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Bridgend County Borough Council



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**Cyfarwyddiaeth y Prif Weithredwr / Chief
Executive's Directorate**

Deialu uniongyrchol / Direct line /: (01656)
643148/643147

Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref:

Eich cyf / Your ref:

**Dyddiad/Date: Wednesday, 18 Friday, 20 July
2018**

Dear Councillor,

APPEALS PANEL

A meeting of the Appeals Panel will be held in Committee Room 1 - Civic Offices Angel Street
Bridgend CF31 4WB on **Thursday, 26 July 2018 at 10:00.**

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 in
accordance with the provisions of the Members' Code of Conduct adopted by Council from
1 September 2008.
3. Approval of Minutes 3 - 10
To receive for approval the minutes of the Appeals Panel of 26/10/17 continued on 13/11/17
4. Proposed Introduction of a Pedestrian Crossing Associated With Proposed 11 - 60
Primary School on Penprysg Road Pencoed

Yours faithfully

K Watson

Head of Legal and Regulatory Services

Councillors:

N Clarke

Councillors

JE Lewis

Councillors

JC Radcliffe

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APPEALS PANEL - THURSDAY, 26 OCTOBER 2017

MINUTES OF A MEETING OF THE APPEALS PANEL HELD IN LEVEL 3 CONFERENCE ROOM - CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 26 OCTOBER 2017 AT 14:00

Present

Councillor JE Lewis – Chairperson

N Clarke

JC Radcliffe

Apologies for Absence

Officers:

Andrew Rees	Senior Democratic Services Officer - Committees
Jane Dessent	Lawyer
Tony Godsall	Traffic & Transportation Manager
Allen Lloyd	Principal Engineer
Kathryn Mountjoy	Traffic Management Technician
Keith Power	Traffic Management Officer

13. DECLARATIONS OF INTEREST

None

14. PROPOSED INTRODUCTION OF TRAFFIC CALMING AND A PEDESTRIAN CROSSING ASSOCIATED WITH PROPOSED PRIMARY SCHOOL ON PENPRYSG ROAD PENCOED

The Chairperson welcomed all to the meeting and introductions were made and outlined the procedure to be adopted.

The Traffic and Transportation Manager presented the report of the Corporate Director Communities which sought a resolution to the formal objection received in relation to the proposals at Penprysg Road, Pencoed for traffic calming measures and the establishment of a formal crossing in connection with the new Pencoed Primary School.

He reported that a statutory public notice, in respect of the proposed closure of the existing Pencoed Junior and Infant Schools and the establishment of a new school to serve these traditional catchment areas was published on 15 June 2016. He stated that as there were no objections to the proposal, Cabinet at its meeting on 6 September 2016, considered and approved the proposal the published proposal, in accordance with the School Standards and Organisation (Wales) Act 2013. He also stated that as part of the proposals to site the new Pencoed School on Penprysg Road, planning consent was granted on 29 September 2016, subject to a number of planning conditions (P/16/603/BCB). The Traffic and Transportation Manager informed the Panel that the condition which led to the objection under consideration by the Panel is Condition 8 of the planning consent notice and advisory note.

The Traffic and Transportation Manager reported that the reason for this condition and advice note is to ensure appropriate visibility for vehicles whilst exiting the new school access road and to protect the interests of children travelling to school both by bus and car and especially as pedestrians as they are considered a vulnerable group and every effort must be made to protect this group from potential harm. He stated that there had

been a number of road traffic accidents on this section of Penprysg Road in the recent past, of which the principal contributory factor in all cases was excessive speed. He informed the Panel of the proposal for new school to accommodate a total of 611 pupils and the new access road will operate as a one way system and under an advisory 10 mph speed limit. He described the arrangements for a pupil drop off zone and for the staff car park along with the entry and exit positions of the car park which had been selected in view of the need to reduce conflict points and to mitigate the opportunity for pedestrians using drop off spaces to walk through this car park. He also informed the Panel there would be an uncontrolled pedestrian crossing on a raised table arrangement located between the staff car park access point to connect the car park to the school plaza area.

The Traffic and Transportation Manager reported that in order to comply with planning condition 8 and the advisory note a number of options were considered. Guidance (Welsh Assembly Government Circular No 24/2009) and experience had shown that the most effective way of achieving such low speeds on any road was either to design a road with sufficient bends and short straight sections to make higher speeds impossible or to introduce raised traffic calming measures i.e. speed humps/cushions. This was reinforced by the fact that the police will not support 20mph speed limits unless there is physical traffic calming of this nature in place. He stated that given that the new school was being introduced adjacent to the existing straight road that forms Penprysg Road, the first option of significantly changing road alignments was clearly not possible.

He also informed the Panel that other types of calming measures such as priority narrowing were considered, however, such narrowing had been used on busy link roads within residential areas which had led to their removal due to congestion issues caused by such features.

The Traffic and Transportation Manager reported that officers of the Communities Directorate had concluded that the only feasible option to achieve the low speed imperative required by planning condition 8 was to design a scheme which consisted of raised traffic calming measures with a mixture of plateau, cushions, central refuges and hatch markings which together with the additional 20 mph entry zone signs would have the desired effect of causing the majority of vehicles to adhere to the proposed speed limit of 20mph. He stated that it had to be recognised that whatever traffic calming measures were introduced there would be a minority who would attempt to evade traffic calming measures and ignore the speed limit putting both themselves and other road users at risk.

The Traffic and Transportation Manager reported that the Traffic Signs, Regulations and General Directions 2016 required that the spacing of traffic calming measures in 20mph zones should ensure that the zone is self-enforcing and it was essential that any scheme developed was designed to achieve that goal. He stated that the scheme subsequently designed was mindful of the existing commercial bus route serving Penprysg Road and the likely number of school buses accessing the school entrance in future. It also took into account the number of houses and the other community facilities which would be accessed from the traffic calmed area. It was for this reason, in formulating the design; officers had attempted to introduce measures which would have the least impact on vehicles complying with the 20mph speed limit within the zone. It was also the reason for the introduction of the proposed bus-friendly speed cushions and a shallow-humped puffin crossing plateau as the raised features. The scheme had also been designed with particular emphasis to meet the requirements of planning condition 8.

He informed the Panel that letters were sent to the statutory consultees and to persons living in the properties with frontages on to Penprysg Road and affected properties in the

side streets within the extent of the proposed scheme and an objection was received from Mr Howell Guilford. The objections were:

- that the raised plateau on which the proposed pelican crossing would be located could act as a “dam or obstruction” to the surface water run off;
- that the ground level inside no 30 Penprysg Road is significantly lower than carriageway level.

The Traffic and Transportation Manager informed the Panel that a representation had also been received from the police who did not object to the proposal in its entirety. He also informed the Panel that Officers suggested to the objector that a possible solution would be to remove the raised plateau element associated with the pelican crossing to alleviate the issue related to possible flooding and this was agreed with the objector. He stated that the scheme was amended to remove the raised plateau element of the pelican crossing. He stated that a letter was subsequently received from the objector who appreciated that officers had agreed to remove the major traffic calming speed hump at the pedestrian crossing and that the proposal was an improvement. The Traffic and Transportation Manager informed the Panel that the objector also reiterated his previous objections; however the objections were submitted as part of the planning application process and not in respect of the traffic scheme consultation process which was being determined by the Panel. The Traffic and Transportation Manager stated that the objector had also commented that he would not be able to erect scaffolding on the gable end of his property due to the width of footway and post associated with the crossing. The Traffic and Transportation Manager informed the Panel that the footway had been widened and therefore the signal head would not be affected. The objector had also stated that he appreciated that a noise and vibration analysis would be carried out. The Traffic and Transportation Manager informed the Panel this work had been undertaken before the works commenced.

The Traffic and Transportation Manager reported that consultation letters were subsequently sent to the statutory consultees and to residents in Penprysg Road, Wimborne Road and Minffrwd Road showing the amended scheme and copies of the Public Notice were sent to those who had responded to the informal consultation stage. One letter was received from the objector, Mr Guilford and officers met with him to seek a resolution who clarified that he had objected to the proposed method of traffic calming but not to the installation of a 20mph speed restriction. The Traffic and Transportation Manager informed the Panel that officers had considered that the proposed method of traffic calming was the most effective method of controlling vehicular speeds to the 20mph speed restriction. He stated that residents had asked through their MP when the speed cushions would be constructed and a decision was taken by offices to postpone / cancel some of the works until the outcome of the appeals process had concluded. He informed the Panel that this in turn had led to 2 objections being received, followed by a further objection to the objection submitted by Mr Guilford

The Traffic and Transportation Manager informed the Panel that as the works on site progressed it was identified that if the Pelican crossing provided was not brought into operation, an alternative safe means of crossing Penprysg Road would be required and further clarification was sought from the objector, Mr Guilford, in respect of what he was objecting to, who responded to the points raised with him. The Traffic and Transportation Manager stated that the objection appeared to be an objection to the installation of the Pelican Crossing and the decision was made that the Pelican Crossing should not be brought into use and that the Appeals Panel should decide whether the crossing should be implemented. He also stated that an alternative safe means of crossing Penprysg Road was subsequently provided by the Council as a temporary measure. He informed the Panel that given the lack of any other objections from emergency services, bus companies, disabled groups and others it appeared that the

views of the objector were not widely supported in such an important area outside a school.

The Panel asked whether there were any alternatives to the scheme that could be considered. The Principal Engineer stated that both vertical and horizontal alignment had been considered. The alternative of horizontal alignment had been discounted however due to the possibility of drivers increasing their speed to avoid being delayed by oncoming traffic at build-outs. The implementation of twists and turns in the road was discounted as a feasible solution due to the presence of the existing road layout. The Traffic Management Officer informed the Panel that the introduction of speed cameras in that location did not meet the requirements of Go Safe/Welsh Government guidance as would be pre-emptive measure. He stated that the speed camera partnership would need to consider the number of collisions to have taken place in that location in determining whether the criteria for providing a speed camera in that location had been met. The Panel asked the Traffic Management Officer how many accidents were logged on the road and he confirmed that there had been 5 incidents in 5 years and that this level would not satisfy the Go Safe requirements.

The Panel asked whether the location of the pedestrian crossing had been moved. The Principal Engineer confirmed the location of the crossing had been moved to avoid traffic queuing and to avoid traffic lights shining into residents' homes. He stated that the lights had been placed in the location they have as they are located at the gable end of the objector's property.

Mr Guilford informed the Panel that he had not submitted a formal objection but had submitted comments to the proposals. He also informed the Panel that the most simplistic form of traffic calming measures would be the introduction of a speed camera at the location. He stated that he had discussed the location of the traffic lights with the police who had advised that the matter was the responsibility of the Council. Mr Guilford asked whether the police would have objected to the scheme. The Traffic and Transportation Manager stated that the placing of a speed camera is the responsibility of Go Safe, acting on behalf of the Welsh Government. However the area would have to be high risk before the placing of a speed camera would be considered. The Principal Engineer stated that motorists have a tendency to speed up away from speed cameras and that officers did not want traffic speeding on Penprysg Road. The objector stated that in his view this could be avoided by the installation of a camera. Mr Guilford considered that noise and vibration from traffic could cause damage to the stability of the Toll House which dates back to 1875 and also impact on soil compaction.

Mr Guilford informed the Panel that he considered that enlarging the capacity of the current school to 611 pupils would suffice negating the need to construct a new school. He stated that it was his opinion that the re-development was a waste of money. He questioned the need for the introduction of crossing and the location where it had been installed which was not in accordance with the drawings for the scheme. He stated that no amendment could be made to the scheme once the old school had been demolished and he questioned the positioning of the bus stop to serve the school. The Traffic and Transportation Manager stated that officers would prefer school buses to park in the bus stop area by but any buses parking on Penprysg Road would assist in slowing traffic down. Mr Guilford stated that the location of the bus stop would cause traffic to be obscured when a bus was parked there when it could be parked there for up to 5 minutes at a time picking up passengers.

Mr Guilford disagreed with the location of the crossing and questioned what would happen to "grandfather" rights that exist for people who access through the church between Wimborne Road and Penprysg Road. The Traffic Management Officer

informed the Panel that the access is private although it has been in existence for some time as a permissive route.

Mr Guilford asked when the lights at the crossing would be activated. The Traffic and Transportation Manager stated that the lights at the crossing would only be activated following determination by this Panel. Mr Guilford asked if the lights at the crossing could be switched on temporarily to assess their impact on residents and motorists. He expressed concern that the construction of speed humps / cushions would lead to an increase in noise and vibration on the many older buildings in the vicinity, such as the church and chapel, the cemetery wall and cottages adjacent to Penprysg Road. He also believed that speed humps / cushions would lead to increased air pollution in the vicinity with stop / start driving. He questioned the cost of speed cushions and their maintenance and considered that road narrowing would be a better solution.

He was disappointed that there had been no meeting for the residents at Penprysg Road and asked whether any objections to the scheme had been received from other residents. The Principal Engineer stated there had been no other objections to the scheme from other residents and that any objections had to be made in writing. Mr Guilford informed the Panel that his objections were considerable and that he disagreed with the current location of the pedestrian crossing and that it need to be located in the right place. The Panel clarified that Mr Guilford's objections were in relation to the location of the crossing and that he would prefer a speed camera to be placed in the location. The Traffic and Transportation Manager explained that the location did not meet the criteria for the provision of a speed camera, although there had been 5 road accidents, all were non-fatal. The Traffic Management Officer explained that Go safe which is responsible for speed cameras is a partnership of all 4 police forces in Wales, but that the Council is not a partner.

The Panel questioned the positioning of the traffic lights. Mr Guilford stated that the lights were not operational when the lights were commissioned and that he would have liked to have seen the traffic lights switched on for the site visit made by the Panel. Mr Guilford questioned the location of the traffic lights which he believed had not been constructed in accordance with the plan for the scheme and informed the Panel that he had made repeated requests of the officers for a copy of the drawings. Mr Guilford stated that the Council had not defined whether the dimension in the Notice is from the junction point prior to amendment or since amendment. He also stated that both plans refer to the same location and that the centre line of the crossing coincided with the centre of the gable wall of his home, which is immediately adjacent to the footpath. He believed that centre line of the crossing was at least 1.5 metres out of position.

The Legal Officer advised the Panel that the Notice specified the location of the crossing on Penprysg Road. Mr Guilford stated that drawings were correct but that the dimensions stated in the Notice were incorrect. The Principal Engineer informed the Panel that the distance specified had been measured at a tangent point of the kerbside. The Traffic Management Officer explained that the contractor had constructed the crossing in accordance with the drawings. The Traffic and Transportation Manager stated that if there is concern regarding the positioning of the crossing a Highways Officer was currently on site measuring the dimensions of the crossing. The Legal Officer informed the Panel that clarification would need to be sought that the description in the Notice is correct and that the Panel may need to adjourn to verify the dimensions of the crossing stated in the Notice. Mr Guilford stated that he would object to the measurements taken by the Highways Officer as the crossing had not been constructed in accordance with the drawings. He emphasised that the crossing must be placed in the correct location. The Traffic and Transportation Manager commented that the crossing has been located in accordance with the drawing. The Traffic Management Officer commented that the crossing would have been constructed to comply with the

Notice. The Traffic and Transportation Manager stated that the location of the crossing would need to be the subject of further investigation, although the objector was now in agreement with the traffic calming measures.

The Panel adjourned at 3.05pm and resumed at 3.25pm.

The Legal Officer advised the Panel that in view of the uncertainty regarding the location of the crossing specified in the Notice, and the Traffic Management Section would arrange to visit the site for the distance specified to be re-checked. The Legal Officer suggested that the Panel should proceed to determine the objection submitted in respect of the proposed traffic calming measures given that the objector had now withdrawn his objection to this element of the scheme. Mr Guilford confirmed to the Panel that this was a sensible course of action.

The Traffic and Transportation Manager in summing up requested the Panel determine the traffic calming measures and reconvene following a further site visit and re-check of the distance specified in the Notice to determine the location of the crossing as the objector now understood the rationale behind the traffic calming measures and had now withdrawn this part of his objection.

Mr Guilford requested clarification of the learner travel route. The Traffic and Transportation Manager clarified that learner travel routes were part of Welsh Government guidance and that learner travel routes and safe routes to school were being reviewed across the County Borough.

In summary, Mr Guilford expressed his concern at the location of the crossing which had not been constructed with the plans. . He also expressed concern that traffic calming measures could lead to an increase in pollution at a time when pot holes across the County Borough required filling. He stated that he had discussed the location of the pedestrian crossing with officers which he considered to be in the wrong location. He accepted that traffic calming measures needed to be put in and that a speed camera would not be provided as it did not meet the criteria. He informed the panel that he had made repeated requests to officers for vibration and noise meters to be placed in his home but this had not been complied with.

The Panel adjourned at 3.35pm and reconvened at 3.45pm.

- RESOLVED:**
1. That the Panel reject the objection received to the proposed raised traffic calming scheme on Penprysg Road and authorise the implementation of the traffic calming scheme as detailed in Appendix F, excluding the pedestrian crossing and;
 2. That the Panel adjourn to consider the objection received in respect of the proposed pedestrian crossing on Penprysg Road following a further site visit and verification of the distance specified in the Notice.

The meeting adjourned at 3.48pm.

The meeting reconvened on Monday, 13 November 2017 at 10.30am.

The Traffic and Transportation Manager reminded the Panel that it had heard evidence from officers regarding proposals for traffic calming measures at Penprysg Road and the establishment of a formal crossing in connection with the new Pencoed Primary School and an objection to those proposals from Mr Howell Guilford at its meeting on 26 October 2017. He also reminded the Panel that at that meeting it had rejected the

objection to the traffic calming measures and approved the implementation of these features, and that due to the ambiguity in the way in which the location of the pedestrian crossing had been described in the Public Notice, the Panel would reconvene following a site visit/ and re-check of the distance specified in the Notice to determine the matter.

The Traffic and Transportation Manager informed the Panel that following site visits conducted by officers to the location and measurements taken, Highways officers had met with legal officers. He stated that it was the opinion of the Legal Section that the original description in the Public Notice the location of the pedestrian crossing point was considered to be accurate. However, it was the opinion of Legal Section that Public Notice should be re-advertised with a slightly amended description specifying a precise dimension of the crossing at a point from the junction of Wimborne Road with Penprysg Road. Mr Guilford informed the Panel of his disappointment that the Panel had not undertaken the planned site visit prior to the meeting. He stated that a change in the dimension would not assist at all as there had been no starting point defined from the centre of Wimborne Road for the construction of the crossing, which should have been constructed in accordance with the scheme drawings.

The Legal Officer advised the Panel would reconvene after the proposals had been re-advertised and the period for the submission of representation/objection had elapsed.

Mr Guilford asked whether the lights at the crossing could be switched on. The Traffic and Transportation Manager informed the Panel that the lights could not be switched on as the crossing had not yet been determined by the Panel and could give rise to challenge. Mr Guilford felt that re-advertisement was a meaningless proposal as the drawings for the scheme take precedence.

- RESOLVED:**
1. That due to ambiguity of the distance specified in the Public Notice, the Notice is re-advertised with an amended description to remove any ambiguity in respect of the location of the proposed crossing.
 2. That the Panel adjourn to consider any objection received in respect of the proposed pedestrian crossing on Penprysg Road following re-advertisement of the proposal.

The meeting closed at 15:48

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE APPEALS PANEL

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

26 JULY 2018

PROPOSED INTRODUCTION OF A PEDESTRIAN CROSSING ASSOCIATED WITH PROPOSED PRIMARY SCHOOL ON PENPRYSG ROAD PENCOED

1.0 Purpose of Report

- 1.1 To seek a resolution to the formal objection received in relation to the proposal at Penprysg Road Pencoed for the establishment of a pedestrian crossing in connection with the new Pencoed Primary School.

2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities.

- 2.1 The issue of introducing traffic management and road safety measures supports the aims of Priority 3 Smarter use of Resources "Schools' Modernisation Programme" in the Corporate Improvement Plan. This supports the aim of providing a sustainable education system in school buildings that reduce cost and their carbon footprint. The traffic management and road safety measures are necessary as a direct result of the new school.

3.0 Background

- 3.1 The Appeals Panel report "Proposed introduction of Traffic Calming and a Pedestrian Crossing associated with Proposed Primary School on Penprysg Road Pencoed" dated 26th October 2017 (**APPENDIX A**) was compiled and circulated to the appropriate officers and individuals.
- 3.2 The Appeals Panel was convened on the 26th October 2017. During the hearing the Traffic & Transportation Manager outlined that there are 3 principal methods of controlling vehicular speeds to the 20mph speed restriction. These being:-
- Introduce into the road alignment sufficient bends and short straight sections to make higher speeds impossible
 - Introduce vertical misalignment into the road ie speed humps/cushions
 - Introduce horizontal misalignment into the road ie to construct buildouts
- 3.3 The Traffic & Transportation Manager stated that Officers had concluded that the introduction of vertical misalignment was the only feasible option i.e. a scheme consisting of raised traffic calming measures with a mixture of plateau, cushions, central refuges and hatch markings. This approach allows constant two way unrestricted traffic flow.
- 3.4 The Traffic & Transportation Manager stated that the introduction of horizontal misalignment i.e. buildouts was discounted due to the possibility of drivers increasing their speed to avoid being delayed by oncoming traffic.

- 3.5 After further discussion the objector withdrew their objection to the traffic calming measures however stated that the location of the pedestrian crossing was incorrect. The objector indicated that there was ambiguity between the public notice, the drawings and the location on site.
- 3.6 Further discussion took place in respect of the accuracy of the dimensions defining the location of the pedestrian crossing in the public notice. The Legal Officer informed the Panel that clarification should be sought that the description in the Notice was correct and that the Panel should adjourn to verify the dimensions of the crossing stated in the public notice.
- 3.7 The Panel adjourned for approximately 20 minutes and upon re-convening the Legal Officer advised the Panel that in view of the uncertainty regarding the location of the crossing specified in the public notice, the Panel should make a further site visit to view the crossing and its dimensions and the Traffic Management Section would arrange for the distance specified to be re-checked. The Legal Officer advised that the Panel should proceed to determine the objection submitted in respect of the proposed traffic calming measures given that the objector withdrew the objection to this element of the scheme earlier in the course of the meeting.
- 3.8 The Panel adjourned for a further 10 minutes and re-convened.
- 3.9 The Panel Chair announced:-
- a) That the Panel reject the objection received to the proposed raised traffic calming scheme on Penprysg Road and authorise the implementation of the traffic calming scheme as detailed in **Appendix F** of that report excluding the pedestrian crossing and;
 - b) That the Panel adjourn to consider the objection received in respect of the proposed pedestrian crossing on Penprysg Road following a further site visit and verification of the distance specified in the notice.
- 3.10 The further site visit by the Panel was agreed for Monday 13th November 2017.
- 3.11 Following an internal meeting of BCBC Officers from Legal, Traffic & Transportation and Engineering on the 7th November 2017, it was agreed that:-
- a) There was a potential ambiguity in respect of the description of the location of the crossing in the public notice.
 - b) A further notice should be published allowing a minimum period of 21 days for the submission of representations/objections.
 - c) The site visit programmed for Monday 13th November 2017 at 09:30 hours would be cancelled as it would serve no purpose due to the above decision
 - d) The Appeals Panel would re-convene as agreed on the 13th November 2017 at 10:30 hours to further discuss the matter.
- 3.12 A letter was subsequently sent to the objector advising them of the cancellation of the site meeting and the reconvening of the Appeals Panel. (**APPENDIX B**).
- 3.13 The Panel re-convened on Monday 13th November 2017.

- 3.14 The Traffic & Transportation Manager informed the Panel that following further site visits conducted by officers measurements were taken and highway officers had met with legal officers. The meeting concluded that the public notice should be re-advertised with a slightly amended description specifying the dimension of the crossing at a point from the junction of Wimborne Road with Penprysg Road.
- 3.15 The Legal Officer advised that the Panel would reconvene after the proposals had been re-advertised and the period for the submission of representation/objection had elapsed.
- 3.16 The Panel resolved:-
- a) That due to ambiguity of the distance specified in the Public Notice, the Notice is re-advertised with an amended description to remove any ambiguity in respect of the location of the proposed crossing
 - b) That the Panel adjourn to consider any objection received in respect of the proposed pedestrian crossing on Penprysg Road following re-advertisement of the proposal.

4.0 Current situation / Proposals

- 4.1 Following the hearing of the Appeals Panel the objector submitted their own notes of the meeting (**APPENDIX B1**). The following comments are made in response to some of the matters that were made by the objector in their notes:

“The appeals panel made no attempt to consider the content of the pack item by item”

The Appeals Panel members would have read the bundle of documents prior to the meeting and the objector was given the opportunity to raise any specific issue that he wanted to at the meeting.

“It should be noted that I had not received a reply to my letters. I was aware that a neighbour had made a comment regarding the siting of the traffic lights near his house – Mr Lloyd stated that as the objection was not received in writing it was not acceptable. So were the traffic lights re-sited to No 30?”

Although a preliminary design did show that the traffic signal crossing was sited further north than no. 30 Penprysg Road, on further discussions and a site visit by the Traffic Management Team and the scheme designer on all parts of the design it was agreed that the pedestrian crossing would be sited at the current location. This is the location that the pedestrian crossing process was consulted upon.

“Both the above plans refer to the same location. The centre line of the crossing coincides with the centre of the gable wall to my home that is immediately adjacent to the footpath.”

The plans show the approximate location of the crossing and are to indicate that the crossing is adjacent to number 30 not number 23 or number 46 Penprysg Road. The public notice is the document indicates the specific location of the crossing. The plans referred to are replaced by the plan that was issued with the second public notice.

“The crossing centreline is located at least 1.5m out of position with respect to the above fixed centreline location point”

As stated above the plans show the approximate location of the crossing. The public notice details the specific location of the crossing. Due to the potential ambiguity in the original public notice, public notice was re-advertised on the 31st January 2018.

- 4.2 Public notice (**APPENDIX C**) was published on 31st January 2018 and required that objections in writing were to be submitted by the 1st March 2018.
- 4.3 Only one representation was received in writing in response to the Public Notice from the resident who had objected to the initial proposal (See **APPENDIX D**).
- 4.4 An internal meeting of officers from Legal, Traffic & Transportation and Engineering was held on Tuesday 6th March 2018 to consider the representation received. The agreement reached in that meeting was that the representation received should be considered as an objection requiring the Appeals Panel to be re-convened.
- 4.5 This objection was received on 27/02/18. The following points are made in response to some of the matters referred to in the letter of objection:

“The controlled crossing has been constructed at the wrong location and the traffic lights commissioned on 1st September 2017”.

The purpose of the 2nd notice advertised on the 31st January 2018 was to remove any ambiguity relating to the description of the location of the crossing and record the actual position of the crossing “on the ground”. The crossing lights were indeed completed on 01/09/17 but have still not been commissioned as a result of the objector’s previous objection.

“The above “Scheme Drawing” indicates a Wimbourne Road datum point currently used to identify the wrong location of the controlled crossing”.

The 2nd notice and associated drawing (ref: GC2488-CAP-66-XX-DR-C-0001 revision P02) (See **APPENDIX C and C1**) identifies the actual position of the crossing on the ground with appropriate dimensions given from Wimbourne Road.

“Please be advised that the dimension of 65metres (71 yards) as shown on the “Scheme Drawing” and in the notice is incorrect”.

It is not accepted that the description in the notice is incorrect.

“Further to receipt of the Council’s letter dated the 5th June 2017, no variations or notices of change occurred prior to the construction of the controlled crossing”.

This comment relates to the initial public notice and consequently is superceded by the notice advertised on the 31st January 2018.

“Appeal Panel Meeting at Civic Offices Monday 13th November at 10:30am – accepted in unison that the location of the controlled crossing is correct – the decision of an impartial Appeal committee that failed to visit the site”.

At the Appeals Panel it was agreed that there was a potential ambiguity relating to the description of the location of the crossing in the public notice. The purpose of the 2nd Notice was therefore to remove any ambiguity relating to the description and location of the crossing and record the actual position of the crossing on the ground. Therefore there was no purpose for members of the Panel to visit the site.

“It should be noted that the control boxes that operate the traffic lights should have been sited on the other side of road, at no additional cost, where they would not have defaced an existing habitable property and especially noting the eventual demolition of the school buildings”.

In respect of this comment, the control box has been located in its current location because:-

- The footway on the other side of Penprysg Road is cluttered with utilities, particularly drainage utilities.
- The footway on the opposite side of Penprysg Road is quite constricted, despite the control box not being located there.
- The footway on the other side of Penprysg Road is adjacent to the gateway out of the school yard (existing) which was used continuously.
- The current location has a conveniently located power supply.

“Immediately opposite the relocated bus stop a parking space has been permitted: at the Wimbourne Road junction the kerb line has been extended into Penprysg Road causing traffic to veer towards the centre of Penprysg Road and the parking area – a designed hazard: the bus stop is located in the carriageway that has been narrowed – council’s policy – no bus laybys – Meeting 13th November 2017”.

This comment is not relevant to the authorisation of the proposed crossing.

“I regard that my response to the Council’s notice and revised drawing dated 2nd February 2018, has been written without rancour with the view to a true and final resolution of this continuing matter. The revised drawing attached to your notice verifies the incorrect siting of the controlled crossing”.

The purpose of the 2nd Notice was to remove the ambiguity relating to the description of the location of the crossing and thus record the actual position of the crossing. The scheme drawing indicates the approximate location of the crossing. It is not accepted however that the drawing is incorrect.

- 4.6 The Legal Officer issued a letter dated 12th March 2018 (**APPENDIX E**) acknowledging receipt of the objectors objection.
- 4.7 The objector responded with a further letter dated 16th March 2018 (**APPENDIX F**) however all of the points raised in that letter relate to matters that predate the issue of the 2nd public notice or are statements of opinion made by the objector.
- 4.8 The objector issued a further letter dated 30th May 2018 (**APPENDIX G**), all of the points raised in this letter have been raised in previous letters.

- 4.9 In view of the lack of any objection from the emergency services, bus companies, disabled groups and any other individual it would appear that the views of the objector are not widely supported in such an important area outside a school.
- 4.10 Officers are satisfied that the appropriate public notice has been given with accurate measurements and that all the appropriate consultation and procedure has been followed in accordance with the relevant legislation.
- 4.11 Officers consider that the current crossing location is the most effective for the following reasons:-
- The safe walking route to the school from the Minfrwwd Road area is via Wimborne Road, Wimborne Crescent onto Penprysg Road and across Penprysg Road into the school access road. The crossing is located on the “desire line”.
 - The current location of the crossing is on the gable end of number 30 Penprysg Road where it has the minimum visual impact as the gable end of number 30 does not have any windows.
 - The current crossing location provides reasonable queuing length for vehicles exiting left out of the school access road.
- 4.12 The Panel is therefore asked to consider the need for the establishment of a formal crossing on Penprysg Road which will enable children to cross the road safely to and from school which will also form part of the Learner Travel Route to the school.

5. Effect upon Policy Framework& Procedure Rules

- 5.1 This report has no effect upon the Policy Framework or the Procedure Rules.

6. Well-being of future Generations (Wales) Act 2015 Implications

A copy of the completed Well-being of Future Generations (Wales) Act 2015 Assessment has been undertaken and is attached as **Appendix H** to the report.

7. Equality Impact Assessment

- 7.1 There are no negative equality implications.

8. Financial Implications.

- 8.1 The cost of the proposed scheme will be funded from the capital highway budget allocation for Pencoed Primary School.

9 Recommendations

The Members of the Panel are therefore recommended:-

- 9.1 to reject the objection received to the proposed Pelican Crossing on Penprysg Road and authorise the implementation of the Pelican Crossing as detailed in **Appendix C**.

Mark Shephard
CORPORATE DIRECTOR – COMMUNITIES

Contact Officer: Kevin Mulcahy Group Manager Highway Services
Telephone: (01656) 642535
E-mail: kevin.mulcahy @bridgend.gov.uk

Background Documents
None

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BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO THE APPEALS PANEL

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

26th October 2017

Proposed introduction of Traffic Calming and a Pedestrian Crossing associated with Proposed Primary School on Penprysg Road Pencoed

1.0 Purpose of Report

1.1 To seek a resolution to the formal objection received in relation to the proposals at Penprysg Road Pencoed for Traffic Calming measures and the establishment of a formal crossing in connection with the new Pencoed Primary School.

2.0 Connection to Corporate Improvement Objectives / Other Corporate Priorities.

2.1 The issue of introducing traffic management and road safety measures cross-cuts a number of aims in the Corporate Improvement Plan. This includes the Strategic Themes *Strong Communities*, where the aim is to 'build safe and inclusive communities' and *Young Voices*, where an objective is that all children and young people are safe. Road safety also forms part of the aims of the Community Strategy to have Strong Communities where there is a reduction in crime and people feel safer in their communities.

3.0 Background

3.1 A statutory public notice, in respect of the proposed closure of the existing Pencoed Junior and Infant Schools and the establishment of a new school to serve these traditional catchment areas was published on 15th June 2016. The notice was displayed on BCBC's website and at the schools affected by the proposal. This process is in accordance with legislation and follows the Welsh Government's School Organisation Code guidance in dealing with the statutory process.

3.2 No objections to the proposal were received and consequently on 6th September 2016, Cabinet considered the published proposal, in accordance with the School Standards and Organisation (Wales) Act 2013 and decided to approve the proposal.

3.3 The existing school is on a split site but to undertake the works all pupils and staff have moved into one school until the construction of the new school on the council owned field/playing field to the South of Penprysg Road in Pencoed. The works associated with the new school are currently ongoing and are programmed to be handed over to the Authority in July 2018.

3.4 As part of the proposals to site the new Pencoed School on Penprysg Road, planning consent was granted on the 29th September 2016 and was subject to a number of planning conditions (P/16/603/BCB).

3.5 The condition that has led to the objection under consideration today is Condition 8 of the planning consent notice and advisory note to that consent, which state;

No development shall take place until a comprehensive scheme for traffic calming restricting 85% of 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.

The planning application also included this advisory note which was not a condition

With respect to condition 8, 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.

3.6 The reason for this condition and advice note is to ensure appropriate visibility for vehicles whilst exiting the new school access road and to protect the interests of children travelling to school both by bus and car and especially as pedestrians as they are considered a vulnerable group. Therefore every effort must be made to protect this group from potential harm. There has also been a number of road traffic accidents on this section of Penprysg Road in the relatively recent past, of which the principal contributory factor in all cases was excessive speed.

3.7 It is proposed that the new school will accommodate 510 pupils, 31 Special Educational Needs (SEN) pupils and 70 nursery pupils (total 611). The new access road will operate as a one way system and under an advisory 10 mph speed limit. There will be a pupil drop off zone within the grounds of the school and the staff car park is located centrally within the surrounding drop off point and access road. 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 raised table arrangement located between the staff car park access point which connects the car park to the school plaza area.

4.0 Current situation / Proposals

- 4.1 To comply with planning condition 8 and the advisory note a number of options were considered.
- 4.2 Guidance (Welsh Assembly Government Circular No 24/2009) and experience has shown that the most effective way of achieving such low speeds on any road is either to design a road with sufficient bends and short straight sections to make higher speeds impossible or to introduce raised traffic calming measures i.e. speed humps/cushions. This is reinforced by the fact that the police will not support 20mph speed limits unless there is physical traffic calming of this nature in place. Given that the new school is being introduced adjacent to the existing straight road that forms Penprysg Road, the first option of significantly changing road alignments was clearly not possible.
- 4.3 Having discounted alignment changes, other types of calming measures such as priority narrowings were considered. However, such narrowings have been used on busy link roads within residential areas and have had to be removed due to congestion issues caused by such features.
- 4.4 Officers of the Communities Directorate concluded that the only feasible option to achieve the low speed imperative required by Planning Condition 8 was to design a scheme which consisted of raised traffic calming measures with a mixture of plateau, cushions central refuges and hatch markings which together with the additional 20 mph entry zone signs would have the desired effect of causing the majority of vehicles to adhere to the proposed speed limit of 20mph.
- 4.5 It is, however recognised that whatever traffic calming measures are introduced there will always be a minority of motorists who attempt to evade traffic calming measures and ignore the speed limit putting both themselves and other road users at risk.
- 4.6 The Traffic Signs, Regulations and General Directions 2016 requires that the spacing of traffic calming measures in 20mph zones should ensure that the zone is self-enforcing and it is essential that any scheme developed is designed to achieve that goal.
- 4.7 The scheme subsequently designed was mindful of the existing commercial bus route serving Penprysg Road and the likely number of school buses accessing the school entrance in future. It also took into account the number of houses and the other community facilities which would be accessed from the traffic calmed area. For this reason, in formulating the design, officers have attempted to introduce measures which would have the least impact on vehicles complying with the 20mph speed limit within the zone. This is the reason why it was proposed that bus-friendly speed cushions and a shallow-humped puffin crossing plateau would be introduced as the raised features.
- 4.8 Having taken all of the above-mentioned factors into consideration, and with particular emphasis on the need to meet the requirements of Planning

Condition 8 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*”, Officers developed the scheme that is attached as **APPENDIX A**(Drawing no:- GC2488-CAP-66-XX-DR-C-0001)

- 4.9 In accordance with the requirements of the Road Traffic Regulation Act 1984, Highways (Road Humps) Regulations 1999, The Local Authorities’ Traffic Orders (Procedure)(England and Wales) Regulations 1996 and the letters and a plan showing the proposals in Appendix A were sent to statutory consultees in January 2017 (**APPENDIX B**). At the same time, letters and plans were sent to a wide range of additional persons/organisations, including all frontage properties on Penprysg Road and affected properties in side streets within the extent of the proposed traffic scheme. (**Appendix B1**). This was in an attempt to prompt objections/comments on the scheme at a stage where it would be possible with focussed discussion to design out any potential objections at the formal consultation stage. The covering letter requested any written comments should be submitted within 21 days of the date of the letter, being 9th January 2017. Therefore submissions needed to be submitted by the 30th January 2017.
- 4.10 As a result of the informal consultation for the proposed traffic scheme, 2 representations were received. These were from the Police (Appendix C1) who indicated that they did not object to the proposal in its entirety and from a resident who objected to the proposed scheme on a number of grounds. (**APPENDIX C**).
- 4.11 The aspects of the written representation received from the objector relating to the traffic calming were considered by officers of the Communities Directorate and a decision was made that officers should meet with the objector concerned in an attempt to resolve the objection and a meeting took place on Wednesday 1st March 2017. Officers noted the concerns of the objector:-
- that the raised plateau on which the proposed pelican crossing would be located could act as a “dam or obstruction” to the surface water run off;
 - that the ground level inside no 30 Penprysg Road is significantly lower than carriageway level.
- Officers suggested to the objector that a possible solution would be to remove the raised plateau element associated with the pelican crossing to alleviate the issue related to possible flooding and this was agreed with the objector.
- 4.12 The attached e-mail dated 14th March 2017 was sent to the objector (**APPENDIX “D”**) and the scheme was amended to remove the raised plateau element of the pelican crossing.
- 4.13 A letter was subsequently received from the objector (attached as **APPENDIX “E”**) indicating the following

- That he appreciated that officers had agreed to remove the major traffic calming speed hump at the pedestrian crossing.
- That he agreed in principle that the proposal was an improvement.
- Advising that his objections are highlighted in his letter of 25th January 2017. **This is highlighted in paragraph 4.11 above.**
- That his objections are also highlighted in his letter dated 13th February 2017 to the Development Group Planning. – **The letter was submitted as part of the planning application process and not in respect of the traffic scheme consultation process being determined by the Panel.**
- That he would not be able to erect scaffolding on the gable end of his property due to the width of footway and post associated with the crossing. – **The footway has been widened and therefore the signal head would not be affected.**
- That he appreciates that a noise and vibration analysis would be carried out. – **This was undertaken before the works commenced**

- 4.14 Subsequently, and in accordance with the requirements of the Local Authorities Traffic Orders (Procedures) (England and Wales) Regulations 1996 and the Highways (Road Humps) Regulations 1999, consultation letters and a plan showing the amended scheme (**Appendix “F”**) were sent to statutory consultees in June 2017. At the same time, letters and plans were hand delivered to those affected residents in Penprysg Road, Wimborne Road and Mynffrwd Road. In addition, letters attaching copies of the Public Notice were sent to those who had responded at the informal consultation stage.
- 4.15 As a result of the formal consultation for the amended traffic scheme 1 representation was received from a resident. This response is attached as **APPENDIX “G”**.
- 4.16 The representation received was considered by officers of the Communities Directorate and a decision made that officers should meet with the objector concerned, for a second time, in an attempt to identify a resolution and. this meeting took place on Wednesday 5th July 2017.
- 4.17 Following the visit, the objector submitted a letter dated 6th July 2017, stating that he had objected to the proposed method of Traffic Calming to be applied and not to the installation of a 20mph speed restriction (**APPENDIX “H”**).
- 4.18 Further consideration was given to the objection by officers of the Communities Directorate on receipt of the objectors letter dated 6th July 2017. The conclusion reached was that the proposed method of traffic calming comprised in the scheme was the most effective method of controlling vehicular speeds and consequently there was no latitude to agree an alternative compromise solution with the objector. Consequently, the unresolved objection would need to be determined by the Appeals Panel.
- 4.19 Tenders were invited and contract awarded to execute the works associated with the Traffic Calming measures and footway widening and the formal crossing on Penprysg Road. As a result of the proposed Appeals Panel

process to deal with the resident's objection to the proposed method of Traffic Calming, those works associated with the Traffic Order were excluded from the contract works. The works in question being principally:-

- The installation and display of the 20mph Speed restriction signs
- The construction of the speed cushions
- The operation of the Pelican crossing

4.20 As the works progressed residents asked via their Member of Parliament, Mr Christopher Elmore, when the speed cushions etc. would be constructed. A response (**APPENDIX "J"**) was provided explaining that the certain works (as detailed in 4.19 above) were postponed/cancelled until the Appeals Panel Process had concluded.

4.21 This in turn led to 2 residents submitting their objection to the objection that was submitted on 16/08/17 (**APPENDIX "K"**), followed by a further objection to the objection on 22/08/17 (**APPENDIX "L"**).

4.22 As the works on site progressed it was identified that if the Pelican crossing provided was not brought into operation, an alternative safe means of crossing Penprysg Road would be required. After consideration by officers of the Communities Directorate it was agreed that a further letter dated 30/08/17 (**APPENDIX "M"**) should be delivered to the objector requesting clarification on the following points:-

- Is the objection to the principle/use of speed cushions in general or to a particular set of speed cushions?
- Was there any objection to the installation of the Pelican crossing?
- Requesting confirmation of the acceptability or otherwise of the Appeals Panel being held in the last 2 weeks of October.

4.23 The objector replied on 31/08/17 (**APPENDIX "N"**) and in respect of the points raised in that letter:

1. In respect of Point 1- The Panel is advised that lights have not been switched on and are awaiting Appeals Panel decision.
2. In respect of Point 2- The Panel is advised that this is not relevant to the Panel as it does not relate to the Traffic Order.
3. In respect of Point 3 -The Panel is advised that this is not relevant to the Panel as it does not relate to the Traffic Order.
4. In respect of Point 4 -The Panel is advised that this is not relevant to the Panel as it does not relate to the Traffic Order.
5. In respect of Point 4 -The Panel is advised that this is not relevant to the Panel as it does not relate to the Traffic Order.

As a result of the content of the letter it was decided that there appeared to be an objection to the installation of the Pelican Crossing and the decision was made that the Pelican Crossing should not be brought into use and that the Appeals Panel should decide whether the crossing should be implemented. Alternative safe means of crossing Penprysg Road were subsequently provided by BCBC as a temporary measure.

4.24 Given the lack of any other objections from emergency services, bus companies, disabled groups and others it would appear that the views of the objector are not widely supported in such an important area outside a school.

5. Conclusion

5.1 To summarise, Officers fully accept that the objector has a right to object to the proposed speed cushions and Pelican Crossing, furthermore that and these concerns need to be considered by the Appeals Panel. Officers, however, remain satisfied that a scheme of raised traffic calming including cushions is required on Penprysg Road to meet the planning condition requirements that 85% of traffic should travel at 20 mph and that the proposed scheme is the right scheme to deal with future anticipated traffic flow in this area. There have been a number of road traffic accidents on this section of Penprysg Road in the relatively recent past, of which the principal contributory factor in all cases was excessive speed. Additionally officers remain satisfied that the installation of a Pelican Crossing is necessary.

5.2 The panel is asked to take into consideration the alteration that was made to the scheme initially proposed to remove the raised plateaux element associated with the Pelican Crossing, following discussion with the objector to alleviate his concerns in respect of drainage outside his property if traffic calming measures are not implemented then it is probable that some vehicles will travel in excess of 20mph on Penprysg Road which would reduce the visibility for vehicles when they are exiting the new school access road and be detrimental to road safety within the vicinity of the proposed new school.

5.3 Although the objector does not appear to have expressly objected to the provision of a formal crossing point being provided across Penprysg Road to enable children to cross the road safely to and from school, in view of the contents of paragraph 4.23 above the panel is also asked to authorise the installation of a Pelican Crossing at the proposed location as it is on the desire line for pedestrians traveling to and from the school and will form part of the Learner Travel Route to the school.

5.4 The Panel is also asked to take into consideration in its determination that the police fully support the scheme and that no other objections have been received from any person residing in the vicinity of the proposed scheme or from the other emergency services or bus companies.

5.5 Officers are satisfied that the raised traffic calming scheme originally proposed (i.e. **Appendix F**) is the only practical scheme that will achieve the planning condition requirement of "restricting 85% tile traffic speeds to 20 mph on Penprysg Road, Pencoed" and that the proposed formal crossing is on the desire line for pedestrians traveling to and from the school and will form part of the Learner Travel Route to the school.

6. Effect upon Policy Framework& Procedure Rules

6.1 This report has no effect upon the Policy Framework or the Procedure Rules.

7. Equality Impact Assessment

7.1 There are no negative equality implications.

8. Financial Implications.

8.1 The cost of the proposed scheme will be funded from the Capital highway budget allocation for Pencoed Primary School.

9.0 Recommendations

The Members of the Panel are therefore recommended:-

9.1 to reject the objection received to the proposed raised traffic calming scheme and Pelican Crossing on Penprysg Road and authorise the implementation of the calming scheme and the Pelican Crossing as detailed in Appendix F.

Mark Shephard
CORPORATE DIRECTOR – COMMUNITIES

Contact Officer: Tony Godsall – Transportation & Engineering
Telephone: (01656) 642523
E-mail: tony.godsall@bridgend.gov.uk

Background Documents

Pencoed Primary School Cabinet Report 16/09/16
Planning Decision Notice P/01/16/603/BCB

Direct line / *Deialu Uniongyrchol:* (01656) 642569
Ask for / *Gofynnwch am* Allen
Your Ref / *Eich cyf.*
Date / *Dyddiad:* 7th November 2017

Rydym yn croesawu gohebiaeth yn y Gymraeg. Rhowch wybod I ni os yw eich dewis iaith yw'r Gymraeg. We welcome correspondence in Welsh. Please let us know if your language choice is Welsh.

Appeals Panel: Pencoed Primary School Penprysg Road

I am writing to inform you it has been decided that the site visit programmed for 09:30hrs on Monday 13th November 2017 has been cancelled.

The Appeals Panel, will, however reconvene in the Council Chambers, Civic Centre, Angel Street, Bridgend at 10:30hrs on Monday 13th November 2017.

You have previously attended the Appeals Panel, and consequently you are invited to attend again on Monday 13th November 2017.

I trust that this is acceptable however please contact me should you require any further information.

Yours faithfully



for Kevin Mulchay
Group Manager - Transportation and Engineering

APPENDIX B.

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30 October 2017

Ms. J.P. Dessent
Solicitor for Corporate Director
Operational and Partnership Services
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Dear Madam

Appeal Panel Traffic Calming Penprysg Road
Meetings Thursday 26 October 2017

Please receive a copy of my File Note with respect to the above meetings.

Yours sincerely

**BRIDGEND COUNTY BOROUGH COUNCIL - TRAFFIC CALMING
APPEAL PANEL MEETINGS - THURSDAY 26 OCTOBER 2017**

Site Visit - Meeting at Penprysg Road

Present :- Councillor (Mrs.) N. Clarke
Councillor (Mrs.) J.E. Lewis
Councillor (Mr.) J.C. Radcliffe
Council Mr. A. Godsall, Mr. K. Power, Mr. J.A. Lloyd

An inspection of the completed and proposed Traffic Calming works with respect to Penprysg Road was undertaken; commencing at the traffic lights controlling the junction of Penprysg Road with Penybont Road, and locations of intended works to provide Traffic Calming cushions – Capita A3 Schematic Plans dated 20.12.16 and 29.03.17 refer.

Of note and as referred to in my letter to Council dated 25 January 2017, the road features that exist and require cautious traffic flow commencing at the above junction :-

Junction Penprysg Road with Penybont Road – Traffic Lights

Railway bridge hump – former two way traffic

New Road Junction – Penorysg Road to Hendre Road

Carpark entrance

Junction with Wimbourne Road – bus route – entrance narrowed

Junction with Heol Pentre Howell

Bus Stop – School and Public

Traffic Lights erected at my home No. 30 Penprysg Road – Controlled Crossing – location not as shown on the above Capita Plans - brought to the attention of the meeting.

Proposed locations of Traffic Calming Cushions

Junction with Minffrwd Road – bell mouth amended to prevent vehicle turn around

Meeting at Civic Offices

Present As above
Council Legal Ms. J. P. Dessent, Mr. A. Rees
Council Highways Ms. ?

On Tuesday Morning 24th. October I received a Council Public Document Pack amounting to 62 pages. The Pack contains copies of my letters to Council, and

copies of Council Notices, Planning Notices, and the "Illegal Notice" typed on plain paper as served on me by Mr. Lloyd at 4:00 PM on Wednesday 30TH. August 2017.

I read and wrote my comments with respect to the items contained in the Pack with the view that such items would be considered in detail at the Appeal Meeting. My notes amounted to 5 written pages, and highlighting Pack items and adding margin notes. The Appeals Panel made no attempt to consider the content of the Pack item by item.

Councillor Mrs. J.E. Lewis (Chair Lady) provided a general introduction.

Mr Godsall referred to the Council's intent with respect to Traffic Calming at Penprysg Road and referred to the Appendices contained in the Pack – namely Council's Notices and my letters.

I was not permitted to discuss items as referred to by Mr. Godsall – my first and only such attempt had been with regard to "Formal Objection" – Council's Interpretation.

Following Mr. Godsall's global review of the Pack items I was permitted to present my opinion. The Demolition of the new Infants School, adding 2 additional class rooms to the existing school to accommodate the 60 additional pupils, and the siting of the New School – were NOT permitted as items regarding Traffic Calming.

Speed Cameras were not within the Council's authority – my considered simplistic solution in conjunction with a controlled crossing at the entrance to the New School.

Speed Cameras required approval from the Consortium of the 4 Police Authorities in Wales. Speed Cameras were generally authorised in areas where Fatal Accidents had occurred.

Speed Humps/Cushions contributed to Noise, Vibration my concerns with respect to the older properties – St. David's Church, Penuel Chapel, the Cemetery Wall, and the Cottages adjacent to the Road. More recent consideration regarding speed cushions resulting in - Congestion, Stop-Start driving – Air Pollution.

The inclusion of Speed Cushions approved by the South Wales Police Authority - Appendix C1.

The Appeal Panel concluded that Speed Cushions were the only option available. Further to the visit made to my home on Wednesday 1 March 2017, I visited the Bridgend Police Authority who advised that all Highway Matters were the Bridgend Council's responsibility.

The Controlled Crossing located adjacent to 30 Penprysg Road – my home.

It should be noted that I had not received a reply to my letters. I was aware that a Neighbour had made a comment regarding the siting of the traffic lights near his house - Mr. Lloyd stated that as the objection was not received in writing it was not acceptable. So were the traffic lights re-sited to No. 30?

During the Site Visit - I requested that the Panel Members viewed the traffic lights from within the entrance to my home.

The Controlled Crossing has NOT been constructed in accordance with the Capita A3 Plans dated 20 December 2016 and 29 March 2017 – the only Legal Documents of significance.

Appendix F refers to the Councils Legal letter dated 5th. June 2017 stating that the Pedestrian Crossing shall be at a point approximately 65 Metres (71 yards) north east of the junction with Wimbourne Road.

The above does not define whether the dimension is from the junction "Point" prior to amendment or since amendment. The dimension shown in Appendix F has No finite starting point or finishing point.

Both the above plans refer to the same location. The Centre Line of the Crossing coincides with the Centre of the Gable Wall to my home that is immediately adjacent to the footpath.

It should be noted that Mr. Lloyd advised the Appeal Panel that the Crossing was within 300mm of the detailed location – deformation of my Professional Character!

The Crossing Centre Line is located at least 1.5 metres out of position with respect to the above Fixed Centre Line Location Point.

The Appeal Panel accepted Mr. Godsall's suggestion to verify the location of the Crossing and the dimensions as shown in Appendix F.

The Appeal Panel agreed to re-visit the Site on Monday 13th. November at 09:30 AM and consider the details of the above Survey at the Council Offices at 10:30 AM.

My request for a definition regarding Learner Travel Route was permitted – on the demolition of the existing school – it represents the most direct walking route to the New School. Therefore the intended planning of the proposed development of the site is known - otherwise such a Route is arbitrary.

The inclusion of Appendix M in the Pack indicates the Council's endorsement of the letter on plain paper and dated 30th. August 2017, and signed by Mr. Lloyd. It should be noted that Mr. Lloyd entered into my garage in order to serve me with the letter – I did not hear or see him enter – I was standing on a step ladder with my back to the door – my attention was suddenly drawn to the loud knocking on the garage door. Mr. Lloyd angrily thrust the letter to me – I refused to take the letter - my letter dated 31st. August 2017 to Mr Lloyd and copied to Mr. P. A. Jolley Legal refers. With respect to Mr. Lloyd's continued discussion refer to the Development Traffic and Control Officer's Memorandum dated 19 September 2016.

Council's Development Group Notice dated 31 January 2017 - response to be received within 21 days – my response has not been included.

I regard that the above is a true and accurate account of the Appeal Panel Meeting – it should be noted that the detailed items as contained in the Public Document Pack were not considered at the above meeting.

Date – 30 October 2017

BRIDGEND COUNTY BOROUGH COUNCIL**PEDESTRIAN CROSSING (PENPRYSG ROAD, PENCOED, BRIDGEND)**

NOTICE IS HEREBY GIVEN THAT the Bridgend County Borough Council ("the Council") as the Highway Authority for Pencoed, in exercise of their powers under section 23 of the Road Traffic Regulation Act 1984, as amended, and all other enabling powers, and after consultation with the Chief Officer of Police intend to introduce a signalised Pedestrian Crossing at the location specified in the schedule of this notice. A copy of the statement of the Council's reasons for the proposal, together with scheme drawing, may be inspected at the address below from 8.30 am to 5 pm on Mondays to Thursdays and 8.30 am to 4.30 pm on Fridays. Please note that this notice replaces the previous notice advertised on and dated the 5th June 2017 in respect of the Pedestrian Crossing as it has been necessary to slightly amend the description of the location of the crossing as set out in the schedule below. Objections to the proposal together with the grounds on which they are made must be sent in writing to the undersigned at the below address by the **01/03/2018**. Should you have any difficulty in responding in writing, or require the notice in an alternative format for example, larger print, audio, braille or fax please contact the Legal Section at the address below or via the Customer Service Centre Tel : 01656 643643. The Council welcomes receiving correspondence in Welsh, any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding. Please note that all representations received may be considered in public by the Council and that the substance of any representation [together with the name and address of the person making it] could be made available for public inspection.

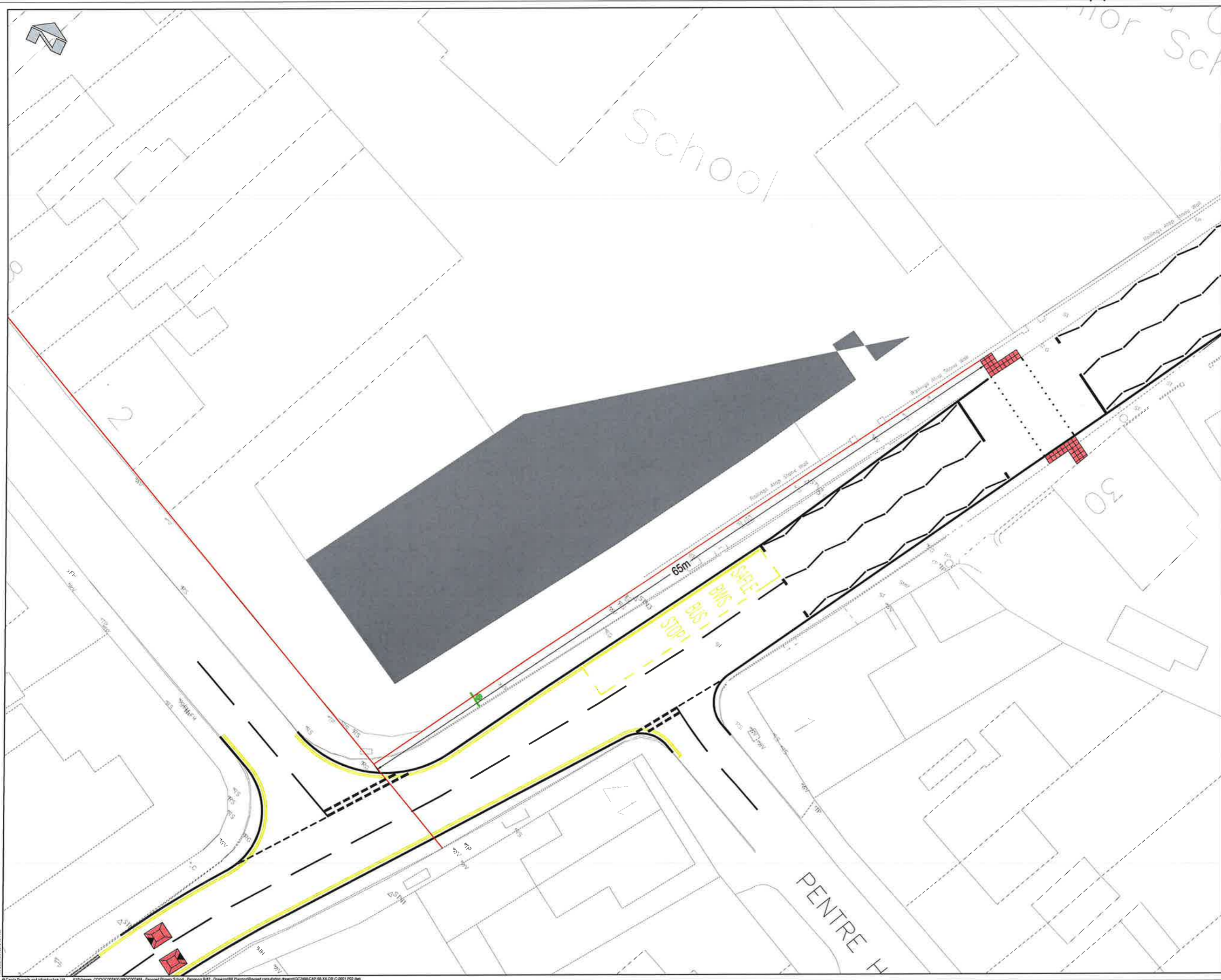
SCHEDULE -Penprysg Road, Pencoed, Bridgend

Projecting the frontages on the northern side of Wimborne Road in a south easterly direction to a point which intersects the projected frontage of the front face of the wall at the rear of the footway on Penprysg Road in a south westerly direction and then measure from that point a distance of approximately 65 meters (71 yards) in a north easterly direction to the commencement of the road studs / markings on the south western side of pedestrian crossing. The crossing will be located in the vicinity of No.30 Penprysg Road, Pencoed.

Dated : 31/01/2018

P A Jolley, Corporate Director, Operational & Partnership Services, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB.

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Rev	Drawn	Checked	App'd	Description	Date
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Purpose of Issue
S0 - Works in Progress

Classification
Commercial in Confidence

Client
BRIDGEND
COUNTY BOROUGH COUNCIL

Project
Pencoed Primary School
Penprysg Road

Drawing
Consultation

Scale @ A1	Drawn	Checked	Approved
NTS	SW	PS	LS

Project No.	Date
GC/002488	Nov 2016

Drawing Identifier	Project	Originator	Zone	Level	File Type	Issue Number	Revision
GC2488-CAP-66-XX-DR-C-0001							P02

CAPITA
Civil Engineering
St David's House, Pascal Close, St Mellons, Cardiff, CF3 7YD
029 2080 3500
www.capita-property.co.uk
Capita Property and Infrastructure Ltd

DRAFT
18/01/2018

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26 February 2018

**Bridgend County Borough Council
Operational and Partnership services**

Civic Offices

Angel Street

Bridgend

CF31 4WB

For the Attention of – J.P. Dessent - Solicitor to Corporate Director

Dear Ms. Dessent

Controlled Pedestrian Crossing and Associated Traffic Works

30 Penprysg Road Pencoed

Revised Drawing and Notice Dated 31 January 2018

Please receive a copy of my letter to the Corporate Director with respect to the above.

Yours sincerely



26 February 2018

**Bridgend County Borough Council
Operational and Partnership services**

Civic Offices

Angel Street

Bridgend

CF31 4WB

For the Attention of – J.P. Dessent - Solicitor to Corporate Director

Dear Ms. Dessent

Controlled Pedestrian Crossing and Associated Traffic Works

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Yours sincerely

26 February 2018

Bridgend County Borough Council
Operational and Partnership services
Civic Offices
Angel Street
Bridgend
CF31 4WB

For the Attention of Mr. P. A. Jolley – Corporate Director

Dear Mr. Jolley

Controlled Pedestrian Crossing and Associated Traffic Works
30 Penprysg Road Pencoed

- ① I acknowledge receipt of your letter dated 31 January 2018 and the enclosed "Scheme Drawing" GC2488-CAP-66-XX-DR-C-0001 P02 marked Draft 18.01.18.
- ② I note with considered interest that you advise the drawing is for illustrative purposes only, and that the dimensions indicating the location of the crossing are specified in the Notice.
- ③ The above statements cannot be regarded as being correct:-
 - ③.1 The Controlled Crossing has been constructed at the wrong location and the traffic lights commissioned on 1st. September 2017.
 - ③.2 The associated Road Works were completed on the 2nd. September 2017.
- ④ The above "Scheme Drawing" indicates a Wimbourne Road Datum Point currently used to identify the wrong location of the Controlled Crossing.
- ⑤ X Please be advised that the dimension of 65metres (71yards) as shown on the "Scheme Drawing" and in the Notice is Incorrect. X
- ⑥ Further to receipt of the Council's letter dated the 5th. June 2017, no variations or notices of change occurred prior to the construction of the Controlled Crossing.

Pencoed Primary School Penprysg Road - Drawings Received

- ⑦ 9th. January 2017 – Traffic Orders – issued by Mr. A. Godsall
- ⑧ Drawing No. GC2488-CAP-66-XX-DR-C-0001 P01.1 – Dated 20/12/2016
- ⑨ Indicates proposed Traffic Calming – Controlled Crossing with raised road surface located at 30 Penprysg Road.
- ⑩ Further to my letter dated 25 January 2017 – a standard Controlled Crossing – with no raised road surface was agreed.

- ⑪ 5th. June 2017 - Notice and Revised Drawing – Issued by Solicitor J.P. Dessent
- ⑫ Drawing No. GC2488-CAP-66-XX-DR-C-0001 P01 – Dated 29/03/2017
- ⑬ Location of Controlled Crossing as above drawing – Raised Road Surface Omitted

⑭ It should be noted that the above drawings indicate the location of the Centre Line of the Controlled Crossing to coincide with the Centre Line of the West Gable Wall of The Chain, 30 Penprysg Road – a former Toll House – Circa 1800. There is no mystery, reason, or difficulty in locating the above Centre Point Location.

⑮ 2nd. February 2018 - Notice and Revised Drawing – Issued by Solicitor J.P. Dessent

⑯ Drawing No. GC2488-CAP-66-XX-DR-C-0001 P02 – Dated 18/01/2018

⑰ The above drawing is an area enlargement of the previous drawings identified above.

⑱ Two items of difference with respect to this enlargement are the blanking-out of the recently built Infants School Building, and the addition of the Wimbourne Road Datum Point.

⑲ The above Drawing and Notice indicate a distance of 65metres from the Wimbourne Road Datum Point to the Commencement of the Road Studs/Markings representing the Controlled Crossing.

⑳ A brief cursory view of the above Drawing identifies that the Road Studs/Markings furthest from the Datum Point coincide with the Centre Line of the Property – indicating an error of 2metres (2.00m).

㉑ All construction with respect to the location and commissioning of the Controlled Crossing was completed on 2nd. September 2017 – the Contractors were aware of the amended location of the Crossing.

㉒ The above error was brought to the attention of the Council's Appeal Panel at the meeting on Thursday 26th. October 2017 – it was agreed that the location of the Controlled Crossing would be checked, and that the Appeal Panel would visit on Monday 13th. November 2017 at 9:30 AM.

- 23 On Friday 27th. October 2017 the location of the Controlled Crossing was checked by the Council's Highway's Team and deemed to be correct.
- 24 The Council's Appeals Panel Meeting as scheduled to visit the Site on Monday 13th. November was cancelled - the letter cancelling the meeting is dated 7 November and signed by Mr. J.A. Lloyd.
- 25 Appeal Panel Meeting at Civic Offices Monday 13th. November at 10:30 AM – accepted in unison that the Location of the Controlled Crossing is correct – the decision of an Impartial Appeal Committee that failed to visit the site.
- 26 It should be noted that the control boxes that operate the Traffic Lights should have been sited on the other side of road, at no additional cost, where they would not have defaced an existing habitable property, and especially noting the eventual demolition of the School Buildings.

Further items of note with respect to the above "Revised Scheme Drawing" :-

- 27 Immediately opposite the relocated bus stop a parking space has been permitted; at the Wimbourne Road Junction the kerb line has been extended into Penprysg Road causing traffic to veer towards the centre of Penprysg Road and the parking area – a designed hazard; the bus stop is located in the carriageway that has been narrowed – Council's Policy – no bus laybys – Meeting 13th. November 2017.

Appeal Panel Traffic Calming Penprysg Road – Meetings Thursday 26 October 2017

- 28 Please refer to my File Note regarding the above meetings – a copy as forwarded to Solicitor J. P. Dessent on 30th. October 2017.
- 29 With reference to Page 3 – Learner Travel Route – my request for a definition of this item was granted:- "It represents the most direct walking route to the New School".
- 30 My comment "Therefore the intended planning of the proposed development of the site is known – otherwise such a Route is Arbitrary".
- 31 On January 10th. 2018 I received a letter from "Asbriplanning" with regard to building 40 residential units and demolition of the current Pencoed Primary School. To obtain a plan visit Pencoed Library or online at "asbriplanning".
- 32 I enclose a copy of the plan as downloaded. – please note:-
- 33 The Plan has been prepared by Architects Roberts Limbrick – dated July 2017 and verifies my above comment.
- 34 The scale of the internet plan – is diagrammatic but the proposed footpath access to Penprysg Road complies with the centre line of West Wall to 30 Penprysg Road.

On Wednesday 24th. January 2018 Messrs. Asbriplanning and Hafod Housing held a Public Meeting at St. David's Church Hall – Plans of the above development were displayed – but not available.

Summary of Written Requests with respect to Traffic Calming Works

Noise and Vibration Analysis

35 Two of the most important factors with respect to Transportation Routing are Noise and Vibration. With respect to a Noise and Vibration Analysis Monitor being mounted within my Home - Four Requests were made:-

Visit and discussion BCBC Messrs. Lloyd & Power on 1 March 2017

My letter to BCBC dated 20th. March 2017 for the attention of Mr. J.A. Lloyd

My letter to BCBC dated 20th. June 2017 for the attention of Mr. P.A. Jolley

My letter to BCBC dated 6th. July 2017 for the attention of Mr. J.A. Lloyd

36 Detailed Working Drawings – Three Requests were made

13th. January 2017 Letter to Capita – Response 16.01.17- Highway design works are in accordance with our Clients requirements – i.e. BCBC

1st. March 2017 – Visit - Mr. Lloyd to forward details prior to Legalisation

My letter to BCBC dated 31st. July 2017 for the attention of Mr. P.A. Jolley

37 I regard that my response to the Council's Notice and Revised Drawing dated 2nd. February 2018, has been written without rancour with the view to a true and final resolution of this continuing matter. The Revised Drawing attached to your Notice verifies the incorrect siting of the Controlled Crossing.

38 I request that with your Solicitor you make a Site visit within the next week to verify the detail of the Notice, the Date for the Introduction of the Notice, Relevant Detail with respect to the Revised Drawing, and possible Resolution.

Yours sincerely

Solicitor to Corporate Director J.P. Dessent

Enclosures

File Note – Appeal Panel Meetings Thursday 26th. October

Asbriplanning/ RobertsLimbrick Proposed Site Layout

This drawing is the property of Roberts Lumber Ltd
 and is to be used only for the purposes for which
 it is issued. It is not to be used for any other
 purpose without the written consent of Roberts
 Lumber Ltd. The drawings are not to be used for
 any other purpose without the written consent of
 Roberts Lumber Ltd. The drawings are not to be
 used for any other purpose without the written
 consent of Roberts Lumber Ltd.

Roberts Lumber
 PROJECT
 RESIDENTIAL DEVELOPMENT
 FORMER PENROD PRIMARY
 SCHOOL SITE

CLIENT
 JEHU GROUP
 DRAWING
 PROPOSED SITE LAYOUT

DRAWING NO.
 10001-001-001

DATE
 10/01/11

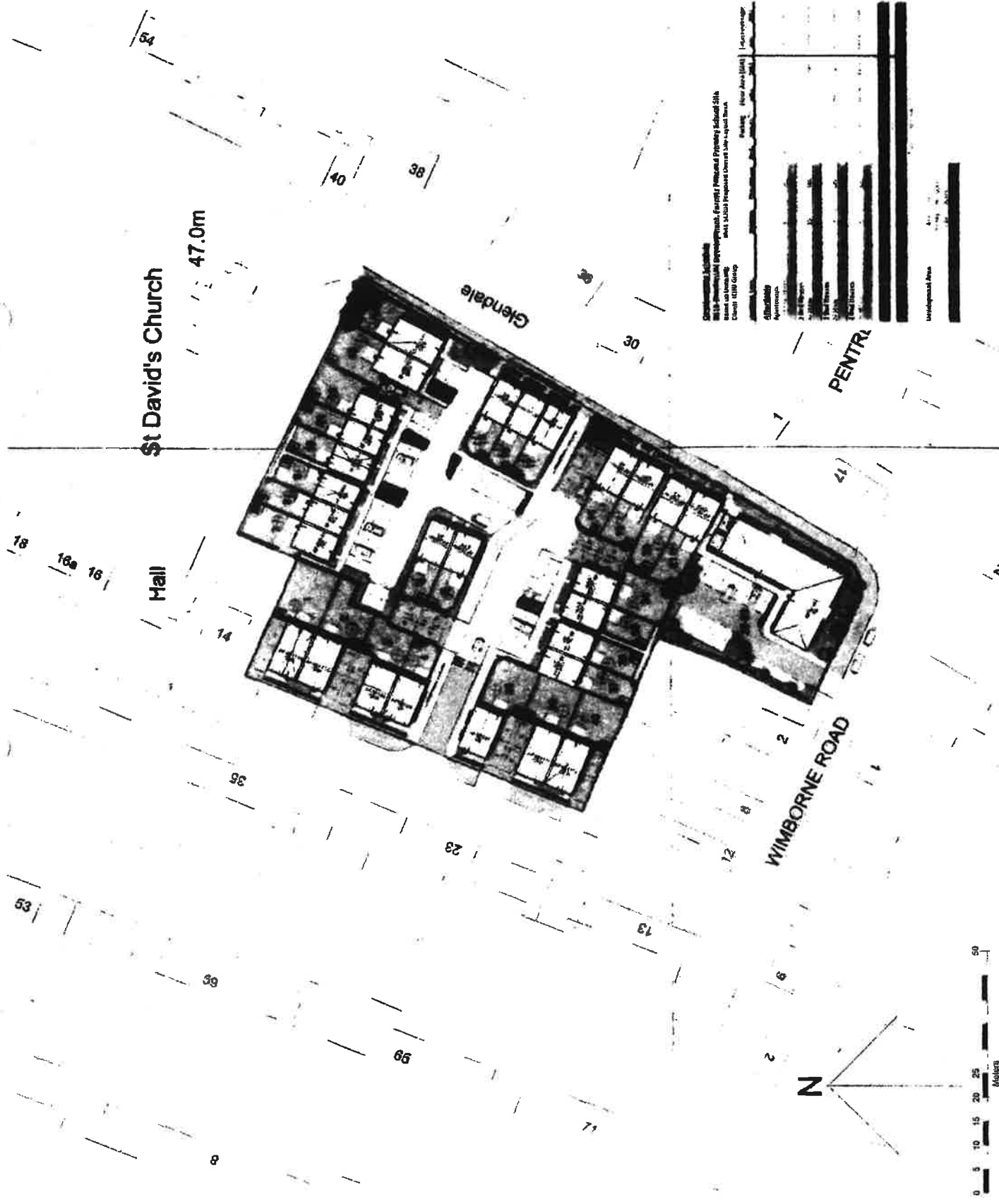
DRAWN BY
 J. JONES

CHECKED BY
 M. JONES

APPROVED BY
 J. JONES

PROJECT NO.
 10001-001-001

DRAWING NO.
 10001-001-001



DEVELOPMENT INFORMATION
 RESIDENTIAL DEVELOPMENT
 FORMER PENROD PRIMARY SCHOOL SITE
 10001-001-001

Area	Area (sqm)	Area (sqft)
Site Area	10001	10764
Building Area	10001	10764
Parking Area	10001	10764
Other Area	10001	10764
Development Area	10001	10764

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Bridgend County Borough Council

Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



Civic Offices, Angel Street, Bridgend, CF31 4WB / Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB

Gwasanaethau Gweithredol a Phartneriaethol/
Operational and Partnership Services

DX: 151420 Bridgend 6

Deialu uniongyrchol / Direct line: (01656)643108
Gofynnwch am / Ask for: Jane Dessent
E-bost / E-mail: Jane.Dessent@bridgend.gov.uk

Ein cyf / Our ref: JPD E30-930
Eich cyf / Your ref :

Dyddiad / Date: 12/03/2018

RE:BRIDGEND COUNTY BOROUGH COUNCIL **PEDESTRIAN CROSSING (PENPRYSG ROAD, PENCOED,** **BRIDGEND)**

Thank you for your letter dated 26th February 2018. I have forwarded a copy to the Traffic Management Section and a substantive response will be provided shortly.

I trust that this is acceptable.

Yours sincerely,

J.P.Dessent
Solicitor
for Corporate Director
Operational and Partnership Services
ENC

APPENDIX E.

Ffôn/Tel: 01656 643643

Facs/Fax: 01656 668126

E-bost/Email: talktous@bridgend.gov.uk

Negeseuon SMS/ SMS Messaging: 07581 157014

[Twitter@bridgendCBC](https://twitter.com/bridgendCBC)

Gwefan/Website: www.bridgend.gov.uk

Cyfrnewid testun: Rhwng 18001 o flaen unrhyw un o'n rhifau ffôn ar gyfer y gwasanaeth trosglwyddo testun

Text relay: Put 18001 before any of our phone numbers for the text relay service

Bydd ym negeseuon gohebiaeth yn y Gymraeg. Rhwng wybod i ni os yw eich dewis iaith yw'r Gymraeg

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16 March 2018

Ms. J.P. Dessent
Solicitor for Corporate Director
Operational and Partnership Services
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

Dear Solicitor J.P. Dessent.

Controlled Pedestrian Crossing Adjacent to
Penprysg Road Pencoed

Thank you for your letter dated 12th. March 2018.

The Council's Traffic Orders dated 9th. January 2017 – indicated the location of the Controlled Crossing on Drawing GC2488-CAP-66-XX-DR-C-0001 PO1.1 dated 20.12.16. My letter to Traffic and Transportation dated 25th. January 2017 refers.

I did not receive a response to my letter – I received a visit. I was informed that the controlled crossing would remain as shown on the above plan and that the intended raising of the road surfacing would be omitted - my letter dated 20th. March 2017 to Traffic and Transportation refers.

The Operational and Partnership Services letter dated 5th. June 2017 confirmed the above amendment and issued Drawing GC2488-CAP-66-XX-DR-C-0001 PO1 dated 29.03.17

Please note that both Drawings indicate the identical location of the Crossing at the Centre Line of the West Gable wall of my property.

I regard that Drawing GC2488-CAP-66-XX-DR-C-0001 P01.1 dated 20.12.16 and Drawing GC2488-CAP-66-XX-DR-C-0001 P01 dated 29.03.17 represent the legally binding agreement with respect to this matter.

I would appreciate that without further protracted correspondence the Crossing is relocated to comply with the agreed location as shown on the above Drawings.

Yours sincerely

30 May 2018

Bridgend County Borough Council
Operational and Partnership Services
Civic Offices
Angel Street
Bridgend
CF31 4WB

For the attention of P.A. Jolley – Corporate Director

Dear Mr. Jolley

Controlled Pedestrian Crossing Adjacent to
30 Penprysg Road Pencoed

Thank you for your letter dated 18th. May 2018.

The Council's Traffic Orders dated 9th. January 2017 – indicated the location of the Controlled Crossing on Drawing GC2488-CAP-66-XX-DR-C-0001 PO1.1 dated 20.12.16. My letter to Traffic and Transportation dated 25th. January 2017 refers.

I did not receive a response to my letter.

On Wednesday 1st. March 2017, I received a visit from Mr. J.A. Lloyd and Mr. K. Power on behalf of the Council. I was informed that the controlled crossing would remain as shown on the above plan and that the intended raising of the road surfacing would be omitted - my letter dated 20th. March 2017 to Traffic and Transportation refers.

With respect to the above The Operational and Partnership Services letter dated 5th. June 2017 confirmed the above amendment and issued Drawing GC2488-CAP-66-XX-DR-C-0001 PO1 dated 29.03.17 - Solicitor J.P. Dessent for Corporate Director.

The above drawings identify the Centre line of the Controlled Crossing to be located at the Centre of the West Gable Wall to my Home –

It should be noted that the above Controlled Crossing was completed and commissioned on Friday 1st. September 2017, and the associated works completed on Saturday 2nd. September 2017.

Mr. Lloyd's letter (on plain paper) dated 30th August 2017, and my response to Messrs. Jolley and Lloyd dated 31st. August 2017 refers to the above and an intended Appeals Panel Meeting.

Council's Appeal Panel Meeting Thursday 26 October 2017.

My Meeting Notes dated 30 October 2017 refer and were forwarded to :-
Councillor Mrs. J.E. Lewis – Chairperson
Solicitor to Corporate Director - J. P. Dessent

1. The Members of the Appeal Panel were advised that the location of the Controlled Crossing was incorrect during the morning Site Visit.
2. During the Afternoon Meeting at the Civic Offices Mr. Alun Lloyd stated that the position of the Controlled Crossing was within 300mm of the detailed location – I regarded that the statement was deformation of my own Professional Character – Mr. Lloyd had advised me that he was acting as a Consultant Engineer to the Council.

It should be noted that no further Council correspondence, notices, or amendment details had been received further to the amendment confirmation dated 5th June 2017, and the attached drawing indicating the correct location of the Crossing.

A further Appeal Panel Site Meeting was convened for 9:30 AM on Monday 13th. November 2017.

On Friday 10th. November 2017, I received a letter Mr. Lloyd stating that the above Site Meeting had been cancelled and that a meeting with the Appeal Panel would be held at 10:30 AM on Monday 13th. November at the Civic Offices.

Civic Office Meeting Monday 13th. November 2017

An extremely Quick and Short Meeting.

The Appeal Panel voted unanimously that the Crossing had been correctly sited – no site visit – and no reference to the relevant Notices and finite Drawings that show that my Home is the Key Feature with respect to the location of the Controlled Crossing.

The relevant drawings are not complex, and a mere glance would have been sufficient to verify the true intended and agreed location of the Crossing.

In my opinion the lack of Impartiality and Interest as shown by the Appeal Panel renders such a panel Null and Void.

To further Insult to Injury the Council on 31st. January 2018 issued a revised Notice and Drawing GC2488-CAP-66-XX-DR-C-0001 P02 marked Draft 18.01.18.

The above Drawing indicates to an enlarged scale the Controlled Crossing location and verifies that the location of the Crossing is 2.00 metres out of position.

My response to the above Notice is dated 26 February 2018, and also refers to the unnecessary siting of the traffic-light control boxes mounted against the stone boundary wall to my property – the filth that is deposited behind and around the boxes is a further example of the Council's degradation to my home – photograph enclosed.

I enclose a copy of the "asbriplanning" proposed Social Housing Development to be constructed on part of the current school site. A meeting to outline proposals was held at St. David's Church Hall on Wednesday 24th. January 2018.

Please note that the footpath linking the housing development is immediately opposite my home, and does not conflict with the siting of the Controlled Crossing – Traffic Orders 9th. January 2017 and Council's confirmation dated 5th. June 2017.

Your letter dated 18th. May 2018 advises that time and monies are being wasted in providing a further Report for the Appeal Panel – who did not have the interest or common courtesy to attend the previously arranged meeting – my opinion stands.

This matter rests entirely as the result of the Council's own undertaking.

Yours sincerely



Enclosures as above

Date: 08th January 2018
Our Ref: GT/LH/S17.284

Tel: 02920 732 652
www.asbriplanning.co.uk

Dear Sir/Madam,

PUBLICITY AND CONSULTATION BEFORE APPLYING FOR PLANNING PERMISSION
Town and Country Planning (Development Management Procedure) (Wales) Order 2012
SCHEDULE 1 Article 4. (4) SCHEDULE 1B Articles 2C & 2D
Demolition of Pencoed Primary School and the construction of 40 residential units and associated work
Pencoed Primary School, Pencoed, Bridgend

Asbri Planning Ltd. has been commissioned by Jehu in respect of the demolition of Pencoed Primary School and the construction of 40 residential units and associated.

Purpose of this notice:

This notice provides the opportunity to comment directly to the developer on a proposed development prior to the submission of a planning application to the local planning authority ("LPA"). Any subsequent planning application will be publicised by the relevant LPA; any comments provided in response to this notice will not prejudice your ability to make representations to the LPA on any related planning application. You should note that any comments submitted may be placed on the public file.


You may inspect copies of:

- **the proposed application;**
- **the plans; and**
- **other supporting documents**

Online at www.asbriplanning.co.uk/statutory-pre-application-consultation.

For those without access to the internet, computer facilities are available at Pencoed Library, 54 Penybont Road, Pencoed, CF35 5RA. Pencoed Library's opening hours are as follows; Mondays, Tuesdays and Thursday from 9:30am to 6:00pm; Wednesdays between 9:30am and 1:00pm, Fridays 9:30am to 7:00pm, & Saturdays 9:30am to 5:00pm. Please note that the library is closed for lunch between 1pm and 2pm. The library is closed on Sundays. Anyone who wishes to make representations must write to the agent at mail@asbriplanning.co.uk or Asbri Planning Ltd, Unit 9 Oak Tree Court, Mulberry Drive, Cardiff Gate Business Park, Cardiff, CF23 8RS by the of 5th February 2018.

Yours Sincerely,



Llinos Hallett - Planner

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Roberts Limbrick

project
RESIDENTIAL DEVELOPMENT
FORMER PENCOED PRIMARY
SCHOOL SITE

client
JERHU GROUP

drawing
PROPOSED SITE LAYOUT

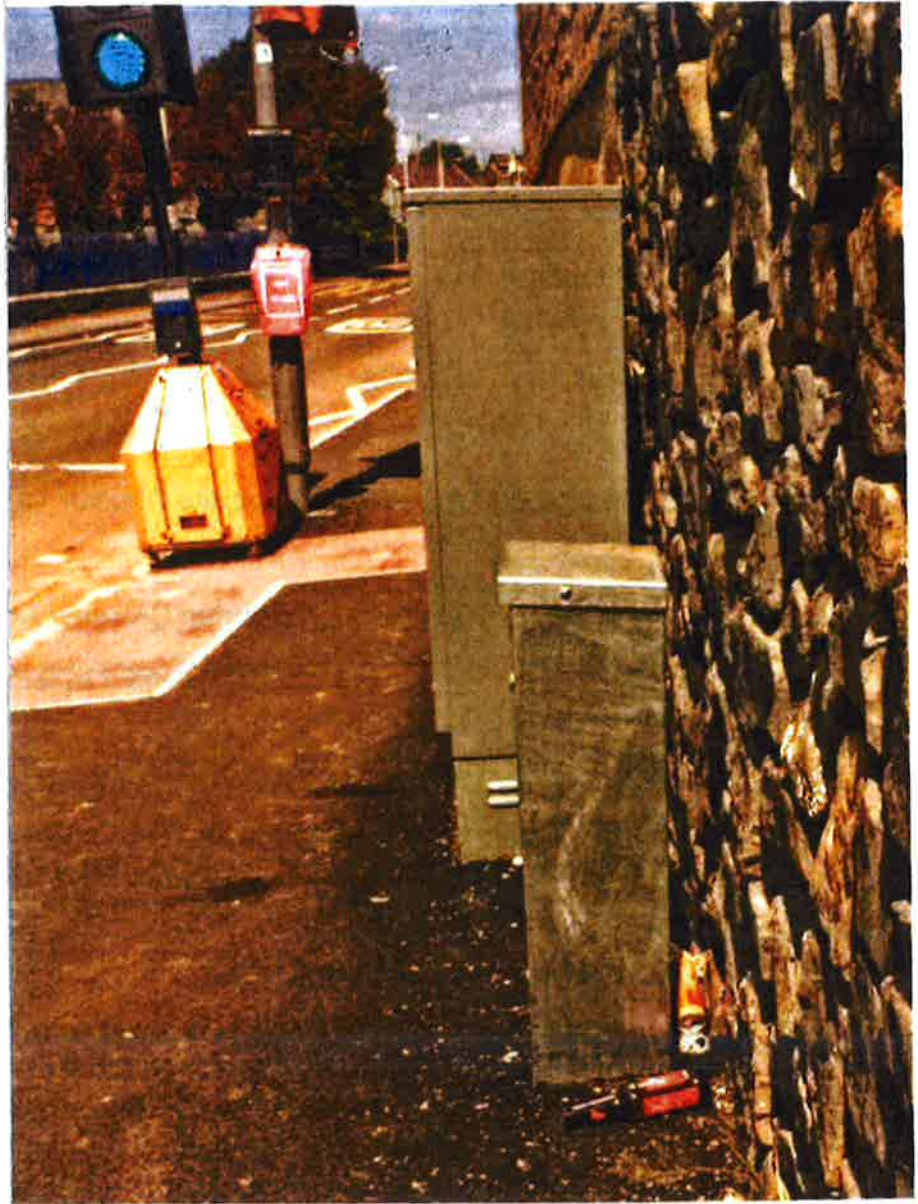
ROBERTS LIMBRICK LTD
The Cottage Building, Bricon Way,
Gloucester, GL1 1JG
The Esplanade, Gloucester, GL1 2EJ
Tel: 01452 416100
www.roberts-limbrick.com

Registered Office: Lydney, Gloucestershire, GL15 2JG
Scale: 1:500
Date: JULY 11
Author:



Development Schedule
Based on Drawing: 1001-1002 Proposed Primary School Site
Client: JERHU GROUP

Item	Start	End	Duration (Days)	Total Cumulative
Site Preparation	10/11/11	10/11/11	1	1
Groundworks	10/11/11	10/11/11	1	2
Foundation	10/11/11	10/11/11	1	3
Structure	10/11/11	10/11/11	1	4
Roofing	10/11/11	10/11/11	1	5
Services	10/11/11	10/11/11	1	6
External Works	10/11/11	10/11/11	1	7
Final Handover	10/11/11	10/11/11	1	8
Total				8



WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015 ASSESSMENT

Project Description (key aims):

Proposed introduction of a Pedestrian Crossing associated with Proposed Primary School on Penprysg Road Pencoed

Section 1	Complete the table below to assess how well you have applied the 5 ways of working.
<p>Long-term</p> <p>(The importance of balancing short term needs with the need to safeguard the ability to also meet long term needs)</p>	<p>1. How does your project / activity balance short-term need with the long-term and planning for the future?</p> <p>This facility will ensure the safe crossing of children across Penprysg Road and will assist in the promotion walking and cycling which will safeguard the long term health and safety of children</p>
<p>Prevention</p> <p>(How acting to prevent problems occurring or getting worse may help public bodies meet their objectives)</p>	<p>2. How does your project / activity put resources into preventing problems occurring or getting worse?</p> <p>This provision of this facility will help to promote road safety and wellbeing of the people crossing the road and will assist in the prevention of accidents</p>
<p>Integration</p> <p>(Considering how the public body's well-being objectives may impact upon each of the wellbeing goals, on their objectives, or on the objectives of other public bodies)</p>	<p>3. How does your project / activity deliver economic, social, environmental & cultural outcomes together?</p> <p>By providing this type of facility it will give special emphasis placed on the need for the provider to ensure that people are supported to participate in community activities that can reduce isolation and loneliness and increase paying special attention to the cultural needs and preferences of the individual as well as the community</p>

<p>Collaboration</p> <p>(Acting in collaboration with any other person (or different parts of the body itself) that could help the body meet its well-being objectives)</p>	<p>4. How does your project / activity involve working together with partners (internal and external) to deliver well-being objectives?</p> <p>As part of the wellbeing Act it states “A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood”.</p>
<p>Involvement</p> <p>(The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves)</p>	<p>5. How does your project / activity involve stakeholders with an interest in achieving the well-being goals? How do those stakeholders reflect the diversity of the area?</p> <p>The design of the facility is agreed with various statutory consultees and various internal departments and will encourage people to walk and cross the road.</p>

Section 2		
Assess how well your project / activity will result in multiple benefits for our communities and contribute to the national well-being goals (use Appendix 1 to help you).		
Description of the Well-being goals	How will your project / activity deliver benefits to our communities under the national well-being goals?	Is there any way to maximise the benefits or minimise any negative impacts to our communities (and the contribution to the national well-being goals)?
<p>A prosperous Wales An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.</p>	<p>This facility will reduce carbon footprint as it will encourage more walking and cycling to school rather than by car</p>	<p>No</p>
<p>A resilient Wales A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).</p>	<p>This facility will improve the climate by reduce air borne contamination as it will encourage more walking and cycling to school rather than by car</p>	<p>No</p>
<p>A healthier Wales A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.</p>	<p>This facility will improve health as it will encourage more walking and cycling to school rather than by car</p>	<p>No</p>
<p>A more equal Wales</p>	<p>To encourage children to walk to school</p>	<p>No</p>

A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio economic background and circumstances).	safely and thus give them more confidence and enable them to make appropriate choices when utilising the road	
A Wales of cohesive communities Attractive, viable, safe and well-connected communities.	This facility will encourage people to walk as it provides a safe crossing point and thus increase pedestrian usage of the street	No
A Wales of vibrant culture and thriving Welsh language A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.	N/A	N/A
A globally responsible Wales A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.	The crossing encourages people to play active roles within their communities and maintain their independence for longer and help to improve wellbeing and contribute positively to society as a whole	No

Section 3		Will your project / activity affect people or groups of people with protected characteristics? Explain what will be done to maximise any positive impacts or minimise any negative impacts		
Protected characteristics	Will your project / activity have any positive impacts on those with a protected characteristic?	Will your project / activity have any negative impacts on those with a protected characteristic?	Is there any way to maximise any positive impacts or minimise any negative impacts?	
Age:	Yes	No	Provision of crossing point will maximise the positive impact	
Gender reassignment:	No	No		
Marriage or civil partnership:	No	No		
Pregnancy or maternity:	No	No		
Race:	No	No		
Religion or Belief:	No	No		
Race:	No	No		
Sex:	No	No		
Welsh Language:	No	No		

Section 4	
Identify decision meeting for Project/activity e.g. Cabinet, Council or delegated decision taken by Executive Members and/or Chief Officers	
Compiling Officers Name:	Tony Godsall
Compiling Officers Job Title:	Traffic and Transportation Officer
Date completed:	23/05/2018