAINAGE ENGINEERING DRAWINGS**

PCD-CAP-00-00-DR-P-506 Rev P00 - Proposed Surface Water Drainage Layout  
PCD-CAP-00-000-DR-P-507 Rev P01 - Proposed Foul Drainage Layout

## **HIGHWAYS ENGINEERING DRAWINGS**

GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning  
GC2347-CAP-61-XX-DR-C-002 - Contours & Detailed Sections  
GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming  
GC2347-CAP-61-XX-DR-E-001 - Proposed Lighting Arrangements

## **OTHER DOCUMENTS**

Ecological Appraisal & Summary of BREEAM Ecology Credits  
Ecology BREEAM Summary Report  
BREEAM Pre-Assessment Report  
Drainage Strategy Report  
Traffic Impact Assessment  
Site Investigation Report

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. No development shall take place, including any works of site clearance until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-
  - I. The routing of HGV construction traffic to/from the site
  - II. The parking of vehicles of site operatives and visitors;

- III. A scheme for the provision of a compound and car park for construction vehicles
- IV. Loading and unloading of plant and materials;
- V. Storage of plant and materials used in constructing the development;
- VI. Mechanical, automatically operated, self-contained wheel washing facilities
- VII. A temporary/permanent access road/hardstanding
- VIII. Measures to control the emission of dust and dirt during construction;
- IX. The provision of temporary traffic management during the construction period;
- X. No construction vehicles entering or leaving the site during the periods of half hour either side of the times school commencing and ending.
- XI.

The construction works and site clearance shall thereafter be undertaken in accordance with the agreed Construction Method Statement and shall be retained for the duration of the site clearance and construction works.

Reason : In the interests of highway safety.

- 3. The proposed school access onto Penprysg Road shall be laid out with vision splays of 2.4m x 25m before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

- 4. No structure, erection or planting exceeding 0.6 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

- 5. The submitted scheme of bus/parent drop off and staff parking to the south of the school building shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

- 6. The submitted scheme of off street parking to the rear of numbers 40-50 (evens) Penprysg Road shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

- 7. The school shall not operate until such time as the school access road, from its junction with Penprysg Road to the school gates, has been completed.

Reason: To ensure safe vehicular and pedestrian access to the site in the interests of highway safety.

- 8. No development shall take place until a comprehensive scheme for traffic calming restricting 85% tile traffic speeds to 20 mph on Penprysg Road, between its junction

with Minffrwd Road to the north and its junction with Wimborne Road to the south has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented prior to the school being brought into beneficial use.

Reason: In the interests of highway safety.

9. No development shall take place until a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall be clearly demarcated in permanent materials and signage erected in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

10. The school shall be limited to no more than 611 pupils.

Reason: In the interests of highway safety.

11. Notwithstanding condition 1 no works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle links from the school to Cae'r Efail and Cae Talcen. The links shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

12. No development shall commence until a until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road, land and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface, roof/yard and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

13. No development shall commence until a site clearance method statement providing details for avoidance of harm to reptiles on site, has been submitted to and agreed by the Local Planning Authority. The measures shall be carried out in accordance with the agreed scheme.

Reason: In order to protect habitats for reptiles.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. The development should seek to employ current best practice and the most current advice and guidance. With specific reference to ecological matters, Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Attention is drawn to the Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach:-

<http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf>

This Guidance seeks to inform schemes and provide practical advice in respect of ecological enhancements and the resilience of ecosystems.

- b. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.
- c. Trees and hedgerows provide habitat to a number of protected species, including bats and birds. British bats, their breeding sites and resting places are protected by law under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an offence to damage or destroy a bat breeding site or resting place (sometimes referred to as a roost) whether the animal is present at the time or not, intentionally or recklessly obstruct access to a place used for shelter and protection or deliberately capture, injure, kill, or disturb a bat/bats.
- d. With respect to condition 7, the scheme should incorporate relocated bus stop facilities, carriageway and footway realignment, pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit.
- e. The developer is advised that a scheme for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix O of the submitted Transport Assessment will be required and the improved routes should be provided before the development is brought into beneficial use and retained in perpetuity.
- f. The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.

- g. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- h. The applicant may need to apply to Dwr Cymru/Welsh Water DCWW) for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- i. The applicant is also advised that some public sewers and lateral drains may not be recorded on the DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- j. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.
- k. No surface water is allowed to discharge to the public highway.
- l. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- m. In order to satisfy condition 12 the following advisory notes should be followed:-
- Submit Flood Defence Consent applications for both proposed discharge points
  - Provide details of locations at risk of flooding as identified by Microdrainage and provide flood prevention measures for these areas if proposed.
  - Provide further details regarding the location, sizing and discharge point of the existing piped spring.
  - Provide an updated drainage strategy showing the position of the existing ditch and watercourse as previously discussed.
  - Provide confirmation of undertaking of cleansing of the NR culvert and letter of acceptance of connecting to the culvert from NR

- n. Prior to any works commencing on the highway the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.
- o. Your attention is drawn to the attached comments of the Designing out Crime Officer.

**(ASA)**

Conditions 1, 2 and 7 and Note d require further amendments.

**RECOMMENDATION**

Amend condition 1 by adding Rev P02 to GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning to and removing GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming from the list of Highways Engineering Drawings.

Amend condition 2 by removing XI. As this is a continuation of X.

Amend condition 7 by adding 'in permanent materials' at the end of the condition.

Amend Note d. to read 'With respect to condition 8,.....'

**(AS) 8c                      43                                      P/16/547/FUL**

The applicant's agent has requested deferral of this application for discussions with Highways.

**(AS) 8d                      53                                      P/16/373/FUL**

A full Development Control Committee site visit was undertaken on Wednesday 28 September 2016.

The applicant(s) and agent attended the site visit.

The first sentence of the fifth paragraph on page 53 should read "...building will be sited along the north-western length of the site..."

Add the following to the final sentence of the first paragraph at the top of page 59: "... and it is considered that the scheme will enhance the character and appearance of this part of the Porthcawl Conservation Area."

**(ASA) 8e                      69                                      P/15/876/FUL**

Add the following advice at the end of paragraph 3 on page 72 "... and it is considered that the scheme will enhance the character and appearance of this part of the extended Porthcawl Conservation Area in compliance with Strategic Policy SP5 of the Local Development Plan and advice contained within Planning Policy Wales."

The applicant has provided additional information in respect of the packaging of the pet and equine cadavers. It does not, however, obviate the need for an operation management statement as required by Condition 14.

**(ASA)**

For the avoidance of doubt, whilst the description of development refers to “.. in addition to the current use” the application site is a vacant industrial unit on the Brynmenyn Industrial Estate.

**MARK SHEPHARD  
CORPORATE DIRECTOR – COMMUNITIES  
29 SEPTEMBER 2016**



## Development Control Committee Guidance

I submit for your consideration the following report on Planning Applications and other Development Control matters based upon the information presently submitted to the Department. Should any additional information be submitted between the date of this report and 4.00pm on the day prior to the date of the meeting, relevant to the consideration of an item on the report, that additional information will be made available at the meeting.

For Members' assistance I have provided details on standard conditions on time limits, standard notes (attached to all consents for planning permission) and the reasons to justify site inspections.

### STANDARD CONDITIONS

On some applications for planning permission reference is made in the recommendation to the permission granted being subject to standard conditions. These standard conditions set time limits in which the proposed development should be commenced, and are imposed by the Planning Act 1990. Members may find the following explanation helpful:-

#### Time-limits on full permission

Grants of planning permission (apart from outline permissions) must, under section 91 of the Act, be made subject to a condition imposing a time-limit within which the development authorised must be started. The section specifies a period of five years from the date of the permission. Where planning permission is granted without a condition limiting the duration of the planning permission, it is deemed to be granted subject to the condition that the development to which it relates must be begun not later than the expiration of 5 years beginning with the grant of permission.

#### Time-limits on outline permissions

Grants of outline planning permission must, under section 92 of the Act, be made subject to conditions imposing two types time-limit, one within which applications must be made for the approval of reserved matters and a second within which the development itself must be started. The periods specified in the section are three years from the grant of outline permission for the submission of applications for approval of reserved matters, and either five years from the grant of permission, or two years from the final approval of the last of the reserved matters, whichever is the longer, for starting the development.

#### Variation from standard time-limits

If the authority consider it appropriate on planning grounds they may use longer or shorter periods than those specified in the Act, but must give their reasons for so doing.

### STANDARD NOTES

- a. Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.
- c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter).

To determine whether your building work requires Building Regulation approval, or for other services provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at:- <http://www.bridgend.gov.uk/buildingcontrol>

- d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development
- e. Attention is drawn to the provisions of the party wall etc. act 1996
- f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.
- g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136
- h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)
- i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-  
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>
- j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)
- k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or [www.coal.gov.uk](http://www.coal.gov.uk)
- l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.
- m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-
  - re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
  - increase in the volume of a building;
  - increase in the height of a building;
  - changes to the site area;
  - changes which conflict with a condition;
  - additional or repositioned windows / doors / openings within 21m of an existing building;
  - changes which alter the nature or description of the development;
  - new works or elements not part of the original scheme;
  - new works or elements not considered by an environmental statement submitted with the application.

- n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).
- o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.
- p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

## **THE SITE INSPECTION PROTOCOL**

The Site Inspection Protocol is as follows:-

### **Purpose**

#### **Fact Finding**

Development Control Committee site visits are not meetings where decisions are made and neither are they public meetings. They are essentially fact finding exercises, held for the benefit of Members, where a proposed development may be difficult to visualise from the plans and supporting material. They may be necessary for careful consideration of relationships to adjoining property or the general vicinity of the proposal due to its scale or effect on a listed building or conservation area.

### **Request for a Site Visit**

#### **Ward Member request for Site Visit**

Site visits can be costly and cause delays so it is important that they are only held where necessary normally on the day prior to Committee and where there is a material planning objection.

Site visits, whether Site Panel or Committee, are held pursuant to:-

1. a decision of the Chair of the Development Control Committee (or in his/her absence the Vice Chair) or
2. a request received within the prescribed consultation period from a local Ward Member or another Member consulted because the application significantly affects the other ward, and where a material planning objection has been received by the Development Department from a statutory consultee or local resident.

A request for a site visit made by the local Ward Member, or another Member in response to being consulted on the proposed development, must be submitted in writing, or electronically, within 21 days of the date they were notified of the application and shall clearly indicate the planning reasons for the visit.

Site visits can not be undertaken for inappropriate reasons (see below).

The Development Control Committee can also decide to convene a Site Panel or Committee Site Visit.

### **Inappropriate Site Visit**

Examples where a site visit would not normally be appropriate include where:-

- purely policy matters or issues of principle are an issue
- to consider boundary or neighbour disputes
- issues of competition
- loss of property values
- any other issues which are not material planning considerations
- where Councillors have already visited the site within the last 12 months, except in exceptional circumstances

### **Format and Conduct at the Site Visit**

#### **Attendance**

Members of the Development Control Committee, the local Ward Member and the relevant Town or Community Council will be notified in advance of any visit. The applicant and/or the applicant's agent will also be informed as will the first person registering an intent to speak at Committee but it will be made clear that representations cannot be made during the course of the visit.

### **Officer Advice**

The Chair will invite the Planning Officer to briefly outline the proposals and point out the key issues raised by the application and of any vantage points from which the site should be viewed. Members may ask questions and seek clarification and Officers will respond. The applicant or agent will be invited by the Chairman to clarify aspects of the development.

The local Ward Member(s), one objector who has registered a request to speak at Committee (whether a local resident or Town/Community Council representative) and a Town/Community Council representative will be allowed to clarify any points of objection, both only in respect of any features of the site, or its locality, which are relevant to the determination of the planning application.

Any statement or discussion concerning the principles and policies applicable to the development or to the merits of the proposal will not be allowed.

### **Code of Conduct**

Although site visits are not part of the formal Committee consideration of the application, the Code of Conduct still applies to site visits and Councillors should have regard to the guidance on declarations of personal interests.

### **Record Keeping**

A file record will be kept of those attending the site visit.

### **Site Visit Summary**

In summary site visits are: -

- a fact finding exercise.
- not part of the formal Committee meeting and therefore public rights of attendance do not apply.
- to enable Officers to point out relevant features.
- to enable questions to be asked on site for clarification. However, discussions on the application will only take place at the subsequent Committee.

### **Frequently Used Planning Acronyms**

AONB	Area Of Outstanding Natural Beauty	PINS	Planning Inspectorate
APN	Agricultural Prior Notification	PPW	Planning Policy Wales
BREEM	Building Research Establishment Environmental Assessment Method	S.106	Section 106 Agreement
CA	Conservation Area	SA	Sustainability Appraisal
CAC	Conservation Area Consent	SAC	Special Area of Conservation
CIL	Community Infrastructure Levy	SEA	Strategic Environmental Assessment
DAS	Design and Access Statement	SINC	Sites of Importance for Nature Conservation
DPN	Demolition Prior Notification	SPG	Supplementary Planning Guidance
EIA	Environmental Impact Assessment	SSSI	Site of Special Scientific Interest
ES	Environmental Statement	TAN	Technical Advice Note
FCA	Flood Consequences Assessment	TIA	Transport Impact Assessment
GPDO	General Permitted Development Order	TPN	Telecommunications Prior Notification
LB	Listed Building	TPO	Tree Preservation Order
LBC	Listed Building Consent	UCO	Use Classes Order
LDP	Local Development Plan	UDP	Unitary Development Plan
LPA	Local Planning Authority		

**REFERENCE:** P/16/578/BCB

**APPLICANT:** BCBC Education Dept. Civic Offices, Angel Street, Bridgend, CF31 4WB

**LOCATION:** East of Heol Yr Ysgol Tondy CF32 9EG

**PROPOSAL:** New primary school with capacity for 420 plus 60 nursery places

**RECEIVED:** 21 July 2016

**SITE INSPECTED:** 7 September 2016

## **APPLICATION/SITE DESCRIPTION**

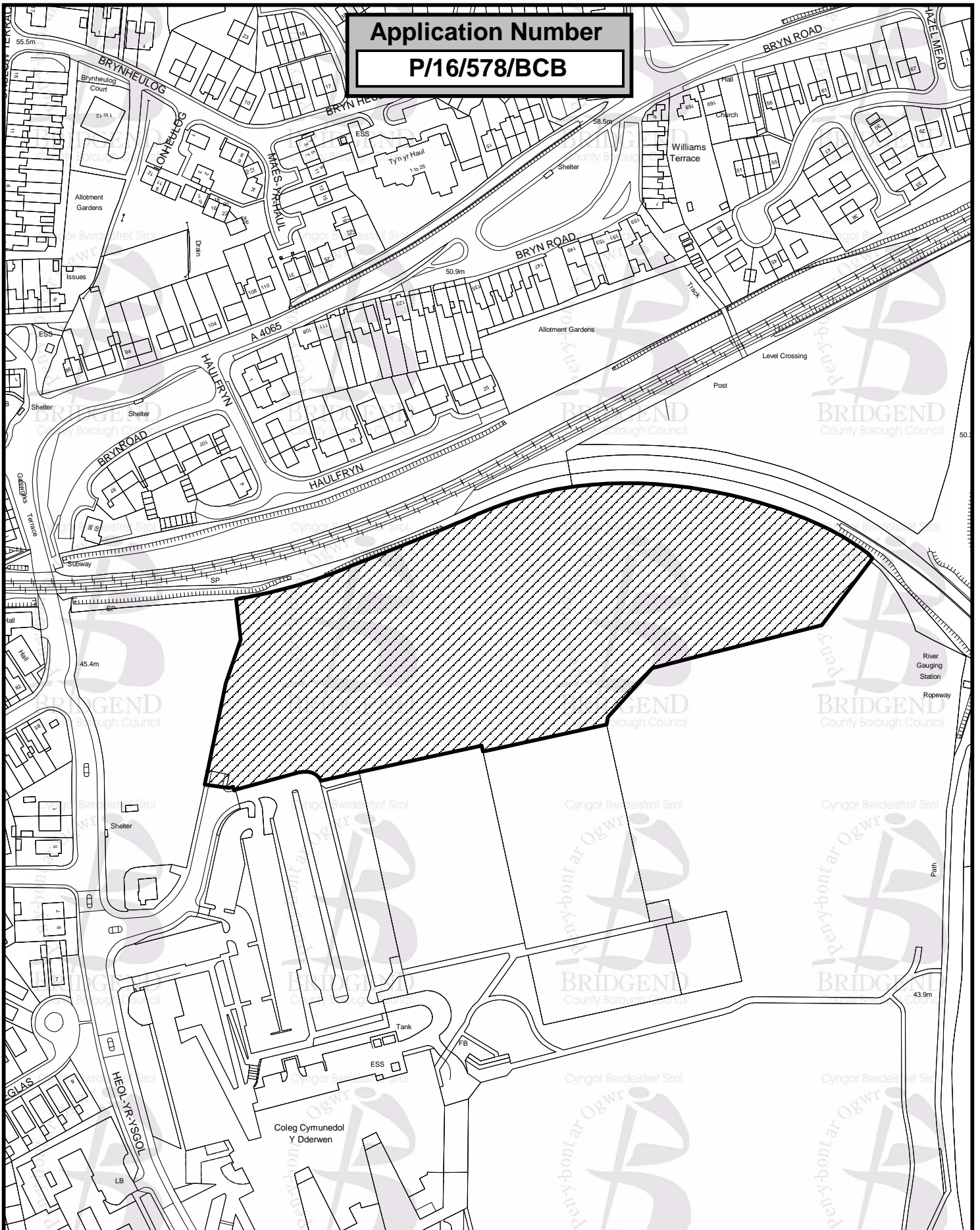
The application proposes the construction of a new Primary School to replace the existing Brynmenyn Primary School and address the rising demand for school places in the Valleys Gateway. The proposed new school would accommodate 420 children plus 60 nursery places and occupy approximately 2.9 hectares of land to the north of the existing Coleg Cymunedol Y Dderwen (CCYD) lying on the eastern side of an access road leading from Heol Yr Ysgol, which already provides access to the car park of the adjoining CCYD Comprehensive School.

The submitted site layout plan shows that the existing access spur will be extended in a north easterly direction before turning eastwards to run along the northern site boundary with a further deflection south eastwards where it becomes a cycle route. Access into the school site will be created close to the apex of the bend in the new section of highway before it turns eastward. On the southern side of the site entrance a staff car parking area will be created together with an access for delivery vehicles. This staff car parking area includes 37 parking spaces together with three larger disability spaces. On the north eastern side of the site access a parent drop off/pick up zone containing 39 spaces arranged in an extended horseshoe with one way traffic circulation is to be created. 16 cycle/scooter parking facilities are to be located to the south of the drop off/pick up zone. A further 17 cycle/scooter spaces are to be provided on the southern side of the building at the rear of the service yard area.

The new school building will be located to the east of the staff car park and will have an overall length of 75m with a stairwell with WCs and storage projecting a further 6m from the southern infants' wing of the school. At its widest, at the front of the school where the kitchen facilities are proposed on the southern side across to the administration facilities on the northern side, the building will measure 28.5m wide. The front section of the building, which accommodates the admin facilities, large and small school halls and kitchen facilities, will be single storey with mono-pitched roofs reaching a maximum height of 8.65m over the halls and kitchen with a southerly facing roof slope and 6m over the admin section having a northerly facing roof slope. The remainder of the building, which accommodates the classrooms with ancillary facilities, will be two storey and like the front section will have mono-pitched roofs reaching a maximum of 12m in height for the south facing roof plane and 9.5m on the northern facing roof plane. The nursery, reception and infants classrooms will be located on the ground floor with eight junior school classrooms, staff room and ancillary teaching facilities sited at first floor level. The submitted plans show that photovoltaic solar panels are to be installed on the south facing roof plane of the single storey section of the building.

Application Number

P/16/578/BCB



Scale 1:2,500

Date Issued:  
23/09/2016

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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(100023405)

(c) Cities Revealed Aerial Photography  
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A palette of contemporary materials has been selected for the exterior of the proposed school building. The materials listed on the elevational drawings, however, appear reasonably standard including buff brickwork, white cladding panels, grey seamed metal roof, dark grey aluminium framed windows and dark grey rainwater goods. A clear canopy supported on steel posts will project from the southern elevation to cover the infant classroom entrances on this side of the building.

Externally hard surfaced areas are to be provided on the northern and southern sides of the building and designated for use by each of the key stage departments of the school. On the eastern side of the building two hard surfaced multi-use games courts together with three football pitches appropriately sized according to age. A small allotment area and outdoor learning area are also to be provided within the school grounds.

The application site lies to the north of Coleg Cymunedol Y Dderwen and south of a non-operational section of railway line. It was noted during the site inspection that the majority of the area is covered by grass although a line of trees runs along the boundary between the site and the railway line. The tree line also follows the curvature of the north eastern site boundary and separates the proposed school playing fields from the roughly triangular area of land also within the Valleys Gateway Strategic Regeneration Growth Area. The topography of the site is generally level with just a gradual fall across the site from the eastern side to the western side of just over 1m.

The application has been accompanied by a Site Investigation Report, Phase 1 Habitat Survey, Coal Mining Report, Ecological Assessment, Flood Consequence Assessment, Transport Assessment and School Travel Plan.

## **RELEVANT HISTORY**

None on the application site.

## **PUBLICITY**

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 22 August 2016

## **CONSULTATION RESPONSES**

Welsh Water Developer Services - No objection subject to condition.

Destination & Countryside Management - No objection subject to conditions.

Natural Resources Wales - No objection subject to condition.

Councillor L C Morgan - Considers the application can be determined under officer delegated powers.

Head of Street Scene (Drainage) - No objection subject to condition.

Head of Street Scene (Highways) - No objection subject to conditions.

## **REPRESENTATIONS RECEIVED**

Seven letters have been received from local residents objecting to the proposed development. The grounds of objection can be summarised as follows:-

1. Traffic generation - Residents consider that the existing highways serving the area, which already serves the adjoining Coleg Cymunedol Y Dderwen with its 1,000 pupils, are at capacity and therefore are not capable of serving the additional school.
2. Insufficient parking provision within the development - Objectors highlight that there has been no calculation of the number of off site parking spaces needed and consideration given to where these vehicles will park. The School Travel Plan, which accompanies the submission, acknowledges that currently 42.5% of pupils attending the existing Brynmenyn Primary School travel by car and therefore the proposal to provide only 39 parent drop off/pick up spaces will create a significant shortfall. This will result in parking being displaced to the surrounding residential streets to the detriment of local residents as there is no alternative parking facility available. In addition, there is no public transport alternative and cycling routes to the proposed school are only suitable to a small number of properties at the northern end of Heol Yr Ysgol with no intentions to improve this situation.
3. Area of land adjacent to the site could be used to alleviate parking problems but this is being sold and developed for a 15 bed care unit and 25 apartments.
4. Increased Traffic Congestion & Concerns over Pedestrian Safety - The Transport Assessment suggests improvements to the junction of Heol Yr Ysgol and Bryn Road. Objectors note that further parking restrictions are proposed together with a yellow box marking at this junction. Residents in Bryn Road have no alternative to on street parking so that any proposal to introduce parking restrictions in this area would be unreasonable. The introduction of a box junction would also be inappropriate due to queuing traffic on Bryn Road and in particular any manoeuvre to turn right out of Heol Yr Ysgol would be extremely dangerous. It is also highlighted that, in addition to traffic congestion, the increase in volume of traffic will adversely impact on pedestrian safety.
5. Wider Highway Network - Report does not consider wider traffic congestion and in particular the Brynmenyn Level Crossing given that, pupils attending the school, may be drawn from this area. At present there are significant problems due to parked vehicles on Abergarw Road close to the Post Office.
6. Biodiversity - Although classified as brownfield, biodiversity in the area has flourished since the demolition of the former Archbishop McGrath School. The trees along the northern site boundary in particular should be adequately protected during the development and the mitigation measures proposed in the Ecological Assessment fully implemented.
7. Construction Phase - Residents have already had to endure significant disruption, dust, noise and dirt during the construction of Coleg Cymunedol Yr Dderwen. This will be exacerbated during the construction phase.
8. Domination of Outlook - Residents of the properties on the opposite side of Heol Yr Ysgol are concerned that the proposed buildings will dominate their view.

#### **COMMENTS ON REPRESENTATIONS RECEIVED**

The following observations are provided in response to the objections raised by local residents:-



1. Traffic Generation - It is acknowledged that the existing highway network will serve both the existing CCYD comprehensive school and this proposed new primary school. In order to address concerns regarding the network's capacity, it is proposed to stagger the opening and closing times of the respective schools via condition so as to create a time difference between the operational times of the two schools.

2. Insufficient Parking - The staggering of the operational times of the two schools and the use of a School Travel Plan will assist in relieving some of these concerns.

3. Use of Adjoining Land - That the application site forms part of a much larger mixed use allocation within the Bridgend Local Development Plan as the Valleys Gateway Strategic Regeneration Growth Area (Policy PLA3(13) refers). A separate application, for a 15 bed space care unit with 25 apartment extra care facility together with nineteen affordable housing units, has been received in respect of this land. There is, therefore, no land available to provide overspill parking for the Primary School. Nevertheless the parking arrangements are considered acceptable.

4. Traffic Congestion & Pedestrian Safety - The suggested improvements to the junction of Heol Yr Ysgol and Bryn Road have been assessed by the Authority's independent Highway Consultants. The response on this issue will be included within the Highway Department's observations.

5. Wider Highway Network - Given that the School's catchment area will include developments to the east of the level crossing (including the Redrow Development at Abergarw and the recently approved Persimmon Development on the former Ogmor Comprehensive School Playing Field), further consideration could be given to potential improvements in this area.

6. Biodiversity - The application has been accompanied by an Ecological Assessment together with a supplemental reptile survey. The development will be required to implement the recommendations contained within these documents via the imposition of appropriately worded conditions. It is also noted that Natural Resources Wales has suggested that conditions be imposed to address concerns regarding the impact of the development on local biodiversity. The suggested condition requires a further survey of the trees within the woodland adjacent to the site but as this area lies outside the application site boundary, it is not considered appropriate to include such a condition. A condition requiring protective fencing along the site boundary will, it is considered, prevent any encroachment into this area.

7. Construction Phase - In order to minimise disruption for both the local residents and the adjoining school, it is anticipated that a condition requiring a Construction Method Statement would go a significant way to addressing this issue.

8. Domination of Outlook - Given the proposed school entrance would be located approximately 100m away from the nearest dwelling with the proposed school building set back a further 50m behind the fence line between the back edge of the highway and the staff car parking area, the impact would not be so significant as to warrant refusal for this reason.

## **APPRAISAL**

The application is referred to Committee to consider the objections raised by local residents.

The application seeks deemed consent to construct a new 420 place Primary School incorporating a further 60 space nursery facility on land to the north of the existing Coleg Cymunedol Y Dderwen (CCYD) off Heol Yr Ysgol, Tondu, Bridgend. Access to the new school is to be obtained by extending the existing access spur from Heol Yr Ysgol leading to the staff, visitor and bus parking areas serving CCYD.

The application site forms part of the Valleys Gateway Strategic Regeneration Growth Area as designated by Policy PLA3(13) of the Bridgend Local Development Plan(LDP). The Policy seeks to regenerate brownfield and under-utilised sites within defined settlements with an appropriate mix of land uses. The development of each of the designated regeneration sites will be undertaken in accordance with a development brief or appropriate highway agreements, which are required to be agreed with the Authority prior to development commencing. In this case, in addition to the proposed new primary school, the land to the west of the application site is the subject of a separate application for a 15 bed space care unit, a 25 apartment extra care facility and 19 affordable housing units. The proposed development of a primary school on the land is therefore, in principle, compatible with this Policy.

Policy COM10 of the LDP states that land will be allocated and safeguarded for the provision of educational and training facilities at a number of locations throughout the County Borough including this Gateway to the Valleys site at Tondu.

In terms of design, Policy SP2 of the LDP 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. The Policy establishes fifteen criteria against which development proposals will be assessed and in respect of this application, it is considered that criteria 1,2,3,4,6,7,10,12,13,14 & 15 would be relevant.

The first four criteria require the design to respect or enhance the local character of the area, be of an appropriate scale, use land efficiently and thereby comply with national policy. The design of the proposed school is considered to be compatible with the adjoining Comprehensive School in terms of design and scale and incorporates appropriate levels of playing facilities. It is therefore considered that, the proposed development is compatible with these criteria.

Criterion 6 requires development proposals to have good linkages within and outside the site to ensure efficient access. The application has been accompanied by a Transport Assessment, which has been considered by the Authority's own transport consultants. The Highways Department has advised that, subject to appropriate conditions, the access and parking arrangements are acceptable.

Similarly, criterion 10 requires development to safeguard and enhance biodiversity and green infrastructure. An Ecological Assessment together with a subsequent reptile survey has been submitted with the application and these reports identify mitigation measures. It is proposed to include appropriately worded conditions to ensure that the identified mitigation measures and safeguards during the construction phase are implemented.

This requirement reflects Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been

replaced by a “biodiversity and resilience of ecosystems duty” under Section 6 of the Environment (Wales) Act 2016 which came into force on 21<sup>st</sup> March, 2016.

Section 6 (1) states that “a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.” Section 6(2) goes on to state that “In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.”

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the application site and the proposed safeguarding, mitigation measures, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity.

The next criterion (12) aims to ensure that the viability and amenity of neighbouring occupiers will not be adversely affected. It is noted that, at the present time, there are no adjoining residential occupiers and therefore the proposed development would be compatible with the criterion. Due regard has, however, been taken of the impact the proposed primary school will have on the proposed residential development on land to the west on the other side of the access road. It is considered that the school has been set back behind the staff car parking area. In addition, the school has been designed so that the front elevation will be only single storey in scale so that the impact of these future neighbours will be further reduced and, overall, it is considered that the impact will not be so significant as to warrant refusal of the scheme.

Criterion 13 requires development to incorporate appropriate arrangements for the disposal of foul sewage, waste and water. The Land Drainage Engineers are satisfied that subject to a condition suitable arrangements can be provided. The final two criteria aim for development to make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change and also appropriately contribute toward local physical, social and community infrastructure. The applicant has confirmed that measures, such as the solar photovoltaic panels on the south facing roof planes of the building, will be incorporated into the building so that the building aims to achieve an "Excellent" rating under the BREEAM assessment in line with Assembly Government funding requirements. As the function of the building is to contribute to local social and community infrastructure, it is considered that criterion 15 will also be satisfied.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development rather the proposed development will contribute to a more cohesive community and incorporates in the design features which demonstrate that it is seeking to contribute to global responsibilities in relation to climate change.

During the processing of this application Policies PLA3(13), COM10(5) and SP2 of the Bridgend Local Development Plan were considered.

## **CONCLUSION**

This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, neighbours' amenities or visual amenities nor so significantly impacts on highway safety as to warrant refusal.

## **RECOMMENDATION**

(R28) That in accordance with Regulation 4 of the Town and Country Planning General Regulations 1992, that permission be deemed to be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 900003, 010001, 010002, 020001, 900004, 1214-01 Rev D.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding the approved plans, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

3. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how the foul, road, and road/yard water will be dealt with, including future maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the drainage system shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use.

Reason : In the interest of providing safe drainage for the site and to ensure that flood risk is not increased.

4. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The landscape management plan shall be carried out as agreed.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

5. Notwithstanding the approved plans, details of a scheme of fencing to protect the trees along the northern site boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The fencing shall thereafter be erected in accordance with the agreed scheme prior to any equipment, machinery or materials being brought onto the site for the purposes of the development. The agreed fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason : To safeguard the trees outside but adjoining the site in the interests of both visual amenity and biodiversity.

6. Any site clearance works shall be undertaken in accordance with the method statement described in Section 2 of the Reptile Method Statement prepared by David Clements Ecology Ltd and dated August, 2016 and thereafter throughout the development, the mitigation measures identified as recommendations contained in Section 6 of the Ecological Assessment shall be implemented in full.

Reason : In the interests of biodiversity and nature conservation.

7. No development shall commence on site until a detailed external lighting plan, demonstrating that the lighting impact on the adjacent wooded habitat has been minimised, has been submitted to and agreed in writing with the Local Planning Authority. Thereafter any external lighting shall be implemented in accordance with the agreed scheme prior to the lighting being brought into use.

Reason : In the interests of biodiversity and safeguarding the natural environment.

8. No development shall take place, including any works of demolition/site clearance until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-

i The routing of HGV construction traffic to/from the site in order to avoid Bryn Road;

- ii The parking of vehicles of site operatives and visitors;
- iii Loading and unloading of plant and materials;
- iv Storage of plant and materials used in constructing the development;
- (v) Wheel washing facilities;
- (vi) Measures to control the emission of dust and dirt during construction;
- (vii) The provision of temporary traffic and pedestrian management along Heol Yr Ysgol and Bryn Road.

The construction works and site clearance shall thereafter be undertaken in accordance with the agreed Method Statement.

Reason : In the interests of highway safety.

9. No construction vehicles shall enter or leave the site during the periods of half hour either side of the times of the adjoining Coleg Cymunedol Y Dderwen School commencing and ending.

Reason : In the interests of highway safety.

10. The proposed school access onto the extended access road shall be laid out with vision splays of 2.4m by 25m before the development is brought into beneficial use and retained as such in perpetuity.

Reason : In the interests of highway safety.

11. No structure, erection or planting exceeding 0.6 metres in height above the adjacent carriageway level shall be placed within the required vision splay areas.

Reason : In the interests of highway safety.

12. The submitted scheme of parent drop-off/pick-up, staff car parking and service yard area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials prior to the School being brought into operation.

Reason : In the interests of highway safety.

13. No development shall commence until a School Opening & Closing Time Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The School shall open only in accordance with the agreed Management Plan once the development is brought into beneficial use.

Reason : In the interests of highway safety.

14. Prior to the commencement of development, a comprehensive scheme of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority, which shall restrict 85%tile traffic speeds to 20mph on the school access road from its junction with Heol Yr Ysgol and the school access. The approved scheme shall incorporate pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit which shall be submitted to and agreed in writing by the Local Planning Authority before any works commence. The agreed scheme shall thereafter be implemented prior to the development being brought into beneficial use.

Reason : In the interests of highway safety.

15. Prior to the commencement of development, a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall thereafter be clearly demarcated in permanent materials and the signage erected in accordance with the approved scheme prior to the development being brought into beneficial use and shall be retained in perpetuity.

Reason : In the interests of highway safety.

16. The school shall be limited to no more than 480 pupils.

Reason : In the interests of highway safety

17. Prior to the commencement of development, a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle link from the school to National Cycle Route 4 to the North East of the School. The link shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason : In the interests of promoting sustainable means of travel to/from the School.

18. No development shall commence on site until a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle link from Heol Y Fferm to National Cycle Route 4 adjacent to Heol Y Bont. The link shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason : In the interests of promoting sustainable means of travel to/from the site.

19. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, neighbours' amenities or visual amenities nor so significantly impacts on highway safety as to warrant refusal.

(b) No surface water is allowed to discharge to the public highway.

(c) No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

(d) In order to satisfy Condition 3, the following level of information will be required:-

- Provide either further ground investigations confirming the feasibility of using a soakaway at test location SA3 or updated schematic drawings of a new proposed location of the soakaway;
- Provide drainage details for the proposed sport fields;
- Provide clarification for the agreement of the submitted microdrainage calculations that note flooding from Node PN2.001
- Provide details for the proposed highway drainage system
- Provide agreement from Dwr Cymru/Welsh Water of the proposed foul connection to the main sewer.

(e) The observations received from Dwr Cymru/Welsh Water are attached for the developer's information and consideration.

(f) The School Opening and Closing Time Management Plan is required in order to mitigate the impact of the development on the surrounding highway network by providing a stagger in the school opening and closing times as identified in the submitted Transport Assessment. The plan required by the condition will need to contain sufficient information in respect of:

- i Opening and Closing times of the proposed school including details of breakfast and after school clubs;
- ii Open and Closing times of the adjacent Coleg Cymunedol Y Dderwen including details of after school clubs;
- iii Arrangements for opening/closing gates to the car park out of hours;
- iv The need to review the plan in the event that any of the above arrangements change or at the request of the Highway Authority.

(g) Prior to any works commencing on the highway, the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None



**REFERENCE:** P/16/603/BCB

**APPLICANT:** Bridgend County Borough Council  
Director of Education & Family Support  
Level 2 Civic Offices, Angel Street, Bridgend CF31 4WB

**LOCATION:** Land off Penprysg Road, Pencoed CF35 6RH

**PROPOSAL:** New primary school and site access works

**RECEIVED:** 28 July 2016

**SITE INSPECTED:** 19 September 2016

## **APPLICATION/SITE DESCRIPTION**

The site is situated to the northern end of the village of Pencoed. It has a total area of 34,222 sq m with approximately 2,500 sq m in the eastern corner of the site being dense woodland. The site is accessed via a narrow lane from Penprysg Road which has residential properties each side (numbers 38 and 40 Penprysg Road).

The site changes in level by approximately 10m from the north corner to the south corner. Currently on site are school buildings, located to the south western corner of the site, which comprise a 2 class teaching block, a sports hall (with associated changing facilities) and a kitchen/canteen facility.

The rear gardens for numbers 40 to 70 Penprysg Road back directly onto the site along the western boundary, some of which appear to have gated access into the site.

The proposal is to provide a new 2.5 form entry Primary School with additional Special Educational Needs (SEN) accommodation and Nursery.

The Pencoed Scheme is a key element in the Authority's Schools Modernisation Programme and also forms part of Band A of the Authority's submission to the Welsh Government's (WG) 21<sup>st</sup> Century Schools Programme.

The application is accompanied by:-

- Ecological Appraisal & Summary of BREEAM Ecology Credits
- Ecology BREEAM Summary Report
- BREEAM Pre-Assessment Report
- Drainage Strategy Report
- Traffic Impact Assessment
- Site Investigation Report

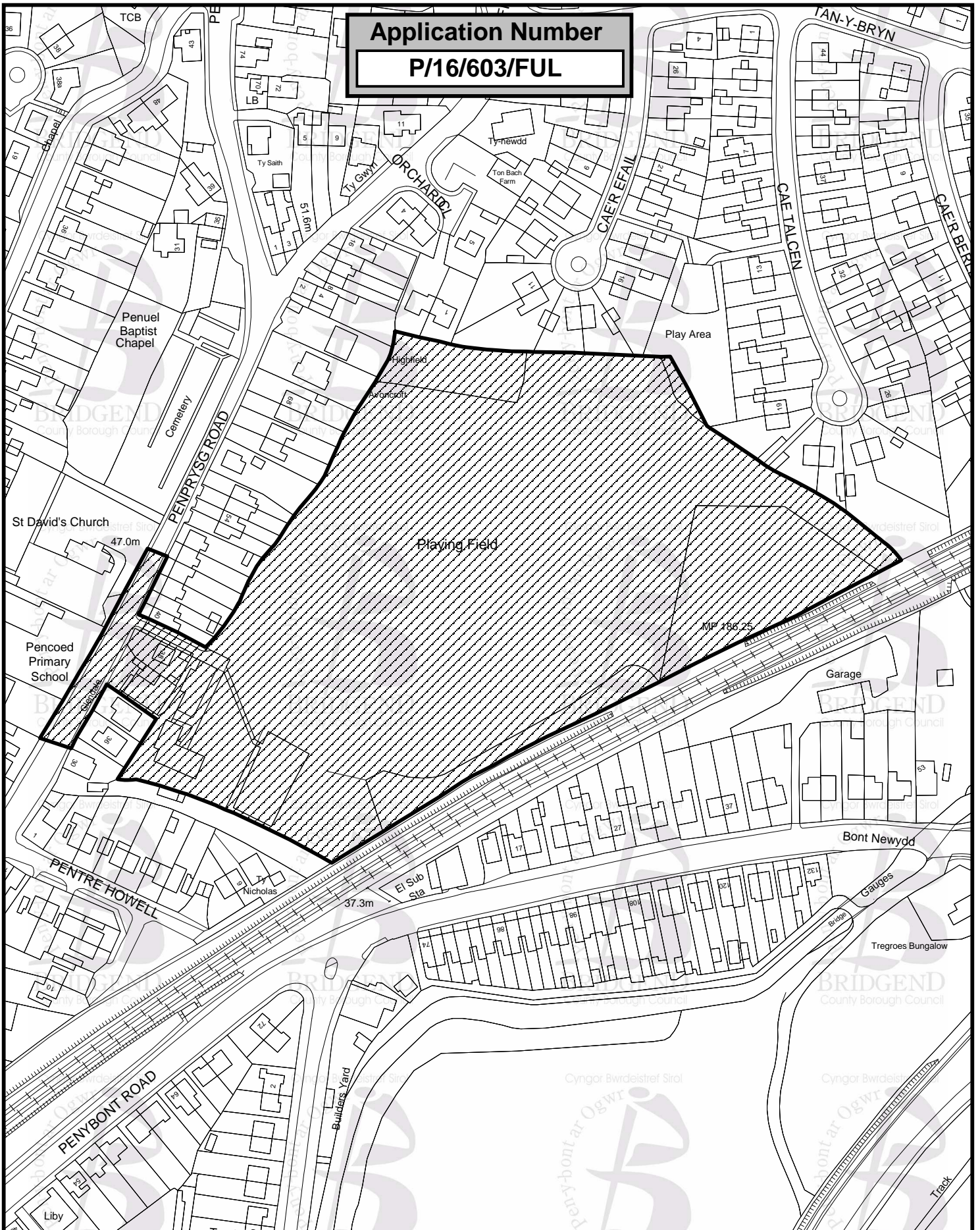
## **RELEVANT HISTORY**

P/16/463/DPN - Prior notification to demolish single storey canteen block, gymnasium block, teaching block and 2 storey house at 38 Penprysg Road :

*Under the provisions of the Town and County Planning (General Permitted Development) Order 1995 (As Amended), the demolition works constitute permitted development and the Council does not seek to prior approve the proposed method of demolition and the proposed restoration of the site.*

Application Number

P/16/603/FUL



Scale 1:2,000

Date Issued:  
23/09/2016

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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Cyngor Bwrdeistref Siro



## **PUBLICITY**

The proposal has been advertised on site and in the press.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 26 August 2016

## **CONSULTATION RESPONSES**

Welsh Water Developer Services has no objection subject to a condition and advisory notes.

Natural Resources Wales express concern with regard to European Protected Species but no other objection provided conditions in this respect are attached to any consent.

Head of Street Scene (Highways) has no objections subject to conditions.

Crime Prevention Design South Wales Police offer advice regarding Secured by Design.

Head of Street Scene (Drainage) has no objection subject to conditions.

## **REPRESENTATIONS RECEIVED**

Objections have been received from:-

Brian Neave: 1 Orchard Close

Dai Morgan: Avoncroft, Penprysg Road

Mr T & Mrs A Thorngate: 64 Penprysg Road

Mrs E Thorngate: 40 Penprysg Road

Mrs Gail Hall: 68 Penprysg Road

Mr Wayne Hall: 66 Penprysg Road

Mr Howard Butler: ClareLee, 36 Penprysg Road

The objections are summarised as follows:-

1. Location of Puffin Crossing and Zig Zag Lines will adversely affect 36 Penprysg Road by way of removing on-street parking, increased vehicle and pedestrian noise, anti-social behaviour, visual impact, highway surface water issues, privacy and devaluation of property;
2. Construction of Puffin Crossing will create flooding problems and its design is seriously flawed;
3. Trees shown on site layout plans would impact 36 Penprysg Road by loss of daylight, sunlight and by way of overshadowing;
4. The proposal will create increased traffic, noise and vehicle delays outside 36 Penprysg Road;
5. During demolition and construction periods there will be problems with noise, pollution, vehicle movements and visual impact of the compound;
6. There could be asbestos within the existing school buildings and residents are not being kept informed of the demolition;
7. Devaluation of property;
8. Loss of large open playing field;
9. Loss of view and residential amenity;
10. Loss of privacy and impact on standard of living due to overlooking;
11. School should be built on existing site and playing fields retained to comply with Council's objective to support local people and communities to live healthier and more active lives;
12. Why haven't other sites been considered eg Pencoed Comprehensive or Croesty School?

- 13.Noise disturbance from 'early years' play area;
- 14.Increase in impermeable area is unacceptably large (4.5% to 56%) - run-off must be greater than present (not what it says in Design & Access Statement);
- 15.All weather pitch creates an extra impermeable surface and requires the removal of the existing woodland area. This results in the school building being closer to the boundaries of residents in Penprysg Road;
- 16.Surfaced playground seems excessive and could be reduced, particularly in the north part of the site;
- 17.The use of the proposed public footpath around the field will adversely affect privacy and safety of existing residents and cause disturbance;
- 18.Footpath is a security breach for teachers and pupils of the school and its use could lead to anti-social behaviour;
- 19.The footpath should be separated from residents by a wide strip of resistant planting;
- 20.What about indoor sports - the gymnasium is to be demolished and there is sufficient land at the existing site for this to be provided;
- 21.New parking spaces and double yellow lines for part of Penprysg Road - parents will just park further up Penprysg Road causing traffic problems for residents; Drop off and pick up could be incorporated into the existing school;
- 22.Proposed car park is too large - turning a greenfield site into an over sized car park! encouraging more people to drive and causing congestion affecting existing residents;
- 23.Current site to be sold to who? More houses, more traffic problems - quick fix with no regard to residents;
- 24.Given the size of the building its siting has had no regard to existing residents - could be orientated further down the slope;
- 25.Little consultation with residents - first official notification and only 21 days to respond;
- 26.Article in Cowbridge Gem indicates that residents in Cowbridge were made aware of the plans but not the residents affected by the development;
- 27.Should be wider consultation;
- 28.Over development of a greenfield site which will impact on the character of the neighbourhood;
- 29.Affect on wildlife habitat - owls, bats, birds and squirrels;
- 30.Design should incorporate eco features eg green roof - this would reduce height of building and impact on residents;
- 31.Article 8 of the Human Rights Act needs to be considered;
- 32.One resident invites the Committee to look at the roads and visit his property to see the affect the school will have.

### **RESPONSE TO REPRESENTATIONS RECEIVED**

In general, the representations received will be addressed in the Appraisal Section, however:-

- All highway and parking representations have been considered by the Highways Officers who consider the scheme acceptable, subject to conditions.
- With respect to developing this particular site, the Local Planning Authority have to consider the scheme before them and have no input into site selection.
- Drainage issues have been considered by the Council's Drainage Section and Dwr Cymru Welsh Water and the proposals are considered acceptable, subject to conditions.

- Notwithstanding the above, the Education Authority has indicated that Pencoed Primary School currently has operational issues relating to the unsuitability of the buildings for the modern curriculum, together with operating from 3 sites (2 sites bisected by Penprysg Road and 1 site located in Heol y Cyw), and the condition and sufficiency of the existing buildings overall are poor. Potential solutions were considered as part of a Feasibility Study with the need to bring the school together on one site being the underlying driver. The benefits arising from this will include reduced revenue and running costs, the removal of the backlog of maintenance and will result in a new building fit for delivery of the 21<sup>st</sup> Century curriculum.
- The application was accompanied, inter alia, by an Ecology Appraisal which has been assessed by the Authority's Ecologist. Subject to compliance with the recommendations contained in the Ecology Assessment, submitted with the application, the Council's Ecologist has no objection to the proposal.
- Advertising of the planning application has been undertaken in accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012 in that the application has been advertised on and around the site (5 Notices) and in the Glamorgan Gazette and also local residents abutting the site have been individually notified.
- Devaluation of property and the loss of views are not material planning considerations.
- With respect to Article 8 of the Human Rights Act, the planning system, by its very nature, respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Local Planning Authority to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed.

## **APPRAISAL**

The application is referred to Committee in view of the number of objections received.

The larger of the two sites off Penprysg Road is the intended site for the new Primary School. It covers an area of approximately 34,222 sq m and falls generally by 8 to 10 m from north to south and from east to west. The area is laid to grass with the flattest section situated to the north and is used as the school playing field.

There are three school buildings to the south west comprising of a small teaching block, the Junior canteen/kitchen and a Sports Hall, with associated changing facilities. The majority of the boundary line is tree lined with a mature wooded area to the east. The south eastern boundary forms the separation to the main railway line linking West Wales to London. The site is currently accessed via a narrow lane from Penprysg Road.

Due to the constraints of the site, coupled with the approved spending profile agreed with the Welsh Government, it is necessary to carry out the work in 2 phases. Generally, the works will be scheduled as follows:-

- From November 2016 – Demolition works & temporary access
- From January 2017 – All remaining works.

It is anticipated that the school will be ready for occupation during April 2018.

Due to the constraints of the site caused by levels, the building and the all-weather pitch are positioned and orientated to run parallel to the fall of the site whilst trying to take account of the path of the sun to maximise the use of solar gain during the winter months and natural daylight through the high level roof-light.

The site is to be tiered to provide a relatively flat plateau for both the building and the all-weather pitch. It is intended that retaining walls will be formed using gabion baskets to provide a 'softer' aesthetic and allow some vegetation to grow within.

The proposals for the new Primary School intend to cater for 510 pupils, 31 Special Educational Needs (SEN) pupils and 70 nursery pupils (total 611). The school building will be 'L' shaped and two storey, measuring a maximum of 96m x 37m with a mixed design of dual and monopitched roofs reaching a maximum height of 11.5m. The proposed materials of construction are:-

- External Walls - Teaching Blocks - Terca Olde County Blend clay facing brickwork with feature wall panels (through coloured (colours to be confirmed) render);
- Roofing - Kingspan King Zip Standing Seam Composite Cladding Mill Finish Aluminium
- Eaves & Rainwater Goods - Powder coated Aluminium RAL 7012
- External Windows & Doors - Powder coated Aluminium RAL 7012 with doors randomly coloured

The school is laid out on both floors either side of a 'street'. The single storey element to the front of the building will accommodate the main and studio halls, a food science/community facility, the kitchen and associated storage areas and the plant room.

On the ground floor, of the two storey element, is the head teacher's room, staff room and administrative areas behind which are the nursery, infant classrooms and some SEN rooms/facilities. On the first floor will be the corresponding junior department.

There will be a minimum of 25m between the school building and any of the properties on Penprysg Road, these being the closest dwellings. A footpath is proposed around the perimeter of the site to provide access to the properties on the north eastern side of the site. A pedestrian access to the school site will also be provided at this point.

In terms of accessing the site, a new junction has been designed from Penprysg Road. The proposed access layout conforms to BCBC's objectives and constraints to:-

- Provide minimum junction visibility requirements in accordance with Manual for Streets document for vehicular speeds of 20mph, ie; "x" distance 2.4m and a "y" distance of 25m.
- Provide access for the following maximum size vehicles - 12m long bus and 25 tonne rigid vehicle. In addition the design caters for the aforementioned classification of vehicle to use the junction without the need to cross or straddle carriageway centrelines on Penprysg Road.
- Provide a pedestrian refuge for assisting pedestrian to cross the access/junction.

- Provide a 'puffin' crossing to assist pedestrians to cross Penprysg Road.

The junction layout requires the demolition of the existing school canteen buildings, teaching block and 38 Penprysg Road. The proposal will also result in the loss of residents' on-street parking. To mitigate this loss of parking, it is proposed to provide 10 off street parking spaces to the rear of numbers 40 to 44 Penprysg Road, access to which will be provided along the new school access road.

The new access road will operate as a one way system and under an advisory 10 mph speed limit. The alignment of the access road together with speed tables will help to control vehicular speed. The Staff car park is located centrally within the surrounding access road and will be accessed via a controlled gate/barrier system. The entry and exit positions of the car park have been selected in consideration of the need to reduce conflict points and to mitigate the opportunity for pedestrians using drop off spaces to walk through this car park. An uncontrolled pedestrian crossing is provided on a speed table arrangement located between the staff car park access points, which connects the car park to the school plaza area.

The main objective is to maximise the number of 'drop off' bays for parents, whilst minimising the need for reversing manoeuvres, and facilitating kerb side parking, thereby making it possible for passengers to access vehicles directly onto and from the footways. In addition it is necessary to provide a layout that meets Supplementary Planning Guidance (SPG) for staff, visitors, disabled, motorcycle and cycle parking. The SPG requires the following provision:-

- 61 general staff parking spaces
- 3 canteen staff spaces
- 1 commercial vehicle parking space (utilising bus drop off)
- 3 disabled persons parking spaces
- 3 motorcycle parking spaces
- 50 cycle stands
- 23 drop off bays
- 2 bus drop off bays

In order to improve highway safety and to provide a design that complies with the minimum school junction visibility requirements, a section of Penprysg Road between Minffrwd Road and Wimborne Road will operate as a 20 mph zone. Gateway signing and features will be provided at the start of the zone and a series of speed tables will be provided within the zone to control vehicular speeds. To assist pedestrian movements, footway widths (where possible) will be increased along Penprysg Road by reallocation of road space.

Generally, the hard surfaced areas will be laid to tarmac although there are small areas of paving and soft play areas to each of the playgrounds. The front of the site, from the 'drop off' area to the main entrance doors, will be paved and laid out to represent an open plaza. Formal tree planting will be included alongside with an area dedicated to providing the relevant areas and facilities for cycle storage.

The school will have access to, and full use of, the Ecology area to the north east of the site. The mature woodland already has some soft paths and access routes throughout, although these will be enhanced, where possible and appropriate. The woodland will be used for outdoor teaching.

It is currently anticipated that all of the existing staff will move to the new facility and it is envisaged that the majority of pupils from Heol y Cyw will travel to the new school by bus. In addition, there are currently approximately 7/8 taxi provisions across the county bringing in 24 pupils for the Special Education Needs (SEN) classes at the school. This would continue with the taxis being able to drop off and collect within the site.

In determining the application due regard should be had to Welsh Government planning policy and guidance which is found in Planning Policy Wales (PPW) (Edition 8) and relevant Technical Advice Notes (TANs). These documents advise that the planning system is intended to help protect the amenity and environment of towns, cities and the countryside in the public interest whilst encouraging and promoting high quality, sustainable development. In Wales, this means enhancing the economic, social and environmental well-being of people and communities, achieving a better quality of life for our own generations in ways which:-

- promote social justice and equality of opportunity; and
- enhance the natural and cultural environment and respect its limits; using only our fair share of the earth's resources and sustaining our cultural legacy.

PPW also advises that, in line with the presumption in favour of sustainable development, the process by which the goal of sustainability is reached, applications for planning permission should be determined in accordance with the adopted Development Plan for the area, unless material considerations indicate otherwise. Section 38(6) of the Planning and Compulsory Purchase Act 2004 also requires that, if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The proposed development is consistent with Planning Policy Wales and Local Development Plan Policies SP1: Regeneration-Led Development; PLA1: Settlement Hierarchy and Urban Management; PLA4: Climate Change and Peak Oil; SP2: Design and Sustainable Place Making; PLA4: Climate Change and Peak Oil; SP13: Social and Community Facilities; COM10: Provision of Education & Training Facilities and, as such no objection is raised by the Development Planning Section.

In this case, to assess the principle of the development, the relevant Development Plan Policies are PLA1, COM10 and SP13.

#### PLA1 - SETTLEMENT HIERARCHY AND URBAN MANAGEMENT

Development will be permitted within settlement boundaries at a scale commensurate with the role and function of settlements as set out in the hierarchy which includes the main settlement of Pencoed.

Main Settlements have a strong employment function with an existing concentration of business and a good variety of retailing and community services that meet the needs of the settlement and the surrounding area, with Bridgend being the most significant in performing this role. The settlements are comparatively self-contained and provide a dominant role in terms of travel to work within the County Borough, which can be maintained and developed to meet the needs of the settlement and the surrounding area. The settlements represent some of the largest centres within the County Borough in terms of employment, population, economically active people and retail and community service provision.



## POLICY COM10 - PROVISION OF EDUCATIONAL AND TRAINING FACILITIES

Land will be allocated and safeguarded for the provision of educational and training facilities at the following locations:

... .. COM10(4) Penprysg Road, Pencoed ... ..

The Council is required to ensure that the educational needs of children and young people within the County Borough are satisfactorily met. The Children and Young Peoples Plan sets out the priorities for meeting these needs.

The new facilities identified in Policy COM10 form part of the Council's School Modernisation Programme. This is a programme that will deliver improvements to school provision throughout the County Borough.

Schools provide the ideal opportunity to play a much wider and multi-functional role in the community through addressing both the broad range of educational needs of children and young people during traditional school opening hours and also acting as community-based learning and recreational environments, especially during out-of-school hours and school holidays. They are therefore seen as primary assets in terms of delivering the LDP Strategy and implementation of Policy SP14, which indicates that applications for development should include material proposals which deal with the fair and reasonable infrastructural requirements of the development and help to mitigate any negative impacts that may arise as a consequence of the development.

## SP13 - SOCIAL AND COMMUNITY FACILITIES

In order to maintain and improve the quality of life of residents the following social and community uses and/or facilities will be retained or enhanced:-

- Educational and training facilities;
- Health and well-being facilities;
- Libraries;
- Outdoor recreation;
- Indoor leisure facilities;
- Community buildings;
- Allotments; and
- Cemeteries

In the interest of improved service provision, all proposals for new or replacement social and community facilities should demonstrate that every reasonable attempt has been made to consider the co-location with another social and community facility before a standalone facility is considered.

Policy SP13 therefore seeks to retain or enhance facilities to ensure no section of the community is excluded from having access to basic services, with the overall aim of creating sustainable and inclusive communities.

Proposals which result in the loss of existing or proposed social and community facilities will not be permitted unless justified on one of the following grounds:-

1. A suitable alternative location is available and a facility of equivalent community benefit is provided by the developer on or off the site; or

2. In the view of the local planning authority the existing facility is no longer required for the current use, or any other social and community uses, or there is already an excess of such provision in the area.

In terms of the location of replacement facilities, the role of the Council and other partner organisations in supporting and developing such a model of provision is vital, as is an innovative and joined-up approach to service delivery and the multi-use of buildings and the LDP seeks to ensure that facilities are delivered in an appropriate manner at appropriate locations.

Given the nature of the proposal, i.e. providing a teaching facility with facilities for the benefit of the local community, it is considered that the proposal represents an acceptable new educational, social and community facility in the context of Policies COM10 and SP13 within the main settlement of Pencoed (PLA1). In this regard, the principle of the development is acceptable.

PPW also advocates good design, which is taken to mean the relationship between all elements of the natural and built environment. To create sustainable development, design must go beyond aesthetics and include the social, environmental and economic aspects of the development, including its construction, operation and management, and its relationship to its surroundings.

The objectives of good design can be categorised into five key aspects:-

- Access (ensuring ease of access for all);
- Character (sustaining or enhancing local character, promoting legible development, promoting a successful relationship between public and private space, promoting quality, choice and variety and promoting innovative design);
- Community Safety (ensuring attractive, safe public spaces and security through natural surveillance);
- Environmental Sustainability (achieving efficient use and protection of natural resources, enhancing biodiversity and designing for change);
- Movement (promoting sustainable means of travel).

In terms of design, Policy SP2 of the LDP requires that all development should 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 and establishes fifteen criteria against which development proposals should be assessed. In respect of this application, it is considered that criteria 1, 2, 3, 4, 6, 7, 10, 12 and 13 are relevant.

It is considered that the submitted proposals will respect the character and distinctiveness of the local area, be of an appropriate scale and prominence and will be an efficient use of the land in terms of maximising the potential of the land whilst respecting the surrounding development and will, therefore, meet criteria 1,2,3 and 4 attached to the Policy. The implementation of the advice provided by the Designing Out Crime Officer can ensure that criterion 7 will be met. The development proposals will not result in any unreasonable domination, overshadowing or loss of privacy to existing neighbouring properties, as there will be a minimum of 25m between the

school building and any of the properties on Penprysg Road, these being the closest dwellings. thereby satisfying criterion 12. Also, an appropriately worded condition requiring a comprehensive and integrated drainage scheme for the development can ensure that satisfactory drainage, water and waste facilities are provided.

In seeking to make a contribution towards tackling the causes of Climate Change, the Design and Access Statement confirms that products selected to be used in the construction of the building will satisfy the requirements set out in BREEAM guidance and, wherever possible, achieve an A or A+ rating in 'The Green Guide'. This commitment is in compliance with Policy PLA4.

The development will also benefit from having good walking, public transport and road connections within and outside the site to ensure efficient access.

Dwr Cymru Welsh Water and the Council's Land Drainage Section have also confirmed that appropriate arrangements for the disposal of foul sewage, waste and water can be made.

With respect to criterion 6, the Highways Officer has considered the transportation implications of the proposal and, whilst the proposed new school will have a greater capacity than the existing provision, it is appreciated that this is required to serve a wider catchment and cater for the existing pupils at Heol y Cyw. These pupils will, however, be provided with transport given the remote distance and the lack of footway links. In this regard the school site will provide capacity for these vehicles to enter and leave the site.

Whilst policy dictates that sustainable travel modes should be encouraged and, consequently, parent drop off and pick up by car should be discouraged, there is concern that existing travel patterns to the current site may perpetuate, particularly in inclement weather or by parents linking with their trip to work. As such, a drop off facility has been provided on site and is deemed to be of a reasonable scale.

Whilst the access, traffic calming and footway improvement proposals on Penprysg Road have been provided on the basis of pre application discussions it is anticipated that some revisions may be required as a result of the necessary public consultation process and safety audit requirements which may arise. It is considered that these can be largely dealt with within the engineering details for the required road agreement and, as such, a scheme of traffic calming is required on Penprysg Road which will be broadly in accordance with drawing number GC2488-CAP-00-XX-SK-C-12 revision P01.1.

Notwithstanding the above, the site is to be accessed by vehicles off Penprysg Road at the south western end of the western boundary where traffic within the site shall be 'one way' to ensure that vehicle movement is as safe as possible.

The site can be accessed and egressed by pedestrians through dedicated pedestrian gates, located adjacent both the vehicle entry point and at the north eastern side of the site. Consequently it is considered that subject to appropriately worded conditions satisfactory access and linkages can be provided to meet the requirements of criterion 6.

Given the location of the site which is adjacent to a busy thoroughfare, it is considered that conditions should be imposed controlling the construction works, by way of a method statement, and the hours of construction. With these safeguards it is

considered that the development should ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

The Welsh Government's Active Travel Action Plan for Wales and the Active Travel (Wales) Act 2013 aims to address congestion and encourage people to walk and cycle more often. To this end a Travel Plan Framework, focused on the specific transport issues which affect people travelling to and from the site of the existing Pencoed Primary School site and the impact of their journeys on local residents, is proposed, which will seek to mitigate the impact of extra traffic generated by the new schools. It will recommend a wide range of measures to counteract dependence on the car.

The Plan will be designed to encourage individuals to make the most appropriate choice for their journey whilst allowing a degree of freedom of choice, however, many factors influence this decision, most notably the fact that it is not possible to determine how the school site will be accessed, as the new school is not planned for completion until September 2018. Best practice suggests that the end users should be fully involved in both the planning and implementation of the Travel Plan but this can only be undertaken when the site is operational and parents and pupils have a better understanding of travel to and from the site.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. The development of a new school, in itself, provides a new and enhanced community facility to Pencoed and, whilst the development will enhance the area generally, the proposals will also include specific accommodation and facilities to cater for local groups and organisations and the wider community as a whole outside of standard school hours and also during school time for specific classes and Community Education purposes.

In addition, local clubs will have the opportunity to use one of the 'All Weather' pitches provided in the eastern section of the site. The pitch will have the capability of being floodlit, making it an ideal training ground for clubs to operate controlled sessions. It is considered, therefore, that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity

and resilience of ecosystems duty” under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March 2016.

Section 6 (1) states that “a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.” Section 6(2) goes on to state that “In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.”

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:-

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative";
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range.

In respect of this application the Council's Ecologist has noted and welcomed the accompanying Ecological Appraisal and Summary of BREEAM Ecology Credits. Section 6 of this assessment made a series of conclusions and recommendations, which the Ecologist recommends are included as conditions of approval.

The Ecologist also re-iterates the points made by Natural Resources Wales in their observations relating to recommendations requesting further bats surveys and to adopt a precautionary approach regarding tree felling and pruning works.

It is also recommended that the applicant should submit a clearance methodology to be approved by the Local Planning Authority before works commence.

It is considered therefore, that, overall, there will be no significant adverse residual impacts on biodiversity.

Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

## **CONCLUSION**

This application is recommended for approval because the development complies with Government and Council policy and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

The development of a new school is, in itself, providing a new and enhanced community facility to Pencoed. Whilst the development will enhance the area generally,

the proposals will also include specific accommodation and facilities to cater for local groups and organisations and the wider community as a whole.

Certain areas of accommodation will be available outside of standard school hours and also during school time for specific classes and Community Education purposes.

In addition, local clubs will have the opportunity to use one of the 'All Weather' pitches provided in the eastern section of the site. The pitch will have the capability of being floodlit, making it an ideal training ground for clubs to operate controlled sessions.

## **RECOMMENDATION**

(R28) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents:-

### **ARCHITECTURAL DRAWINGS**

A001 - Site Location Plan  
A002 - Existing Site Layout / Topographical Survey  
A100 - Proposed Site Layout Overall  
A101 - Proposed Site Layout Area 1  
A102 - Proposed Site Layout Area 2  
A103 - Proposed General Arrangement Ground Floor Plan  
A104 - Proposed General Arrangement First Floor Plan  
A105 - Proposed General Arrangement Elevations  
A119 - Site Layout Contractors Constraints  
A120 - Hoarding Details / Temporary Works / Site Sign Board  
A123 - Proposed 3D Model  
A600 - External Signage  
A909 - Fencing Details (Sheet 1)  
A910 - Fencing Details (Sheet 2)  
A911 - External Works – Sections (Sheet 1)  
A912 - External Works – Sections (Sheet 2)  
A913 - External Works – Sections (Sheet 3)  
A916 - External Works – Play Area (Sheet 1)  
A917 - External Works – Play Area (Sheet 2)  
A918 - External Works – Planting (Sheet 1)  
A919 - External Works – Planting (Sheet 2)  
A920 - Nursery Store / PE Store

### **DRAINAGE ENGINEERING DRAWINGS**

PCD-CAP-00-00-DR-P-506 Rev P00 - Proposed Surface Water Drainage Layout  
PCD-CAP-00-000-DR-P-507 Rev P01 - Proposed Foul Drainage Layout

### **HIGHWAYS ENGINEERING DRAWINGS**

GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning  
GC2347-CAP-61-XX-DR-C-002 - Contours & Detailed Sections  
GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming  
GC2347-CAP-61-XX-DR-E-001 - Proposed Lighting Arrangements

### **OTHER DOCUMENTS**

Ecological Appraisal & Summary of BREEAM Ecology Credits  
Ecology BREEAM Summary Report  
BREEAM Pre-Assessment Report

Drainage Strategy Report  
Traffic Impact Assessment  
Site Investigation Report

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. No development shall commence on site until a scheme for the provision of a compound and car park for construction vehicles has been submitted in writing by the local planning authority. The agreed scheme shall be implemented prior to commencement of works on site and maintained for the duration of the construction works.

Reason: In the interests of highway safety.

3. No development shall commence on site until details of mechanical, automatically operated, self-contained wheel washing facilities including a temporary/permanent access road/hardstanding completed in permanent materials at a minimum length of 20metres and 5.5metres width have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall then be provided and retained as approved for the duration of the development including the Earthworks / muck shift to the satisfaction of the Local Planning Authority

Reason: In the interests of highway safety by preventing mud and debris from being carried out onto the existing maintainable highway.

4. No development shall commence until a scheme for the provision of temporary traffic management during the demolition and construction period has been submitted to and agreed in writing by the Local Planning Authority and implemented before and during the works to demolish the existing buildings and improve the highway.

Reason: To ensure the safety and free flow of vehicular and pedestrian movement on Penprysg Road route during the construction period, in the interests of highway safety.

5. No construction vehicles shall enter or leave the site during the periods of half hour either side of the times school commencing and ending.

Reason: In the interests of highway safety.

6. The proposed school access onto Penprysg Road shall be laid out with vision splays of 2.4m x 25m before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

7. No structure, erection or planting exceeding 0.6 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

8. The submitted scheme of bus/parent drop off and staff parking to the South of the school building shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

9. The submitted scheme of off street parking to the rear of numbers 40-50 (Evens) Penprysg Road shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

10. No works shall commence on site until such time as full engineering details of the school access road from its junction with Penprysg Road to the school gates, including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, traffic calming features, signing, retaining structures and Stage 2 Safety Audit have been submitted to and agreed in writing by the Local Planning Authority

Reason: To ensure safe vehicular and pedestrian access to the site in the interests of highway safety.

11. Within 3 months of any consent a comprehensive scheme shall be submitted to and agreed in writing by the Local Planning Authority for traffic calming restricting 85% tile traffic speeds to 20 mph on Penprysg Road, between its junction with Minffrwd Road to the North and its junction with Wimborne Road to the South. The approved scheme shall incorporate relocated bus stop facilities, carriageway and footway realignment, pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit which shall be submitted to and agreed in writing by the Local Planning Authority before any works commence . Such scheme shall be implemented as agreed by the Local Planning Authority prior to the development being brought into beneficial use.

Reason; In the interests of highway safety.

12. Within 3 months of any consent a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall be clearly demarcated in permanent materials and signage erected in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

13. The school shall be limited to no more than 611 pupils.

Reason: In the interests of highway safety.



14. A school travel plan shall be submitted to and agreed in writing by the local Planning Authority and implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school and submitted to the Local Planning Authority.

Reason: In the interests of promoting sustainable modes of transport to and from the school.

15. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle links from the school to Cae'r Efail and Cae Talcen. The links shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

16. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of:-
  - a. Covered cycle storage.
  - b. changing, washing and shower facilities for staff/student use.
  - c. Secure lockers for staff/student use.

These features shall be provided to support the provision of the cycle parking facilities, in accordance with the approved scheme before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

17. No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix O of the submitted Transport Assessment. The improved routes shall be implemented as agreed before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

18. No development shall commence until a until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road, land and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface, roof/yard and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

19. No development shall commence until a site clearance method statement providing details for avoidance of harm to reptiles on site, has been submitted to and agreed by the Local Planning Authority. The measures shall be carried out strictly in accordance with the agreed scheme.

Reason: In order to protect habitats for reptiles.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. The development should seek to employ current best practice and the most current advice and guidance. With specific reference to ecological matters, Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Attention is drawn to the Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach <http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf> . This Guidance seeks to inform schemes and provide practical advice in respect of ecological enhancements and the resilience of ecosystems.
- b. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.
- c. Trees and hedgerows provide habitat to a number of protected species, including bats and birds. British bats, their breeding sites and resting places are protected by law under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an offence to damage or destroy a bat breeding site or resting place (sometimes referred to as a roost) whether the animal is present at the time or not, intentionally or recklessly obstruct access to a place used for shelter and protection or deliberately capture, injure, kill, or disturb a bat/bats.
- d. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.

- e. The applicant may need to apply to Dwr Cymru/Welsh Water DCWW) for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- f. The applicant is also advised that some public sewers and lateral drains may not be recorded on the DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- g. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.
- h. No surface water is allowed to discharge to the public highway.
- i. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- j. In order to satisfy condition 18 the following advisory notes should be followed:-
  - Submit Flood Defence Consent applications for both proposed discharge points
  - Provide details of locations at risk of flooding as identified by Microdrainage and provide flood prevention measures for these areas if proposed.
  - Provide further details regarding the location, sizing and discharge point of the existing piped spring.
  - Provide an updated drainage strategy showing the position of the existing ditch and watercourse as previously discussed.
  - Provide confirmation of undertaking of cleansing of the NR culvert and letter of acceptance of connecting to the culvert from NR
- k. Prior to any works commencing on the highway the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.
- l. Your attention is drawn to the attached comments of the Designing out Crime Officer.

**MARK SHEPHARD  
CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

**REFERENCE:** P/16/547/FUL

**APPLICANT:** Club Penybont Ltd  
c/o John Matthews, 47 Anglesey Way, Porthcawl CF36 3QP

**LOCATION:** **Penybont Football Club, Bryntirion Park,  
Llangwydd Road, Bridgend CF31 4JU**

**PROPOSAL:** Extension & enhancement of existing Penybont Football Club facilities including extend Stand to accommodate 518 seats, new turnstile with payment booth, extend parking, TV gantry, bar cellar extension & amended site access layout

**RECEIVED:** 11 July 2016

**SITE INSPECTED:** 23 August 2016

## **APPLICATION/SITE DESCRIPTION**

The application relates to the existing playing field and clubhouse facility at Llangwydd Road and comprises the following:-

- an extension to the existing single storey stand to accommodate 518 seats;
- a new turnstile with payment booth and associated portable buildings, players tunnel and fencing arrangements;
- an extended parking area providing separate staff, visitor, disabled and part-time coach spaces;
- a TV gantry facility
- a bar cellar extension to the existing clubhouse (3.9m x 3.0m with a ridge height of 3.6m);
- an amended site access layout arrangement with improved vision splays and associated new landscape planting.

The site lies outside the defined settlement boundary and within a designated landscape protection area (SLA). The built up settlement of Bryntirion bounds the site to the South and East and is primarily residential in nature. The land to the north is allocated for residential development in the LDP (Policy COM2(6)) and is also the subject of a current outline application for residential development (P/15/358/FUL).

The site is surrounded by mature trees and hedgerows, protected under a tree preservation order.

The application includes a Tree Report & Landscaping Proposals report which identifies existing trees to be retained and appropriately protected during the proposed development's construction and what trees it would be acceptable to remove subject to their replacement in suitable alternative locations.

The current facilities are part of the merged Bryntirion Athletic and Bridgend Town football clubs and the proposal has been designed to facilitate the Club's aspirations for promotion from the Welsh Football League to the Welsh Premier League.

## **RELEVANT HISTORY**

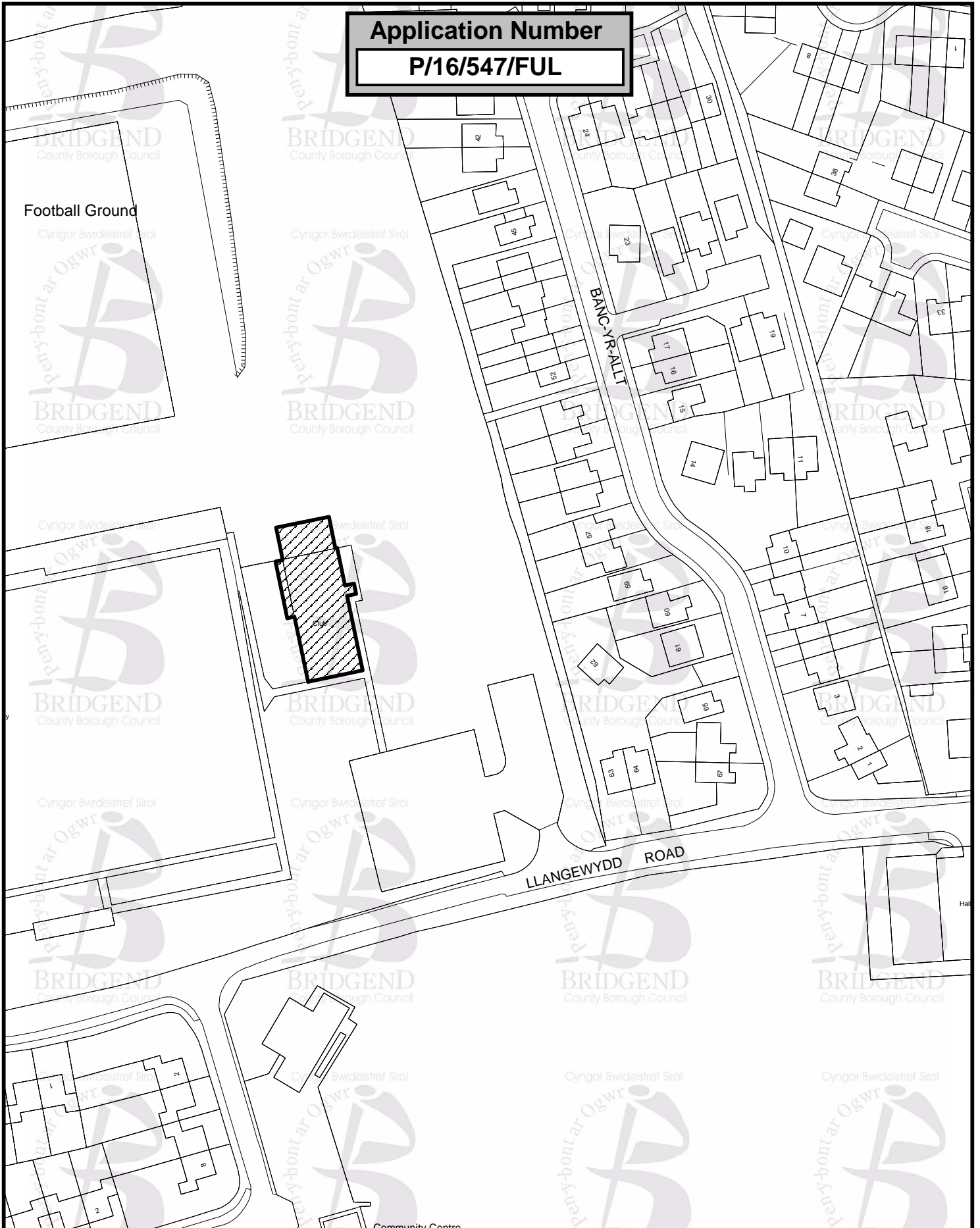
P/97/858/FUL - New clubhouse, floodlights, spectator stand and ancillary works, pitch drainage and car park extension - Conditional Consent - 23 December 1997

P/01/553FUL - Viewing area - Conditional Consent - 6 August 2001

P/06/289/FUL - 2 add pitch floodlighting columns - Conditional Consent 13 April 2006

**Application Number**

**P/16/547/FUL**



**Scale 1:1,250**

**Date Issued:  
23/09/2016**

**Development-Mapping  
Tel: 01656 643176**

**Mark Shephard**

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

(c) Crown Copyright and database rights  
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(100023405)

(c) Cities Revealed Aerial Photography  
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Cyngor Bwrdeistref Sirol



P/06/935/FUL - Palisade fence enclosure to football pitch - Consent 12 September 2006

P/11/218/FUL - 4 additional flood lights to training area (2 x lamps/10m high columns) - Conditional Consent 13 May 2011

## **PUBLICITY**

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 11 August 2016

## **CONSULTATION RESPONSES**

Welsh Water Developer Services request advisory notes are included within any consent to ensure no detriment to existing residents, the environment and to Dwr Cymru Welsh Water's assets.

Head of Street Scene (Highways) has no objections subject to conditions.

Head of Street Scene (Drainage) has no objections to the proposal subject to a condition and advisory notes.

## **REPRESENTATIONS RECEIVED**

A number of local residents have objected and their concerns are summarised as follows:-

- The current facility has a parking situation that is inadequate, attendees park illegally at the entrance of Banc-yr-Allt (nearest street).
- Leaving the street on a weekend is dangerous.
- Double yellow lines should be placed along the length of the narrow stretch of Llangewydd Road.
- Impact on local traffic with additional parking from increased stand capacity.
- Increase in noise pollution - current noise level is audible, increased capacity will result in increased noise and disturbance.
- No local benefit - the proposal will only benefit the club and entry into Welsh Premier League will further limit the use of the grounds by local residents.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The issues raised primarily revolve around access, parking, noise and the associated impact on the amenity of the area. These are addressed in more detail in the Appraisal section below.

## **APPRAISAL**

This application is referred to Committee as 3 objections have been received.

The site lies within the open countryside where development is strictly controlled. Policy ENV1 of the Local Development Plan (LDP) identifies types of development that may be acceptable and this includes outdoor recreational and sporting activities.

Where development is considered in principle to be acceptable in the countryside then it should, where possible, utilise existing buildings. In this case the site is an existing facility with the stand, clubhouse and car parking already in position and the proposal

will not extend beyond current established boundaries. The proposal therefore does not conflict with countryside protection policies.

The land also forms part of the Laleston Special Landscape Area (SLA). Under Policy ENV3(7) of the LDP, development in SLAs is also strictly controlled. However, the site is an existing facility comprising buildings and supporting infrastructure and is located on the very fringe of the SLA and is separated from the wider SLA by mature trees and hedgerows. The development when seen in the context of the SLA will be seen against the back drop of the established settlement, which is located directly adjacent. As the development involves the consolidation and extension of the current facility and will not be prominent in the landscape it is not considered that the proposal will adversely impact on the designated area. Furthermore, the additional planting will serve to reinforce the existing boundary feature and enhance the character of the SLA in this fringe location.

With respect to the visual impact on the local area, the development proposes a substantial extension to the existing stand. The closest dwellings are approximately 30 metres from the stand. The structure currently measures approximately 20 metres in length by 4.1 metres in height and it is proposed to increase this to 70 metres in length although there is no intention to increase the height. Externally, the stand will be coloured blue to match the football club's main kit colour. It is, however, located adjacent to the existing substantial treeline and hedgerow running along the northern boundary of Llangewydd Road. This treeline is protected by Tree Preservation Order (No. 6) 1987 and will significantly mitigate the impact of the extended stand from the west, south and east. From the north, the treeline will provide a dense green backcloth against which the structure will be viewed. Notwithstanding, the proximity of the development to nearby dwellings and the public highway it is considered that the visual impact of the structure will be mitigated by the existing and enhanced landscaping. The proposed residential development to the North is around 250 metres from the stand and is similarly separated by a mature treeline.

The new turnstile with payment booth and associated portable building container, players' tunnel, fencing arrangements and extended car parking are primarily low-key type structures with limited visibility from outside the site.

The proposed 2-stacked containers, which it is proposed to be externally coloured in blue, will have the potential to be particularly noticeable in views from neighbouring residential properties and the Llangewydd Road approach to the east. The impact from Banc-yr-Allt will, however, be mitigated by the existing protected treeline hedgerow running along those properties' rear boundaries. The impact in views from the Llangewydd Road approach will be mitigated by the proposed new landscape planting associated with the amended site access layout arrangement referred to below. Notwithstanding the above stacked containers are not considered appropriate in this location and a condition will be imposed requiring agreement of an alternative design.

The TV gantry will be located well away from the site boundaries and will effectively be obscured from outside the site by the protected treeline hedgerow boundaries.

The bar cellar is a minor addition to the existing clubhouse building and will have a negligible visual impact from outside the site.

Access to the site is gained directly from Llangewydd Road which forms part of the unclassified highway network serving north-west Bridgend and which in turn links to the wider classified highway network serving Bridgend and beyond.



The residents have raised concerns regarding the current level of car parking and the impact of parking on street in the surrounding area particularly during peak usage times. The existing car park provides 41 spaces and the current proposal indicates a total of 124 plus 6 disabled spaces. Some of these spaces could be used for coach parking where necessary. The provision of disabled parking facilities and internal access arrangements have been designed to accord with the Equality Act 2010.

The applicant has submitted drawings which show a widened access and the vision splays required for the speed of traffic on Llangewydd Road. However it is considered that the access width at the point of the site gates is too narrow to comfortably accommodate two-way traffic (especially commercial vehicles or coaches). Additionally no consideration has been given to how pedestrians will enter the site safely and the current proposed arrangement will result in pedestrians using the access road and create potential conflict with vehicular traffic.

As a result of the above, a comprehensive scheme detailing the vehicular and pedestrian access will be required in the interest of highway and pedestrian safety.

With regards to the parking space provision it is considered by the Highway Officer that there is an over provision of parking for the proposed extension. The applicant has not provided any robust justification, in the submitted design and access statement, that the provision of over twice the maximum parking standards should be considered as acceptable.

The Highway Officer has calculated a requirement of 77 off-street spaces for the proposal and the applicant has detailed 160 off-street spaces. Whilst a small increase above the maximum standards with robust justification in some circumstances is acceptable, the Highway Authority does not consider an overprovision of twice the adopted parking guidelines calculation to be appropriate and is contrary to the Council's adopted Supplementary Planning Guidance (SPG) 17 - Parking Standards.

The over provision is considered to act as an attraction to private car journeys and discourages people choosing alternative modes of transport. This view corresponds with Welsh Government Policies seeking reduced levels of parking generally (planning policy wales 8.4 refers) particularly PPW section 8.4.2 which states 8.4.2 'Car parking provision is a major influence on the choice of means of transport and the pattern of development. Local authorities should ensure that new developments provide lower levels of parking than have generally been achieved in the past. Minimum parking standards are no longer appropriate'.

Furthermore the Highway Officer is concerned about the car park layout beyond the entrance gates with regards to the tight turn required for coaches and commercial vehicles to use the one way system of the parking area. It is considered that the proposed tree planting noted as 'Area A' on the submitted plan PL001 and the northernmost loop section of the car park access road would present coaches and refuse vehicles with manoeuvring difficulties.

As a result of the above concerns, and notwithstanding the submitted plans, the Highway Officer requires a revised scheme of parking to accord with the adopted SPG 17. Additionally a delivery management plan with swept path analysis will be required to ensure the above concerns can be overcome.

In order to prevent any on street parking/loading/unloading it is considered necessary to prevent inappropriate parking around the site. In this regard it is considered that the applicant should enter into a Section 106 agreement prior to consent being granted. The agreement will provide £7000 for the application of double yellow lines around the site access and opposite the site access to stop vehicle parking in that area.

Some residents have raised concerns that the development will result in the intensification of the facility and increase use resulting in further amenity problems including noise.

In planning terms there is no current limit on the use of the site and capacity issues are outside the scope of the planning process. The development must be assessed on its own merit and whilst the applicant's intention may be to facility further use intensification is not in itself a sufficient reason to withhold consent. The site is constrained by its physical boundaries and the development includes an increase in parking and turning facilities within the site and it is considered that this will address some of the concerns raised. The issue of noise as statutory nuisance is governed by other legislation.

It is not therefore considered that the proposal will adversely affect the amenities of neighbouring residents and is sufficiently remote from the allocated site to the north so as to have no material impact on the viability of the residential scheme.

As part of the agreement with the Authority for Penybont Football Club the playing fields, other than the football pitch, have to be accessible at all times by the public. In this respect the revised scheme for access required by the Highways Authority will ensure public accessibility.

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular:-

- (a) diversity between and within ecosystems;
- (b) the connections between and within ecosystems;
- (c) the scale of ecosystems;
- (d) the condition of ecosystems (including their structure and functioning);
- (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social

or economic nature and beneficial consequences of primary importance for the environment".

2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the development on a previously developed site and the proposed compensation and enhancement measures, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity.

Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

## **CONCLUSION**

This application can be recommended for approval because the development complies with Council policy and guidelines and will not adversely affect highway safety or visual amenities.

## **RECOMMENDATION**

(R34) (A) The applicant enter into a Section 106 Agreement to provide £7,000.00 to for the application of double yellow lines around the site access and opposite the site access to stop vehicle parking in that area.

(B) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans:-  
Drawing No: PL001 Rev 3  
Drawing No: PL002 Rev 4  
Drawing No: PL003 Rev 1

and documents:-

Supporting Planning, Transport and Design & Access Statement  
Tree Report and Landscape Proposals (January 2016)

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding condition 1, no development shall commence until a revised scheme of off street parking, including 1 commercial/TV Media parking space and 1 coach parking space has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall make adequate provision for circulatory vehicular movements and road markings together with dedicated pedestrian route from the site access to the facilities. The parking area and pedestrian route shall be completed in permanent materials with the individual spaces and circulatory markings clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

3. Notwithstanding condition 1, no development shall commence until a scheme detailing a widened vehicular access of 6m and segregated pedestrian access has been submitted to and approved in writing by the Local Planning Authority. The parking area shall be implemented in permanent materials before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of pedestrian and highway safety.

4. No development shall commence until a scheme for the provision of 6 cycle parking stands has been submitted to and approved in writing by the Local Planning Authority. The stands shall implemented before the development is brought into beneficial use and retained as such thereafter

Reason: In the interests of promoting sustainable means of travel to/from the site.

5. A delivery management plan shall be submitted to and approved in writing by the local Planning Authority and implemented before beneficial use of the development commences. Such a plan shall contain delivery times to avoid the peak periods of the site and swept path analysis of commercial vehicle movements within the site.

Reason: In the interests of highway safety.

6. The proposed vision splays shown on drawing PL001 shall be provided before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

7. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

8. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented prior to beneficial use of the site extensions and extended parking area commencing.

Reason : To ensure safe drainage of the site.

9. Notwithstanding the submitted plan no development shall take place until details of the TV gantry, portable structures and fencing have been submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the details approved prior to the development being brought into beneficial use.

Reason: To ensure the details are appropriate for the location.

10. The extended Stand shall not be brought into beneficial use until space has been laid out within the site in accordance with the approved plans for cars to be parked and for vehicles to turn so that they may enter and leave in a forward gear.

Reason : To ensure adequate off street parking is provided, in the interests of highway safety and car parking guidelines.

11. All hard and soft landscape works shall be carried out in accordance with the approved details (Proposed Tree & Shrub Planting). The works shall be carried out in accordance with a programme to be agreed with the Local Planning Authority prior to any development commencing on site.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

12. Notwithstanding condition 1, the landscaping as implemented in accordance with the Tree and Shrub Planting plan shall be maintained for a minimum period of 3 years in accordance with the regime outlined in the Tree and Landscape Proposals.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

13. If within a period of three years from the date of the planting of any tree that tree or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place.

Reason : To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a) This application can be recommended for approval because the development complies with Council policy and guidelines and will not adversely affect highway safety or visual amenities.
- b) In order to satisfy condition 8, the developer will need to provide:-
- a scheme including drawings, of the proposed method of disposal of surface water;
  - details of the proposed sustainable drainage systems.
- c) No surface water is permitted to discharge to the public highway;
- d) No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network;
- e) The developer may need to apply to Dwr Cymru/Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)
- f) The developer is advised that some public sewers and lateral drains may not be recorded on the maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The developer may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- g) With respect to condition 9 stacked containers will not be an appropriate design in this location and an alternative design should be considered.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

**REFERENCE:** P/16/373/FUL

**APPLICANT:** Porthcawl Harbourside C I C 18 Mary Street, Porthcawl, CF36 3YA

**LOCATION:** **Porthcawl Harbourside Cosy Corner off Eastern Promenade  
Porthcawl CF36 3YR**

**PROPOSAL:** Maritime centre building incl. community, education & leisure facilities (use classes A3, B1a, C1, D1, D2), a micro-brewery & an open air performance space

**RECEIVED:** 5 July 2016

**SITE INSPECTED:** 6 September 2016

## **APPLICATION / SITE DESCRIPTION**

The application by Porthcawl Harbourside Community Interest Company (CIC) seeks planning permission for the redevelopment of the Cosy Corner part of the Porthcawl Waterfront Regeneration area close to the Grade II Listed Jennings Building and the Porthcawl Lifeboat Station building within the recently developed Marina. The site lies to the south-east of the town centre and is wholly within the Porthcawl Conservation Area.

The 0.36 Ha site is a large sunken grassed area which is partially enclosed by a high curved quarried stone wall which slopes downwards to the entrance to Porthcawl Harbour. The site is accessed via the Eastern Promenade.

The land is owned by the Council and will be leased to the CIC to include the shared use of 2 no. commercial vehicle service bays with the Jennings Building. The development is dependent on European and the Big Lottery Funding and planning permission is the next vital step in being able to apply for and secure the funding.

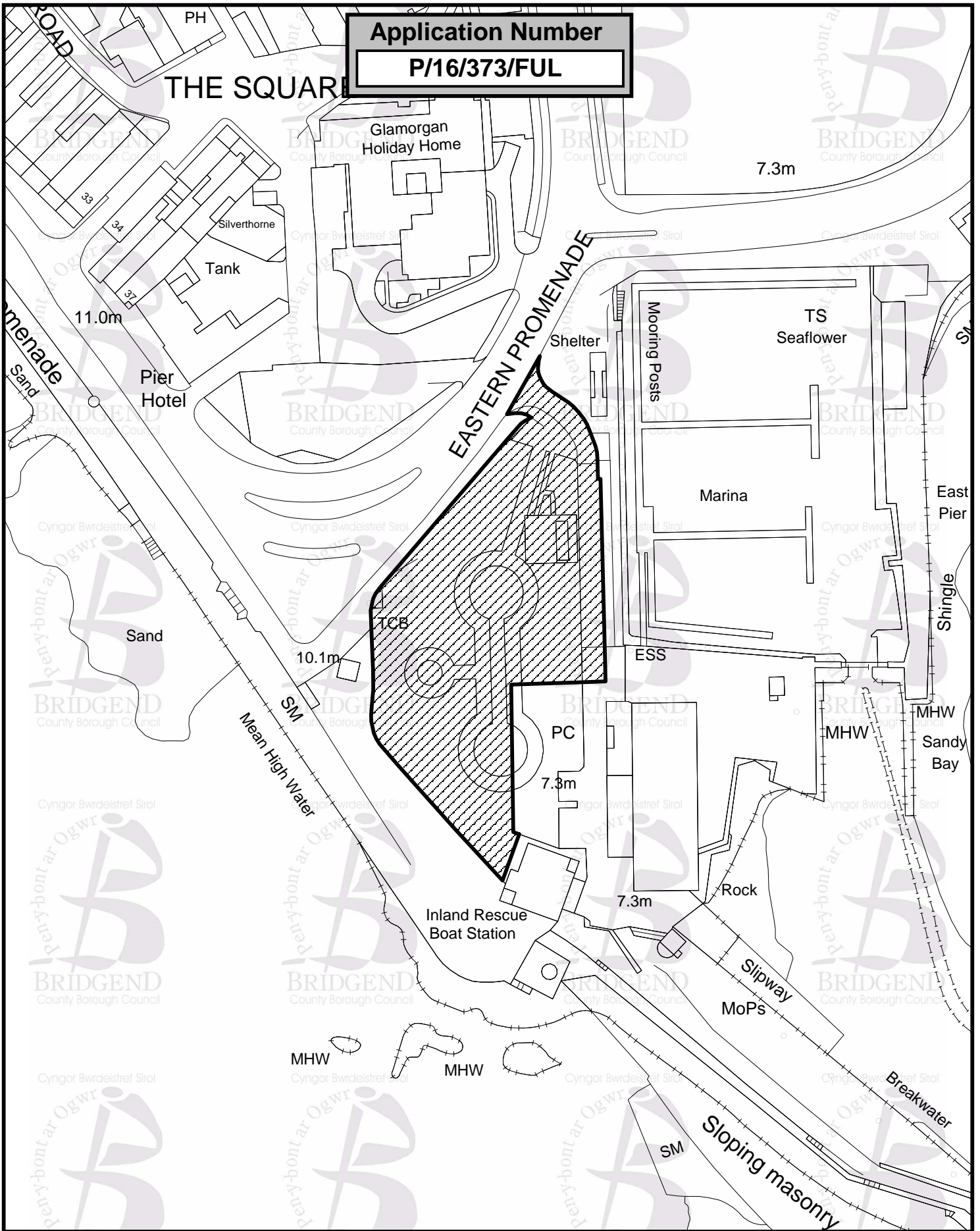
A multi-level and multi-use flagship Maritime Centre building is proposed together with associated complex facilities for the benefit of the community that it will serve. It is intended that the flagship facility will establish the Harbourside as a prime destination for all-weather and year-round maritime activities whilst providing business, educational, cultural and health and well-being benefits to the south coast of Wales.

The main 4 storey, and mainly rectangular, building will be sited to along the north-western length of the site (with the main body of the building having dimensions of approximately 55m in length by 14m in width) and will incorporate three tower elements and projecting terraces to maximise the views across the harbour whilst fronting onto the Eastern Promenade.

The building will accommodate various community, non-profit organisations and commercial premises including a Sea Cadet meeting/conference facility, a Sea Quest Coastal Science Discovery Experience visitor attraction and educational resource and a children's day care/crèche at lower ground floor level; offices for the Welsh Surfing Federation, Sea Cadets, Coastguard and SSAFA (the Armed Forces Charity), classrooms and a Coastguard store at mezzanine level; a training pool and fitness suite (including changing rooms and treatment rooms) at ground floor level; accommodation for groups and a lounge area for local community use at first floor level; a restaurant/bar/lounge at second floor level and the Harbourmaster's Office and a Sea Quest Viewing Tower at tower level.

Application Number

P/16/373/FUL



Scale 1:1,250

Date Issued:  
23/09/2016

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O:/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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To the southern end of the site, it is proposed to erect one and a half storey buildings, stepping down to the levels of the RNLI Building and the Jennings Building, to frame an external performance area/amphitheatre seating area. The buildings will include a micro-brewery, Café/Bistro, exhibition spaces, green rooms, offices and the multi-functional performance area together with performance area control booth/kiosk.

The performance space will have the option of being covered by a canopy for certain events or performances. The remainder of the site will be retained as public open space in a combination of hard and soft landscaping including the access road to the Jennings Building, RNLI Building and associated car parking areas.

## **RELEVANT HISTORY**

Whilst there is no relevant recent planning history for the application site (historically used as a public open space and theatre) the following applications relate to the redevelopment of the nearby Grade II Listed Jennings Building:

P/15/609FUL – Change of use of warehouse to A1, A3, D1 and 13 resident units and Custom House to A1; provide car park, outdoor seating and associated works – Approved 5<sup>th</sup> February, 2016.

P/15/608/LIS – Change of use of warehouse to A1/A3, D1 and 13 residential units, Custom House to A1 and provide outdoor seating, car park and associated works – Approved 4<sup>th</sup> February, 2016

P/15/12/LIS – Repair building to replace stones, repointing, re-roofing and replace windows and doors – Approved 24<sup>th</sup> March, 2015

## **PUBLICITY**

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 9 September 2016

## **NEGOTIATIONS**

The application has been the subject of detailed pre-application discussions and was submitted broadly in line with the pre-application advice and the Council's Planning Development Brief (Jan 2016).

The proposed uses/tenants within the site have changed over time and it has been confirmed that the canopy over the proposed outdoor performance space will not be a permanent feature, the central tower of the main building has been raised in contrast to the two end towers to accentuate the main entrance into the building and the legibility of the Maritime Centre, a publicly accessible "Changing Place" toilet and changing facility for people with profound and multiple learning difficulties will be included within the Maritime Centre and additional glazing has been added to the two end towers of the main building to reduce the amount of blank wall/render on these prominent features.

## **CONSULTATION RESPONSES**

### **Porthcawl Town Council Observations**

Notified on 8<sup>th</sup> July, 2016.

No objections – unanimous support.

### **Head of Street Scene (Highways)**

No objections subject to conditions.

### **Conservation and Design**

The Conservation and Design team does not raise any objections in principle to the proposed uses for the Maritime Centre, however, it is important that it is demonstrated that that key views of the Jennings Buildings are retained where possible in accordance with the Development Brief and guidance set out in W/O Circular 61/96 para 30.

### **Dwr Cymru/Welsh Water Developer Services**

No objections subject to conditions.

### **Natural Resources Wales**

NRW requested a Flood Consequence Assessment to include an assessment of the impact of wave action. An updated FCA was received on 5<sup>th</sup> September, 2016 and any additional comments from NRW will be reported to the Development Control Committee on the Amendment Sheet.

### **Head of Street Scene (Drainage)**

No objections subject to conditions and advisory notes.

### **Group Manager Public Protection**

No objections subject to the agreement that, for the A3 use, the design, construction and maintenance of the extraction and odour abatement systems are in accordance with the DEFRA Guidance on Control of Odour & Noise From Commercial Kitchen Exhaust Systems and agreed with the Public protection Department prior to the commencement of development.

### **Group Manager Regeneration (Countryside Management)**

No objections subject to conditions.

## **REPRESENTATIONS RECEIVED**

A large number of local residents have written in support of the application, mainly due to the community benefits.

The Director for Primary and Community Services at Abertawe Bro Morgannwg University Health Board supports the proposals as they will provide an inclusive community hub which will further support one of the key Health Board priorities of working together with Partners to tackle health issues and encourage healthy lifestyles. The Maritime Centre will support the overall service model for health and well-being services for the population of Porthcawl as well as being a significant community facility.

The owner of the Pier Hotel supports the application but refers to drainage issues and foul sewerage from the development being pumped up the road towards the hotel.

The agent for ABA Holdings Ltd. (the applicant for the Jennings Buildings redevelopment) has commented on the potential impact of the development on the commercial tenants and purchasers of the live/work units in the Jennings Buildings, the potential requirement for Listed Building consent and the lack of information relating to the servicing of the Maritime Centre.

## **Porthcawl Civic Trust Society, 32 Penylan Avenue**

Welcomes the proposed development – it will hopefully provide Porthcawl with a much needed community focal point and tourist attraction.

### **COMMENTS ON REPRESENTATIONS RECEIVED**

The recommendation will include a condition requiring full details of foul and surface water drainage.

The Cosy Corner site is not a Listed Building and, therefore, Listed Building consent is not required. However, the application has been advertised as having a potential impact on the setting of the Grade II Listed Jennings Building.

In regard to servicing, the Highways Authority do not object to the proposal provided that 2 commercial parking bays are provided next to the existing shared commercial parking bays secured as part of the Jennings Building redevelopment.

### **APPRAISAL**

The application is being reported to the Development Control Committee due to the significance of the scheme for Porthcawl and its importance as part of the Porthcawl Waterfront Regeneration Area.

The site lies within the Porthcawl Conservation Area and the Porthcawl settlement development boundary. It also lies within the Porthcawl Strategic Regeneration Growth Area as defined by Policy SP1 of the Local Development Plan (LDP) and forms part of a site allocated for a regeneration and mixed use development scheme under Policy PLA3(8) of the LDP. The regeneration area provides a unique opportunity to create a vibrant new focus that will bring social, economic and environmental benefits to the Town itself and the wider area. Therefore, a mixed use development at this location is considered acceptable in principle.

The site is also the subject of a Cosy Corner Planning Development Brief, produced in January 2016, which establishes a planning and design framework for the redevelopment of the site. The document is a background paper to this report.

A wider Supplementary Planning Guidance note has also been produced for the Seven Bays Project - Porthcawl Waterfront. This document was adopted by the Council in November 2007. The SPG does not form part of the LDP itself although its proposals are consistent with the relevant LDP policies. The Porthcawl Waterfront planning guidance provides details of the type of development envisaged for individual 'Character Areas' and sets out the general principles that developers will be expected to demonstrate when bringing forward proposals for the site. Cosy Corner is situated in the "Harbour Quarter" character area which is one of the most important character areas contained within the guidance. It envisages a revitalised harbour, focussed around a permanent body of water surrounded by a high quality environment.

All development is required to create high quality, attractive, sustainable places and Policy SP2 of the Bridgend Local Development Plan identifies 15 criteria which are the starting point for the assessment of all applications. Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character; being of an appropriate scale, size and prominence; using land efficiently; providing an appropriate mix of land uses; having good pedestrian, cycling, public transport and road connections within and outside the site; avoiding or

minimising noise, soil and water pollution; safeguarding and enhancing biodiversity and green infrastructure; ensuring equality of access by all; ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected; incorporating appropriate arrangements for the disposal of foul sewage and surface water and contributing towards local, physical, social and community infrastructure which is affected by the development are the relevant criteria for the purposes of this application.

Strategic Policy SP5 of the LDP seeks to ensure that development will conserve, preserve or enhance the built and historic environment of the County Borough and its setting including demonstrating that it will not have a significant adverse impact on Listed Buildings and their settings and Conservation Areas. The supporting text to SP5 specifically states that the Built and Historic Environment is fundamental to the LDP Strategy and to achieving sustainable development.

In respect of Conservation of the Historic Environment, Planning Policy Wales' (Edition 8, January 2016) objectives are to preserve or enhance the historic environment, recognising its contribution to economic vitality and culture, civic pride and the quality of life, and its importance as a resource for future generations; and specifically to protect archaeological remains, which are a finite and non-renewable resource. A condition will be attached to the recommendation requiring an archaeological watching brief during the works.

The advice provided in W/O Circular 61/96 para 30 is particularly relevant to this application:

*“Many conservation areas include gap sites or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area: and their replacement should be a stimulus to imaginative, high quality design, and an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, but that they should be well designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own.”*

One of the main considerations for this development relates to its potential impact on the character and appearance of the Porthcawl Conservation Area and, more specifically, its potential impact on the setting of the nearby Grade II Listed Jennings Building.

At the pre-application advice stage, it was highlighted that the main key vistas within, into and out of the area should be maintained, particularly the important views as illustrated in map 10 of the Cosy Corner Planning Development Brief.

A Heritage Statement has been produced and a Landscape and Visual Impact Assessment has been undertaken in support of the application. Whilst the documents have not clearly demonstrated that the development will not have an impact on the setting of the listed building and some key views and vistas to the Jennings Building will be obscured by the “flagship” Maritime Centre building, it is considered that this was always likely to be the case given the position of the application site in relation to the Jennings Building and the scale of the development in comparison to the Jennings Building.

However, the views from the promenade into the site and across to the Jennings Building will remain generally uninterrupted due to the topography of the site and the reduced height (1 ½ storey) of the buildings proposed for the southern part of the site. The temporary nature of the proposed tensile fabric covering structure for the proposed outdoor Performance Space will also ensure that views into the site and across to the Jennings Building will be maintained for the majority of the time. Section 66 of the Listed Buildings Act 1990 dictates that special regard to the desirability of preserving the listed building or its setting must be had when determining an application. In this case, in view of the above, it is considered that there will be no harm to the setting of the listed Jennings Building.

When viewed from the sea and from the coastline the building will add interest in the skyline and silhouette of the town of Porthcawl. The historic building will feature in the foreground from such views.

In terms of the design of the building, the art deco style and the use of towers to punctuate the centre and side elevations is considered to be appropriate in this instance. The treatment and scale of these features have been amended through negotiation to reduce the amount of blank render and to accentuate the central tower as the main entrance into the building to aid legibility.

A condition is attached to the recommendation requiring additional details of the materials and finishes of the buildings, particularly in relation to the roof covering, the render system and the profile, colour and style of the glazing bars.

It is considered that the proposed development accords with the advice contained with the Cosy Corner Planning Development Brief and complies with Strategic Policy SP5 of the LDP and advice contained within the Planning Policy Wales and Welsh Office Circular 61/96.

Strategic Policy SP10 of the LDP states that all retail, office, other commercial, leisure and appropriate employment developments will be focused according to the hierarchy of retailing and commercial centres. Porthcawl is identified as a town centre and it is considered that this community facility and ancillary commercial uses (generally A3 with no A1 retail element) will complement rather than have a negative impact on the vitality and viability of the nearby Porthcawl Town Centre.

Strategic Policy SP11 of the LDP states that appropriate tourism developments which promote sustainable and activity based tourism will be permitted when linked to regeneration initiatives at the strategically important resort of Porthcawl. This mixed use development of community, educational and leisure uses will provide a much needed focal point for Porthcawl, the County Borough and South Wales in general.

In terms of biodiversity, Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21st March, 2016.

Section 6(1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public

authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.”

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are: 1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment," 2. That there is "no satisfactory alternative," and 3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range."

The Council's Countryside Management Officer accepts the conclusion of the Ecological Appraisal Report that the site is of limited ecological interest.

However, the ecological appraisal does recommend species rich planting to enhance the wildlife potential of the scheme as part of a Landscape and Habitat Management Plan. This aligns with Policy ENV6 of the LDP and a condition has been attached to the recommendation to ensure that the Plan is submitted for approval which will satisfy the Council's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 and guidance contained within TAN 5: Nature Conservation and Planning (2009). Therefore, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity.

The scheme and the Traffic Assessment (TA) which accompanied the application have been considered by the Head of Street Scene (Highways). The development is expected to generate up to 18 additional vehicle trips in the AM peak period and up to 85 additional vehicle trips in the PM peak period on weekdays. The TA concludes that the additional traffic generated by the development will have a minimal effect on the highway network in the locality of the site and this conclusion is generally accepted by the Highway Authority.

In terms of parking provision, which is effectively nil, given the sustainable location of the site with access to local facilities, local public transport and walking and cycling routes, it is considered that it is acceptable that there is no public parking within the development site. Even though it is estimated that the uses within the site would generate a total requirement for 131 spaces, plus spaces for 5 commercial vehicles to unload in close proximity to the retail/café/restaurant units, the Highway Officer has agreed that all public parking requirements for the site can be accommodated within the nearby public car parks. With regard to the commercial parking requirement, it is accepted that the full provision of 5 spaces (as per SPG17 – Parking Standards) would not be feasible in this instance due to the constrained nature of the site. Therefore, in addition to the two commercial parking bays to be shared with the future commercial occupiers of the Jennings Buildings, a condition will be attached to the recommendation seeking two further commercial parking bays to serve the site. These will be located to the immediate north of the commercial bays secured under the consent for the redevelopment of the Jennings Buildings.

This is an acceptable alternative to the applicant's proposed use of the Highway/Parking area on the Esplanade as the vehicular carriageway at this point has been reduced following works to widen the footway for a 3m wide shared footway and cycleway.

In addition, in order to remove vehicles from this area in front of the main entrance and approach into the building, a condition is proposed to explore the possibility of a traffic management scheme for the Esplanade to include a consultation exercise with local stakeholders and the Highway Authority.

In terms of cycle parking, the Highway Officer considers that there is insufficient provision within the scheme. A condition will be attached to the recommendation requiring details of a scheme to deliver 30 cycle parking spaces (10 staff and 20 visitors) within the site to promote active and sustainable travel.

Finally, the submitted site layout plan includes a vehicular access and garage for the coastguard. As it is considered that this access will give rise to pedestrian safety concerns, the applicant has agreed to remove the access via a condition.

Although the level of information submitted concerning site drainage is limited, the Council's Land Drainage Engineers and Dwr Cymru/Welsh Water have not opposed the development and recommend the imposition of a pre-commencement planning condition requiring the agreement of a comprehensive drainage scheme dealing with both the disposal of foul and surface water. Any future drainage scheme for this site will ensure that there are no adverse impacts on third party land.

Section 3 of the Well-being of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5). The well-being goals identified in the Act are: \* a prosperous Wales, \* a resilient Wales, \* a healthier Wales, \* a more equal Wales, \* a Wales of cohesive communities, \* a Wales of vibrant culture and thriving Welsh language and \* a globally responsible Wales.

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development. In fact, the development should positively contribute to sustainable development goals.

With regard to disabled access and facilities for all, paragraph 5.3.7 of Technical Advice Note 12: Design suggests that:

*Those seeking permission to build new and public commercial buildings are encouraged to include in their plans accessible 'Changing Places' toilet facilities in addition to standard accessible toilets. Changing Places toilets are facilities specifically designed to accommodate adults whose needs are not met by standard disabled toilets. They incorporate adult-length padded and height-adjustable changing tables, hoists, peninsular WCs and shower facilities.*

Therefore, the applicant has been approached to agree to the provision of an accessible Changing Places toilet facility within the complex and this will be secured via a suitably worded condition.

## CONCLUSION

Having regard to the above, this application is recommended for approval because the development complies with Council policy, guidelines and the Cosy Corner Planning Development Brief (Jan 2016). The scheme is a vital component of the Porthcawl Waterfront Regeneration Area that will preserve the character and appearance of Porthcawl Conservation Area and the setting of the Grade II Listed Jennings Building. Furthermore, the development will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

## RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):

1. The development shall be carried out in accordance with the following approved plans:-

Site Location Plan (1:1250) – received 11<sup>th</sup> May, 2016  
Lower Ground Floor Plan (Site Layout Plan) Level 1.0 – received 22<sup>nd</sup> July, 2016  
Main Building Level 1.0A - received 22<sup>nd</sup> July, 2016  
Main Building Ground Floor – Promenade Level – Level 2.0 - received 22<sup>nd</sup> July, 2016  
Main Building 1<sup>st</sup> Floor – Level 3.0 - received 22<sup>nd</sup> July, 2016  
Main Building 2<sup>nd</sup> Floor/Roofspace – Level 4 - received 22<sup>nd</sup> July, 2016  
Main Building – Roof Layout - received 22<sup>nd</sup> July, 2016  
Main Building – Towers - received 14<sup>th</sup> September, 2016  
Main Building – South East Elevation - received 14<sup>th</sup> September, 2016  
Main Building – North West Elevation - received 14<sup>th</sup> September, 2016  
Main Building – North East Elevation - received 22<sup>nd</sup> July, 2016  
Main Building – South West Elevation - received 22<sup>nd</sup> July, 2016  
Main Building – Section A-A – received 22<sup>nd</sup> July, 2016  
Micro-brewery floor plan – Performance Space Level - received 22<sup>nd</sup> July, 2016  
Café Bistro floor plan – Promenade Level - received 22<sup>nd</sup> July, 2016  
Café/Bistro/Micro-brewery – Roof Terrace Level - received 22<sup>nd</sup> July, 2016  
Café/Bistro/Micro-brewery – South East Elevation and Section - received 22<sup>nd</sup> July, 2016  
Café/Bistro/Micro-brewery – North West Elevation - received 22<sup>nd</sup> July, 2016  
Café/Bistro/Micro-brewery – South West Elevation - received 22<sup>nd</sup> July, 2016  
Café/Bistro/Micro-brewery – North East Elevation - received 22<sup>nd</sup> July, 2016  
Exhibition Space, Green Room and Office Building – Floor Plans/General Arrangements – received on 22<sup>nd</sup> July, 2016  
Exhibition Building and Green Room - North West Elevation (1:100) – received on 22<sup>nd</sup> July, 2016  
Exhibition Building and Green Room - North West Elevation (1:125) – received on 22<sup>nd</sup> July, 2016  
Exhibition Building and Green Room - North East Elevation (1:125) – received on 22<sup>nd</sup> July, 2016  
Exhibition Building and Green Room - South West Elevation (1:125) – received on 22<sup>nd</sup> July, 2016  
Exhibition Building and Green Room – 3D Architectural Visualisations – received on 22<sup>nd</sup> July, 2016  
Performance Space Control Kiosk/Booth – Plans and Elevations – received on 22<sup>nd</sup> July, 2016

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.



2. The A3 units hereby approved (Restaurant/bar/lounge; Micro-brewery and Café/Bistro) shall only be used for purposes falling within Class A3 of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order and for no other purposes whatsoever.

Reason: For the avoidance of doubt as to the extent of the permission granted.

3. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use commencing.

Reason: To ensure that effective drainage facilities are provided for the proposed development, to prevent hydraulic overloading of the public sewerage system and that flood risk is not increased.

4. No development shall commence until the scheme for the widening of the access road entrance from the Eastern Promenade to a width of 6.5 metres secured under App. No. P/15/609/FUL has been constructed in accordance with the approved details.

Reason: In the interests of highway safety and to ensure a satisfactory form of development.

5. Prior to the first beneficial use of the Maritime Centre complex, a barrier and parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The management plan shall detail how commercial deliveries will be effectively managed in conjunction with the existing harbour operations to ensure the facilities are appropriately used at all times and without detriment to existing and future occupiers of the surrounding facilities. The barrier and parking management plan shall thereafter be implemented in accordance with the approved scheme.

Reason: In the interests of highway safety and to ensure a satisfactory form of development.

6. No development shall commence until a scheme for the provision of 2 commercial vehicle parking bays located directly to the North of the 2 commercial spaces being provided by the Jennings Building redevelopment (App. No. P/15/609/FUL refers), has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

7. The developer shall provide a commercial delivery and servicing plan which is to be submitted to and agreed in writing by the Local Planning Authority, no later than 6 months from the date of this consent. All servicing and delivery vehicle movements to the facility hereby approved shall be made in accordance with the approved delivery and servicing plan once the development is brought into beneficial use and retained thereafter in perpetuity.

Reason: In the interests of highway safety.

8. The developer shall provide a signage scheme advising of the allowable vehicles into the harbour area and relate to the proposed development which is to be submitted to and agreed in writing by the Local Planning Authority no later than 6 months from the date of this consent. The approved signs shall be erected at the access and shall be fully implemented prior to the Maritime Centre being brought into beneficial use.

Reason: In the interests of pedestrian and highway safety.

9. Notwithstanding the requirements of condition 1, details of a scheme for the provision of cycle parking stands within the site and an integral cycle ramp on the steps leading from the Esplanade shall be submitted to and approved in writing by the Local Planning Authority no later than 6 months from the date of this consent. The stands and ramp shall be installed prior to the development being brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of promoting sustainable means of travel to and from the site.

10. The 3 metre wide pedestrian and cycle shared path to be provided along the eastern boundary of the site fronting the Marina shall be constructed in accordance with details and materials to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The pedestrian and cycle shared path shall be provided prior to the development being brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of pedestrian and highway safety.

11. Notwithstanding the requirements of condition 1, prior to the commencement of development, revised floor plans and elevations illustrating the omission from the scheme of the coastguard access and garage/parking space shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the use of the development and thereafter retained as such in perpetuity.

Reason: In the interests of highway and pedestrian safety in and around the building.

12. Prior to the commencement of development hereby approved, a proposal to amend the parking arrangements on the Eastern Promenade fronting the site, including the existing triangular parking area, shall be prepared in consultation with relevant stakeholders including the Highway Authority and Porthcawl Town Council. The scheme shall consider highway, pedestrian and cyclist safety, the Porthcawl Regeneration Supplementary Planning Guidance Note and the wider Conservation Area setting and the scheme shall be fully implemented by the developer prior to the beneficial occupation of the Maritime Centre.

Reason: In the interests of highway safety and to preserve the visual amenities of the main entrance into the building.

13. Notwithstanding the requirements of condition 9 above relating to cycle parking, the developer shall implement the Transportation Implementation Strategy as detailed in the submitted Transport Assessment by Lime Transport (section 6.1.2 refers), full details of which shall be submitted to and approved in writing by the Local Planning Authority no later than 6 months from the date of this consent. The measures in table

6.1 shall be implemented before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of promoting sustainable modes of travel to and from the site.

14. The A3 units shall not be brought into beneficial use until details of the design, construction and maintenance of the extraction and odour abatement systems are submitted to and approved in writing by the Local Planning Authority. The details shall accord with the DEFRA Guidance on Control of Odour & Noise From Commercial Kitchen Exhaust Systems. The approved scheme shall be implemented prior to the beneficial use of the development and all equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details for as long as the use continues.

Reason: In the interests of residential amenity.

15. No development or site clearance shall commence until the Local Planning Authority have been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a watching brief can be conducted. No work shall commence until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the archaeological fieldwork being completed.

Reason: To mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding heritage assets is preserved by record.

16. Before the use of the Maritime Centre Building commences, details of a publicly accessible Changing Place facility and directional signage that complies with BS 8300:2009 and guidance contained within the Changing Places Consortium's Practical Guide shall be submitted to and approved by the Local Planning Authority. The Changing Place facility and signs shall thereafter be installed in accordance with the approved plans and retained thereafter in perpetuity.

Reason: To comply with the requirements of paragraph 5.3.7 of Technical Advice Note 12: Design (2016).

17. No development shall commence, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To ensure a satisfactory form of development and to preserve the amenities of neighbouring occupiers.

18. No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details

Reason: To ensure a satisfactory form of development.

19. Prior to the construction of the Maritime Centre complex hereby approved details and/or samples of the materials to be used in the construction of the external surfaces of the buildings and public realm shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed roof covering of the buildings, the render system to be used and the profile, colour and style of the glazing bars. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

20. Prior to the beneficial use of the Maritime Centre complex, full details of the proposed means of illumination of the buildings, performance space and public realm shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

21. The development shall be implemented in accordance with the recommendations and conclusions contained within Section 6 of the Ecological Appraisal & Summary of BREEAM Ecology Credits Report. The proposed Landscape and Habitat Management Plan referred to in recommendations 6.4 and 6.5 of the report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To satisfy the Local Planning Authority's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016.

**\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS**

The delivery parking area shall be defined by thermoplastic paint or a similar alternative.

Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under section 163 of the Highways Act 1980.

The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials for the access, parking and manoeuvring areas, although compacted chippings would not be considered acceptable. As a result of the above, impermeable surfacing such as concrete or tarmac extending across the full width of these areas should not be considered as a first option.

The applicant may need to apply to Dwr Cymru/Welsh Water (DCWW) for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption" – 7<sup>th</sup> Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

The applicant is also advised that some public sewers and lateral drains may not be recorded on DCWW's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background papers**

Cosy Corner Planning Development Brief (Jan 2016)

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**REFERENCE:** P/15/876/FUL

**APPLICANT:** M G K Leisure Ltd

**LOCATION:** Rear of 46 John Street Porthcawl CF36 3BD

**PROPOSAL:** Proposed residential development comprising 4 new units at land to rear of 46 John Street.

**RECEIVED:** 8 January 2016

**SITE INSPECTED:** 20 January 2016

## **APPLICATION/SITE DESCRIPTION**

Full planning permission is sought for the erection of a detached residential building at land to the rear of 46 John Street Porthcawl. The development would accommodate two ground floor bedsits, a two bedroom flat at first floor level and a single bedroom flat within the roof space of the property.

The building would appear two-storey in appearance with useable roof space comprising four front dormer additions and a larger single dormer addition to the rear roof slope of the building. The building would consume the majority of the plot whilst retaining a side access to the upper storeys and an external bin storage area. It would have a rectangular footprint with overall dimensions of 13.8m in length by 5.7m in depth. It would have a maximum height to ridge level of 9.3m. The building would be finished with a cement render and slate roof tiles.

The application site is situated within the extended Porthcawl Conservation Area and comprises an unoccupied parcel of land that sits to the rear of the commercial John Street and on the perimeter of the main car park within the centre of Porthcawl. Boundary walls currently define the site.

## **RELEVANT HISTORY**

P/01/454/FUL - Alterations and change of use of rear redundant building into a tea shop - Granted 07/08/2001

P/04/651/FUL – Proposed tea room with office over – Granted 05/07/2004

## **PUBLICITY**

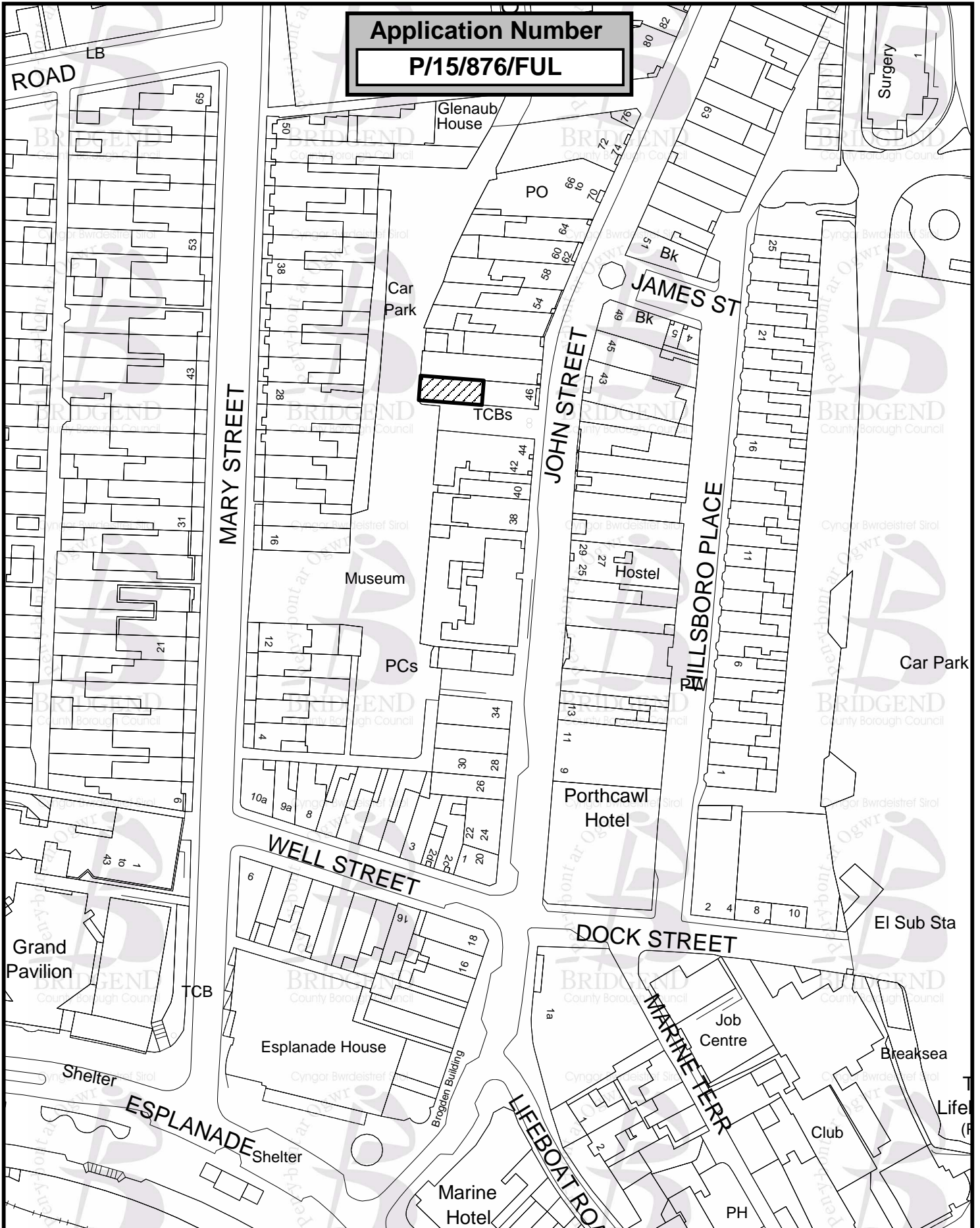
The application has been advertised on site.  
Neighbours have been notified of the receipt of the application.  
The period allowed for response to consultations/publicity expired on 05 February 2016.

## **NEGOTIATIONS**

The applicant/agent was requested to reduce the overall height and scale of the building to a more appropriate two-storey design to reflect the design of nearby properties, ensure the scale of the development is appropriate to its setting and to reduce the visual impact of the scheme.

Application Number

P/15/876/FUL



Scale 1:1,250

Date Issued:  
23/09/2016

Development-Mapping  
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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## **CONSULTATION RESPONSES**

Porthcawl Town Council: Object to the proposal in terms of 'over intensification of site'.  
Head of Street Scene (Drainage) – No objections.  
Head of Street Scene (Highways) – No objections.  
Conservation & Design Team – No objections.  
Welsh Water Developer Services – No objections.

## **REPRESENTATIONS RECEIVED**

None.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

In relation to the Town Council's comment, the application site is currently a vacant, derelict site within the town centre. Following significant negotiations the applicant has reduced the overall massing and scale of the external dimensions of the building to ensure it appears sympathetic to its surroundings and does not result in an over development of the site. Planning permission has also been previously granted for a coffee shop and office premises at the site (Ref P/04/651/FUL) and it is considered that such a proposal would not result in an over intensified use of the site, within such a town centre location.

## **APPRAISAL**

The application is reported to Development Control Committee in view of the Town Council's objection.

The application seeks consent for the construction of a two-storey detached building to the rear of 46 John Street, Porthcawl. The development would incorporate roof dormers to allow habitable accommodation to be created within the roof space of the building. The ground floor of the building would accommodate two small bedsit units. A two-bedroom flat unit would be created across the first floor of the building comprising a bathroom, living/dining area, kitchen and two bedrooms. Within the roof space of the building a one bedroom flat would be created accommodating a bathroom, living/dining room, kitchen and single bedroom.

The application site comprises a derelict and underused area of land to the rear of the busy John Street in Porthcawl. The site is situated on a side access route that links the commercial high street with a large public car park. There is a commercial building positioned opposite the application site. A high, brick finished annexe abuts the rear of the application site. Immediately to the rear of 46 John Street is a residential flat premise, 46a John Street, which also falls within the ownership of the applicant.

The application site is located within the designated settlement boundary, within the town centre of Porthcawl as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP). Policy COM3 of the LDP supports the re-use of land within the urban area for small-scale residential development where no other LDP Policy protects the building or land for an existing or alternative use. The site is located within the established commercial centre where Policy SP10 seeks to ensure that all new development proposals within retailing and commercial centres should provide retail, community or commercial floorspace on the ground floor. At present the site is derelict and bounded by a public car park to the west and a public walkway to the south allowing pedestrian access to John Street which is allocated as Primary Shopping Frontage within the Local

Development Plan. The proposal does not result in the loss of existing retail space and the new built form would improve the visual appearance of this part of the town centre. The proposal represents an opportunity for the re-use of land within the urban area and, on balance, it is considered that the use of the site for residential purposes represents a sustainable and compatible use of the plot. Residential development is therefore, supported in principle on this site.

Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making. This is supported by guidelines set out in Design Guide 1: Dwellings and Domestic Scale Buildings and Supplementary Planning Guidance 2: Householder Development.

Following substantial negotiations between the applicant's agent, the Conservation and Design Team and the Local Planning Authority, the scheme has been significantly revised from its original, large three-storey design to a more appropriate two-storey design with useable roof space that is more in-keeping and sympathetic to the existing buildings that surround the application site. The Council's Conservation Officer welcomes the revisions undertaken to prevent the new building from dominating the site and to ensure the building appears as a subservient addition to the existing built form of the locality. Proposed finishing materials, comprising a rendered finish and slate roof are considered appropriate for the locality and surrounding conservation area and largely in-keeping with the finishes of other neighbouring properties. As such, the proposal would not appear as an overly obtrusive or jarring addition to the street scene and given the amendments undertaken, would not have an adverse impact on the existing visual amenities of the area.

Whilst acknowledging the constraints of the site in terms of amenity provision, given the location of the site within Porthcawl Town Centre and the reasonably close proximity of the site to shops, restaurants, the sea front, community facilities such as doctors, chemists, banks etc and transport links, it is considered that the future occupiers of the individual flats will enjoy a reasonable level of amenity with the proposal not resulting in an over intensive use or overdevelopment of the plot in this town centre location.

In terms of the impact on existing residential amenity it is noted the site is predominantly surrounded by commercial properties that are unlikely to experience any significant loss of privacy or amenity as a result of such a proposal. It is noted that a number of nearby commercial premises benefit from associated first floor residential flat accommodation and, therefore, in terms of the proposed use, the development is compatible with the character of the surrounding area. The primary windows within the development would be positioned within the front elevation of the new building facing towards the public footway fronting the site. As detailed, to the west of the site is a public car park and to the rear, north, is the large annexe of a commercial property that fronts onto John Street. High level windows are only proposed within the rear dormer addition that would have no adverse overlooking impact. One window opening serving the access stairs and a small secondary bedroom window would be positioned within the east facing, side elevation of the building facing a number of windows within the rear elevation of properties along John Street. However, a recommended condition would ensure these windows are obscurely glazed to prevent any direct overlooking from the new development.

A number of window openings positioned within the rear elevation of properties along John Street would experience some loss of outlook and overshadowing as a result of the scheme. However, given the reductions in the height and massing of the building and noting the property most affected by the proposal (no .46a) is also owned by the applicant, with no letters of objection from any neighbouring residents being received following the public consultation process, the proposal does not raise such adverse residential amenity concerns to warrant a recommendation to refuse the planning application.

The Group Manager Transportation and Engineering (Highways) has raised no objections against the planning application. It is commented that the application does not provide for resident parking, however, the property is situated in a town centre location which is close to public car parks and alternative modes of transport and is, therefore, considered sustainable and acceptable in terms of parking.

No statutory consultee, with the exception of the Town Council, has raised any concerns with the proposal. The Council's Drainage Section has advised a standard drainage condition should be attached to any approved consent and note a public sewer crosses the site that may need to be re-aligned or the relevant consent sought from Welsh Water to confirm the acceptability of constructing over the main sewer should permission be granted. Welsh Water has been consulted on the planning application and raise no objections subject to conditions and advisory notes.

Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21<sup>st</sup> March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the previously developed nature of the application site and its currently vacant status, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

Overall, it is considered the development can contribute to creating a quality, attractive and sustainable form of residential accommodation within the Porthcawl Town Centre. Legislation and national planning policy dictates that planning applications must be determined in accordance with the approved Development Plan unless material circumstances suggest otherwise. In this case, notwithstanding the Town Council objection, it is considered that there are no material reasons why planning permission should be refused.

## **CONCLUSION**

This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy, highway safety, visual amenities, land drainage, ecology or so significantly harms neighbours' amenities as to warrant refusal.

## **RECOMMENDATION**

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents received 14/09/2016:

Front elevation, section & ground floor plan scale 1:100  
Main section & first floor plan scale 1:100  
Rear elevation scale 1:100  
End elevations & attic plan scale 1:100

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the surrounding conservation area.

3. Notwithstanding the requirements of condition no.1, the side window openings positioned within the east facing, side elevation of the building (facing 46 John Street) shall be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity. The windows shall be fitted prior to the beneficial use of the building hereby approved commencing and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

4. No development shall take place until a detailed specification for the design of the side entrance gate has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: In the interests of safeguarding the general amenities of the area.

5. Notwithstanding the requirements of condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard (surface) water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the occupation of the development hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

**\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS**

a) This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy, highway safety, visual amenities, land drainage, ecology or so significantly harms neighbours' amenities as to warrant refusal.

b) The site is crossed by a public sewer. The developer is advised to contact Dwr Cymrw/Welsh Water for its precise location and details of the safety zone on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

c) If a connection is required to the public sewer system, the developer is advised to contact Dwr Cymrw/Welsh Water on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background papers**  
None

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**REFERENCE:** P/16/557/FUL

**APPLICANT:** Your Pet & Equine Heaven c/o Laura Jones, 53 Wigan Terrace, Bryncethin, CF32 9YE

**LOCATION:** **Block C Unit 14 Parc Y Bont Aneurin Bevan Avenue  
Brynmenyn Ind. Estate CF32 9TD**

**PROPOSAL:** In addition to the current use, proposed use to incinerate (cremate) and store pet and equine cadavers

**RECEIVED:** 15 July 2016

**SITE INSPECTED:** 5 August 2016

## **APPLICATION/SITE DESCRIPTION**

The application proposes the change of use of this currently vacant industrial starter unit to a sui generis use for the incineration and storage of pet and equine cadavers i.e. a pet and equine crematorium.

A plan showing the proposed internal layout of the unit shows that the existing office, kitchen and WC facilities will be retained but immediately inside the roller shutter vehicular entrance a vehicle and equipment wash area will be created with fuel, water treatment, waste water and bulk waste storage tanks/facilities along the party wall with the adjoining unit (13). The proposed incinerator unit will be located behind the vehicle/equipment wash area with the flue towards the rear wall of the unit. The remainder of the space within the unit will be used for an animal cadaver cold store together with an urn production area and space for manoeuvring equine trollies/ cadaver lifting equipment. It is anticipated that the 400mm flue of the proposed incinerator unit will project no more than 1m above the roof level of the unit.

The Design and Access Statement, which accompanies the submission clarifies that the premises will operate in the following manner:-

**Collection -** Cadavers are collected from clients with all waste in sealed bags where practical, loaded on suitable trollies and colour coded depending on species. Equine collections are lifted and loaded on Respect-Equine Trollies, which have built in spill containment. The cadavers are carried within a large panel van, which is only unloaded once inside the facility - approximately one or twice daily.

**Storage/incineration -** The cadavers are either incinerated immediately or stored for incineration at the facility in a suitable cold room kept at 2-4 degrees centigrade. Incineration is undertaken in compliance with all appropriate regulations and has a maximum burn rate of 50kgs per hour. The operation produces no noise, smell or smoke. The incinerator unit itself is run on diesel fuel and includes a bunded tank. As indicated above, the unit has a 400mm stainless steel flue, which is similar to a heating flue, which will protrude no more than 1m above the roof level.

The inert ash remaining at the end of the process is either returned to the pet owner or stored and disposed of via landfill.

**Application Number**

**P/16/557/FUL**

Weir

Parc-y-Bont

ANEURIN BEVAN AVENUE

**Brynmenyn  
Industrial Estate**

MILLERS AVENUE

EI Sub Sta



**Scale 1:1,250**

**Date Issued:  
23/09/2016**

**Development-Mapping  
Tel: 01656 643176**

**Mark Shephard**

Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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The application site is located at the western end of a row of similar industrial units on the southern side (Block C) of Parc Y Bont within the Brynmenyn Industrial Estate. The unit lies to the east of the access into the Parc Y Bont Site from Aneurin Bevan Avenue. Each of the units in Block C comprises a brickwork base with profiled metal cladding above and profiled metal roofs containing roof lights to provide some natural light internally. The northern elevation contains a pedestrian entrance with a roller shutter vehicular access. Internally, the unit contains an office with kitchen/wc facilities with an open production/warehouse area.

## **RELEVANT HISTORY**

None relevant

## **PUBLICITY**

Neighbouring occupiers have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 12 August 2016

## **CONSULTATION RESPONSES**

Group Manager Public Protection - In the event that the Authority are minded to approve the development it is recommended that conditions to adequately control the flue/stack height and the method of dealing with waste but which is not to be incinerated and which is contaminated with animal by products.

Following consideration of the additional details in respect of the flue, it is considered that the above suggested condition in respect of the flue height is no longer required.

Natural Resources Wales - No objection

Head of Street Scene (Drainage) - No objection.

St Brides Minor Com. Council - Object to the application on the grounds of environmental impact and adverse effects on neighbouring properties.

Head of Transportation Policy & Development - No objection.

## **REPRESENTATIONS RECEIVED**

Block C Unit 13 Comment: Objects to the development for reasons which are summarised as follows:-

Adjoining unit is occupied by a health care provider with storage of medical supplies, which requires strict storage parameters. There is concern regarding air pollution from the proposed incinerator flue.

The proposed use will exceed waste management levels identified by Policy SP7 of the LDP.

There is concern that the use will generate smells due to the storage of animal cadavers.

There is also the potential for heat from the incinerator permeating through the unit wall and adversely impacting on temperature controls within the objector's unit.

There is a fear of the use attracting vermin thereby impacting on hygiene at the adjoining unit.

There is a lack of information regarding waste disposal associated with the proposed use and the method of controlling run off from the wash area.

There is a lack of detail on operating hours and methods of operating.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The following observations are provided in response to the objections raised by the Community Council and the occupier of the adjoining unit:-

**Air Pollution** - Notwithstanding the objector's concerns, the incinerator is deemed a low capacity incinerator and is DEFRA approved and, therefore, will be designed to meet the emissions standards. The Public Protection Department consider that, subject to an appropriately worded condition to control the height of the flue/stack, any emissions will be sufficiently dispersed and diluted into the atmosphere to ensure that they ground at harmless concentrations.

**Fear of Smells, Insect nuisance & Vermin** - The applicant has stated that waste brought into the unit will be in sealed bags where practicable and that, when necessary, cadavers and animal waste will be stored in a cold room thereby overcoming the above nuisance. The Public Protection Department has, however, highlighted that there is uncertainty regarding the method of dealing with other contaminated waste and has, therefore, recommended a condition to adequately control this aspect.

**Exceeding Waste Management Levels** - The objector has highlighted that Policy SP7 of the Bridgend Local Development Plan states that provisions for new waste treatment facilities to meet the regionally identified need to treat up to 228,000 tonnes of waste per annum will be made and identifies Brynmenyn Industrial Estate for this purpose. It is also highlighted that the application form states there will be a maximum annual operational throughput of 365,000 tonnes and, on this basis, it is considered that the application is contrary to Policy. Although the proposed facility has described the incineration of pet and equine cadavers as the processing of waste materials, this type of waste is not the type of waste that the above mentioned Policy aims to control. Policy SP7 relates to the treatment/recycling of more general and household waste so as to reduce disposal to landfill facilities. It is, therefore, considered that the objector has misinterpreted the Policy and that the proposed development is, in principle, acceptable in this location.

**Potential for heat penetration** - The submitted floorplan indicates that the proposed incinerator unit will be located away from the party wall separating the application site from the neighbouring unit. It is considered unlikely that the unit would generate such significant heat as to permeate the wall of the unit and detrimentally impact on the adjoining unit.

**Waste Disposal and Run Off from the Wash Area** - As indicated above, the concerns regarding the precise method of disposal of waste, which may potentially be contaminated, is shared by the Public Protection Department. A condition requiring the submission of these details for the written agreement of the Authority will, however, satisfactorily address this issue. A further similar condition can be applied to the run off from the vehicle and equipment wash area.

## **APPRAISAL**

The application is referred to Committee to consider the objections raised by the Community Council and those submitted on behalf of the occupier of the adjoining unit.

The application seeks consent for the part change of use of this vacant industrial starter unit to a sui generis use for the incineration and storage of pet and equine cadavers (a pet and equine crematorium) at Unit 14, Block C, Parc Y Bont within the Brynmenyn Industrial Estate.

The application site is located on the Brynmenyn Industrial Estate which is allocated and protected for development falling within B1, B2 and B8 employment uses by Policy REG1 of the Bridgend Local Development Plan (LDP).

Policy REG2 of the LDP states that proposals which result in the loss of existing or proposed employment land or buildings on sites identified in Policy REG1 will not be permitted. Exceptions will need to be justified on one of the following grounds:-

1. In appropriate locations, a limited number of those uses regarded as complimentary and/or ancillary to the main use of the land for industrial purposes; or
2. In appropriate locations, those sui-generis employment uses which are suitably located on employment land.

The proposed development is considered an appropriate complimentary use for an industrial estate and is therefore, in principle, acceptable. Subject to the development satisfying the requirements of Policy SP2 in terms of design, there would be no development planning objection to the scheme.

Policy SP2 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 and establishes fifteen criteria against which development proposals should be assessed. As this application relates to a change of use of an existing industrial unit located on an identified industrial estate, it is considered that only criteria 6,8,12 & 13 would be relevant to the proposed development.

Criterion 6 relates to ensuring efficient access and in respect of the proposed development, it is noted that the existing access and parking arrangements will continue to adequately serve the unit. The next criterion (8) seeks to avoid or minimise noise, air, soil and water pollution created by the proposed development. Subject to the conditions suggested by the Public Protection Department, it is considered that air and water pollution can be satisfactorily controlled thereby minimising potential pollution issues.

Ensuring the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected is the aim of Criterion 12. It is considered that given the proposed use will be entirely contained within the industrial unit and subject to the imposition of conditions to control the stack/flue height and waste management methods there should be no significantly adverse impacts on the adjoining unit. Further conditions to control hours of operation and to prevent any outside storage will safeguard the amenities of the neighbouring occupier. The final criterion (13) requires the incorporation of appropriate arrangements for the disposal of foul sewage, waste and water into development proposals. It is considered that the suggested condition requiring the submission of further details in respect of all waste that is not to be incinerated will ensure compliance with this requirement.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.”

## **CONCLUSION**

This application is recommended for approval because the development complies with Council policy and guidelines and will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

## **RECOMMENDATION**

(R02) That permission be GRANTED subject to the following condition(s):-

1. The premises shall be used for an incineration and storage of pet and equine cadavers and an assembly area for animal rescue equipment and the manufacture of pet urns and memorabilia only and for no other purpose.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the premises.

2. The internal layout of the premises shall be carried out in accordance with the approved Operational Layout Plan : plan number YPEH 002 dated 29th June, 2016.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of safeguarding the amenity of adjoining units.

3. The flue/stack serving the incinerator unit shall be installed in accordance with Drawing Number YPEH 010V1 Front View, Side View (Aneurin Bevan Way), Rear View and Internal Side View received on 16<sup>th</sup> September, 2016 and be so maintained in perpetuity.

Reason : In the interests of preventing air pollution.

4. The approved use shall not be brought into operation until there has been submitted to and agreed in writing by the Local Planning Authority an Operational Management Statement which shall include:-

1. Establishment of a maximum tonnage of waste processed at the facility;
2. Procedures to be followed by operatives during the delivery and unloading of animal cadavers/animal waste products at the premises;
3. Methods of dealing with all waste that is not to be incinerated including any sealed bags/containers used to transport cadavers/animal waste identifying any storage, method of controlling odours and disposal;
4. Methods of waste water management including storage, odour control and disposal from the wash down area;
5. Emergency procedures to be implemented in the event of the incinerator breaking down

The approved use shall thereafter be undertaken in accordance with the agreed operational management statement in perpetuity.

Reason : To ensure that the Local Planning Authority retains effective control over the use of the premises in the interests of pollution prevention and safeguarding the amenities of neighbouring occupiers.

5. No materials or equipment shall be stored outside the building at any time.

Reason : To ensure that the visual amenities of the area and the general amenities of neighbouring occupiers are protected.

6. \* THE FOLLOWING ARE ADVISORY NOTES NOT A CONDITION

(a) This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

(b) No surface water is allowed to discharge to the public highway.

(c) No land drainage run off will be permitted to discharge either directly or indirectly into the public sewerage system.

(d) As the premises are located within a flood risk zone, the operator is advised to consider the installation of flood resilient measures as part of the proposed development.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

29 SEPTEMBER 2016

#### REPORT OF THE DIRECTOR – OPERATIONAL AND PARTNERSHIP SERVICES

##### DEVELOPMENT CONTROL COMMITTEE SITE VISIT PANEL

#### 1. Purpose of Report.

- 1.1 The purpose of this report is for the Development Control Committee to consider appointing Councillor RE Young as the third Member of the Committee's Site Visit Panel, and appointing Councillor D Patel as the Reserve Member of the Panel.

#### 2. Connection to Corporate Improvement Objectives / Other Corporate Priorities.

- 2.1 The establishment of necessary Committees and other bodies fulfils the requirements of the Constitution and enables the Authority to work towards the successful achievement of all its Corporate Priorities.

#### 3. Background.

- 3.1 At a meeting of the Development Control Committee on 9 June 2016, (Minute 756 refers), the Committee agreed to establish a Site Visit Panel.
- 3.2 The Committee at the above meeting appointed 4 of its Members to form the Panel, in order to undertake visits of planning application sites, with the composition of this Panel being the Committee Chairperson, and the Vice-Chairperson, together with the two other Members detailed in paragraph 1.1 of the report.

#### 4. Current situation / proposal.

- 4.1 Councillor Patel has recently informed the Authority, that she has started a new job and requested that due to initial training in her new role, hers and Councillor Young's roles reverse. This would result in Councillor Young being the third Member of the Site Visit Panel, with Councillor Patel becoming the reserve Member (i.e. fourth Member).

#### 5. Effect upon Policy Framework and Procedure Rules.

- 5.1 This report accords with the Council Procedure Rules as set out in Part 4 of the Authority's Constitution.

#### 6. Equality Impact Assessment.

- 6.1 There are no equality implications regarding this report.

## **7. Financial Implications.**

- 7.1 The cost implications relating to the report will be met within existing budgets allocated for Members allowances.

## **8. Recommendation.**

8.1 That the Development Control Committee agrees that:

- Councillor RE Young be nominated as the third Member of the Development Control Committee Site Visit Panel;
- Councillor D Patel be nominated as reserve Member of the Development Control Committee Site Visit Panel.

**P A Jolley**

**Corporate Director – Operational and Partnership Services  
12 September 2016**

**Contact Officer: M A Galvin  
Senior Democratic Services Officer - Committees  
Telephone: (01656) 643148  
Email: [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk)**

**Postal address: Democratic Services Section  
Operational and Partnership Services  
Civic Offices  
Angel Street  
Bridgend CF31 4WB**

### **Background documents:**

Report (and minute) of the Development Control Committee dated 31 May 2012 entitled Site Visit Panel, and report (and minute) to the same Committee dated 9 June 2016.



## **APPEALS**

*The following appeals have been received since my last report to Committee:*

**CODE NO.** X/16/3156490 (1780)  
**APPLICATION NO.** P/16/551/LAP  
**APPELLANT** CATHERINCE CURTIS  
**SUBJECT OF APPEAL** CHILDMINDING BUSINESS FROM HOME WITH A MAXIMUM OF 10 CHILDREN: VALE VIEW HILLCREST PENYFAI  
**PROCEDURE** WRITTEN REPRESENTATIONS  
**DECISION LEVEL** DELEGATED OFFICER

The application was refused for the following reason:-

*The proposed development does not constitute permitted development under The Town and Country Planning (Use Classes) Order 1987 as it is considered that the business use is likely to change the overall character of the property as a dwelling and is a non-residential use which will generate visitors, traffic, noise or fumes over and above what might be expected if the property were used solely as a single dwelling.*

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**CODE NO.** D/16/3158465 (1781)  
**APPLICATION NO.** P/16/448/FUL  
**APPELLANT** MR KRISTIAN TRACY  
**SUBJECT OF APPEAL** PROPOSED LOFT CONVERSION (WORKS TO INCLUDE ERECTION OF FRONT AND SIDE DORMER EXTENSIONS): 9 MARLPIT LANE PORTHCAWL  
**PROCEDURE** HOUSEHOLDER  
**DECISION LEVEL** DELEGATED OFFICER

The application was refused for the following reason:-

*The development would, by reason of its siting, scale and design constitute an unsympathetic and incongruous form of development to the detriment of the visual amenities of the existing property and the surrounding area, contrary to Policy SP2 of the Bridgend Local Development Plan 2013, advice contained within Supplementary Planning Guidance Note 2: Householder Development (2008) and Technical Advice Note (TAN)12: Design (2014).*

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### **RECOMMENDATION:**

That the report of the Corporate Director Communities be noted.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers** (see relevant application reference number).

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## **TRAINING LOG**

*All training sessions are held in the Council Chamber unless otherwise stated.*

<b><u>Facilitator</u></b>	<b><u>Subject</u></b>	<b><u>Date</u></b>	<b><u>Time</u></b>
Tony Godsall & Kwaku Opoku-Addo – <i>Highways Dept., BCBC</i>	“Parking standards”	29 September 2016 <b><i>To be held in Committee Room 2/3</i></b>	12.45pm
Jonathan Parsons & Rhodri Davies, <i>Development Group, BCBC</i>	“Review of recent appeal decisions”	27 October 2016	12.45pm

### **Future training sessions**

- Workshop on the draft Open Space SPG
- Review of recent appeal decisions
- Active travel plans
- Advertisement control
- WLGA proposals for a National Scheme of Member Training

### **Recommendation:**

That the report of the Corporate Director Communities be noted.

**MARK SHEPHARD  
CORPORATE DIRECTOR COMMUNITIES**

### **Background Papers**

None.

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## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO DEVELOPMENT CONTROL COMMITTEE

29th September 2016

#### REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

#### BRIDGEND COUNTY BOROUGH COUNCIL – JOINT HOUSING LAND AVAILABILITY STUDY 2016

##### Background

The requirement to maintain a 5-year supply of readily developable housing land in each local planning authority across Wales remains a key planning policy requirement of the Welsh Government. The planning system, through the LDP process, must provide the land that is needed to allow for new home building and local planning authorities are required to ensure that sufficient land is genuinely available to provide a 5-year supply of land for housing

The Joint Housing Land Availability Study (JHLAS) is the mechanism for local planning authorities to demonstrate that they have a five year housing land supply by providing an 'agreed' statement of housing land availability set against the housing requirements of an adopted local development plan.

Technical Advice Note 1 (TAN 1) provides the guidance on how to prepare a JHLAS. The guidance reinforces the Welsh Government's 'plan-led' system and advises that the JHLAS is a key mechanism for monitoring the effectiveness of the LDP. The housing supply figure from the JHLAS must be included in the LDP's Annual Monitoring Report (AMR).

As part of the AMR process, where there is a short fall, i.e. less than a 5 year housing land supply, the Local Planning Authority should consider the reasons for the shortfall and whether the LDP should be reviewed in whole or in part.

In terms of the development control process TAN 1 guidance also advises that the housing land supply figure will be treated as a material consideration in determining planning applications. When a study shows supply being less than 5 years the need to increase supply will be given considerable weight when dealing with planning applications.

For those Local Planning Authorities who do not have an adopted LDP in place the ability to undertake a JHLAS and therefore demonstrate whether they have a 5 year supply of housing is removed.

##### Current Situation

Bridgend's latest 2016 JHLAS is attached at Appendix 1. Set against the housing requirement of the adopted LDP the Study demonstrates that Bridgend County Borough has a 5.1 year housing land supply (in excess of the TAN 1, 5 year requirement) with a total 5 year land supply of 5201 units.

The Council is the responsible body for preparing the JHLAS which is subject to an agreed timetable. In preparing the document the Council consulted with the 'Study

Group' which consisted of house builders' representatives, including the Home Builders Federation (HBF), landowners, Registered Social Landlords, statutory undertakers and infrastructure providers.

A Study Group meeting took place on 12th May, 2016. In consultation with the 'Study Group' the Council subsequently prepared a Statement of Common Ground, setting out the extent of agreement on site delivery.

Seven sites remained in dispute at the end of the consultation process.

It was therefore necessary for an appointed Planning Inspector to look at the evidence submitted as part of a Statement of Common Ground and resolve matters in connection with the disputed sites. The Inspector's subsequent recommendations have been incorporated into the final study.

The Inspector determined that the land supply figure for Bridgend County Borough Council is 5.1 years. The Inspector's report and recommendations in response to the evidence submitted is included as Appendix 4 of the 2016 JHLAS.

### **Next Steps**

There is a statutory requirement to undertake a JHLAS on an annual basis. The preparation timetable of the 2017 Study will be agreed by the Study Group early next year.

The outcome of this Study will also be reported in the LDP AMR, which is required to be submitted to Welsh Government by the end of October 2016.

### **Recommendation:**

That the 2016 Joint Housing Land Availability Study be noted.

**Mark Shephard**  
**Corporate Director - Communities**

**29 September 2016**

**Contact Officer:** Susan Jones  
Development Planning Manager

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## **APPENDIX 1**

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Joint Housing Land Availability Study

Report

Bridgend County Borough Council  
Local Planning Authority

Joint Housing Land Availability Study 2016

Between

Bridgend County Borough Council

and

The Home Builders Federation  
Persimmon Homes  
Taylor Wimpey  
Sullivan Land & Planning  
Stansgate Planning  
Hendre Housing Association  
Barratt Homes  
Hafod Resources  
Wales and West Housing Association  
Valleys 2 Coast  
Linc-Cymru Housing Association  
Coastal Housing Group  
United Welsh Housing Association  
Lovells  
Dwr Cymru / Welsh Water  
Western Power Distribution  
Natural Resources Wales  
Arup

**Publication Date: 29<sup>th</sup> September 2016**

## **Contents**

1. Summary

2. Housing Land Supply

Appendix 1 – Site Schedules

Appendix 2 – Past Completions Data

Appendix 3 – Previous Land Supply Data

Appendix 4 – Planning Inspectorate's Recommendation

## 1. Summary

- 1.1 This is the Bridgend County Borough Council Joint Housing Land Availability Study (JHLAS) for 2016 which presents the housing land supply for the area at the base date of 1st April 2016. It replaces the report for the previous base date of 1st April 2015.
- 1.2 The JHLAS has been prepared in accordance with the requirements of Planning Policy Wales (PPW) and Technical Advice Note 1 (TAN 1). Please refer to these documents for details of the requirements for the maintenance of a five year housing land supply in each Local Planning Authority area and the process for undertaking the JHLASs
- <http://gov.wales/topics/planning/policy/tans/tan1/?lang=en>
- 1.3 Section 2 sets out details of the housing land supply and how it has been calculated. It shows that based on the residual method set out in TAN 1 Bridgend County Borough Council has **5.1** years housing land supply.

## Involvement

- 1.4 The housing land supply has been assessed in consultation with:
- Home Builders Federation
  - Persimmon Homes
  - Taylor Wimpey
  - Sullivan Land & Planning
  - Stansgate Planning
  - Hendre Housing Association
  - Barratt Homes
  - Hafod Resources
  - Wales and West Housing Association
  - Valleys 2 Coast
  - Linc-Cymru Housing Association
  - Coastal Housing Group
  - United Welsh Housing Association
  - Lovells
  - Dwr Cymru / Welsh Water
  - Western Power Distribution
  - Natural Resources Wales
  - Arup

## Report Production

- 1.5 Bridgend County Borough Council issued draft site schedules and site proformas for consultation between 4th April 2016 and 15th April 2016. Comments were provided by the HBF, V2C, Sullivan Land and Planning, Stansgate Planning, Arup, Persimmon Home and Redrow within this period. A Statement of Common Ground (SoCG) was subsequently prepared and following consultation with the Study Group was submitted to the Welsh Government on 30th June 2016.
- 1.6 A Study Group meeting was held on 12th May 2016 to try and resolve disputes concerning a number of sites. As a consensus was not achieved on all the disputed matters it was necessary for the Planning Inspectorate to review these matters.
- 1.7 The Planning Inspectorate subsequently made a recommendation to the Welsh Government on the housing land supply (Appendix 4), including recommendations on the points of dispute. The Planning Inspectorate's recommendations were considered by the Welsh Government, relevant amendments were made to the site schedules by Bridgend County Borough Council and this information has been incorporated into this report.\*

## 2. Housing Land Supply

- 2.1 The five year land supply comprises sites with outline or full planning permission, sites with a resolution to grant planning permission subject to the signing of a section 106 agreement and sites allocated for housing in adopted development plans, categorised as prescribed in TAN 1.
- 2.2 The land supply has been calculated using the residual methodology, based on the Bridgend County Borough Council Local Development Plan 2006 – 2021, adopted on 18th September 2013.

**Table 1 - Identified Housing Land Supply**

<b>Housing Land Supply 01<sup>st</sup> April 2016 – 2021 (Large Sites)</b>						
	Proposed Homes	5 Year Land Supply (TAN 1 categories)		Beyond 5 Years		Homes completed since last study
		1	2	3	4	
<b>Total</b>	6101	<b>701</b>	<b>4240</b>	0	1160	469

\* Note that the total number of units in the five year supply as expressed in paragraph 14 of the Inspector's Report has been adjusted to include 12 units under construction in the disputed sites as part of this final JHLAS Report.

2.3 Five year land supply breakdown (i.e. Categories 1 and 2):

Private	3327
Public	0
Housing Association	1614
<b>Total</b>	<b>4941</b>

2.4 **Small Site Supply** – The contribution from small sites of less than 10 dwellings is based on the completions for the last five years.

**Table 2 – Small Site Completions for Previous 5 years**

2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	<b>Total</b>
47	66	57	39	51	<b>260</b>

2.5 The overall **total 5 year land supply** (large and small sites) is 5201

**Table 3 – Five Year Land Supply Calculation**

A	Total Housing Requirement (as set out in the adopted Development Plan)	9690
B	Completions from 2006 - 2021 (large and small sites)	4589
C	Residual Requirement (A-B)	5101
D	5 Year Requirement (C/5 x 5)	5101
E	Annual Need (D/5)	1020
F	Total 5 Year Land Supply	5201
<b>G</b>	<b>Land Supply in Years (F/E)</b>	<b>5.1</b>

2.6 The housing land supply in years is **5.1**

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**APPENDIX 1 - SITE SCHEDULES**

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Bridgend

Penybont ar Ogwr  
BridgendResidential Land Availability Schedule  
Amserlen tir preswyl sydd ar gaelSites for 10 or more Units as at 01-04-2016  
Safleoedd ar gyfer 10 neu fwy o unedau a 01-04-2016Sites with Planning permission or in Adopted Plans  
Safleoedd â chaniatâd cynllunio neu mewn  
cynlluniau a fabwysiadwyd

## BRIDGEND

Policy Number	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categorioidio						
										Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	Cyfanswm Unedau	Nifer Ohonynt Yn Fforddiadwy
COM 1(1)	ID 37	PARC DERWEN	197	842	1515	153	673	34.62	53	200	200	100	100	20	0	0
COM 1(2)	ID 45 & ID 1000	NORTH EAST BRACKLA REGENERATION AREA	50	99	572	99	473	14.63	0	100	150	150	50	23	0	0
COM 1(3)	ID 871	PARC AFON EWENNI REGENERATION AREA	0	0	650	130	650	16.3	0	0	50	150	150	150	0	150
COM 1(4)	ID 38	COITY ROAD SIDINGS	0	0	140	28	140	5.47	0	0	0	50	50	40	0	0
COM 1(7)	ID 873	LAND AT WATERTON LANE	0	0	42	9	42	1.2	0	0	0	42	0	0	0	0
COM 1(8)	ID 11	JUBILEE CRESCENT	0	0	48	8	48	1.31	0	0	15	33	0	0	0	0
COM 1(10)	ID 402	BROCASTLE ESTATE	0	42	72	0	30	2.29	0	0	0	0	30	0	0	0
COM 1(5)	ID 872	SOUTH WALES POLICE, COWBRIDGE ROAD	0	0	138	28	138	4	0	0	0	38	50	50	0	0
COM 1(11) & COM 1(14)	ID 874 & ID 705	WATERTON MANOR & LANE (LAND AT) WATERTON	0	0	39	8	39	1.46	0	0	19	20	0	0	0	0

COM 1(12)	ID 755	RHIW / BRACKLA STREET SHOPPING CENTRE	0	0	28	28	28	0	28	0	0	0	0	0	0	0
COM 1(13)	ID 878	PARC FARM, NORTH EAST OF PARC DERWEN	0	0	14	3	14	0.77	0	0	14	0	0	0	0	0
COM 1(15)	ID 757	QUEEN STREET 6-10	0	0	10	0	10	0.04	0	0	0	0	0	0	0	10
COM 2(6)	ID 914	LAND AT LLANGWYDD ROAD, CEFN GLAS	0	0	228	46	228	6.5	0	0	50	50	50	50	0	28
COM 2(7)	ID 915	YSGOL BRYN CASTELL	7	7	197	30	190	7.42	13	50	50	50	27	0	0	0
COM 2(8)	ID 784	WOODGREEN (CHELSEA AVENUE)	13	116	116	30	0	0	0	0	0	0	0	0	0	0
COM 2(10)	ID 30	CEFN GLAS ROAD	0	6	10	0	4	0.12	0	0	0	0	0	0	0	4
COM 2(11)	D 916	COED PARC	0	0	20	4	20	1.43	0	0	10	10	0	0	0	0
COM 3	ID 869	OYSTERCATCHER PH, CAR PARK AND LAND BEHIND, HIGH STREET, LALESTON	7	7	10	0	3	0	3	0	0	0	0	0	0	0
COM3	ID 935	LAND OFF HEOL TRE DWR	37	56	56	0	0	0	0	0	0	0	0	0	0	0
COM 3 / REG 9	ID 1026	DUNRAVEN PLACE	0	0	10	2	10	0.05	0	10	0	0	0	0	0	0
COM 3	ID 1025	COWBRIDGE ROAD (REAR OF)	0	0	10	2	10	0.06	0	10	0	0	0	0	0	0
COM 3	ID 990	SUNNYSIDE ROAD (LAND OFF)	0	0	40	40	40	1.31	0	0	0	20	20	0	0	0
<b>TOTAL CYFANSWM</b>		<b>BRIDGEND</b>	311	1175	3965	648	2790	98.98	97	370	558	713	527	333	0	192

LLYNFI VALLEY

Policy No	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriadau						
										Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	CyfanswmUnedau	Nifer Ohonynt Yn Fforddiadwy
COM 1(16)	ID 3	FORMER WASHERY SITE	0	0	135	21	135	5	0	0	0	20	30	30	0	55
COM 1(17)	ID 921	EWENNY ROAD	0	0	191	191	191	4	0	0	20	71	35	35	0	30
COM 1(18)	ID 922	COEGNANT RECLAMATION SITE	0	0	100	15	100	3	0	0	0	25	25	0	50	
COM 1(19)	ID 1	CROWN ROAD	0	0	40	6	40	1.38	0	0	0	10	10	0	20	
COM 1(20)	ID 923	FORMER BLAENCAERAU JUNIOR SCHOOL	0	0	35	5	35	0.55	0	0	0	10	10	0	15	
COM 1(21)	ID 875	Y PARC	0	0	51	8	51	1.6	0	0	0	20	31	0	0	0
COM 1(22)	ID 924	LAND S. OF CWMFELIN PRIMARY SCHOOL	0	0	20	3	20	0.56	0	0	20	0	0	0	0	0
COM 1(23)	ID 501	LLYNFI LODGE	0	0	14	0	14	0.26	0	0	0	0	0	0	0	14
COM 1(24)	ID 9	LAND ADJ. TO 50 HEOL TYWITH	0	0	13	2	13	0.4	0	0	0	0	0	0	0	13
COM 3	ID 7	WEST OF BETHANIA ST	0	16	18	0	2	0.06	1	1	0	0	0	0	0	0
COM 3	ID 8	62A & 63 PICTON STREET FORMER NANTYFFYLLON RFC	0	0	36	0	36	0.3	0	16	20	0	0	0	0	0
COM 3	ID 798	HEOL GELLI LENOR / LANSBURY CRESCENT	0	2	14	14	12	1.14	0	0	12	0	0	0	0	0
COM3	ID 984	FMR RC SOCIAL CLUB & 23A BETHANIA STREET	0	0	18	0	18	0	18	0	0	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>LLYNFI VALLEY</b>	0	18	685	265	667	18.25	19	17	72	111	141	110	0	197

## OGMORE AND GARW VALLEYS

Policy No.	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriiddio						
										Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	CyfanswmUnedau	Nifer Ohonynt Yn Fforddiadwy
COM 2(1)	ID 912	LAND SOUTH WEST OF CITY ROAD	0	0	80	12	80	2.25	0	8	0	15	20	20	0	17
COM 2(2)	ID 60	CITY FARM	0	0	40	2	40	1.02	0	0	8	16	16	0	0	0
COM 2(3)	ID 61	HEOL DEWI SANT (REAR OF)	0	21	23	0	2	0.06	1	1	0	0	0	0	0	0
COM 2(4)	ID 913	LAND ADJOINING CWM OGWR FACH	0	0	43	5	43	1.22	0	0	20	23	0	0	0	0
COM 2 (13)	ID 530	FORMER ABERCERDIN SCHOOL,KENRY STREET	0	11	21	3	10	0.31	0	0	5	5	0	0	0	0
COM 2 (14)	ID 917	CORONATION WORKS	0	0	11	2	11	0.32	0	0	0	5	6	0	0	0
COM 2(18)	ID 66	LAND AT TY-NANT, LLANGEINOR	0	0	10	0	10	0.59	0	0	0	3	3	4	0	0
COM 2(19)	ID 69	WAUNWEN	0	0	35	5	35	0.97	0	0	0	0	0	0	0	35
COM 2(20)	ID 67	CWRT COLMAN ST.	0	1	22	0	21	1.57	0	0	0	0	0	0	0	21
COM 2(21)	ID 68	HEOL Y FEDWEN/HAUL BRYN	0	9	18	0	9	0.28	1	2	2	2	2	0	0	0
COM 3	ID 70	BRYN ROAD OGMORE VALE,	0	7	12	0	5	0.18	0	1	2	2	0	0	0	0
COM 3	ID 71	LAND AT NORTH ROAD, OGMORE VALE	0	6	11	0	5	0.09	3	2	0	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>OGMORE AND GARW VALLEYS</b>	0	55	326	29	271	8.86	5	14	37	71	47	24	0	73

## PENCOED

Policy No.	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriadau						
										2017	2018	2019	2020	2021	3	4
Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	CyfanswmUnedau	Nifer Ohonynt Yn Fforddiadwy	Unedau sydd ArÔl	Hectarau sydd Ar Ôl	W/A	2017	2018	2019	2020	2021	3	4
COM 2(27)	ID 54	LAND SOUTH OF HENDRE ROAD	4	193	200	0	7	0.69	1	5	1	0	0	0	0	0
COM 2(29)	ID 807	FORMER SURGERY SITE COYCHURCH ROAD	0	6	13	0	7	0.07	0	0	7	0	0	0	0	0
COM 2(30)	ID 919	PENCOED PRIMARY SCHOOL	0	0	25	5	25	0.73	0	0	0	0	25	0	0	0
COM3	ID 1010	BAYSWATER TUBES SITE, HEOL Y GEIFR	0	0	47	10	47	0.47	24	23	0	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>PENCOED</b>	4	199	285	15	86	1.96	25	28	8	0	25	0	0	0

## PORTHCAWL

Policy No.	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriiddio						
										Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	Cyfanswm Unedau	Nifer Ohonynt Yn Fforddiadwy
COM 1 (25)	ID 81	PORTHCAWL REGENERATION AREA	0	0	1050	315	1050	19	0	13	50	150	150	200	0	487
COM 1(27)	ID 82	PWLL Y WAUN, PORTHCAWL	27	63	83	19	20	0.5	2	0	0	18	0	0	0	0
COM 1(28)	ID 691	ALBERT EDWARDS, PRINCE OF WALES COURT, PENYLAN AVENUE	0	0	35	11	35	1	0	0	0	0	0	0	0	35
COM 1(29)	ID 592	STATION HILL MOT BUILDING SITE	0	0	11	0	11	0.08	0	0	0	0	0	0	0	11
COM 1(30)	ID 566	THE NURSERIES, NEW ROAD	10	10	10	10	0	0	0	0	0	0	0	0	0	0
COM 3	ID 842	NEW ROAD 9,11,13,15 STATION HILL	0	0	14	0	14	0.09	0	0	0	14	0	0	0	0
COM 3	ID 942	THE REST CONVALESCENT HOME	0	0	68	0	68	4.84	0	0	0	34	34	0	0	0
COM 3	ID 1027	SEA BREEZE APARTMENTS, NEW ROAD	1	18	18	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>PORTHCAWL</b>	38	91	1289	355	1198	25.51	2	13	50	216	184	200	0	533

## PYLE/KENFIG/CORNELLY

Policy No.	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriadau						
										2017	2018	2019	2020	2021	3	4
Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	Cyfanswm Unedau	Nifer Ohonynt Yn Fforddiadwy	Unedau sydd Ar Ôl	Hectarau sydd Ar Ôl	W/A	2017	2018	2019	2020	2021	3	4
COM 2(22)	ID 918	TY DRAW FARM	44	74	116	14	42	0.51	25	17	0	0	0	0	0	0
COM 2(24)	ID 642	LAND AT GIBBONS WAY	0	8	45	45	37	1.04	0	0	0	15	15	7	0	0
COM 2(31)	ID 920	TY DRAW CLOSE (REAR OF)	0	0	30	9	30	0.76	0	0	0	15	15	0	0	0
COM 3	ID 779	BEDFORD ROAD, CEFN CRIBBWR	0	0	12	0	12	0.11	0	12	0	0	0	0	0	0
COM 3	ID 797	PLUMLEY CLOSE (LAND OFF), NORTH CORNELLY	0	9	11	11	2	0.54	0	0	2	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>PYLE/KENFIG/CORNELLY</b>	44	91	214	79	123	2.96	25	29	2	30	30	7	0	0

## VALLEYS GATEWAY

Policy No.	LPA Ref No	Address	Units Built Since Last Study	Total number of units built to date	Total Units Capacity	No of which are affordable	Units Rmng	Hectares Rmng	U/C	Categorisation Categoriadau						
										2017	2018	2019	2020	2021	3	4
Rhif Polisi	Rhif Cyf ACLI	Cyfeiriad	Unedau a Adeiladwyd Ers yr Astudiaeth Ddiwethaf	Cyfanswm Nifer O Unedau Wedi Eu Hadeiladu Hyd Yma	Cyfanswm Unedau	Nifer Ohonynt Yn Fforddiadwy	Unedau sydd Ar Ôl	Hectarau sydd Ar Ôl	W/A	2017	2018	2019	2020	2021	3	4
COM 1(31)	ID 58	LAND OFF MAESTEG ROAD	33	210	692	68	482	25.26	12	30	40	60	100	100	0	140
COM 1 (32)	ID 46	PARC TYN Y COED	3	261	366	50	105	2.61	0	0	0	16	45	44	0	0
COM 1(33)	ID 925	OGMORE COMPREHENSIVE SCHOOL	0	0	108	26	108	3	0	0	18	45	45	0	0	0
COM 1(34)	ID 926	GATEWAY TO THE VALLEYS	0	0	150	30	150	6.88	0	0	5	40	40	40	0	25
COM 1(35)	ID 841	FORMER CHRISTIE TYLER SITE	36	75	75	15	0	0	0	0	0	0	0	0	0	0
COM 1(36)	ID 927	BRYNCETHIN DEPOT	0	0	50	10	50	2	0	0	0	0	20	30	0	0
COM 1(37)	ID 928	LAND AT ABERGARW FARM	0	0	26	10	26	1.67	0	0	10	10	6	0	0	0
COM 1(38)	ID 929	GLANYRAFON	0	0	30	0	30	0.58	0	0	0	30	0	0	0	0
COM 3	ID 59	LAND RO THE R/O BRYN ROAD	0	18	19	0	1	0.06	0	1	0	0	0	0	0	0
COM 3	ID 483	CAREY BAPTIST CHURCH, ABERKENFIG	0	0	14	14	14	0	14	0	0	0	0	0	0	0
<b>TOTAL CYFANSWM</b>		<b>VALLEYS GATEWAY</b>	72	564	1530	223	966	42.06	26	31	73	201	256	214	0	165

<b>TOTAL CYFANSWM</b>			469	2193	8294	1614	6101	198.58	199	502	800	1342	1210	888	0	1160
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**APPENDICIES 2 & 3**

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**Appendix 2 – Past Completion Data**

Year	Number of Homes Completed On		
	Large Sites	Small Sites	Total Completions
2007	548	87	635
2008	417	97	514
2009	326	62	388
2010	215	77	292
2011	227	79	306
2012	400	47	447
2013	266	66	332
2014	460	57	517
2015	582	39	621
2016	469	51	520

**Appendix 3 – Previous Land Supply Data**

Year	5 year supply - Number of homes (TAN 1 categories)		Number of years supply	Supply beyond 5 years - Number of homes	
	1	2		3	4
2007	455	2577	8.1	0	2490
2008	291	2093	6.6	0	2799
2009	249	2030	6.2	0	2715
2010	252	1735	5.2	0	2803
2011	332	1914	5.5	0	2722
2012	388	1736	5.1	0	2661
2013	375	2212	5.7	0	2007
2014	521	4269	6.0	0	1477
2015	775	4043	5.4	0	1459
2016	701	4240	5.1	0	1160

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**APPENDIX 4 - PLANNING INSPECTORATE'S RECOMMENDATION**

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# Adroddiad ar Gyd- astudiaeth Argaeledd Tir ar gyfer Tai

gan Ifan Gwilym BSc MSc

# Joint Housing Land Availability Study Report

by Ifan Gwilym BSc MSc

Swyddog o'r Arolygiaeth Gynllunio

Dyddiad: 06/09/2016

an officer of the Planning Inspectorate

Date: 06/09/2016

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**Ref: JHLAS/16/ F6915 /516221**

**Local Planning Authority: Bridgend County Borough Council**

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- This report concerns the Bridgend County Borough Council Joint Housing Land Availability Study (JHLAS) 2016.
  - The matters in dispute are set out in the JHLAS Statement of Common Ground (SoCG) submitted to the Welsh Government in July 2016.
- 

## Recommendation to the Welsh Ministers

1. That the 2016 JHLAS housing land supply figure for the Bridgend County Borough area be determined as 5.1 years.

## Context of the Recommendation

2. Local Planning Authorities have a duty to ensure that sufficient land is genuinely available or will become available to provide a 5-year supply of land for housing<sup>1</sup>. The purpose of preparing a JHLAS is to:
  - Monitor the provision of market and affordable housing; and
  - Provide an agreed statement of residential land availability for development management purposes and for inclusion in the Annual Monitoring Report for the relevant Local Development Plan.
3. The Local Planning Authority and Study Group have not reached agreement on all matters and have prepared a Statement of Common Ground (SoCG) in accordance with TAN 1 'Joint Housing Land Availability Studies' (2015).
4. The purpose of this report is to recommend an appropriate housing land supply figure to the Welsh Ministers in respect of the Bridgend County Borough area, in the light of the matters in dispute concerning the calculation of such a figure and the available evidence. The report has been prepared in line with section 7.6 of TAN 1 by an officer of the Planning Inspectorate.

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<sup>1</sup> PPW Edition 8 paragraph 9.2.3

## Main Issue

5. The SoCG confirms that there are 7 sites in dispute. The main issue is whether each of the units in dispute should count towards the five year housing land supply.

## Reasons

6. Parc Afon Ewenni, Bridgend (Ref. 871) (500 units in dispute): The LPA forecasts 500 units for delivery, with first completions in year 2. HBF, Persimmon Homes, Redrow, SL Plan and Taylor Wimpey all comment that anticipated delivery timescales are unrealistic, due to the likelihood of having 3 developers operating together on site, access issues and other constraints, with most suggesting first completions in 2019. The LPA have submitted a number of technical reports as evidence to illustrate that there are no constraints to the deliverability of the site. Based on the technical reports and the lack of evidence to the contrary, I consider that the land is available and that the timescale for delivery is reasonable. Study Group members also consider the LPA's delivery rates to be too high, mainly due to the likelihood of having 3 developers operating together on site. The HBF, Redrow and SL Plan suggest a rate of 100 units per annum over the last three years of the study period. Taylor Wimpey suggest delivery of 50 units in year 3, and 100 units per annum over the last two years of the study period. Persimmon Homes do not suggest an alternative delivery rate. Apart from assertions made by members of the group about the likelihood of having 3 developers operating together on site, there is no evidence before me to suggest that this is not possible, and I therefore find that all 500 disputed units should be counted towards the 5 year land supply figure.
7. Coity Sidings, Bridgend (Ref. 38) (140 units in dispute): This site is allocated in the LDP for 140 units, with the LPA expecting 50 units per annum to be delivered from year 3 of the study (final 40 units to be delivered in year 5). However, HBF, Redrow and SL Plan question why the delivery rate has been increased from the previous study, where the delivery rate was 40 units per annum. Based on delivery rates at other sites within the authority area, I consider that a delivery rate of 50 units per annum is reasonable, and I have not been provided evidence to the contrary. I find that these 140 disputed units should be counted towards the 5 year land supply figure.
8. Former Washer Site, Maesteg (Ref. 3) (80 units in dispute): This site has remained in the land supply for over 5 years, however, the site is included as an allocation in the new LDP, and the LPA confirm that Welsh Government funding for remediation to enable the residential element of development has now been approved and drawn down. I consider that there is sufficient progression on this site to explain why the site should resist reclassification at this time.
9. The LPA suggest a delivery rate of 20 units in year 3, with 30 units per annum in the final 2 years of the study. Redrow, Persimmon and SL Plan consider that remediation works would affect the delivery timescale, with Redrow and SL Plan suggesting fewer completions in year 3, and Persimmon suggesting pushing back delivery to the end of the 5 years. The LPA submitted a programme of delivery as evidence that progress is being made, and to support the expectation that the units will be delivered within the study period. Based on the information before me I do not find that delivery of 20 units in year 3 is unreasonable and I therefore find that the 80 disputed units should be counted towards the 5 year land supply figure.



10. Porthcawl Regeneration Site (Ref. 81) (563 units in dispute): HBF, Redrow, Persimmon and SL Plan consider that the estimated delivery rate at this site is too high and question why the delivery rate has changed from the previous JHLAS, particularly due to the likely requirement for flatted development on site. The LPA have submitted a draft Porthcawl Harbourside Masterplan that shows that a range of housing types will be provided on the site, and, specifically in relation to delivery of apartments, the LPA make reference to the delivery rate achieved in a recent apartment scheme completed in Porthcawl to justify the higher delivery rate from the previous year's study. I consider the explanation provided by the LPA justifies keeping all units in the 5 year land supply. I therefore find that 563 units at this site should be counted towards the 5 year land supply figure.
11. Land off Maesteg Road, Tondu (Ref. 58) (330 units in dispute): HBF and Redrow consider that the estimated delivery rate at this site is too high and question why the delivery rate has changed from the previous JHLAS, suggesting that with competition from three developers, a delivery rate of 75 units per annum from year 3 of the study is realistic. It is noted that SL Plan represent Llanmoor homes, who are developing the southern part of the site, and also question the increased delivery rate from the previous JHLAS. However, the LPA provide evidence that the representatives of Merthyr Mawr Estates, who are developing the majority of the site, support the LPA's forecast. I find that the evidence is sufficient for 330 units at this site to be counted towards the 5 year land supply figure.
12. Gateway to the Valleys, Brynmenyn (Ref. 926) (150 units in dispute): The LPA in their evidence clarify that 25 of these units will be delivered by Linc Cymru for extra care apartments, and 20 units as social care housing, with the privately developed element released by 2018. HBF argue that as the extra care housing is classified as C2 class development, it should not count towards the supply, and state that completions would only be expected in year 3 of the study (a view supported by Redrow). The LPA have not disputed HBF's argument, or provided evidence that the units are C3 class development as required under paragraph 4.3.1 of TAN 1, and therefore I consider that 25 units should be moved from the land supply. The class of the social care units is not disputed, with no evidence before me to suggest that are not within the C3 use class, and as such, it would mean that the first units are delivered on site in year 2 of the study. I therefore find that 125 units at this site should be counted towards the 5 year land supply figure.
13. South Wales Police Site (Ref. 872) (138 units in dispute): HBF, Redrow, Persimmon and SL Plan do not agree with the delivery timetable for this site, claiming that South Wales Police are not planning to release the site until 2018/19, and suggest that first completions should be expected in year 4 of the study. The LPA provides evidence that reclamation works are in fact due to be completed by the end of 2017, and maintain their position that first completions could be expected in year 3. I note the HBF's assertion that this would be a tight timescale; however, I do not find that this is unreasonable in the absence of any evidence to show that this is unachievable. I therefore find that these 138 disputed units should be counted towards the 5 year land supply figure.
14. For the above reasons, I find that the total number of units in the five year land supply is 5,189.

**Conclusion**

15. Based on the foregoing analysis I recommend that the five year housing land supply for the Bridgend County Borough planning area as at 1 April 2016 is 5.1 years.

*Ifan Gwilym*

**Planning Officer**

## **Bridgend Local Planning Authority – Annual Performance Report 2016**

In line with new Welsh Government requirements Bridgend County Borough Council submitted its first Annual Performance Report (APR) in October 2015. The 2016 APR is currently being prepared and the completed APR will be brought before a future Committee. This report provides members with an update on the direction of travel in terms of performance since last year.

The second APR, which is part narrative and part statistical, outlines the performance of Bridgend as a local planning authority over the period 2015-16 against a number of key national indicators and benchmarks and also includes the results of a customer satisfaction survey. The data is derived from information supplied to Welsh Government, which in turn forms part of the national planning performance framework.

Despite having one of the smallest planning teams in Wales, Bridgend has been one of the top performing planning authorities in Wales providing an excellent and value for money service to its customers. Whilst the number of planning staff has reduced by almost half in recent times the number of planning applications particularly major schemes has slightly increased.

The APR is currently being finalised however, some of the key points arising from it are:-

- Increase in planning applications from 785 in 2015 to 801 in 2016.
- Increase in determination times for all applications from an average of 58 days in 2015 to 60 days in 2016, which is still below the Welsh average of 77 days.
- A decrease in the percentage of applications determined within the required timescales from 84% to 77% although this is in line with the Welsh average.
- Decrease in determination performance with regard to major applications from an average of 203 days in 2015 to 270 days in 2016 which is below the Welsh average of 250 days. 30% of these applications were determined within required timescales compared to a Welsh average of 35%.
- The number of major applications has almost doubled to 30 over the last year.
- The appeal success rate has increased from 60% to 80%.
- Slight increase in enforcement performance
- Continuous and up to date development Plan coverage.
- A 5.4 year supply of housing land.

There has been a change in customer satisfaction. In 2015 74% of survey respondents thought that Bridgend gave good planning advice against a Welsh average of 57%. This year that figure has reduced to 48% with a Welsh average of 58%.

The APR will provide a more detailed commentary on the figures outlined above.

### **RECOMMENDATION**

That Members of the Development Control Committee note the contents of this report.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

### **Background Papers**

None

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