

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



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

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

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



Annwyl Cyngorydd,

## **PWYLLGOR DATBLYGIAD A RHEOLI**

Cynhelir Cyfarfod Pwyllgor Datblygiad a Rheoli Hybrid yn Siambr y Cyngor - Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr, CF31 4WB / o bell trwy Dimau Microsoft ar **Dydd Gwener, 10 Mai 2024 am 11:30.**

## **AGENDA**

1. Ymddiheuriadau am absenoldeb  
Derbyn ymddiheuriadau am absenoldeb gan Aelodau.
2. Datganiadau o fuddiant  
Derbyn datganiadau o ddiddordeb personol a rhagfarnol (os o gwbl) gan Aelodau / Swyddogion yn unol â darpariaethau'r Cod Ymddygiad Aelodau a fabwysiadwyd gan y Cyngor o 1 Medi 2008. Dylai aelodau cael rolau deul o'r fath ddatgan buddiant personol mewn perthynas â'u haelodaeth o Gyngor Tref / Cymuned fath a rhagfarnlyd os ydynt wedi cymryd rhan yn yr ystyriaeth o eitem ar y Cyngor Tref / Cymuned a geir yn Adroddiadau y Swyddog isod.
3. Cymeradwyaeth Cofnodion 3 - 10  
Derbyn cofnodion 04/04/2024 i'w cymeradwyo
4. Ymweliadau Safle  
I gadarnhau dyddiad Dydd Mercher 26/06/2024 ar gyfer archwiliadau safle arfaethedig sy'n codi yn y cyfarfod, neu nodi cyn cyfarfod nesaf y Pwyllgor gan y Cadeirydd.
5. Siaradwyr Cyhoeddus  
I gynghori aelodau enwau'r siaradwyr cyhoeddus rhestredig i siarad yn y cyfarfod heddiw (os o gwbl).
6. Taflen Gwelliant

Ffôn/Tel: 01656 643643

Negeseuon SMS/ SMS Messaging: 07581 157014

Facs/Fax: 01656 668126

Twitter@bridgendCBC

Ebost/Email: [talktous@bridgend.gov.uk](mailto:talktous@bridgend.gov.uk)

Gwefan/Website: [www.bridgend.gov.uk](http://www.bridgend.gov.uk)

Cyfnwidi testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun

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

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

Bod y Cadeirydd yn derbyn taflen gwelliant pwyllgor rheoli datblygu fel eitem frys yn unol â rhan 4 (paragraff 4) Rheolau Gweithdrefn y Cyngor, er mwyn caniatáu i'r Pwyllgor ystyried addasiadau angenrheidiol i adroddiad y Pwyllgor, felly ynghylch hwyr yn ystyried sylwadau a diwygiadau sy'n ei gwneud yn ofynnol i gael eu lletya.

7.	<u>Canllawiau Pwyllgor Datblygiad a Rheoli</u>	11 - 14
8.	<u>P/23/699/FUL - Tir i'r gorllewin o Heol Dewi Sant, Bettws, CF32 8TA</u>	15 - 46
9.	<u>P/23/753/FUL - 14 Stryd y Parc, Pen-y-bont ar Ogwr, CF31 4AX</u>	47 - 82
10.	<u>P/24/22/FUL - Pafiliwn Bowls Parc Griffin, Parc Griffin oddi ar y Promenâd Dwyreiniol, Porthcawl, CF36 5TS</u>	83 - 102
11.	<u>P/23/380/BCB - Ysgol Bryn Castell, Heol Llan, Abergarw, CF32 9NZ</u>	103 - 114
12.	<u>Apeliadau</u>	115 - 116
13.	<u>Rhestr Hyfforddiant</u>	117 - 118
14.	<u>Materion Brys</u> I ystyried unrhyw eitemau o fusnes y, oherwydd amgylchiadau arbennig y cadeirydd o'r farn y dylid eu hystyried yn y cyfarfod fel mater o frys yn unol â Rhan 4 (paragraff 4) o'r Rheolau Trefn y Cyngor yn y Cyfansoddiad.	

Nodyn: Bydd hwn yn gyfarfod Hybrid a bydd Aelodau a Swyddogion mynychu trwy Siambr y Cyngor, Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont ar Ogwr / o bell Trwy Timau Microsoft. Bydd y cyfarfod cael ei recordio i'w drosglwyddo drwy wefan y Cyngor. Os oes gennych unrhyw gwestiwn am hyn, cysylltwch â cabinet\_committee@bridgend.gov.uk neu ffoniwch 01656 643148 / 643694 / 643513 / 643696

Yn ddiffuant

**K Watson**

Prif Swyddog, Gwasanaethau Cyfreithiol a Rheoleiddio, AD a Pholisi Corfforaethol

#### **Dosbarthiad:**

##### Cynghorwyr

A R Berrow  
N Clarke  
RJ Collins  
C L C Davies  
S Easterbrook  
RM Granville

##### Cynghorwyr

H Griffiths  
S J Griffiths  
D T Harrison  
M L Hughes  
D M Hughes  
M R John

##### Cynghorwyr

MJ Kearn  
W J Kendall  
J Llewellyn-Hopkins  
J E Pratt  
A Wathan  
R Williams

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024COFNODION CYFARFOD Y PWYLLGOR RHEOLI DATBLYGIADAUA GYNHALIWIYD AR FFURF HYBRID YN SIAMBR Y CYNGOR - Y SWYDDFEYDD DINESIG, STRYD YR ANGEL, PEN-Y-BONT AR OGWR, CF31 4WB AR DDYDD IAU, 4 CHWEFROR 2024 AM 10:00Yn bresennol

Y Cynghorydd R M Granville – Cadeirydd

A R Berrow  
M L HughesN Clarke  
D M HughesH Griffiths  
J E PrattD T Harrison  
A WathanYn Bresennol yn RhithiolS J Griffiths  
J Llewellyn-HopkinsM R John  
R Williams

M J Kearns

W J Kendall

Ymddiheuriadau am Absenoldeb

R J Collins, C L C Davies a S Easterbrook

Swyddogion:Rhodri Davies  
Gillian Dawson  
Alex Fitzpatrick  
Craig Flower  
Stephen Griffiths  
Jonathan Parsons  
Oscar Roberts  
Euan Sexton  
Robert Morgan  
Leigh Tuck  
Dion DouglasRheolwr Rheoli Datblygiadau ac Adeiladu  
Swyddog Cyfreithiol  
Rheolwr Tîm Lleoliadau  
Arweinydd Tîm Cefnogi Cynllunio  
Swyddog Gwasanaethau Democrataidd - Pwyllgorau  
Rheolwr Grŵp Datblygu  
Prentis Gweinyddu Busnes - Gwasanaethau Democrataidd  
Uwch Swyddog Cynllunio  
Swyddog Priffyrdd a Thrafnidiaeth  
Swyddog Priffyrdd a Thrafnidiaeth  
Uwch Swyddog Cynllunio**2. Datganiadau o Fuddiant**

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024**

Penderfyniad	Datganwyd y buddiant canlynol:-  Y Cynghorydd Della Hughes – Buddiant sy'n rhagfarnu - Eitem 8 ar yr Agenda – Siaradodd y Cynghorydd Hughes yn ffurfiol (fel yr aelod dros yr Etholaeth) yn y cyfarfod ar y cais, ond yna gadawodd y cyfarfod pan oedd y mater wrthi'n cael ei ystyried. Y Cynghorydd Alan Wathan - Buddiant personol - Eitem 9 ar yr Agenda - Fel Aelod o Gyngor Tref Pen-y-bont ar Ogwr ond na chymerodd unrhyw ran mewn materion yn ymwneud â chynllunio. Y Cynghorydd Richard Williams - Buddiant sy'n rhagfarnu - Eitem 9 ar yr Agenda - Gan ei fod yn adnabod Gwrthwynebydd i'r cais. Y Cynghorydd Mark John - Buddiant personol - Eitem 12 ar yr Agenda - Fel aelod dros yr Etholaeth.
Dyddiad y Penderfyniad	4 Ebrill 2024

**3. Ymweliadau Safle**

Penderfyniad	<u>PENDERFYNWYD:</u> Cytunwyd ar 29/04/2024 a 15/05/2024 fel dyddiadau ar gyfer yr arolygiadau safle arfaethedig gafodd eu hadnabod cyn y cyfarfod Pwyllgor nesaf gan y Cadeirydd/Aelodau.
Dyddiad y Penderfyniad	4 Ebrill 2024

**4. Cymeradwyo Cofnodion**

Penderfyniad	<u>PENDERFYNWYD:</u> Derbyn Cofnodion cyfarfod y Pwyllgor Rheoli Datblygu dyddiedig 22/02/ 2024 fel gwir gofnod manwl gywir.
Dyddiad y Penderfyniad	4 Ebrill 2024

**5. Siaradwyr Cyhoeddus**

Penderfyniad	Bod y siaradwyr cyhoeddus canlynol yn gweithredu ar eu hawl i siarad, yn eu tro, ar y ceisiadau a nodir
--------------	---

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024**

	isod:-  P/22/32/FUL - Y Cynghorydd Della Hughes P/22/753/FUL - Y Cynghorydd Steven Bletsoe, H Walker (gwrthwynebydd) a J Cocks (ymgeisydd) P/22/757/FUL - Y Cynghorydd Ian Spiller
Dyddiad y Penderfyniad	4 Ebrill 2024

**6. Taflen Ddiwygiadau**

Penderfyniad	Nid oedd unrhyw daflen Diwygiad ar gyfer y cyfarfod.
Dyddiad y Penderfyniad	4 Ebrill 2024

**7. Canllawiau'r Pwyllgor Rheoli Datblygiadau**

Penderfyniad	<u>PENDERFYNWYD:</u> Nodi adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau, yn amlinellu Canllawiau'r Pwyllgor Rheoli Datblygiadau.
Dyddiad y Penderfyniad	4 Ebrill 2024

**8. P/24/32/FUL - 67 Heol Sant Ioan, Cwm Ogwr, CF32 7BA**

Penderfyniad	<u>PENDERFYNWYD:</u> Caniatáu'r cais uchod, yn unol â'r Amodau sydd wedi'u cynnwys yn adroddiad y Cyfarwyddwr Corfforaethol - Cymunedau:  <u>Cynnig</u>  Ffurflen newid defnydd o ddefnydd dosbarth C3 tŷ annedd i C2 cartref gofal preswyl ar gyfer hyd ar 2 o blant
--------------	---

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024**

Dyddiad y Penderfyniad	4 Ebrill 2024
------------------------	---------------

**9. P/23/753/FUL -14 Stryd y Parc, Pen-y-bont ar Ogwr CF31 4AX**

Penderfyniad	<p><u>PENDERFYNWYD:</u> Gan fod yr Aelodau yn bwriadu gwrthod y cais uchod, y dylai'r cais i gael ei ailgyflwyno i'r cyfarfod nesaf o'r Pwyllgor oedd wedi'i gynllunio, gan amlinellu'r rheswm awgrymedig ar gyfer y penderfyniad o'r fath i wrthod.</p> <p><u>Cynnig</u></p> <p>Newid defnydd o swyddfeydd (dosbarth defnydd B1) i Dŷ Amfeddiannaeth (HMO) (dosbarth defnydd C4) gyda mwyafswm o 6 pherson.</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**10. P/23/757/FUL - 3 Llwyn Coch, Broadlands, CF31 5BJ**

Penderfyniad	<p><u>PENDERFYNWYD:</u> Y dylai'r cais uchod gael ei wrthod, oherwydd y rheswm a amlinellwyd yn adroddiad y Cyfarwyddwr Corfforaethol - Cymunedau:</p> <p><u>Cynnig</u></p> <p>Cadw'r tŷ allan ar ochr y tŷ annedd.</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**11. Apeliadau**

Penderfyniad	<p><u>PENDERFYNWYD:</u> (1) Y dylid nodi'r pum apêl a dderbyniwyd ers i adroddiad ar Apeliadau gael ei gyflwyno i gyfarfod diwethaf y Pwyllgor</p>
--------------	--

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024

	<p>Rheoli Datblygiadau, fel y manylir arnynt yn adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau.</p> <p>(2) Y dylid nodi bod yr Arolygwr a benodwyd gan Weinidogion Cymru i bennu'r Apeliadau canlynol, wedi rhoi cyfarwyddyd y cadw at yr Hysbysiadau Gorfodi ac y dylai caniatâd cynllunio gael ei wrthod ar y ceisiadau y tybir iddynt gael eu gwneud o dan Adran 177 (5) o'r Ddeddf:-</p> <p>A) Apêl Rhif - CAS-02688-Q5F5F6 (1986) – Testun yr Apêl – Porth heb ei awdurdodi honedig, 12 Pen Y Lan, Pen-y-bont ar Ogwr</p> <p>B) Apêl Rhif - CAS-02690-P6Z3N2 (1987) – Testun yr Apêl – Porth heb ei awdurdodi honedig, 12 Pen Y Lan, Pen-y-bont ar Ogwr</p> <p>(3) Bod yr Arolygwr a Apwyntiwyd gan Weinidogion Cymru i benderfynu ar yr Apêl ganlynol wedi rhoi cyfarwyddyd y dylid <b>DIYSTYRU</b> yr Apêl.</p> <p>Apêl Rhif. - CAS-02920-L0R2H6 (1993) – Testun yr Apêl - Un tŷ annedd 3 llofft gyda thramwyfeydd mynediad: Tir y tu ôl i 17-21 Castle View, Pen-y-bont ar Ogwr</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**12. P/23/218/FUL - Tir ym Mrynmenyn a Bryncethin, Pen-y-bont ar Ogwr - Pwyllgor Arbennig Hybont**

Penderfyniad	<p>Cyflwynwyd adroddiad gan y Cyfarwyddwr Corfforaethol - Cymunedau, yn atgoffa Aelodau bod y Pwyllgor Rheoli Datblygu (DCC) a gynhaliwyd ar 7 Medi 2023 wedi penderfynu cynnal cyfarfod arbennig i benderfynu ar y cais uchod.</p> <p>Roedd yr Awdurdod Cynllunio Lleol (LPA) wrthi'n prosesu'r cais ar hyn o bryd. Roedd hyn yn wyneb graddfa'r datblygiad a'r lefel o wrthwynebiad a fynegwyd gan y cyhoedd a fyddai'n cyfiawnhau i'r Aelodau ystyried y cynnig mewn cyfarfod DCC Arbennig yn unol â'r Cod Ymarfer a fabwysiadwyd. Mae'r cais wedi cael ei ddiwygio fel bod y bibell hydrogen yn cael ei diddymu ac mae ymgynghoriad pellach wedi digwydd</p>
--------------	--

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024**

	<p>ynghylch hyn. Gan hynny cynigiwyd y dylid cynnal Pwyllgor Rheoli Datblygu Arbennig ar ddydd Llun 29ain Ebrill 2024.</p> <p>Mae'r fformat drafft ar gyfer diwrnod y Pwyllgor Rheoli Datblygu Arbennig wedi cael ei drafod gyda'r Cadeirydd ac y mae fel y cynigiwyd yn y tabl y manylir arno yng nghorff yr adroddiad.</p> <p><b>PENDERFYNWYD:</b> Roedd aelodau eraill yn cytuno:</p> <p>(1) Y dylid cynnal Cyfarfod Arbennig o'r Pwyllgor Rheoli Datblygu er mwyn ystyried Cais P/23/218/FUL ar 29 Ebrill 2024.</p> <p>(2) Y dylai fformat ar gyfer diwrnod y Pwyllgor Rheoli Datblygu Arbennig fod fel y'i disgrifir yn yr adroddiad, ond y gallai gael ei newid yn ôl dymuniad y Cyfarwyddwr Corfforaethol - Cymunedau.</p> <p>(3) Y dylai hawliau siarad ar gyfer Gwrthwynebwyr gael eu hystyried i 10 munud yr un ar gyfer dim mwy na thri unigolyn, a bod yr amser i'r Ymgeisydd ymateb hefyd i gael ei ymestyn i 10 munud.</p> <p>(4) Y dylai'r Cadeirydd roi gwybod i'r Pwyllgor Rheoli Datblygu am unrhyw drefniadau amgen pe na bai'n bosib i'r cyfarfod ar 29 Ebrill 2024 gael ei gynnal.</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**13. Cynllun Datblygu Lleol Newydd Pen-y-bont ar Ogwr**

Penderfyniad	<p>Cyflwynwyd adroddiad gan Reolwr Grŵp - Gwasanaethau Cynllunio a Datblygu, oedd wedi'i fwriadu i roi gwybodaeth i Aelodau Pwyllgor Rheoli Datblygu am statws presennol y Cynllun Datblygu Lleol Newydd (LDR) a'r camau nesaf i'r Canllawiau Cynllunio Atodol (SPG) cysylltiedig wrth symud ymlaen.</p> <p>Amlinellwyd peth gwybodaeth gefndirol yn yr adroddiad ac yna cadarnhawyd bod Tîm Cynllunio'r Cyngor ar hyn o bryd yn gweithio ar ddwyn ynghyd y dogfennau SPG, a fyddai, maes o law, yn cael eu cyflwyno i'r Pwyllgor i'w hystyried. Byddai hyn yn cael ei gyflawni drwy gyfres o weithdai, ac fel sy'n arferol ar hyn o bryd, gofynnir i Aelodau wirfoddoli i helpu gyda drafftio'r dogfennau SPG a gweithredu fel 'pencampwyr' yn y maes penodol hwnnw.</p> <p>Eglurwyd bod yr SPGau yn cwmpasu ystod eang o feysydd arbenigol gan gynnwys cyfraniadau at dai fforddiadwy, darpariaeth gofod agored, addysg, parcio ceir a safonau cynllunio. Gellir canfod rhestr lawn o SPGau presennol yn y ddolen a gynhwysir ym mharagraff 3.2 o'r adroddiad.</p>
--------------	--



**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 4 APRIL 2024**

	<p>Cadarnhawyd bod peth o'r SPGau cyfredol wedi cael eu mabwysiadu yn gymharol ddiweddar ac mai ond ychydig iawn o newid a diweddarau fyddai angen ei wneud iddynt. Fodd bynnag, gallai fod yn ofynnol i newid rhai dogfennau SPG yn llwyr neu eu huno gyda SPGau eraill yn wyneb y Cynllun Datblygu Lleol newydd a'r newidiadau i ddeddfwriaeth gynllunio genedlaethol.</p> <p><u>PENDERFYNWYD:</u> Y dylai'r Pwyllgor nodi'r adroddiad.</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**14. Cofnod Hyfforddiant**

Penderfyniad	<p><u>PENDERFYNWYD:</u> Y dylid nodi adroddiad y Cyfarwyddwr Corfforaethol – Cymunedau sy'n amlinellu sesiynau hyfforddiant sydd ar y gweill ar bynciau allweddol yn ymwneud â Chynllunio a Datblygu.</p>
Dyddiad y Penderfyniad	4 Ebrill 2024

**15. Eitemau Brys**

Penderfyniad	Nid oedd unrhyw eitemau brys.
Dyddiad y Penderfyniad	4 Ebrill 2024

Er mwyn arsylwi ymhellach ar y drafodaeth bellach a gafwyd ar yr eitemau uchod, cliciwch y ddolen hon os gwelwch yn dda:

Daeth y cyfarfod i ben am

This page is intentionally left blank

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

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

### **STANDARD CONDITIONS**

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

#### Time-limits on full permission

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

#### Time-limits on outline permissions

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

#### Variation from standard time-limits

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

### **STANDARD NOTES**

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

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

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

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

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

To determine whether your building work requires Building Regulation approval, or for other services

provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at:- <http://www.bridgend.gov.uk/buildingcontrol>

- d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development
- e. Attention is drawn to the provisions of the party wall etc. act 1996
- f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.
- g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136
- h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)
- i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-  
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>
- j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)
- k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or [www.coal.gov.uk](http://www.coal.gov.uk)
- l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.
- m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-
  - re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
  - increase in the volume of a building;
  - increase in the height of a building;
  - changes to the site area;
  - changes which conflict with a condition;
  - additional or repositioned windows / doors / openings within 21m of an existing building;
  - changes which alter the nature or description of the development;
  - new works or elements not part of the original scheme;
  - new works or elements not considered by an environmental statement submitted with the application.
- n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

- o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.
- p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

## **THE SITE INSPECTION PROTOCOL**

The Site Inspection Protocol is as follows:-

### **Purpose**

#### **Fact Finding**

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

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

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

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

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

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

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

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

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

### **Inappropriate Site Visit**

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

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

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

#### **Attendance**

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

## **Officer Advice**

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

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

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

## **Code of Conduct**

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

## **Record Keeping**

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

## **Site Visit Summary**

In summary site visits are: -

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

## **Frequently Used Planning Acronyms**

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

**REFERENCE:** P/23/699/FUL

**APPLICANT:** Castell Group

**LOCATION:** Land west of Heol Dewi Sant (former Bettws Social Club), Bettws CF32 8TA

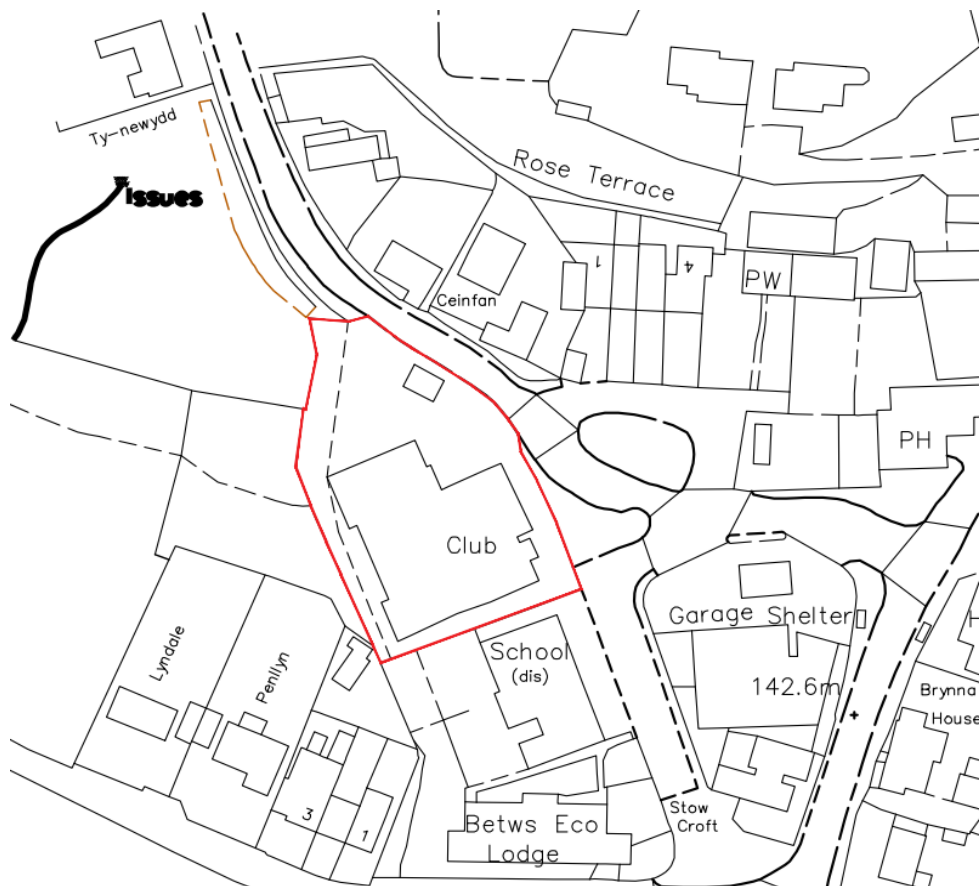
**PROPOSAL:** Demolition of the existing buildings and the erection of two apartment blocks comprising a total of 20 affordable dwellings, including access, parking, landscaping and ancillary works

## APPLICATION/SITE DESCRIPTION

Simply Planning has submitted a full planning application on behalf of Castell Group for the demolition of the former Bettws Social Club and the erection of two apartment blocks comprising a total of 20 affordable residential units and associated works.

The site measures approximately 0.2 Ha in area and is located to the west of Heol Dewi Sant, located within the built-up area of Bettws around 6km to the north of Bridgend. The site currently benefits from two accesses onto Heol Dewi Sant. The Bettws Social Club has been out of use for a number of years.

**Figure 1 - Proposed Site Location Plan**



The rear (western) boundary of the site backs onto the residential gardens and outbuildings of Lyndale, Penllyn and Nos. 1 to 3 Bryn Bach Cottages. The Garw Valley Childcare Centre, a more modern single storey building, lies immediately to the south of the site with the Bettws Eco Lodge beyond. To the east of the site lies a car mechanics/petrol station.

**Figure 2 – Existing Streetview**

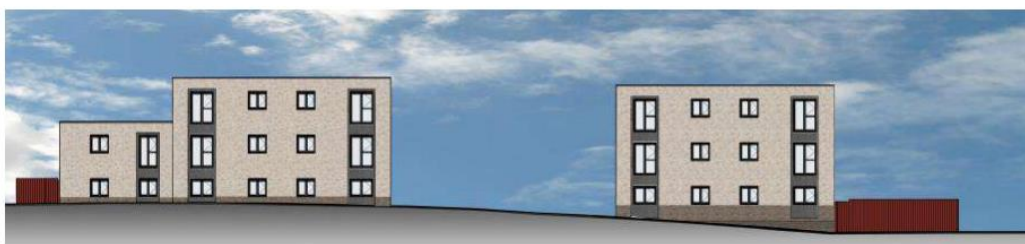
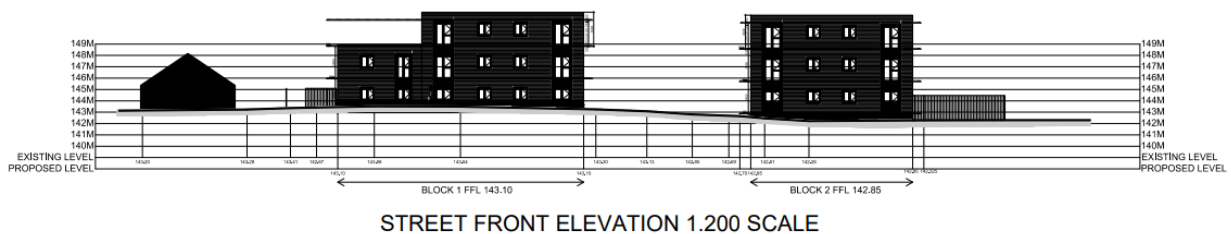


The proposed 20 residential units (across one three-storey and one part three-storey, part two-storey blocks) will include a mix of apartment types and sizes to meet local housing need, comprising eighteen 2 person 1 bed common access flats and two 2 person 1 bed walk up flats. The blocks will include photovoltaic panels on the roof set behind a parapet.

Block 1 is proposed to be roughly “L-shaped” in design and would be located towards the southern end of the site. The block is part 3-storey and part 2-storey with the height of the building stepping down towards the boundary shared with the Garw Valley Childcare Centre.

Block 2 is proposed to be more rectangular in form although smaller in footprint and is located to the northern end of the site. This block 3 is storeys in height.

**Figure 3 - Proposed Street Scene fronting Heol Dewi Sant**



*Colour Proposed Principal Elevation*

The blocks are sited either side of a central access leading to 21 on-site parking spaces.

It is proposed to utilise a buff brick finish with a contrasting plinth and window surround. The flat roof design is intended to reduce the scale and mass of the buildings so that they do not dominate the immediate area.



Bin stores are located to the south of block 1 and to the northwest of block 2. A secure bike store is also proposed for each block (See Figure 4 below). The Planning, Design and Access Statement confirms that the development will be 100% affordable housing and the end-user, Valleys to Coast Housing Association, has confirmed that the completed properties at the site of the former Bettws Social Club will be allocated in accordance with the BCBC Common Housing Register and in line with the nomination agreement that Valleys to Coast has with BCBC.

**Figure 4 - Proposed Site Layout**



The following documents have been submitted in support of the Application:

- Planning, Design and Access Statement
- Pre-Application Consultation Report
- Bat Survey Report
- Transport Statement (inc. Active Travel Audit)
- Soft Landscaping Proposals
- Drainage Strategy
- Marketing Advice Note

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 (“**The Order**”) introduced into Section 61Z of the Town and Country Planning Act 1990 (as amended) a statutory requirement that all proposals for major development in Wales are subject to formal pre-application consultation. A statutory 28 day public consultation period was commenced in relation to proposed development on 15th September 2023.

After the submission of the Application and during the consideration of the scheme, the agent submitted additional supporting information as follows:

- Green Infrastructure Statement
- General Arrangement of Proposed Off -Site Mitigation
- Applicant Response to Public Consultation Comments
- A letter of support from Valleys to Coast Housing Association

## RELEVANT HISTORY

Application Ref.	Description	Decision	Date
P/04/654/FUL	Mobile Burger Van on Car Park	Withdrawn	28/10/2004

## CONSULTATION RESPONSES

**Natural Resources Wales:** We have no objection to the proposed development as submitted and provided advice relating to foul drainage and European Protected Species. The Applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

**Highways Officer:** No objections subject to conditions.

**Shared Regulatory Services – Environment Team Comments:** No objections subject to conditions.

**Land Drainage Section:** No objections subject to conditions.

**Dwr Cymru/Welsh Water:** We can confirm capacity exists within the public sewerage network in order to receive the domestic foul flows from the proposed development site.

We request that if you are minded to grant Planning Consent for the above development that Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru/Welsh Water's assets.

**Garw Valley Community Council:** The Garw Valley Community Council Councillors unanimously agreed to object to this planning Application due to the type of accommodation proposed and design of accommodation being planned including the roof design. The Council wishes to see houses which are in-keeping with the location, built on this land.

**Secured By Design/Designing Out Crime Officer:** No objections subject to the implementation of their advice.

## PUBLICITY

Neighbours have been notified of the receipt of the Application and site notices were erected in the vicinity of the site.

The period allowed for response to the initial consultations/publicity (and subsequent re-consultation) has expired.

## REPRESENTATIONS RECEIVED

Tanio Limited (formerly Valley & Vale Community Arts) and the occupiers of Brynna House; 1 and 3 Rose Terrace; 2 and 3 Brynbach Cottages; 3, Bryn Cottage; Coach Inn Cottage; 12 Cwmcoed; Tynewydd and Ceinfan, Shwt have objected to the scheme on the following grounds:

- Not enough allocated visitor parking.
- The nearby Charity (Tanio) will need to install additional security to stop visitors using their car park.

- The site would be better used for building affordable family homes or flats for the over 55's.
- Overdevelopment and too high-density.
- Lack of amenity space.
- Overbearing/dominating impact harmful to the character and appearance of the area.
- Out of keeping with the historic part of the village.
- No justification for the loss of the community facility or evidence of a suitable marketing exercise.
- Lack of active travel routes and public transport options in the village.
- No justification for this amount of affordable units.
- Disappointed at the lack of public engagement.
- The development will be facing directly into properties resulting in the loss of privacy and access to sunlight.
- Reduced property values.
- Increase in traffic congestion.
- Noise and air pollution.
- The development will cause overcrowding of the Doctor's Surgery.
- Drainage issues in the area will be exacerbated by the development.
- There are no other examples of three storey buildings in this part of Bettws.
- The application was not supported by a Green Infrastructure Statement.
- Overlooking of the nursery.
- The village has had power cuts.
- Drink/drug related issues.
- The site will not be managed properly.
- The plans are out of date.
- Lack of information on the people who will be housed in the properties.
- Concerns about personal safety.
- Loss of views.
- The applicant states that charging points for electric cars will be provided which suggests that they do expect tenants to have cars (though it is highly unlikely that they would be electric cars due the cost).
- Some facts of Planning Law have been ignored.
- The owners have not maintained the social club building which many people believe is a deliberate action.

In addition to the individual responses, a petition has been submitted objecting to the scheme.

The Local Ward Member, Councillor Martyn Jones, has commented as follows:

*“This site is located within the heart of the community of Bettws and was once a well-established community social club. The building and site footprint are privately owned. Disappointingly, due to lack of essential maintenance the building is currently in a bad state of dis-repair. The building has attracted anti-social behaviour which have been subject to numerous Police related incidents. The area needs re-generation.*

*Bettws is a semi-rural community surrounded by countryside. There are no recognised Active Travel Routes to access the community. There is limited public transport. There are three access roads into the community which predominantly can be described as country lanes.*

*The site is immediately next door to a new childcare facility recently constructed with Welsh Government funding. This building aims to provide education and wellbeing support to children under the age of five years. Other notable buildings nearby are a Public House, Petrol Service Station and a Youth Centre managed by the Girls & Boys club of Wales. There is a row of traditional farming cottages adjacent to the site.*

*The developers seek permission to design and construct 20 single one-bedroom flats with commensurate car parking and cycle storage facilities. This appears to be in line with Bridgend County Borough Councils policy to increase the supply of affordable social housing, particularly one- and two-bedroom properties.*

*There is significant local objection to this application based on, design and construction of the building, suitability of the proposal within this location, imprecise information on potential tenants and tenancy management proposals.*

*I have met with the developers on three occasions. One site visit and two virtual meetings. A V2c representative only attended one virtual meeting.*

*My suggestion to hold a formal public meeting consultation event has not materialised. This was an ideal opportunity to address public concern.*

*I offer the following representations -*

*The proposed design and construction plan is I believe not suitable for this location. The building does not appear to be aesthetically designed or landscaped for its surroundings. For example, the height of the building will overlook neighbouring properties located at Shwt Hill. The development will attract a significant increase in vehicular traffic and although there is mention of cycle facilities, as previously outlined there are no active travel routes within the community. I have not been sighted on any traffic management plan.*

*Although the plan seeks to address provision of a mixed market of affordable housing specifically for one-bedroom properties I have not seen any data that suggests this demand exists within the Garw Valley. BCBC currently bases policy making on demand of such properties in Bridgend, Cornelly and Porthcawl areas. This suggests that V2c intends transferring residents in from these areas to the Bettws Community.*

*At present V2c struggles with current tenant management responsibilities within Bettws and beyond. From property maintenance to anti-social behaviour. I have personal records of numerous management consultation and discussions to address this issue. This fuels community concern of future tenancy issues on this site.*

*Furthermore, although V2c are the largest social housing providers within Bettws there has not been a V2c led regeneration project for the last twelve years.*

*It cannot be ignored that the proposed building will be sited immediately next door to a new childcare facility. Obvious issues of safeguarding cannot be ignored when considering the suitability of potential tenants. I have not seen any information that this has been considered.*

*V2c have additionally submitted a pre-planning application for 80 dwelling social housing units within the same community. This application can be identified as P / 23 / 226 / OUT. This location lends itself to the provision of one-bedroom facilities although I cannot see if this has been considered within this application. I would also add caution that the same principles of objection may well present itself with this application.*

*Llanmoor Homes have also submitted a refreshed planning application for 40 units within Bettws. This application identified as P / 22 / 164 / HYB seeks to provide a mix of private and social rental properties. This will address a housing need for both, and I believe enhance community balance and cohesion. For a variety of reasons this application has stalled.*

*If all three applications were to proceed then quite simply the community will be confronted with –*

- Significant increase in vehicular traffic that has been identified in previous planning officer feedback.*
- A lack of primary school places. Although there are two Primary Schools within the community both currently do not have both the capability and capacity to meet extra demand.*
- Minimal primary Health care provision. The community is currently supported with a local satellite primary health care facility. The main surgery being based in the North of the Garw Valley. Along with many other practices this health care provider struggles to meet the current needs and expectations of the local population.*
- A lack of Public Transport options. Some within the community rely heavily on public transport to access health provision, basic banking, and general shopping amenities.*
- There is no dedicated permanent Police presence within the community. This service is provided remotely and in response to specific requirements.*

*The community would expect that with the three applications there is parity and consistency from BCBC Planning Officers in terms of management of process. It is inconceivable to think each will be managed individually without consideration of the wider impact on community resilience.*

*I have suggested to developers that a more community focused approach be considered on the Community Club site, with the provision of accommodation more suitable for the elderly and most vulnerable especially those with complex needs. This site, is, I believe ideal for a home of this kind.*

*There would be an obvious strategic fit for the County Borough when you consider the lack of accommodation for those with specific social care needs. At a previous Health Board presentation elected members were informed by the Health Board Chief Executive that there was a significant need for accommodation of this kind. If only to alleviate the burden on local hospitals.*

*Bettws previously had such a provision, The ‘Trem Y Mor’ building was once an elderly person’s nursing home but was closed and subsequently utilised as a joint training facility for Bridgend Council and Health Service personnel. The building remains in use today and is a timely reminder of its original use and purpose.*

*To conclude, I therefore oppose the current application based on the information that has been provided to me and which is presented in this report.*

*I believe a community-based care home will not only provide economic benefits with job creation but address social need, community cohesion and wellbeing within the community.*

*The Bettws Community Club application as it stands seeks to specifically meet one requirement to support BCBC Housing policy with a detriment to the broader aspects of essential community requirements.”*

## **COMMENTS ON REPRESENTATIONS RECEIVED**

The majority of the concerns raised by the Local Ward Member, Garw Valley Community Council and neighbouring occupiers, particularly ones relating to the design of the scheme, parking provision and the impact of the proposals on neighbouring residential amenity, have been addressed in the Appraisal section of this report.

Members will be aware that each application is assessed on its individual merits. Property values, loss of a view and any increased pressure on nearby medical facilities are not material planning considerations. The agent submitted a Green Infrastructure Statement during the processing of the Application and it is not a validation requirement in any case. With regards to drainage, Dwr Cymru/Welsh Water and the Council's Land Drainage Officers have not identified any pre-existing issues in this area.

The following comments are offered in response to the representations received:

The site consists of an overall density of 100 dwellings per hectare. This is considered to be in accordance with Policy COM6. It is considered that the proposal will not result in the overdevelopment of the site as apartments are usually higher density than typical dwellings.

This scheme will provide much needed housing in an area where there has been a historical shortage of housing supply and where there is an evidenced need for affordable housing, particularly by people who wish to move back to the village of Bettws.

Valleys to Coast Housing Association has confirmed that the units will be allocated in accordance with the BCBC Common Housing Register and in line with the nomination agreement that Valleys to Coast has with BCBC and, on that basis, Valleys to Coast cannot commit to restricting the properties to over 55's. V2C will manage the development.

There are a number of facilities within an easy walking distance of the site; including a pub, a petrol station, places of worship, a nursery, a primary school, a secondary school, a community centre, cafes, takeaways, and a convenience store, amongst others.

In addition, there are bus stops located approximately 60m east of the site on Bettws Road. From these stops, the 73 and 76 bus services are available, which provide travel to Bridgend, Blaengarw and areas in between.

The existing facility is not attractive or viable as a community centre and there are a number of alternative locations for community facilities within Bettws, particularly to serve the relatively limited population size of the village.

## **RELEVANT POLICIES**

### **Local Policies**

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033, and within which the following policies are of relevance:

<b>Policy SF1</b>	<b>Settlement Hierarchy and Urban Management</b>
<b>Policy SP3</b>	<b>Good Design and Sustainable Place Making</b>
<b>Policy SP4</b>	<b>Mitigating the Impact of Climate Change</b>
<b>Policy SP5</b>	<b>Sustainable Transport and Accessibility</b>
<b>Policy PLA9</b>	<b>Development Affecting Public Rights of Way</b>
<b>Policy PLA11</b>	<b>Parking Standards</b>
<b>Policy PLA12</b>	<b>Active Travel</b>
<b>Policy SP6</b>	<b>Sustainable Housing Strategy</b>

<b>Policy COM3</b>	<b>On-site Provision of Affordable Housing (0% contribution)</b>
<b>Policy COM6</b>	<b>Residential Density</b>
<b>Policy SP8</b>	<b>Health and Well-Being</b>
<b>Policy COM10</b>	<b>Provision of Outdoor Recreation Facilities</b>
<b>Policy SP10</b>	<b>Infrastructure</b>
<b>Policy ENT10</b>	<b>Low Carbon Heating Technologies for New Development (Energy Masterplan)</b>
<b>Policy ENT12</b>	<b>Development in Mineral Safeguarding Zones</b>
<b>Policy ENT15</b>	<b>Waste Movement in New Development</b>
<b>Policy SP17</b>	<b>Conservation and Enhancement of the Natural Environment</b>
<b>Policy DNP6</b>	<b>Biodiversity, Ecological Networks, Habitats and Species</b>
<b>Policy DNP7</b>	<b>Trees, Hedgerows and Development</b>
<b>Policy DNP8</b>	<b>Green Infrastructure</b>
<b>Policy DNP9</b>	<b>Natural Resource Protection and Public Health</b>

The Council has also produced the following Supplementary Planning Guidance (SPG) which is relevant to this proposal:-

**SPG08: Residential Development**  
**SPG13: Affordable Housing**  
**SPG17: Parking Standards**  
**SPG19: Biodiversity and Development**

#### **National Policies**

In the determination of a planning application regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan.

The following Welsh Government Planning Policy is relevant to the determination of this Planning application:

Future Wales – the National Plan 2040  
 Planning Policy Wales Edition 12  
 Planning Policy Wales TAN 5 Nature Conservation and Planning  
 Planning Policy Wales TAN 11 Noise  
 Planning Policy Wales TAN 12 Design  
 Planning Policy Wales TAN 15 Development and Flood Risk  
 Planning Policy Wales TAN 18 Transport  
 Planning Policy Wales TAN 23 Economic Development

#### **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

The well-being goals identified in the Act are:

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

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

### **THE SOCIO-ECONOMIC DUTY**

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

### **APPRAISAL**

The Application is referred to the Development Control Committee to consider the objections raised, the petition lodged in opposition to the scheme and representations made by the Local Ward Member and Garw Valley Community Council.

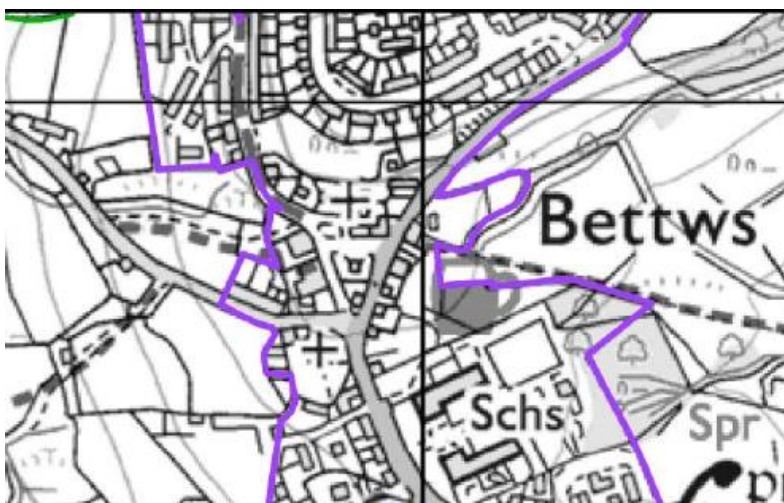
The main issues to consider in the determination of this Application are whether the redevelopment of this site for housing accords with national and local planning policy on a matter of principle; whether local infrastructure and facilities (parking, road network, drainage etc.), can accommodate the quantum of development proposed having regard also to living conditions and the well-being of existing and future residents and any biodiversity interests on and around the site.

#### **Principle of Development**

The site is located within the local settlement of Bettws as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (RLDP) adopted in 2024.

Development will be permitted within settlement boundaries at a scale commensurate with the role and function of the settlement. An extract of the settlement boundary (purple line) of the new plan is reproduced below:

*Figure 5 – Settlement Boundary*



Policy SP6 Sustainable Housing Strategy of the RLDP supports windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land. The proposed site would constitute a small windfall site under Policy SP6 and could contribute towards delivery of the overall housing requirement. The site is not allocated for a specific use; therefore, residential development would be acceptable in principle subject to other RLDP Policies.



Policy COM6 Residential Density of the RLDP requires that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. In the first instance, residential development should seek to reflect a density of 50 dwellings per hectare. A lower density of development will only be permitted where:

- 1) Design, physical or infrastructure constraints prevent the minimum density from being achieved; or
- 2) The minimum density would harm the character and appearance of the site's surroundings; or
- 3) Where it can be demonstrated there is a particular lack of choice of housing types within a local community.

The site consists of an overall density of 100 dwellings per hectare. This is considered to accord with Policy COM6.

Policy SP5 Sustainable Transport and Accessibility of the RLDP states that development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities.

The scheme must consider all modes of transport in line with the transport hierarchy and develop a strategy to reduce traffic demand and mitigate transportation impacts caused by the proposal. A Transport Statement and Active Travel Audit have accompanied this Application and they have been considered by Highways Officers. This will be discussed later on in this report.

Safeguarding and enhancing biodiversity and green infrastructure network is a requirement of Policy SP3 and a means of ensuring that a development scheme contributes to creating high quality, attractive, sustainable places that support active and healthy lives whilst and enhancing the community in which it is located by having full regard to the natural environment. Recognising that the County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes, Policy SP17 indicates that development proposals should not be permitted where they will have an adverse impact on the Borough's biodiversity and habitats.

Policy DNP8 Green Infrastructure states that development proposals will be required to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi-functionality of the green infrastructure network. Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required. On 18 October 2023, the Minister for Climate Change announced, with immediate effect, changes to Chapter 6 of Planning Policy Wales (**PPW**). Those changes have now been incorporated into PPW12. Paragraph 6.2.12 of PPW12 requires a green infrastructure statement (GIS) to be submitted with all planning applications. A Green Infrastructure Statement has accompanied the Application and this is considered later on in this report.

Policy ENT10 Low Carbon Heating Technologies for New Development seeks to ensure that low carbon heating technologies are installed as part of all new major development. New major development should be accompanied by an 'Energy Masterplan' that demonstrates that the most sustainable heating and cooling systems have been selected. This is a new policy from the recently adopted plan and was not in place at the time the application was submitted. The Local Area Energy Strategy identifies that an electric/district heat mix could be suitable in this area. If this is proven to be financially or

technically unviable then development proposals must follow the sequential approach to identify low carbon heating technologies in accordance with ENT10.

Policy SP3 Good Design and Sustainable Placemaking states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

1. Demonstrating alignment with the principles of Good Design; and
2. Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

The plans that have accompanied the Application indicates a mix of apartment types and a total of 20 residential units, access, landscaping, parking and ancillary works and the requirements of Policies SP3 (Good Design and Sustainable Place Making), COM6 (Residential Density) and COM10 (Provision of Outdoor Recreation Facilities) will be met.

The Application triggered Policy COM5 of the former Local Development Plan (2013) which would have required a contribution to affordable housing. Under Policy COM3 of the new plan (2018-2033), there is no requirement to provide affordable housing in the Maesteg and the Llynfi Valley and Ogmre and Garw Valleys which includes Bettws. However, all units are proposed to be affordable in this instance to meet an evidenced need.

Policy COM9: Protection of Social and Community Facilities of the RLDP states that proposals which would adversely affect or result in the loss of existing or proposed social and community facilities will not be permitted unless justified on one of the following grounds:

- 1) A sustainable, easily accessible alternative location is available and a facility of equivalent community benefit is provided by the developer on the site or off site within the community; or
- 2) Where it can be demonstrated that the existing facility is no longer required for the current use, or any other social and community uses, or there is already an excess of such provision in the area.

The Applicant has stated that the property is no longer viable for its existing use due to its poor condition and configuration. It is acknowledged that a Marketing Advice Note prepared by Harris & Birt Chartered Surveyors & Estate Agents indicates that the existing building has been vacant for over four years and has been subject to marketing over that period without success.

It is also acknowledged that there are also a range of existing community facilities within the settlement including the Wellbeing Lodge and Activity Centre, Bettws Life Centre (which includes a large function room), the Oddfellows Pub and the Sardis Baptist Chapel and Media Centre (which features a converted chapel with community space for classes/social gatherings). The policy has been complied with.

With regards to Education, the type and form of the units do not meet the threshold of 5 or more residential units identified in SPG16: Educational Facilities & Residential Development as being large enough to place increased pressure on the educational facilities within the catchment area.

Policy COM10 of the LDP requires the provision of satisfactory standards of open space from all residential development which is defined as 2.4ha per 1,000 people. BCBC's

Outdoor Sports & Children's Play Space Audit (2017) shows a deficit of Equipped Play Areas and Outdoor Sport provision in this location.

The following amount of open space is required to ensure compliance with COM10 of the RLDP and SPG 5 – Outdoor Recreation Facilities and New Housing Development:

- A development of 20 no. dwellings that meet the criteria for SPG5 would lead to an estimated development population of 30 (based on an average occupancy rate of 1.5 people within the 1-bed flats).
- The total amount of Formal Outdoor Sport space required should therefore be approximately 480 sq. m. based on 20 dwellings.
- Due to the development consisting of only 1-bed flats, no contributions are required for Children's Playing Space.
- For Outdoor Sport, the alternative is to provide equivalent value to the above standards in financial contributions. The contribution for Outdoor Sport should be calculated at £569 per dwelling, equating to £11,380.

Overall, the principle of the development accords with the policies of the Bridgend Replacement Local Development Plan.

### **Placemaking, Design and the Impact of the Development on the Character and Appearance of the Area**

Placemaking should be delivering housing developments that respond to context and form a high-quality townscape, providing people-friendly, green streets, with high quality building design and private and semi-private space for all occupants.

At a local policy level, all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, (Policy SP3 of RLDP refers).

The policy establishes 15 sustainable placemaking criteria, (a-o) that will be applied to all development proposals. A number of the criteria will be addressed in other sections of the report but how the scheme maximises the development potential whilst providing green infrastructure and both private and public amenity space must be considered as will the impacts on the amenity of the adjoining users/occupiers. A review of the living conditions of the future residents must also be undertaken.

New housing developments should be well integrated with, and connected to, the existing pattern of settlement and, in determining applications for new housing, Local Planning Authorities should ensure that the proposed development does not damage an area's character and amenity.

Increases in density help to conserve land resources and good design can overcome adverse effects but, where high densities are proposed, the amenity of the scheme and surrounding property should be carefully considered. High quality design and landscaping standards are particularly important to enable high density developments to fit into existing residential areas.

The submitted Design and Access Statement sets out a clear vision and objectives and shows how the scheme has been developed through site and context analysis. The aim is to ensure that the *'site will have far greater legibility and be a significant enhancement to the streetscene'*. A contemporary approach to the appearance of the development is proposed which will allow for modern energy efficient units with a fabric first approach.

In terms of the design of the apartment blocks, different roof forms were considered but discounted as Bettws has a mixture of building styles and to reduce the scale and mass of

the buildings in the streetscene. A flat roof design has a lower profile and would not have such an overbearing impact on the adjacent Childcare Centre.

The design was initially based on a similar scheme in Adamsdown, Cardiff which successfully reduces the scale and impact of the development in the streetscene (see figure 6 below).

*Figure 6 – Example Design in Adamsdown, Cardiff*



A light brick finish with contrasting features is proposed to complement the light timber finish of the adjacent Garw Valley Childcare Centre and Village Lodge, as well as the more traditional materials of the properties to the east of Heol Dewi Sant and the light render which is prevalent throughout Bettws. The use of render was discounted at an early stage as a buff brickwork finish would be a more appropriate and maintenance friendly material in this location.

It is accepted that there is no need to attempt to copy the surrounding building vernacular, particularly as the existing buildings on this site are not of any architectural merit. The flat roof design and window openings have been carefully considered in design and future maintenance terms.

The cycle and bin stores will be screened from public vantage points and the site will be enclosed with a combination of new planting (hedgerows and trees), close boarded fencing and low brick walls.

Every apartment will meet or exceed the minimum floorspace set out within Welsh Development Quality Requirements (**DQR**) Standards. The buildings have also been designed to ensure that they receive adequate sunlight and daylight in every habitable room. All habitable rooms would be provided with a source of natural light and outlook.

Small areas of grass provide outdoor amenity space to future residents. Whilst it is acknowledged that there is limited outdoor amenity space available on site, this is quite common in flatted affordable housing schemes, the site backs onto open countryside and public amenity spaces are available within the village, including a football pitch approximately 565m to the north- east of the site.

Having regard to the above, it is considered that the scheme accords with Policy SP3 of the Replacement Local Development Plan (2018-2033) and advice contained with Planning Policy Wales 12 (Feb. 2024).

## **Impact of the Development on living conditions and the well-being of existing and future residents**

The RLDP acknowledges that it is important that new development uses land efficiently by being of a density which maximises the development potential of land. A minimum density will therefore be applied to all new residential development.

The Application site measures 0.2 hectares and, for a new development of 20 units, this would equate to a gross density of approximately 100 residential units per hectare which is above the minimum density quoted in the policy.

The higher figure is directly attributed to the number of one-bedroom apartments in the scheme (20) and there is an established need for affordable one bed units in the village and the wider County Borough.

Indicators of unacceptably high densities would be evident in other aspects of the housing layout including compromises in privacy/daylighting/dominance standards between the new dwellings and their relationship with the existing properties. The critical issue is whether the impacts are so significant as to be contrary to local policies and guidelines.

To the southwest of the site are the residential gardens of Lyndale, Penllyn and Nos. 1 to 3 Bryn Bach Cottages. However, the proposed residential blocks are set towards the front of the site, are orientated away from those adjoining properties and will retain a minimum distance of 10m from the nearest habitable room window to the shared boundary line, with the majority of windows being well in excess of this distance. Therefore, no significant or unacceptable overlooking of the gardens of these properties would occur in this instance. Across Heol Dewi Sant, there is sufficient distance between habitable room windows to ensure compliance with the Council's policies. The blocks will not have any impact sunlight/daylight.

***Figure 7 – Aerial View of Site and relationship with neighbouring properties***



The Block 1 elevation (2 storey element) closest to the childcare facility to the south (4 metres to the boundary), contains no windows and therefore will not overlook the childcare facility.

Therefore, the development will have an acceptable impact on the amenity of adjoining occupiers and properties in accordance with Policy SP3 and advice contained within Supplementary Planning Guidance Note 02: Householder Development and Planning Policy Wales 12.

### **Impact of the Development on Local Infrastructure**

#### **Active Travel and Highway Considerations**

A key objective of Planning Policy Wales – Edition 12 is to ensure that new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities.

This will be achieved through integrating development with sustainable transport infrastructure and designing schemes in a way which maximises provision and use of sustainable forms of travel, including prioritising these modes over the private car.

Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity and realising the goals of the Well-being of Future Generations (Wales) Act 2015 Paragraph 4.1.10 of PPW confirms that the planning system has a key role to play by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

The Application is supported by a Transport Statement and Active Travel Audit which have been considered satisfactory.

The Transport Statement determined that the development would result in a total of 47 two-way vehicular movements over a 12-hour period. This would equate to 4 two-way movements in the AM peak and 8 two-way movements in the PM peak.

The Transport Statement also considered the existing use of the social club to determine the net impact of the development. This shows that the existing use would generate 54 two-way movements over the 12-hour period.

Therefore, the proposals would reduce the number of vehicles using the public highway, when compared to the existing baseline situation.

In terms of the proposed access, the site will be accessed from Heol Dewi Sant and it is proposed to provide a priority junction arrangement into the site. Visibility from this access is shown at 2.4m x 25m in both directions which is appropriate for 20mph speeds in accordance with guidance contained within TAN18, Manual for Streets and the new 20mph speed limit for residential streets.

The site will therefore provide a safe and suitable means of access and egress by motor vehicles, in accordance with Policy SP3 of the RLDP.

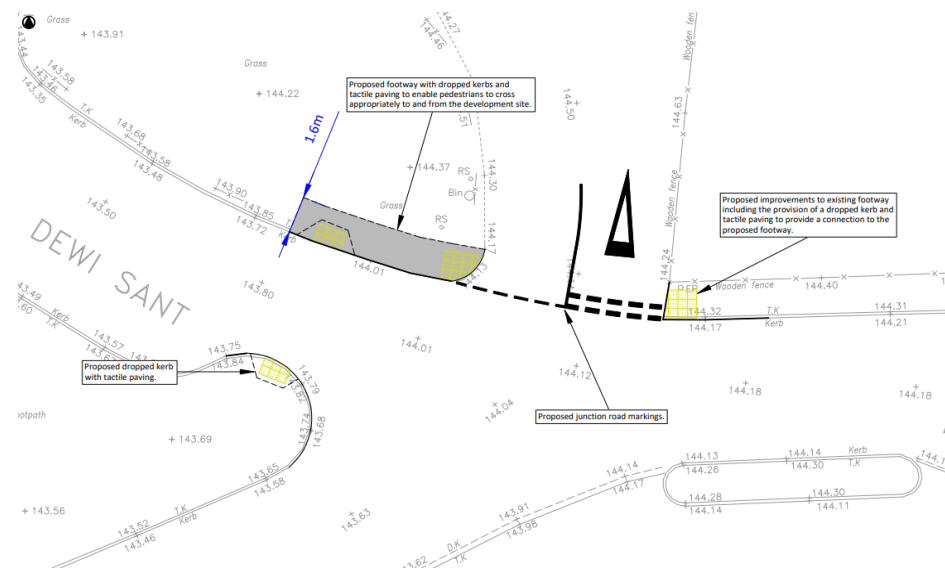
The proposed development is to provide 21 parking spaces, this being one space per flat and one visitor space. Electric vehicle charging points and/or infrastructure will also be provided for 10 of the spaces across the site. The Transport Statement has also undertaken further assessment using census data, which shows that average car ownership levels in the output area containing the Application site is 1 car per household. However, when this is assessed by occupiers of flats, this reduces down to 0.55 cars per household, with 52% having no cars.

As assessment was also undertaken by social rented households, which also showed the average ownership in the output area to be 0.55 cars per household, with 51% of households not owning a car.

Therefore, it can be concluded that a significant number of occupiers in flats and those in social rented accommodation do not own a car and fall significantly below the average car ownership for the output area. Valleys to Coast Housing will be the affordable housing provider for the site upon completion and they have advised that car ownership across their estate amounts to 50%, which further corroborates the census data that affordable housing has significantly lower car ownership than open market housing.

The Application includes a draft scheme for off-site active travel improvements as follows:

**Figure 8 – Off-site Improvements**



The impact of vehicular traffic on the wider Highway Network has been considered and, when set against the extant consent/use as a Community/Social Club, is broadly similar and raises no concerns.

The site uses an existing access which is within a 20mph area and which historically served the extant use. Subject to the proposed modification and closure of the northernmost existing access, it is considered suitable to serve the development.

On-site cycle parking is proposed and although the scheme is lacking in detail these can be secured via condition. The internal site layout has been considered in respect of manoeuvring and is acceptable in highway safety terms.

Whilst the site does not achieve the maximum parking quantum of 24 spaces (1 space per

each of the 20 units and 4 for visitors), the proposed 21 spaces is considered acceptable given the tenure of the units and the extant use which had a much smaller car park and would have inevitably generated a degree of on-street parking in the area.

Based on the information within the Transport Statement, there are no reasons to resist this Application on highway safety grounds.

**The impact of the scheme on the natural environment, with specific reference to the site's bio-diversity interests and the opportunities to deliver Section 6 bio-diversity enhancements**

National policy reminds all decision makers that green infrastructure should be a key component of the natural and built environment. It plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work, and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society's wider social and economic objectives and the needs of local communities. In the new Chapter 6 of Planning Policy Wales 12 (February 2024), Authorities are advised that a green infrastructure statement should be submitted with all planning applications and this document will describe how green infrastructure has been incorporated into the proposal.

The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals.

PPW12 confirms that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall, there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being. Development proposals must consider the need to:

- support the maintenance and enhancement of biodiversity and the resilience of ecosystems.
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats, including the most recent targets set out in the 2022 UN Global Biodiversity Framework
- ensure statutorily and non-statutorily designated sites and habitats are properly protected and managed and their role at the heart of resilient ecological networks is safeguarded.
- safeguard protected species and species of principal importance and existing biodiversity assets from direct, indirect, or cumulative adverse impacts that affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water, air, and soil, including peat; and
- secure the maintenance and enhancement of ecosystem resilience and resilient ecological networks by improving diversity, extent, condition, and connectivity.

Paragraph 6.4.5 of PPW12 states that a net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly



better state than before, through securing immediate and long-term, measurable, and demonstrable benefit, primarily on or immediately adjacent to the site.

At a local level, Policy SP3 of the adopted Replacement Local Development Plan (2024), requires development to safeguard and enhance biodiversity and provide integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.”*

Policy DNP7 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*.

Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

The site lies approximately 300m to the south-east of the Bettws West Site of Importance for Nature Conservation (**SINC**). Such sites have substantive nature conservation value. Its qualifying SINC features are its semi-improved acid grassland, broad leaved semi-natural woodland, dense continuous scrub and acid neutral flush.

The Application has been accompanied by a Green Infrastructure Statement (**GIS**) and Bat Survey. The GIS describes the existing site as being located in the centre of Bettws and bounded by the existing road known as Heol Dewi Sant to the north and east, the existing Garw Valley Childcare Centre to the south and a combination of housing and dense vegetation to the west.

There are no existing landscape or GI features of note within the site as it is currently fully occupied by the former social club buildings and the associated parking and hard standing areas. The most significant existing landscape feature is the dense vegetation to the west which is predominantly ‘off-site’ but forms part of the western boundary. This will be retained and enhanced as part of the landscape proposals but it does contain a substantial amount of Japanese knotweed which will need to be treated in-situ.

The site will nevertheless be enhanced by the introduction of new native tree planting throughout the site as well as new shrubs, plants known for wildlife value, wetland plant mixes, wildflower meadow areas and other habitat types.

Green Infrastructure (**GI**) opportunities have been identified and will include the following:

**Multi-functional:**

The landscape design includes a range of GI features for the benefit of people and wildlife. These include native tree planting to improve amenity as well as providing summer shade and a food source for wildlife.

The planting design includes ornamental shrubs and those that are known to support wildlife. This will improve amenity and tie in visually with the adjoining landscape. This

planting also provides safe routes through the site for mammals and foraging opportunities for local fauna. Street trees, shrub planting and rain gardens are proposed to provide GI links through the site.

Finally, an area of wildflower meadow is proposed as part of an open green space in the north- west corner of the site. The proposed seed mix contains a range of flowering species which will add to the amenity and attract endangered species such as bees and butterflies.

The combination of the above measures will enhance biodiversity across the site and demonstrates every effort is being made to create a multi-functional landscape.

#### **Adapted for Climate Change:**

The drainage design for the site includes a Sustainable Urban Drainage System. The design comprises a series of rain gardens. This provides an excellent opportunity at surface level to create rich wetland and grassland habitats capable of holding water on site. This will improve and manage water quality, enhance biodiversity as well as providing amenity for the people using the site.

#### **Healthy:**

The underlying principles of the landscape design for the site are to create an attractive setting for the new development for the benefit of all users. This will be achieved by retaining and enhancing existing landscape features where possible and introducing new native tree and shrub planting as well as areas of wildflower meadow as described earlier.

The combination of the above GI features will contribute positively to the amenity of the site and to the wellbeing of those who live there and / or visit.

#### **Biodiverse:**

The planting scheme includes a large number of native species and species noted for wildlife value. These features include trees, shrubs, wildflower meadows and wetland habitats across the site. The existing planting infrastructure to the west will be retained where possible and enhanced. It will also be maintained to ensure a healthy biodiverse site in the long term, which in turn will benefit local ecosystems and the wellbeing of people.

In addition to the habitats created through the planting design, the site will also include other ecological measures. Reptile and invertebrate refugia will be provided as well as a hedgehog dome. In addition to this, bat and bird boxes will be installed on the new buildings.

#### **Smart & Sustainable:**

The planting design for the development has been carefully considered to ensure that it is not reliant on artificial irrigation. The only exception to this could be during the establishment period, where, during periods of prolonged dry weather, the young plants may require some watering to prevent loss and to aid their successful establishment. In these circumstances, the watering should be carried out using harvested rainwater where possible.

As well as the principles of Green Infrastructure, the landscape proposals are designed in accordance with 'Guidance on Standard S4 – Amenity' of the Sustainable Drainage Systems Standards for Wales document 2018.

**Figure 9 – Proposed GI Features**



As part of the landscaping scheme, a series of rain gardens are proposed. The landscape proposals embrace the inclusion of these SUDS features and aim to maximise their potential amenity benefits.

The proposed rain garden mix for the SUDS features contains a range of plant species including evergreen species to provide continuous cover throughout the year, as well as flowering species to assist pollinators. This will create an attractive planting zone which will contribute to the amenity of the site and, together with the proposed tree and shrub planting, will create a pleasant living environment, enhancing the well-being of site users.

Key measures include:

- Native tree planting around the site. This provides an attractive setting for the development and adds to the existing landscape infrastructure.
- The retention, protection and enhancement of the existing vegetation to the west. This provides a softened boundary, assists with screening and enhances site ecology.
- Shrub planting including species known for wildlife value. This softens building frontages and enhances biodiversity.
- The inclusion of rain gardens provides amenity and creates important ecological habitats.
- Wildflower meadow area to the north- west corner provides further ecological benefits and enhances the external environment.

The combined effect of the above measures will be the creation of a species rich landscape, appropriate to the scale and nature of the proposed development.

The existing landscape has been assessed and important existing features have been identified. These will be retained and enhanced where possible and as appropriate, as part of the landscape proposals for the site.

Natural Resources Wales (**NRW**) note the findings of the Bat Survey and accept the conclusion that bats were not using the Application site and they therefore have no adverse comments to make on the Application in this respect.

Given the biodiversity enhancements proposed in the GIS, the development will satisfy Policies SP3, DNP6, DNP7 and DNP8 of the Bridgend County Borough Council LDP and the proposals will accord with the requirements of Section 6 of the Environment (Wales) Act 2016 and guidance contained within TAN 5: Nature Conservation and Planning (2009).

### **Drainage/Flooding**

Based on Natural Resources Wales's Development Advice Map, the site is not at risk of river or surface water flooding, being in Zone A. In light of the recent advice received from Natural Resources Wales, any future planning application will be assessed "*on the best available flood risk information*". Accordingly, both the Development Advice Map (**DAM**) and the Flood Map for Planning (**FMfP**) should be considered.

From the extract plan below it appears that, whilst there is a small watercourse or surface water issue in the field to the west of the site, it should not affect the development.

**Figure 10 – Extract from FMfP**



Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to that their proposal site can connect to the nearest main sewer.

The Council's Land Drainage Officer notes that the Application form states that the proposed development is not located within a flood risk zone, or located within 20 metres of a watercourse, or proposes to increase flood risk elsewhere. A review of the OS database notes the development is not located within a flood risk zone nor within 20m of a watercourse and does not propose to increase flood risk.

The Application form states that foul water will be discharged to the main sewer using an existing connection. A foul drainage layout has been provided. The Applicant shall contact DCWW should any additional connections be required to the public sewer.

The Application form states surface water will be discharged to a sustainable drainage system. A surface water drainage layout has been provided.

Given the development is more than 100 m<sup>2</sup> a SAB application will be required. The Applicant has previously received pre-SAB application advice from BCBC SAB.

The Drainage Strategy Plan demonstrates that foul water is proposed to be disposed of through the Dwr Cymru/Welsh Water public sewerage system. An agreement in principle will be sought at from Dwr Cymru/Welsh Water for this connection in due course.

In regard to surface water, rainwater gardens are proposed throughout the site to allow the storage of water on-site which can then attenuate into the soil over time. In addition, permeable paving is proposed for the car park to further slow and manage the runoff of water on the site. The proposed scheme will result in a considerable decrease in the existing hardstanding area on the site with grass being prevalent around the proposed buildings, permeable paving in the car park and rainwater gardens adjacent to the proposed blocks.

This will result in a considerable reduction in run-off of surface water from the site.

### **Other Material Considerations**

The site lies within the Development Low Risk Area in respect of coal mining. The Coal Authority have not commented on the Application.

Shared Regulatory Services have also requested the imposition of a list of conditions to address gas protection, contamination and the use of materials on site. This should ensure that the safety of future occupiers is not prejudiced in accordance with policy DNP9 of the Bridgend County Borough Council Local Development Plan.

The site fronts onto the Heol Dewi Sant public right of way (GWV/16/1) and is bordered to the south and west by Garw Valley footpath 15 public right of way from Godra Bryn to Heol Dewi Sant (GWV/15/1).

***Figure 11 – Location of Public Right of Way***



The Public Right of Way will not be affected by the development. At present this right of way is unattractive and adjacent to the vacant former social club site and the development will create a more welcoming environment and natural surveillance for users of this Public Right of Way.

### **Whether contributions need to be secured through a Section 106 Legal Agreement to mitigate the impact of the development and to comply with policy**

Policy SP10 of the Bridgend Local Development Plan requires that all development proposals be supported by sufficient existing or new infrastructure. This is to mitigate any adverse impacts and/or to integrate a development proposal with its surroundings.

Reasonable infrastructure provision or financial contributions to such infrastructure must be provided by developers where necessary. This will be secured by means of a planning agreement/obligation where appropriate.

The Applicant has been advised of the expected contributions and has instructed a solicitor to agree a draft Section 106 Legal Agreement on their behalf. There has been no indication from the developer that the agreement will not be signed and the obligations met.

Policy COM10 of the LDP requires the provision of satisfactory standards of open space from all residential development which is defined as 2.4ha per 1,000 people.

BCBC's Outdoor Sports & Children's Play Space Audit (2021) shows a deficit of Equipped Play Areas and Outdoor Sport provision in this location and the following amount of open space is required to ensure compliance with COM10 of the RLDP and SPG 5 – Outdoor Recreation Facilities and New Housing Development:

- A development of 20no. dwellings that meet the criteria for SPG5 would lead to an estimated development population of 30 (based on an average occupancy rate of 1.5 people within the 1-bed flats).
- The total amount of Formal Outdoor Sport space required should therefore be approximately 480sqm based on 20 dwellings.
- Due to the development consisting of only 1-bed flats, no contributions are required for Childrens Playing Space.
- For Outdoor Sport, the alternative is to provide equivalent value to the above standards in financial contributions. The contribution for Outdoor Sport should be calculated at £569 per dwelling, equating to £11,380.

## **CONCLUSION**

Having regard to the above, whilst noting the strength of opposition to the scheme, it is considered that, on balance, this Application can be recommended for approval because the development is in accord with the policies of the Bridgend Local Development Plan and will deliver affordable housing on an underutilised brownfield site within the settlement of Bettws.

Based on the evidence, the site is accessible by sustainable modes of travel but improvements are needed and will be secured through the consent. The impact of the additional traffic generated on the wider network is negligible compared to the extant use and will not warrant any off-site improvements.

The plans suggest that the placemaking objectives and high quality of design with reference to green infrastructure, biodiversity enhancements, the built form and amenity space will be delivered.

In summary, it is considered that the development accords with Policies SF1, SP3, SP5, PLA9, PLA12, SP6, COM3, COM6, COM10, SP10, SP17, DNP6, DNP7 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

## **RECOMMENDATION**

(A) That the Applicant enters into a Section 106 Agreement to:

(i) Provide a financial contribution of £11,380 towards Outdoor Sport.

(B) The Corporate Director Communities be given delegated powers to issue a decision notice granting consent in respect of this proposal once the Applicant has entered into the aforementioned Section 106 Agreement, as follows:

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

and reports:

(90)001 Site Location Plan  
(SK)003S Proposed Site Plan - Scale @ 1:200  
(SK)004E Proposed Ground Floor Plan – Block 1  
(SK)005B Proposed First & Second Floor Plan – Block 1  
(SK)006D Proposed Ground Floor Plan – Block 2  
(SK)007C Proposed First & Second Floor Plan – Block 2  
(SK)008H Proposed Site Plan – Scale @ 1:100  
(SK)009C Proposed Street Elevation  
(SK)010C Proposed Rear Elevation  
(SK)011C Proposed Block 1 Side Elevation  
(SK)012C Proposed Block 2 Side Elevation  
(SK)018A Proposed Block 1 Roof Plan  
(SK)019A Proposed Block 2 Roof Plan  
1184.01B Soft Landscape Proposals  
ELE-1 Block 1 Principle Elevation  
ELE-2 Block 2 Principle Elevation  
ELE-3 Block 1 Rear Elevation  
ELE-4 Block 2 Rear Elevation  
10380 – 100D Engineering & Drainage Strategy Plan  
Green Infrastructure Statement  
General Arrangement of Proposed Off Site Mitigation

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

2. No above ground super structure works (super structure relates to the building work above the slab/foundation level) shall commence on site until such time as details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

3. Prior to their use on site, a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the residential buildings hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

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

4. Notwithstanding the submitted plans, prior to their installation on site, a detailed specification indicating the positions, design, materials, type and appearance of boundary treatments, within and around the site, together with full details of the proposed bin-stores within the site, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme and before the beneficial occupation of the residential units.

Reason: To ensure a satisfactory form of development and to ensure that the general visual and residential amenities of the area are protected.

5. No above ground super structure works (super structure relates to the building work above the slab/foundation level) shall commence on site until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a pedestrian footway and crossing point on Heol Dewi Sant broadly in accordance with drawing C23061-ATP-DR-TP-005. Such scheme shall be implemented, as approved, in permanent materials before the first beneficial occupation of the development.

Reason: In the interests of highway safety and promoting sustainable travel patterns.

6. No above ground super structure works (super structure relates to the building work above the slab/foundation level) shall commence on site until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of an uncontrolled pedestrian crossing point on Heol Richard Price adjacent the Oddfellows Arms public house. Such scheme shall be implemented, as approved, in permanent materials prior to the first beneficial use of the development.

Reason: In the interests of highway safety and promoting sustainable travel patterns.

7. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained for the purpose of parking in perpetuity.

Reason: In the interests of highway safety.

8. Notwithstanding the submitted details, no above ground super structure works (super structure relates to the building work above the slab/foundation level) shall commence on site until such time as a scheme for the provision of secure cycle storage units for 20 cycles has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity.

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

9. No above ground super structure works (super structure relates to the building work above the slab/foundation level) shall commence on site until such time as a scheme for permanently stopping up the Northernmost existing vehicle access and reinstating the vehicular crossing as footway has been submitted to the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

10. The access/forecourt/turning facility shall be completed in permanent materials in accordance with the approved details prior to the development being brought into beneficial use.

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

11. The proposed means of access shall be laid out with vision splays of 2.4m x 25m in both directions/frontage before the development is brought into beneficial use and retained as such thereafter.



Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

13. Demolition and construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays, 08:00 hours to 13:00 hours on Saturdays and not at any time on Sundays and Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of neighbouring residential amenities.

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

To satisfy the above condition, the applicant must:

- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100 year + 30% CC event;
- Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).

If an infiltration system is proposed)

No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

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

15. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

16. No surface water is allowed to discharge to the public highway.

Reason: To ensure a satisfactory form of development.

17. The approved landscaping scheme shall be implemented so that planting is carried out no later than the first planting season following the completion of the development. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted.

Reason: To protect and enhance the character of the site and the area and to ensure its appearance is satisfactory.

18. A Landscape Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The Landscape Management Plan shall be carried out as agreed and thereafter retained and maintained in perpetuity.

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

19. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the Bridgend County Borough Council Replacement Local Development Plan.

20. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with the Bridgend County Borough Council Replacement Local Development Plan.

21. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development

site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with the Bridgend County Borough Council Replacement Local Development Plan.

22. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with the Bridgend County Borough Council Replacement Local Development Plan.

23. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. The proposed is recommended for approval because the development complies with Council policy and guidelines and it is considered that the scheme would not have an unacceptable impact on the character of the existing property, street scene or wider area, and will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities or highway safety as to warrant refusal.

The issues raised in the representations received have been taken into account during the determination of the application however it is considered that on balance they do not outweigh the other material considerations in favour of the development.

b. The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This Voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

c. As of 07/01/2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

d. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains

and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com)

e. The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

f. In order to satisfy the drainage, condition the following supplementary information is required:

- Provide surface water drainage layout (including location of proposed soakaway, if required);
- Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE-digest 365;
- Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
- Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;
- Provide a timetable for its implementation; and
- Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.

g. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

(i) determining the extent and effects of such constraints;

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
- Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

h. Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land. The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

i. NRW advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

j. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:

- i) obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
- ii) indemnify the County Borough Council against any and all claims arising from such works;
- iii) give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

This page is intentionally left blank

**REFERENCE:** P/23/753/FUL

**APPLICANT:** D2 Propco Ltd Millgrove House, Parc Ty Glas, Llanishen, Cardiff, CF14 5DU

**LOCATION:** 14 Park Street Bridgend CF31 4AX

**PROPOSAL:** Change of use from offices (use class B1) to House in Multiple Occupation (HMO) (Use Class C4) maximum 6 persons.

**RECEIVED:** 13 December 2023

## **UPDATE SINCE DC COMMITTEE MEETING OF 4 APRIL 2024**

The Application and original recommendation were considered by the Development Control Committee on 4 April 2024.

The Application report from the Group Manager – Planning and Development Services recommended that consent be granted for the development of a 6-bedroom House of Multiple Occupation (HMO) at No. 14 Park Street, Bridgend.

Notwithstanding the above, and after deliberation, Members voted against the recommendation.

Therefore, Members of the Development Control Committee were minded to refuse the Application and, in accordance with the agreed protocol for dealing with Applications where the Committee is minded to refuse an Application which has been recommended for approval, consideration of the Application was deferred to this meeting so that reasons for refusal could be properly considered.

Article 24 (1) of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) states that when the local planning authority give notice of a decision or determination on an Application for planning permission ..... or the Application is refused, the notice must—

*‘(a) state clearly and precisely the full reasons for the refusal or for any condition imposed specifying all policies and proposals in the development plan which are relevant to the decision.’*

Section 11 of the Planning Code of Practice clearly states that:

*“If Members are minded to make a decision contrary to the Officer’s recommendation the Application should be referred to the next meeting of the Committee to enable officers to advise Members further. Where a Member proposes a recommendation contrary to the Officer’s recommendation then the proposer should set out clearly the material Planning reasons for doing so. The Chairperson will ensure that the Officer is given the opportunity to explain the implications of the contrary decision before a vote is taken.”*

It goes on to state that *“Where Members of the DC Committee are minded to take a decision against the Officer’s recommendation, so that consideration of that matter is deferred to the next meeting of the Committee, Members will receive a further report from Officers upon the strengths and weaknesses of any proposed or possible Planning reasons for such a decision. In cases where Members overturn an Officer’s recommendation for approval, the reasons for this will be drafted and reported back to Members at the next Development Control meeting.”*

Paragraph 9.6.17 of the Welsh Government’s Development Management Manual also advises that *“Where necessary, planning committees should defer Applications by using a*

*‘cooling off period’ to the next committee meeting when minded to determine an Application contrary to an officer recommendation. This is in order to allow time to reconsider, manage the risk associated with this action, and ensure officers can provide additional reports and draft robust reasons for refusal or necessary conditions for approval.”*

As referred to above, the reasons for refusal were not devised or agreed during the original meeting, however, Officers invited the nominated Lead Member, Cllr Norah Clarke, in liaison with the other Members who voted to refuse the Application, to draft reasons of refusal in order for Officers to compile a report.

## **LEAD MEMBER’S REPRESENTATION**

The Lead Member has submitted her concerns about the development as follows:

### ***‘Policy COM 7 applies to this Application – Houses in Multiple Occupation***

*Policy COM 7 is specific in as much that it states that an existing building will only be permitted to be converted into a house of multiple occupancy (HMO) if the development satisfies certain criteria.*

*Proposals to convert an existing building into a House in Multiple Occupation (HMO), bedsits or other form of shared housing will only be permitted within defined settlement boundaries if:*

*COM 7 (1) It would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMO’s.*

*COM 7 (4) the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision*

*COM 7 (5) the proposal includes adequate storage for recycling/refuse, cycles and a clothes drying area; and*

*COM 7 (6) The proposed development would not have an unacceptable adverse impact on residential amenity.*

*Planning Application P/23/753/FUL is out of accord with the newly adopted Replacement Local Development Plan – Adopted on 13th March 2024.*

*COM 7 (1) This development will lead to more than 10% of all residential properties within a 50metre radius of the proposal being a House of Multiple Occupancy (HMO).*

COM 7 5.3.42 states:

*A high proportion of HMO’s can have a much more significant cumulative impact on the character of an area, its residential amenity and also local community cohesion. The Welsh Government’s Housing in Multiple Occupation: Review & Evidence Gathering report found concerns regarding the number of HMOs increases once concentrations of HMO households rise above 10%. Such concentrations have the potential to cause negative amenity impacts upon existing residents including the potential for increased levels of disturbance associated with multiple households within a property. These factors combined with a reduction in the number of family homes within an area can inhibit the maintenance of sustainable, mixed and balanced communities.*

*No 10 Park Street is the office of the Wallich and is also a drop-in centre.  
HMO’s situated in a confined area of Park Street*

*No 11 Park Street - short term lets consisting of 11 bedrooms (planning Application P/21/274/FUL consent approved 2/11/2022 refers.*



No 12 Park Street contains a 6 bed HMO which is run by the Wallich (approved 20/01/2017- P/16/861/FUL)

No 61 Park Street 6 bed HMO situated approximately 100metres from the Application property.

The Application site comprises a three-storey mid terrace property located at 14, Park Street in Bridgend which adjoins the already established HMO at No 12, Park Street, Bridgend and the dentist practice at No 16, Park Street, Bridgend.

COM 7 5.3.43 seeks to ensure proposals to convert dwellings into HMO's are assessed as to their appropriateness in order to avoid over intensification of the use within the locality.

This Application if approved would lead to an unacceptable over intensification of HMO's within a concentrated area of Park Street, Numbers 11,12 and 14 Park Street, Bridgend and would have an unacceptable adverse impact on residential amenity.

The granting of this Application would result in 10.34% of HMO's within a 50metre radius. There are 29 properties within a 50metre radius and two existing HMO's at 11 and 12, Park Street, Bridgend.

A drop-in centre, for the homeless is situated at 10, Park Street Bridgend.

The development if approved would substantially add to the population of vulnerable people with complex needs living within close proximity to the two already established HMO's situated within 50metres of this development.

Concentration of HMO's within a specific area has the potential to cause negative amenity impacts upon existing residents including the potential for increased levels of disturbance associated with multiple households within a property. Residents of Cae Dre Street and the dentist practice have expressed their concerns regarding the two established HMO's and believe that an extra HMO within the same area would lead to an over intensification and would add to the anti-social problems they have and are already experiencing i.e Anti-Social Behaviour (ASB) such as drug taking/dealing, personal threat of violence, urinating in a public place, shouting, verbal abuse, intimidation, loud music, fighting and burglary.

COM 7 (4) the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision.

This development if approved would be contrary to policy:- COM 7 (4) and PA 11- Parking Standards

5.2.76 of PLA11 states: The adopted Parking Standards SPG seeks to ensure a transparent and consistent approach to the provision of parking.

5.2.77 of PLA 11 states:- On-street parking can cause problems by reducing road width, thereby affecting the free flow of traffic and adding hazards for pedestrians, cyclists and other road users. Therefore, Applications will be refused where there is a likelihood of on street parking occurring will give rise to these concerns. In some instances, this can also impact on the amenity of residents who have to compete for a car parking space.

COM 7 5.3.43 states:- Proposals should consider provision of on-site car parking or otherwise demonstrate that conversion to a HMO would not adversely impact upon local parking provision. Therefore, Applicants should consider the sustainability of the location in

terms of whether walking, cycling and public transport use are attractive and viable alternatives to private car use.

There is only provision for two parking spaces at the rear of No 14, Park Street, Bridgend which are allocated for visitors and staff. Parking provision is therefore not adequate for this 6 bed development.

Parking Standards also states: Visitor parking must be designed as an integral part of any development where it is required and must take into account the needs of disabled.

As the adopted parking standards SPG seeks to ensure a transparent and consistent approach to the provision of parking this Application should be afforded that transparent and consistent approach and therefore extra parking would be needed for this Application and although there aren't any parking standards specifically for HMO's,

Parking Standards PLA 11 5.2.76, 5.2.77 still applies.

Parking in Cae Dre Street which is an access only street is at a premium and any additional parking at the rear of the Application site cannot be accommodated which would lead to competition for on-street parking in Cae Dre Street. This would impact on the amenity of the residents living in Cae Dre Street. Also parking standards state that visitor parking must take into account the needs of the disabled and the two spaces at the rear of 14, Park Street, Bridgend are at a higher level than the property's back entrance and therefore steps will need to be negotiated.

The parking provision provided does not conform to COM 7 (4).

COM 7 (5) the proposal includes adequate storage for recycling/refuse, cycles and a clothes drying area;

COM 7 5.3.43 states:- Proposals should also make on-site provision for sufficient recycling/refuse storage, clothes drying area, and cycle parking as well as appropriate amenity space for residents.

Cycling Parking Standards state:- Cycle parking should be located in a safe, secure and convenient location. Care should also be taken to ensure that cycle parking facilities are not located where they may obstruct pedestrians, disabled persons and particularly people with sight problems.

Policy COM 7 (5) states that a provision should be made for on-site clothes drying area and on-site cycle parking. There is no provision for an on-site drying area so therefore the development does not comply in part with policy COM 7 (5). The area at the rear of 14, Park Street, Bridgend would be unable to provide sufficient space for an on-site clothes drying area.

This development is contrary to policy COM 7 (5) inasmuch as a clothes drying area has not been provided for and therefore does not comply in part with the policy

COM 7 (6) The proposed development would not have an unacceptable adverse impact on residential amenity.

The Welsh Government's Housing in Multiple Occupation: Review & Evidence Gathering report found concerns regarding the number of HMOs increases once concentrations of HMO households rise above 10%. Such concentrations have the potential to cause negative amenity impacts upon existing residents including the potential for increased

levels of disturbance associated with multiple households within a property. These factors combined with a reduction in the number of family homes within an area can inhibit the maintenance of sustainable, mixed and balanced communities.

COM 7 5.3.43 Therefore seeks to ensure proposals to convert dwellings into HMO's are assessed as to their appropriateness in order to avoid over intensification of the use within the locality.

Perceived fear of crime and personal safety

An additional HMO at 14, Park Street Bridgend will not only exceed the 10% limit which is defined within Policy COM 7 (1) but it will result in a cumulative impact on the character of this particular area of Park Street which is in the Newcastle Hill Conservation area and will have an unacceptable impact on residential amenity.

Definition of amenity – a feature or service that makes a place pleasant, comfortable or easy to live in

The Welsh Government's Housing in Multiple Occupation: Review & Evidence Gathering report found concerns regarding the number of HMOs increases once concentrations of HMO households rise above 10%.

The placing of a number HMO's within a concentrated area gives rise to the occupants meeting up and gathering together in large groups.

Visitors/friends attending HMO's can lead to increased levels of anti-social behaviour (ASB) which have already been experienced by the residents of Cae Dre Street and the staff at the dental practice at No 16, Park Street, Bridgend.

ASB experienced by residents of Cae Dre Street since HMO's have been established, include drug taking/dealing, urinating in public places, shouting, verbal abuse, intimidation, loud music, fighting in the street, threat of violence, burglary and parents afraid to allow their children to venture out. The police have attended to reported incidences as well as paramedics to those residents of the HMO's that have overdosed and have been found by residents of Cae Dre Street lying in the street.

The planning Application states, 'There will be a shared outdoor amenity space/courtyard to the rear and side of the property'.

The appropriate amenity space referred to is a space at the rear of 14, Park Street, Bridgend which is also adjacent to the rear of the established HMO at No 12, Park Street, Bridgend and is the precise area where groups congregate and where some anti-social behaviour has taken place.

Due to all the incidences that have occurred within this area of Park Street and especially Cae Dre Street there exists a perceived fear amongst the residents of nearby properties that crime will escalate if another HMO is given planning permission within such close proximity to the two established HMO's.

Policy COM 7 is specific inasmuch that it states that an existing building will only be permitted to be converted into a house of multiple occupancy (HMO) if the development satisfies certain criteria.

This Application is out of accord with the Local Development Plan and does not satisfy the criteria set down in Policy COM 7 and therefore should be REFUSED.

Please see Appendix 1'

The representation is supported by statements from residents of Cae Dre Street, Bridgend and Dentist Practice (attached as Appendix 1 to this report) as well as photographs taken by the Lead Member one morning at 8.47am of the parking situation at Cae Dre Street and at the rear of the property (attached as Appendix 2).

The following reasons for refusal have been drafted by officers in consultation with the lead Member should the Committee be minded to refuse the Application:

*1. The proposed change of use of this building to a House in Multiple Occupation, by reason of its location and form, would represent an over-intensification of similar residential units in the immediate locality having a detrimental impact on the residential amenities of neighbouring occupiers and resulting in an increased perception of crime and actual instances of anti-social behaviour in the area, contrary to Policies SP3 and COM7 of the Replacement Local Development Plan 2018-2033.*

*2. The proposed change of use of this building to a House in Multiple Occupation, by reason of its location and form, fails to provide sufficient and accessible on-site parking having a detrimental impact on the amenities of future occupiers of the residential unit and increasing the demand for on-street parking in an area that is already oversubscribed, contrary to Policies COM7 and PLA11 of the Replacement Local Development Plan 2018-2033.*

*3. The proposed change of use of this building to a House in Multiple Occupation, by reason of its location and form, fails to provide sufficient and useable outdoor amenity space, adequate storage for recycling/refuse, cycle parking and a clothes drying area, having a detrimental impact on the amenities of future occupiers of the residential unit, contrary to Policies SP3 and COM7 of the Replacement Local Development Plan 2018-2033.*

**Reason 1** relates to the over-intensification of HMOs in this location, the impact on residential amenities from anti-social behaviour and the perception, and instances, of crime.

In planning terms, HMOs can be broken down into two different types. An HMO has the same meaning as in section 254 of the Housing Act 2004. Small HMOs refer to shared houses or flats occupied by between 3-6 unrelated persons who share basic amenities. This is classed as planning Use Class C4. Changes of use to a C4 Use Class requires planning permission. Large HMOs refer to properties with more than six unrelated persons sharing. They do not fall within any use class and are treated as 'Sui Generis' (meaning 'of their own kind'). Changes of use to a Sui Generis HMO also requires planning permission.

Following consultation in February 2016, Welsh Government legislation created the C4 Use Class. This changed the definition of HMOs within the planning system, effectively introducing the existence of smaller HMOs, which until this date had been included in the C3 Use Class – dwellinghouse. Before this date, a change from a dwellinghouse to a small HMO was a form of permitted development. The creation of the new C4 Use Class means that Councils can develop policies referencing smaller and larger HMOs.

Policy COM7 of the Replacement Local Development Plan (**LDP**) recognises that HMOs can form an important part of the housing stock to ensure a broad range of housing options are available, providing accommodation for small households who may otherwise be unable to meet their needs in the market and/or require flexibility to move home.

However, residents of HMOs can often remain in situ for relatively less time than residents of other dwelling houses, meaning areas with significant concentrations of HMOs can witness greater population turnover. Equally, multiple occupation of a house can involve intensification of its residential use, due to a greater number of independent adults residing within the property. In certain instances, this can lead to increased levels of activity in and around the house, greater noise levels, additional demand for car parking spaces and waste disposal issues.

Nevertheless, conversion of a single dwelling house into a HMO may not necessarily constitute intensification. For example, a single dwelling house could accommodate an adult couple plus several additional adult children who are set to remain in the parental home for an unspecified period. On this basis, it is normally difficult to demonstrate the degree of impact that an individual property converted to a HMO may have on the character and amenity of its surroundings.

However, a high proportion of HMOs can have a much more significant cumulative impact on the character of an area, its residential amenity and also local community cohesion. The Welsh Government's Housing in Multiple Occupation: Review & Evidence Gathering report found concerns regarding the number of HMOs increases once concentrations of HMO households rise above 10%. Such concentrations have the potential to cause negative amenity impacts upon existing residents including the potential for increased levels of disturbance associated with multiple households within a property. These factors combined with a reduction in the number of family homes within an area can inhibit the maintenance of sustainable, mixed and balanced communities.

Policy COM7 therefore seeks to ensure proposals to convert dwellings into HMOs are assessed as to their appropriateness in order to avoid over intensification of the use within the locality. The building itself must be suitable for conversion without extensions or alterations that would change its character and appearance, thereby avoiding insensitive, unneighbourly infilling. Equally, the proposal must be compatible with both the building itself and the broader locality in terms of intensity and scale, in order to prevent cumulative harmful impacts.

Proposals should consider provision of on-site car parking or otherwise demonstrate that conversion to a HMO would not adversely impact upon local parking provision. Therefore, Applicants should consider the sustainability of the location in terms of whether walking, cycling and public transport use are attractive and viable alternatives to private car use. Proposals should also make on-site provision for sufficient recycling/refuse storage, clothes drying area(s), and cycle parking as well as appropriate amenity space for residents.'

As previously advised in the Application report, there are 29 properties recorded as being located within 50 metres of the Application property. Ten percent of 29 would equate to a total of 2.9 HMOs. In terms of criteria 1) of Policy COM7 this would be considered to be an acceptable number and would not result in an over Intensification of the use within the locality.

Council records have again been reviewed and it is confirmed that the six-bedroom HMO at No. 12 Park Street was granted planning permission (P/16/861/FUL) on 20/01/2017, after the creation of the C4 Use Class by the Welsh Government.

A review of the planning approval (P/21/274/FUL) for No. 11 Park Street (formerly Taffy's Tavern), indicates that permission was granted on 02/11/2022 for '*Change of use to short-term living accommodation (Use Class C6)*'. Use Class C6 Short Term Lets, covers the use of a dwellinghouse for commercial short-term letting not longer than 31 days for each

period of occupation. This Use Class includes second homes, holiday rentals and Airbnb type accommodation, whereby persons would occupy the premises for short periods of time. This form of accommodation is not classed as permanent residential housing where occupants would regard the property as their home.

Accordingly, No. 11 Park Street cannot be considered to form a housing type which is required to be included in the calculation of the 10% criteria, as Policy COM7 of the LDP specifically relates to Houses in Multiple Occupation (HMO), bedsits or other forms of shared housing only.

Accordingly, it has now been established that only one existing HMO, bedsit or other form of shared housing accommodation is located within 50 metres of the Application property, and that is the adjacent property at No. 12 Park Street. That being the case, the current proposal is found to be compliant with the 10% criteria of Policy COM7 of the LDP.

It is appropriate to note that the Council has received an Application for a further change of use of No. 11 Park Street. The applicant seeks permission to 'Change the first floor from short term lets (Use Class C6) to a 7 bed HMO (sui generis) and retention of 3 separate short term lets on ground floor (use class C6)'. This Application has yet to be determined.

The perceived fear of crime and anti-social behaviour has been well documented by the Lead Member in her submission but many of the concerns relate to the alleged effects of the HMO at No.12 Park Street and the adjacent Wallich office and drop-in centre. Both these uses are lawfully established by the grant of planning permission by the Local Planning Authority.

While it is acknowledged that the issues which have been raised are real and of some concern, it cannot be assumed that another HMO will automatically give rise to the same effects or exacerbate existing impacts.

The current Application is made by D2 Propco Ltd., who provide temporary housing for vulnerable adults and young people. They work with local councils including Bridgend providing accommodation for people on their housing lists. The accommodation is not being provided specifically for people with complex needs, nor released prisoners, but persons requiring a safe place to live.

Case law dealing with the 'fear of crime' indicates that there needs to be clear tests that must be overcome for a fear of crime to be a material planning consideration or to be given more than limited weight. In particular:

- the fear of crime must be objectively justified;
- the fear of crime must have some reasonable basis; and
- the fear of crime must relate to the use – in planning terms – of the land in question rather than assumptions '*not supported by evidence as to the character of future occupiers*' (Smith v FSS [2005] EWCA Civ 859).

In the case of the proposed change of use of No. 14 Park Street, there has been no evidence forwarded which would support these tests. Specifically, no evidence has been provided about the character of future occupiers of the proposed HMO, as the nature of the occupiers is unknown.

Issues in respect of anti-social behaviour are ultimately matters for the police. There is no compelling evidence to suggest that a small HMO use of the scale being considered, even in combination with one other adjoining HMO, would result in increased levels of crime or fear of crime within the locality of the Application site.

The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type alone, and it is considered that an appropriately managed, small-scale HMO, for a maximum of six people, would not cause such anti-social behaviour or perception of anti-social behaviour to recommend refusal of the planning Application in this case.

It is also the case that the former solicitor's office would not have been occupied during the evening when in use and it is now vacant. The re-use of the building as a small HMO would result in the premises being occupied for most of the day and night leading to an increase in the level of natural surveillance and presence throughout the day. This, in turn, could potentially discourage anti-social behaviour in this area.

**Reason 2** relates to the development failing to provide sufficient and accessible on-site parking thus having a detrimental impact on the amenities of future occupiers of the residential unit and increasing the demand for on-street parking in an area that is already oversubscribed.

The Highway Officer has reaffirmed that there is no category in the Parking Standards SPG17 to cover HMOs. However, the Application does include parking for two vehicles to the rear which can be used by occupants of the property.

Highways advice has noted that car ownership levels are likely to be lower in this instance given the nature and location of the accommodation. It is reiterated that the property is situated in a highly sustainable location with excellent access to public transport and other amenities. Secure cycle parking is to be provided to the rear of the property and this will ensure alternative methods of transport are encouraged as part of this development.

**Reason 3** relates to the development failing to provide sufficient and useable outdoor amenity space, adequate storage for recycling/refuse, cycle parking and clothes drying area and the detrimental impact on the amenities of future occupiers of the residential unit.

The property contains a modest yard area to the rear of the building that has historically been used for storage associated with the previous office use. This area is separated from the two car parking spaces at a lower level. The proposal includes the demolition of a lean-to addition, and the resultant area will be made available for storage and amenity space.

This rear yard area is of a size considered sufficient for the storage of waste/ recycling and two cycle stands and conditions have been recommended requiring the submission and approval of further details. Further space remains at the rear of the property for the provision of clothes drying facilities. It is further considered that town centre dwellings do not generally benefit from extensive private amenity space.

While the space at the rear of the building is limited and really only suitable for bin and cycle storage and clothes drying, it should be noted that the property benefits from a large open area to the front, adjoining Park Street. This elevated and south facing space would be suitable for sitting out by the residents of the proposed HMO and form a good quality useable amenity space.

In conclusion, having regard to the above, it is considered that the three reasons put forward for refusing this Application would be difficult to defend at any subsequent appeal stage.

**A copy of the original Officer's report is reproduced below: -**

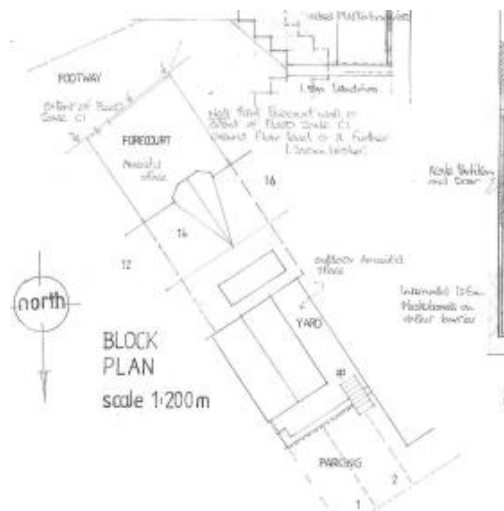
**DESCRIPTION OF DEVELOPMENT**

The Applicant D2 PropCo Ltd is seeking planning permission for the change of use of the property from Class B1 (Office) to Class C4 (House in Multiple Occupation), as a six-bedroom unit with communal shared facilities at 14 Park Street, Bridgend.

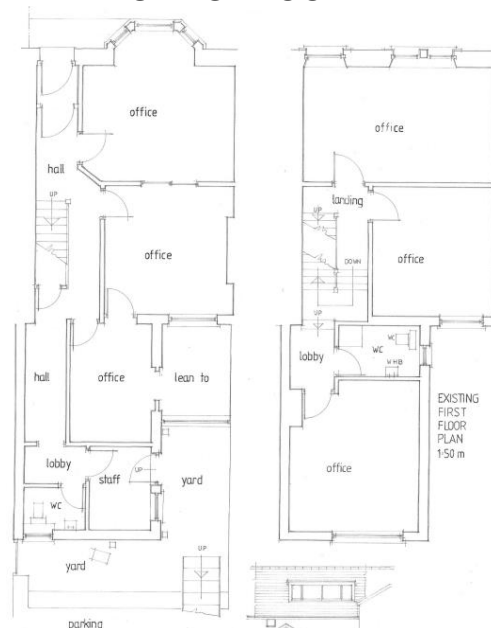
In general terms, Class C4 covers shared houses or flats occupied by between three and six unrelated individuals who share basic amenities (Houses in Multiple Occupation: Practice Guidance, March 2017).

The submitted plans show that the existing building will be altered internally to accommodate the change of use with one bedroom and communal living, kitchen, utility, and shower room on the ground floor, four bedroom and a communal shower room at first floor level, and one bedroom in the loft space. A small lean-to at the rear of the building would be removed. There would be a shared outdoor amenity space/courtyard to the rear and side of the property, and the existing parking for two vehicles would be retained.

**PROPOSED BLOCK PLAN**

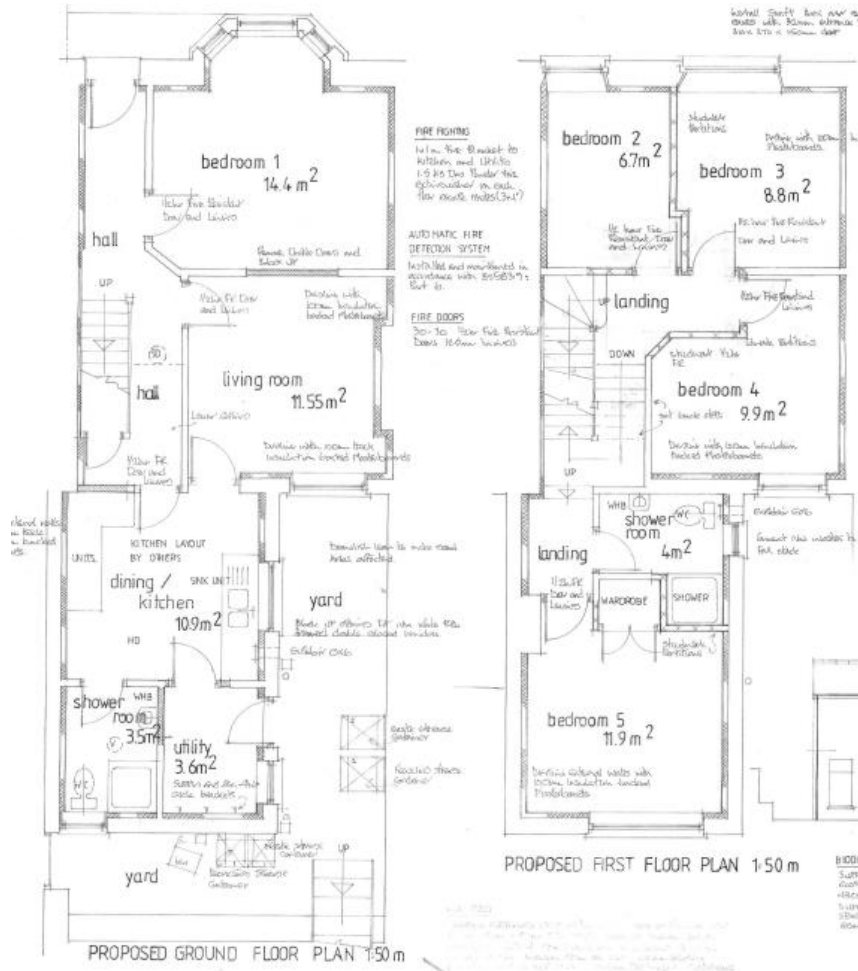


**EXISTING FLOOR PLAN**

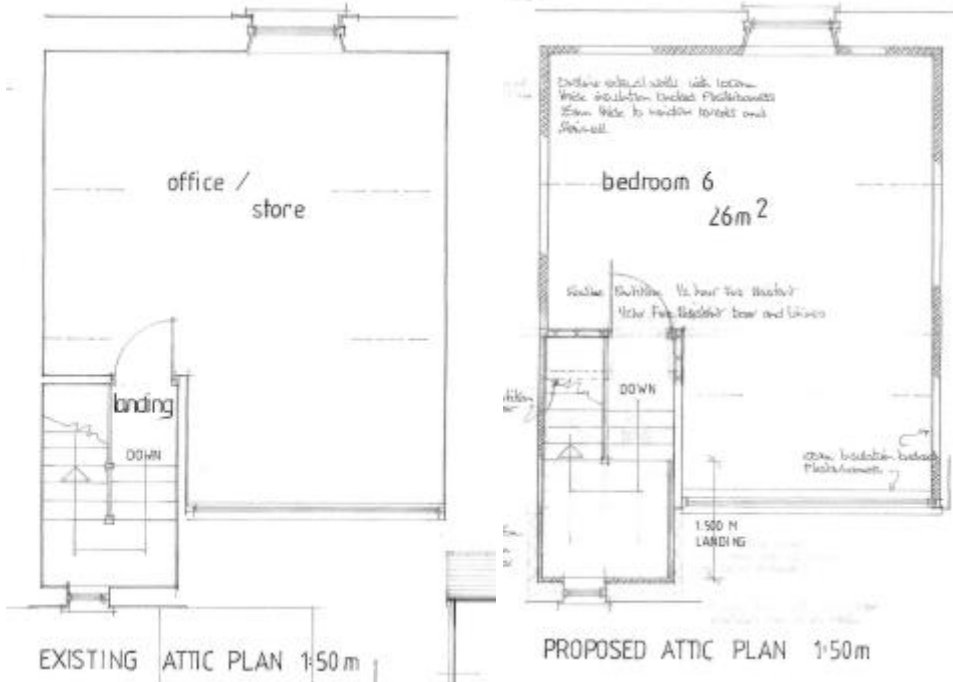




## PROPOSED FLOOR PLAN



## EXISTING & PROPOSED LOFT PLAN



Initially the proposal included a small external alteration to the rear facing roof slope to enable the development of a compliant stair access to the loft bedroom. Following feedback from Council Officers on the visual impact of this addition, it has been removed

from the proposed plans.

### **SITE AND LOCALITY**

The Application site comprises a three-storey mid terrace property located at No. 14 Park Street in Bridgend. The building is Victorian in style and is mainly constructed of stone facing and rendered walls at the rear with slate roofs, with stepped accesses to the front and rear of the building. The site has a pedestrian access from Park Street and vehicle parking via a lane off Cae Dre Street to the rear.

The building is located within an area of mixed commercial and residential uses. The property to the immediate west at No. 16 Park Street contains a dental surgery, Beynons Dental. The property to the east at No. 12, contains a 6 bed HMO run by Wallich. Beside this at No. 10 Park Street, is the Wallich offices and drop-in centre.

The proposal is located within the primary key settlement boundary of Bridgend as defined by Policy SF1 of the Bridgend Local Development Plan (2024). It is located just outside of Bridgend Town Centre. It is in a highly sustainable location and within easy walking distance of the main bus and train stations located within Bridgend town centre. Figure 1 below shows the Application site.

The Application site is also located within the Newcastle Hill Conservation Area and subject to an Article 4(1) Direction removing PD rights.

### ***AERIAL PLAN SHOWING LOCATION***



**PHOTO OF FRONT ELEVATION OF 14 PARK STREET**



**PHOTOS OF REAR ELEVATION OF PROPERTY**





### **PLANNING HISTORY**

91/0154 – Change of use from office to Osteopathic clinic – Approved 07 March 1991.

### **CONSULTATIONS**

**Bridgend Town Council:** No objection.

**Shared Regulatory Services:** No objection.

**Highways Officer:** No objection subject to the imposition of conditions.

**Conservation and Design:** No objection.

**Welsh Water:** Recommended advisories.

**Natural Resources Wales:** No objection. Recommended advisories.

**Land Drainage:** No objection.

**Cllr Bletsoe:** Acknowledges the need for this form of accommodation. However, has raised concerns on behalf of residents and businesses over the proposed intensification of HMOs and flats in the area and their proximity to Wallich and the town centre. Antisocial behaviour. Requests that if approval granted that any construction work not disrupt surrounding businesses or residents.

**Cllr Wood:** Concerns raised by residents due to the over intensification of HMOs in the area and car parking issues.

### **PUBLICITY**

Neighbours have been notified of the receipt of the Application. The period allowed for response to consultations/publicity expired on 15 February 2024.

### **REPRESENTATIONS RECEIVED**

One representation in support of the proposal was received.

Six letters of objection were received from residents of Cae Dre Street and Beynons Dental, who have made the following observations:

Highway and pedestrian safety issues

- a) Inadequate on-site car parking proposed for a 6-bedroom HMO.
- b) On-street parking congestion and heavy demands placed on it by residents and visitors to the town centre and surrounding businesses.
- c) A resident's parking scheme has been requested for Cae Dre Street
- d) The access only limitations on the Cae Dre Street are not enforced.

Air Quality Issues

- a) The immediate area is already subject to the Air Quality Management Area (AQMA) on Park Street. Any increased traffic due to the number of residents will add to the current air quality issues on Park Street resulting in stress and health issues.

Residential Amenity issues

- a) The property will overlook private gardens to the rear.

Other issues

- a) Over intensification of HMOs in the area, including No. 12 Park Street, the former Taffys Tavern and one other on the southern side of Park Street (*possibly No. 61*).
- b) The proposal considered unsuitable in a Conservation Area.
- c) Antisocial behaviour including noise and disturbance by residents of the Wallich HMO and visitors to the neighbouring office and drop-in centre.
- d) Use of and sale of drugs from the area to the rear of the Application property.
- e) Impact on property values.
- f) Proposed HMO would have no warden.
- g) Residents likely to have 'challenging needs', 'chaotic lifestyles' and property may be used for released prisoners.
- h) Negative impact on adjoining business due to verbal abuse and antisocial behaviour.
- i) Police have been called to attend incidents including drug use and anti-social behaviour.
- j) Proposed extension considered large and out of character.
- k) Insufficient space available at the rear of the property for builders and other contractors.
- l) Proposal considered contrary to Welsh Government's Future Wales legislation and Planning Policy Wales (PPW12) objectives.
- m) Not all residents of Cae Dre Street were notified of the Application.
- n) Residents including children would feel unsafe and there would be potential safety issues for residential properties.

**COMMENTS ON REPRESENTATIONS RECEIVED**

Highway and pedestrian safety issues

- a) The property is currently a vacant B1 Use (office) containing seven separate offices with 2 parking spaces at the rear. The proposed HMO would maintain the existing parking provision. All of the properties within this terrace have parking accessed off this lane currently. It is considered that the change of use would not substantially increase vehicle movements along the lane.
- b) The former office business could accommodate a significant number of staff, even greater than the proposed residents of a 6-bedroom HMO. Therefore, the previous use may have generated a greater level of traffic and carparking demand than the current proposal.

- c) The need for a local Residents Parking Scheme falls outside the scope of this Application. However, the matter has been raised with the Council's Highways Authority.
- d) The enforcement of the Access Only restrictions on Cae Dre Street is not a material planning consideration but has been referred to the relevant traffic management team.

#### Air Quality Issues

- a) In terms of the Air Quality Management Area, it is considered that a HMO occupation for 6 residents would not generate traffic over and above that of the former office use. Furthermore, this Application is in a very sustainable location in close proximity to Bridgend town centre where there are available facilities including a bus and rail service. As such future residents would be within easy walking distance to all these facilities and would not need to rely on car travel.

#### Residential Amenity issues

- a) The proposal involves only one minor external alteration to the rear of the building, the removal of a small lean-to extension. As such, the relationship between windows and habitable rooms and private garden areas to the rear would not change. As such the proposal would not have any unacceptable issues relating to overlooking over and above what already exists.

#### Other issues

- a) Issues in respect of anti-social behaviour are ultimately matters for the police and the proposal, which is a residential use, is unlikely to result in such serious levels of anti-social behaviour as to warrant or justify the refusal of the planning Application. There is no compelling evidence to suggest that a small HMO use of the scale being considered would result in increased levels of crime or fear of crime within the locality of the Application site. The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type alone, and it is considered an appropriately managed, small scale HMO use, for a maximum of six people, would not cause such anti-social behaviour or perception of anti-social behaviour to recommend refusal of the planning Application in this case.
- b) The Applicant is not providing supervised care therefore no warden would be accommodated on the property.
- c) The future occupants of this proposal are not a material planning consideration.
- d) Each Application is determined on its own individual merits and assessed against National and Local planning policy. There is no evidence to suggest the area is oversubscribed with HMOs with only two others identified within a 50 metre radius.
- e) The proposal is located within the Newcastle Hill Conservation Area, As noted previously, the changes to the property are internal apart from the removal of a small lean-to at the rear of the property. The impacts of the proposal on the Conservation Area will be considered further in the assessment below.
- f) In terms of devaluing a home this is not a material planning consideration.
- g) Builders and other contractors will be required to utilise areas available on the site while works are carried out. This would include the carparking area located to the rear of the property.
- h) The relevant legislative and policy considerations will be discussed below.
- i) The Applicant has submitted a valid planning Application. It is a statutory requirement of BCBC to determine the Application that has been submitted having regard to national guidance (in the form of the National Planning Policy Framework) and the local planning policies set out within the Local Development Plan. Furthermore, the Application has been advertised in accordance with the Town and Country Planning Development Management Procedure Order 2012 and the

general public have had the ability to view plans and make comments on the scheme, which have been considered as part of the Application process.

## **PLANNING POLICY**

### **National Planning Policy and Guidance**

National planning guidance in the form of Future Wales – the National Plan 2040 (February 2021) and Planning Policy Wales (Edition 12, February 2024) (PPW) are of relevance to the determination of this Application.

Paragraph 1.30 of PPW confirms that... ‘Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning Applications.’

“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.” (Paragraph 2.2 of PPW refers) Para 2.3 states “The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”

At Para 2.7, it states “Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”

PPW states at paragraphs 2.22 and 2.23 that the Planning system should “ensure that a post-Covid world has people’s well-being at its heart and that Planners play a pivotal role...in shaping our society for the future, prioritising placemaking, decarbonisation and well-being.”

PPW is supported by a series of more detailed Technical Advice Notes (TANs), of which the following are of relevance: -

**Technical Advice Notes**, the Welsh Government has provided additional guidance in the form of Technical Advice Notes.

- **Technical Advice Note 5 – Nature Conservation and Planning (2009).**
- **Technical Advice Note 12 - Design (2016)**
- **Technical Advice Note 18 – Transport (2007).**

### **The Well-being of Future Generations Act (Wales) 2015**

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

The well-being goals identified in the act are:

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

- A globally responsible Wales

The duty has been considered in the assessment of this Application.

**The Socio Economic Duty** (under Part 1, Section 1 of the Equality Act 2010), which came in to force on 31 March, 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and, whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

### **Other Relevant Policies and Guidance**

Houses in Multiple Occupation – Practice Guidance: March 2017 (Welsh Government)

### **Local Policies**

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033, and within which the following policies are of relevance:

#### *Strategic Policies*

- **Policy SP3:** Good Design and Sustainable Placemaking
- **Policy SP5:** Sustainable Transport and Accessibility
- **Policy SP6:** Sustainable Housing Strategy
- **Policy SP7:** Conservation and Enhancement of the Natural Environment
- **Policy SP8:** Conservation of the Historic Environment

#### *Topic based policies.*

- **Policy SF1:** Settlement Hierarchy and Urban Management
- **Policy PLA11:** Parking Standards
- **Policy COM6:** Residential Density
- **Policy COM7:** Houses in Multiple Occupation
- **Policy DNP6:** Biodiversity, Ecological Networks, Habitats and Species
- **Policy DNP9:** Natural Resource Protection and Public Health

### **Supplementary Planning Guidance**

In addition to the adopted Local Development Plan, the Council has approved Supplementary Planning Guidance the following are of relevance.

- **SPG02** – Householder Development
- **SPG17** – Parking Standards
- **SPG19** – Biodiversity and Development

### **APPRAISAL**

This Application is to be determined at planning committee as there have been 6 letters of objection which have contained numerous concerns over the change of use of this building.

### **Issues**

Having regard to the above, the main issues to consider in this Application relate to the principle of development, together with the impact on the visual amenity of the conservation area, the amenities of neighbouring residents, biodiversity and highway safety.



## **Principle of Development**

The site is located within the main settlement of Bridgend within an established, residential area on the edge of the town centre as defined by **Policy SF1 Settlement Hierarchy and Urban Management** of the Bridgend Local Development Plan (LDP) adopted in 2024. Policy SF1 states that development will be permitted within the settlement boundaries at a scale that reflects the role and function of the settlement.

**Policy SP6 Sustainable Housing Strategy** notes that the LDP makes provision for 8,628 homes to promote the creation and enhancement of sustainable communities and meet the housing requirement of 7,575 homes for the Plan period, of which, 1,711 of these homes will be affordable. Development will be distributed in accordance with Strategic Policy SP1, based on the Sustainable Housing Strategy that will amongst other outcomes – ‘*Support windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land*’. This strategic policy recognises the benefits of new residential development, including the reconfiguration of existing buildings and the re-use of vacant or under-utilised land.

The proposed site would classify as an appropriate site under Policy SP6 which makes an important contribution to the overall housing supply and introduces an important element of choice and flexibility into the housing market. Policy SP6 of the LDP and PPW 12 effectively supports the use of suitable sites for housing development as it can assist regeneration and at the same time relieve pressure for development on greenfield sites.

**Policy COM6 Residential Density** states that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. The policy notes that new housing developments must make the most efficient use of land in accordance with sustainable, placemaking principles and that good design must be utilised to maximise the density of development without compromising the quality of the living conditions provided, whilst making adequate provision for privacy and space around dwellings.

The proposed HMO would provide a centrally located and sustainable house type located immediately adjoining the Bridgend town centre. It would utilise the existing vacant three-storey building and provide good sized bedrooms and communal living spaces for up to six occupants. All habitable rooms would benefit from natural light, ventilation, and a means of outlook onto Park Street or the rear facing amenity space. For these reasons, the proposed HMO is considered to meet Policy COM6 of the LDP.

The key policy relevant to this Application is **Policy COM7 Houses in Multiple Occupation** where it notes: ‘*Proposals to convert an existing building into a House in Multiple Occupation (HMO), bedsits or other forms of shared housing will only be permitted within defined settlement boundaries if:*

- 1) It would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;*
- 2) Conversion is possible without major extensions or alterations to the building which would significantly alter the character and appearance of the street scene and the broader locality;*
- 3) The scale and intensity of use would be compatible with the existing building and adjoining and nearby uses;*
- 4) the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision;*
- 5) the proposal includes adequate storage for recycling/refuse, cycles and a clothes drying area; and*

6) *The proposed development would not have an unacceptable adverse impact on residential amenity.*

*In all other respects development will be expected to meet the relevant requirements set out in other LDP policies.'*

In terms of the above criteria, it is noted:

- 1) A search of Shared Regulatory Services Licensed HMO records, review of approved planning consents, and an inspection of the surrounding area has identified only two HMOs located within 50m of the Application property. These are:
  - the 6-bedroom HMO at No. 12 Park Street (approved 20/01/2017 – P/16/861/FUL)
  - the 11-bedroom short term lets at No. 11 Park Street (former Taffys Tavern) (approved 02/11/2022 – P/21/274/FUL).

The 6-bedroom HMO at No. 61 Park Street, referred to by a number of objectors is located approximately 100m from the Application property.

It should be noted that this policy applies to residential accommodation which provides shared housing only. Self-contained flats are not included as part of this assessment.

It is calculated that there are 29 properties within a 50m radius of the Application site. Therefore 2.9 HMOs would be permitted by the LDP criteria. This should logically be rounded up to 3. The current proposal would result in three HMOs within the 50m radius and accordingly would meet the 10% threshold.

- 2) The proposal will not require any major extensions or alterations.
- 3) The scale and intensity of use is the same as the adjoining HMO. The existing building is considerably smaller than the neighbouring dental surgery which has been extended at the rear.
- 4) Existing car parking at the rear of the site will be retained and provision made for cycle parking. The property is located in a sustainable location in close proximity to the town centre, public transport hubs and other facilities.
- 5) The proposal provides for waste and recycling storage and clothes drying area at the rear of the building. Cycle parking can be achieved as a condition of planning approval.
- 6) The proposed HMO is not expected to have any unacceptable impacts on residential amenity. Nor would it be anticipated that the proximity of other shared residential accommodation to the Application site would give rise to any increased adverse impact on amenity.

Accordingly, and for the above reasons, the proposal is considered to meet the criteria of Policy COM7 of the LDP.

**Policy SP3 Good Design and Sustainable Placemaking** of the LDP states that *'all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment, by:*

- 1) *Demonstrating alignment with the principles of Good Design; and*
- 2) *Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.'*

On balance, it is considered that, in principle, the development is considered to accord with Strategic Policy SP6 and Policy COM6 and COM7 of the Bridgend LDP and subject to satisfying the requirements of Policy SP3, the proposed development is acceptable in land use planning terms and accords with the Bridgend Local Development Plan (2024).

### **Impact on Visual Amenity and Character of the Conservation Area**

Strategic Policy SP3 seeks to create high quality, attractive and sustainable places, supporting active and healthy lives. **Strategic Policy SP18 Conservation of the Historic Environment** states that development proposals must protect, conserve, and, where appropriate, preserve and enhance the significance of historic assets, including their settings. This includes proposals located within Conservation Areas.

The proposal involves only a minor change to the rear elevation of the property. A small lean-to addition is to be removed, opening up an expanded yard area for communal use by future residents of the property.

Local Planning Authorities should ensure that the proposed developments should not have an unacceptable impact upon the character and amenity of an area. In this case the proposal involves mainly internal alterations. The only external change proposed is the removal of a small lean-to extension which would have no harmful impacts on the Conservation Area. As such, it is considered the change of use would have no unacceptable impacts upon the character of the building or the surrounding area over and above what already exists.

Accordingly, the proposed development is considered acceptable and accords with Policy SP3 and SP18 of the Bridgend Local Development Plan (2024)

### **Residential Amenity**

Policy SP3 of the LDP criterion (k) states '*Applications for new development should ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.*'

#### Overbearing and overshadowing impact

The proposal involves no building additions and only the removal of a small lean-to extension at the rear of the property. As such there are considered to be no issues in terms of overlooking and overbearing over and above what already exists on site.

#### Overlooking/loss of privacy

In terms of overlooking and loss of privacy, the proposal involves no alterations as such the relationship between windows and habitable rooms would not change. As such the proposal would not have any unacceptable issues relating to overlooking over and above what already exists.

#### Noise

Policy SP2 Criterion (g) also states that new development should '*Avoid or minimise noise, air, and soil and water pollution*'.

In terms of the likely impacts on neighbouring residential amenity, it is considered that the proposed use of the premises as a small HMO would not unreasonably compromise the level of amenity that is currently enjoyed and can be reasonably expected in such a locality. It is also considered that the level of activity and other likely effects of the use would not significantly exceed what was previously experienced when the building was used as an office.

Any issues relating to noise from future residents of the property would be a matter for

SRS public protection to investigate under their noise nuisance legislation.

#### Amenity of future occupiers

In terms of the level of amenity and standard of accommodation being created for occupiers of the HMO, each bedroom facility would have a satisfactory outlook with appropriate habitable room space and communal kitchen/bathroom facilities being proposed to support the use.

With regard to outdoor amenity space, the proposed layout provides an outdoor space to the rear that future occupiers could use. This space is also well overlooked providing a safe environment for occupiers which will benefit their health and wellbeing.

#### Bin storage and cycle storage

Bin storage areas have been shown at the rear of the building. No cycle parking has been provided however a condition can be imposed to ensure suitable cycle storage is available for residents of the property.

On balance it is considered that the proposed change of use is acceptable and will not have any significant adverse impacts on existing neighbouring properties or amenities. As such there are no justifiable grounds to refuse planning permission on residential amenity grounds, having particular regard to the fact that if any such issues arise in the future, these can be addressed by the Environmental Health Section under their statutory nuisance powers. The development, therefore, accords with Policy SP3 and DNP9 of the Bridgend Local Development Plan (2024)

#### **Highway Safety**

Policy SP5 states '*Development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Development must also be supported by appropriate transport measures and infrastructure*'. Policy PLA11 further states all development will be required to provide appropriate levels of parking. This should be in accordance with the adopted parking standards.

The Application site is located in a very sustainable location close to the town centre where there an abundance of facilities and the main train and bus station for Bridgend. The property currently has 2 off street parking spaces at the rear and these will be retained.

The Highway Officer has assessed the proposal and it is noted: '*that the site is currently used as an office and the change of use to a house in multiple occupation is considered to be a highway network betterment in comparison to the vehicles the 6 offices would have generated on a daily basis. This will also assist with the AQMA currently in place on Park Street. Therefore, the proposal is acceptable at this location in traffic generation terms.*

*The property benefits from two off-street parking spaces to the rear of the site, which is considered adequate to support the development. It is the collective knowledge of the Highway Authority that levels of car ownership are generally lower for residents of Houses in Multiple occupation, and should a resident be in a position to own a car in the future then they usually move on from the HMO setting. What we have found to be more critical to this type of residential dwelling is somewhere to park a cycle, which many residents use. Furthermore, the site is located in a highly sustainable location for transport and retail, very close to the town centre, train station and bus station and as such the requirement for off-street parking would be reduced as per the Parking Standards, therefore no additional off-street parking is required above the two spaces provided.'*

A condition can be imposed to ensure the car parking is provided and retained as such thereafter.

In order to further improve the sustainability credentials of the site, the Highways Officer has requested a scheme for two cycle stands to encourage shorter journeys by bicycle. This can be imposed via a suitably worded condition. As such the Highways Officer has no objection to the proposal subject to the above conditions.

On balance it is considered that the change of use would not have any unacceptable impact upon highway and pedestrian safety. Therefore, the proposed development is considered to accord with Policy SP5 and PLA11 of the Bridgend Local Development Plan (2024)

### **Biodiversity**

In assessing a planning Application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* it further goes on to state that *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Whilst acknowledging this is a small scale, change of use Application, to fully ensure the development meets the requirements of local and national planning policy that *states all development should maintain and enhance biodiversity*, a condition is recommended to ensure an appropriate bird box is introduced at the site. As such the proposal is acceptable in terms of biodiversity.

### **CONCLUSION**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2024)

On balance and having due regard to the objections and concerns raised, the proposed development, subject to the imposition of conditions, complies with Council policy and guidelines and does not adversely affect the character of the conservation area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities, particularly with regard to the fear of anti-social behaviour or possible crime, as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity concerns. Any issues relating to the poor management of HMOs are resolved through the separate licensing regime and legislation and not through the planning system.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

## **RECOMMENDATION**

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

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

Drawing 2964C - CHANGE OF USE FROM OFFICES B1 TO HMO C4 MAXIMUM 6 PERSONS TOGETHER WITH ROOF EXTENSION TO THE REAR (RECEIVED ON 15 MARCH 2024)

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

2. The premises shall be used for a house in multiple occupation (Class C4 of the Town and Country Planning (Use Classes Order) (As Amended)) accommodating a maximum of six persons and for no other use.

Reason: For the avoidance of doubt as to the extent of the permission granted and to enable the Local Planning Authority to retain effective control over the intensity of the residential use.

3. No more than 6 occupants shall reside at the property at any one time.

Reason: For the avoidance of doubt and to ensure that a suitable level of internal and external amenity space is retained for future occupiers to use in accordance with Policy COM7 of the Bridgend Local Development Plan (2024).

4. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of two cycle parking stands has been submitted to and approved in writing by the Local Planning Authority. The stands shall be installed before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of promoting sustainable means of travel to / from the site and to accord with policies SP3 and SP5 of the Bridgend Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

5. Prior to the first beneficial use of the development, the 2 parking spaces as shown on drawing number 2931C shall be constructed in permanent materials. The two parking spaces shall be retained and maintained for the purposes of parking in perpetuity thereafter.

Reason: To ensure that adequate parking is retained within the curtilage of the site in accordance with policies SP3 and SP5 of the Bridgend Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

6. Notwithstanding the submitted plans, prior to the commencement of development, a scheme showing the location and design of a waste and recyclables storage enclosure(s) at the site shall be submitted in writing for the agreement of the Local

Planning Authority. The approved scheme shall be provided prior to the first beneficial use of the development and retained as such thereafter for the purposes of waste and recyclables storage and management.

Reason: In the interests of safeguarding general amenities and to ensure the sustainability principles are adopted and ensure compliance with Policy ENT15 of the Bridgend Local Development Plan (2024).

7. Notwithstanding the submitted plans and prior to the first beneficial use of the development, an artificial nesting site for birds shall be erected at the site to one of the following specifications and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

- Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings.
- Entrance holes: 32mm diameter
- Dimensions: H310 x W370 x D185mm

or

Swift Nest Box Specification:

- Wide box with small slit shaped entrance hole placed under or close to roofs.
- Dimensions: H150 x W340 x D150mm

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales, Planning Policy Wales (Edition 12) and Policies SP17 and DNP6 of the Bridgend Local Development Plan (2024)

8. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

On balance and having regard to the objections and concerns raised the proposed development, The development, subject to the imposition of conditions, complies with Policies SP3, SP5, SP6, SP17, SP18, SF1, PLA11, COM6, COM7, DNP6 and DN9 of the Bridgend Local Development Plan (2024) and relevant guidelines and does not adversely affect the character of the area, prejudice highway safety, privacy or visual amenities nor so significantly harm neighbours' amenities, particularly with regard to the fear of anti-social behaviour or crime emanating from the occupiers of the HMO, as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity concerns.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

b. HMO's are subject to additional requirements concerning fire safety. The information can be found in the following guide

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types->

of-existing-housing.pdf

Furthermore, Automatic Fire Detection (AFD) - HMO's must be provided with suitable AFD system. The system must be designed, installed and maintained in accordance with BS 5839: Part 6.

c. The Applicant is advised that the development must comply with the necessary and relevant Building and Fire Safety Regulations. The Applicant is also advised that in addition to Planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to the development.

d. Natural Resources Wales Advice.

Flood Risk

Our Flood Risk Map confirms the site includes a small area of Zone C1 of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15: Development and Flood Risk (2004). The Flood Map for Planning identifies a small area of the Application site to be at risk of flooding and falls into Flood Zone 2 Rivers.

Given the limited extent of flood risk shown to be affecting the Application site (and in the absence of a flood consequences assessment) we consider the proposals could be acceptable, subject to the developer being made aware of the potential flood risks to these areas

e. Welsh Water Advice

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

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

f. Land Drainage

The Application states the proposed development is located within a flood risk zone C1, however is not located within 20 of a watercourse and does not increase flood risk elsewhere. The site is located within 900 m of the River Ogmore which is designated as main river. The redevelopment of this site is not thought to increase flood risk elsewhere as is an existing structure. A review of the latest NRW Development Advice Map shows this site to now be just outside of Flood Zone C1. Should consent be granted it is strongly recommended that future occupiers register with the NRW Flood Warning Service. The Applicant is strongly recommended to utilise flood resilient building materials and techniques to reduce the potential damage caused by flooding.

The Application form states surface water will be disposed to the existing main sewer. No surface water drainage layout has been provided. It is anticipated that currently the



surface water is disposed of via the public sewer.

The development consists of the conversion of the existing building; therefore no SAB Application is required.

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

No surface water is allowed to discharge to the public highway.

**JANINIE NIGHTINGALE  
CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None

This page is intentionally left blank

## Appendix 1

Statements from residents of Cae Dre Street, Bridgend and Dentist Practice

Properties in Cae Dre Street and the dentist practice is in very close proximity to the existing HMO at 12, Park Street Bridgend (Wallich)

The proposed HMO at 14, Park Street Bridgend is adjoining the HMO at 12, Park Street. Bridgend,

Evidence given to me in writing by 6 residents and the dental practice of Anti-Social Behaviour.

I have listed below extracts from the letters that I have received from residents of Cae Dre Street, Bridgend and the dental practice situated at 16, Park Street, Bridgend.

- In the three years that I have lived in Cae Dre Street I've had to call the police due to fighting and shouting in the street between youths connected to residents at the Wallich. I've been shouted at from the top loft windows of the Wallich by residents and had to explain to the kids, who are 4 and 6 who are often alarmed that they are not going to harm them. I've had to explain why there was a lady crying and bleeding sat outside the front door of the Wallich, why there's sick and broken glass on the pavement and why people are shouting at each other in the street.  
I also fear for the safety of my car and given the appalling state of parking on the street I'm often parked in spaces in the lane behind the Wallich, panicked that someone is going to do something to the car. That car is our lifeline as my disabled mother relies on me for transport to appointments.  
The street-light is currently broken in our street, once again. This is the only light at the top of the street.
- I worry about using the back entrance to our property as I have seen people hanging about in the lane (I believe dealing drugs).  
I worry when I come home from work in the winter when its dark as there are frequently people hanging about at the front of the Wallich and in the car park (which is at the rear of the Wallich) my husband usually comes to walk with me from the train station, so I don't have to walk alone.  
I hear music coming from the back of the Wallich at night (after 11.30pm). I have tried calling their office and they said they couldn't hear it from the front of the same building (our house is across the parking spaces and the other side of the. Road and we could hear it above the volume of the TV with our double-glazed windows closed). They asked a lot of questions about who I was and where I was and my husband was concerned that there might be repercussions if the person/people playing music knew who had complained so I have not felt comfortable contacting them directly since.  
In January 2022 we were home but upstairs when our home was broken into. My Handbag/purse, a wallet a set of house keys and a passport was stolen. Due to a pet camera the police were able to identify the person who was found at a nearby homeless shelter. Walesonline report stated, *In his police interview,*

\*\*\*\*\* denied the burglary, saying he was at the nearby Kerrigan Project at the time of the incident, and that he had withdrawn the money he was found with from a cash point a few days earlier. However, he later admitted being the man in the pet camera footage, and said that he had used the stolen money to purchase drugs.

(The person was found at a nearby homeless shelter)

(Walesonline report available).

- There have been a couple of occasions when there have been overdoses in the street. When returning from a holiday we saw a man face down outside the dentist. An ambulance was called as we were concerned whether the person was still alive. A paramedic arrived recognised the man as a 'regular' he gave him an injection and called for an ambulance.

The problem is also dependent on who is in residence at No 12, Park Street at the time and their relationship with other groups of friends that assemble outside. Some are very confrontational. One large group badly damaged the garden wall of one of our neighbours, smashing the cast iron fencing.

The problems are far greater in the fine weather when windows and the skylight are open. It not only music but shouting and obscenities.

It is difficult to quantify the scale of the problem (ie the number of incidents) with dates.

On one occasion there were a large group of youths standing along the lane and right up to the Dentist's. It was the noise that they were making that made us aware of them. My partner & I along with a few others in the street who had heard the noise strolled down and calmly asked them to move back to the front of the building at which point one moved towards us and threatened to beat \*\*\*\*\* up (\*\*\*\*\* is in his late 70's. Only the intervention of a younger neighbour prevented any violent action. They then moved out of the street.

- The troubles we have come across since the Wallich and other HMO's have been placed in the area are affecting mine & my family's lives in a negative way. I have two children which are special needs. My eldest son who is 16 has autism was walking home with his sister from school they got to the bottom of Newcastle Hill, where our back gate and driveway are situated just off the car park. My son was told to empty his pockets by a group in masks that my daughter recognised as one living in the Wallich. My son scared ran up to our gate. He was too afraid to ring police as he didn't want repercussions. He has been cornered by this group a couple of times.

On numerous occasions in the middle of the day my husband has had to ask them to please hide their drug paraphernalia from the children which most of them listen to but most of the time we get abuse back.

All through the summer the residents sit in the car park playing really loud music smoking bongos and being rowdy.

My children are too afraid to go out to play as they used to and I don't feel comfortable with them going out it isn't safe and they are seeing things that they should not.

- Since moving to the street, we have had massive concerns and issues with the two HMO's already here.

We have a young family and due to the establishments already here they are being exposed to things daily that they should not be seeing. There has been a massive rise in anti-social behaviour in the street using drugs and under the influence. In the lane behind the Wallich, we sometimes see people blatantly involved in the selling and using of drugs not only at night but in broad daylight, needles being left behind, people passed out. In the street due to drug and alcohol misuse resulting in residents needing to call for ambulances and the police. We have been exposed to shouting and screaming abusive language and fighting during the day and all hours of the night. Our children are scared and do not feel safe when there are groups of young adults shouting and swearing which is very frightening and intimidating to us, never mind our young children.

- I have been housebound due to ill health for the past two years. I have had to make numerous complaints by phone to the 24 hours Wallich line. I have endured extremely loud music and shouting with very bad language both day and night, but it's usually the music that is the biggest problem. The frequency of these calls average at least 3 to 4 times a month at times ranging from 11.30pm to 2.45am.  
In the summer months if they decide to play music the same volume as they do at night and that has been the case causing more phone calls from me, I have had to close my windows and patio doors whilst sweltering in the heat.
- Beynon's dentist practice  
Problems experienced since the Wallich has been operational
- Used needles left in car park
- People sleeping/collapsed in doorway
- Drug use in car park
- Urinating under surgery window
- Smoking drugs under surgery window
- Injecting drugs in surgery toilet
- Groups of youths intimidating nurses and female dentist in car park when walking to their cars
- Sexual harassing comments to nurses
- Verbal abuse of staff

This page is intentionally left blank

**Appendix 2**









This page is intentionally left blank

**REFERENCE:** P/24/22/FUL

**APPLICANT:** Porthcawl Town Council 16-18 Mary Street, Porthcawl, Bridgend, CF36 3YA

**LOCATION:** **Griffin Park Bowls Pavilion Griffin Park off Eastern Promenade Porthcawl CF36 5TS**

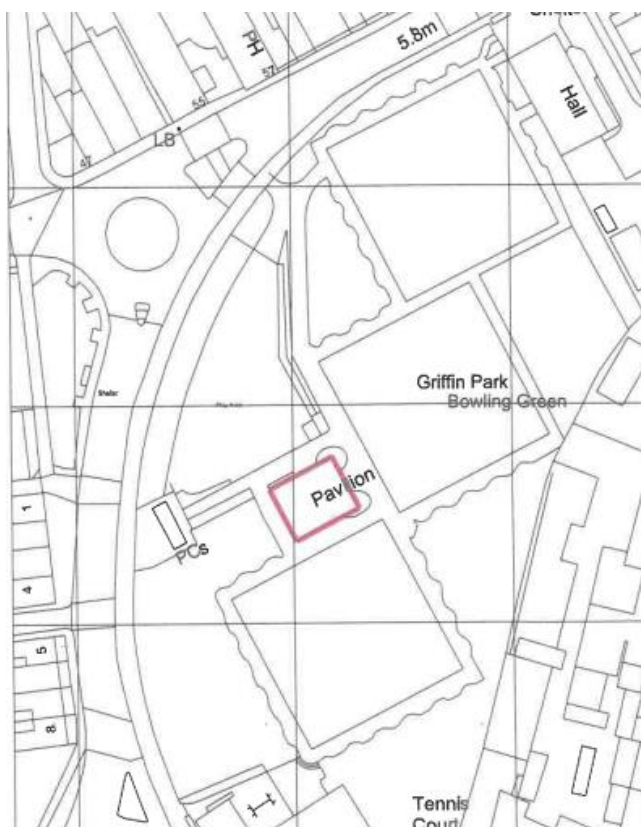
**PROPOSAL:** Change of use of first floor from storage area to Town Council office accommodation to accommodate 3 members of admin staff Monday to Friday

**RECEIVED:** 11 January 2024

## **APPLICATION/SITE DESCRIPTION**

The proposed development seeks a change of use of the first floor of Griffin Park Bowls Pavilion, Porthcawl to office accommodation for use by Porthcawl Town Council. The existing storage space within the first floor/roof space of the building is to be converted to an office use to accommodate 3 members of administration staff of the Town Council between Monday and Friday.

*Figure 1 – Site Location Plan*



↑  
North

Supporting information submitted with the planning Application highlights that Porthcawl Town Council are currently the lessees of Griffin Park Pavilion and Griffin Park Play Area/Bowls Green and are very keen to utilise the upstairs space in the Pavilion as an office for administrative staff.

Currently Porthcawl Town Council lease office space at 16 – 18 Mary Street and in July of this year, there is an opportunity to opt out of this lease.

Using part of the Bowls Pavilion as a Town Council Office would bring about the following

benefits (to the Town Council):

- In situ to monitor/oversee the activities of Griffin Park
- All members of the Town Council staff working together in one place as a team
- Be on site to assist all users of the Community Building known as Griffin Park Pavilion – to include Bowlers, Veterans and independent hirers of the building
- Be on site to assist play area users
- Significant cost savings that could be better used within the local community

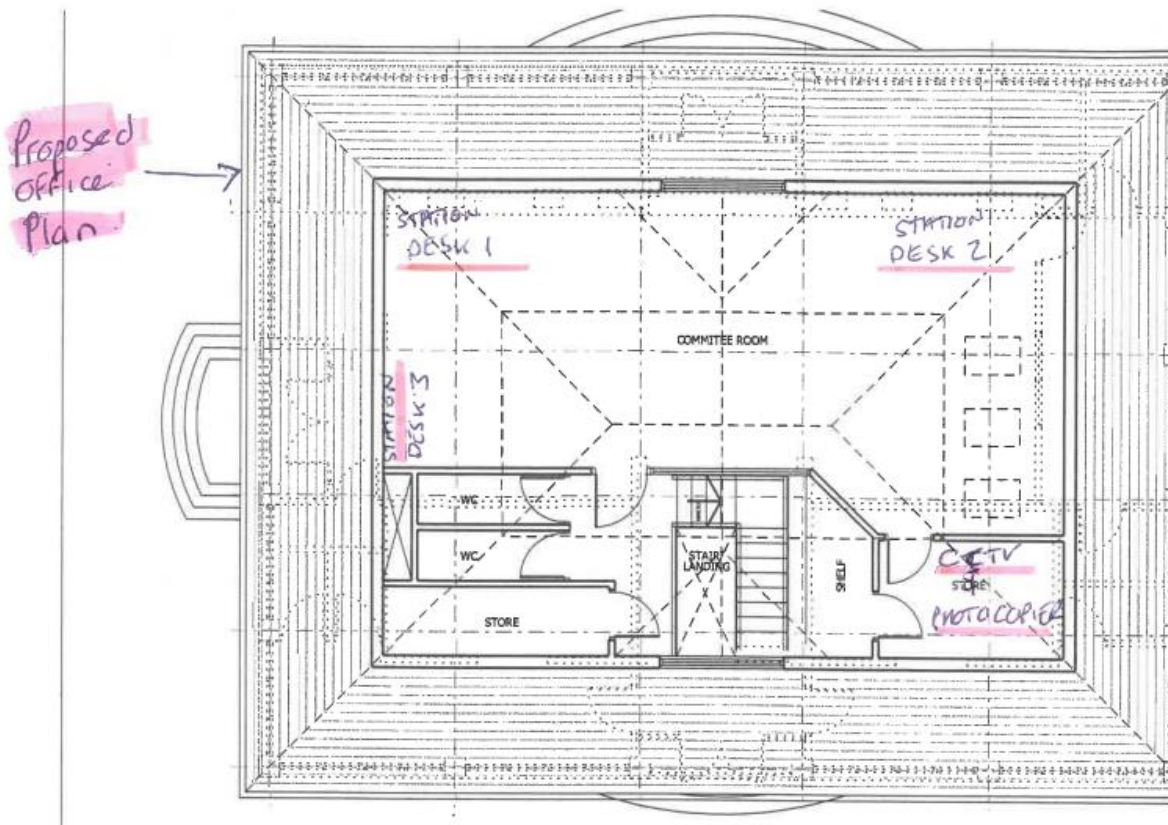
It has been recognised that the office space would be on the first floor of the building and this could limit access to some members of the public. Although the Applicant details that, like many other Town and Community Councils, an appointment system could be introduced to facilitate the Clerk and her staff meeting occasionally with members of the public when required on the ground floor of the building.

It is further detailed the Town Council opening times are between 9:30 am and 12 noon Monday to Friday. However, members of staff are contracted to work Monday to Friday between 08:30am and up to 5pm.

The submitted proposed floor plan (Figure 2 below) highlights that three workstations/ office desks would be introduced into the existing first floor storage space, following the removal of the equipment and a large snooker table that currently occupies the space.

A photocopier/CCTV area would also be introduced into the smaller existing storage room. No external works are proposed to the external fabric of the existing detached building as part of the development proposal.

**Figure 2 – Proposed First Floor Layout**



The Application site is located within the main settlement of Porthcawl as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (BLDP), 2024. The site is also located in the Porthcawl Regeneration Growth Area as defined by Policy SP1 Regeneration and Sustainable Growth Strategy.

The Application site relates to the main Griffin Park Pavilion that is situated within the grounds of Griffin Park that comprises, amongst others, a large play park and bowling green(s). The detached, largely brick built, two-storey pavilion building sits towards the centre of the site with a pedestrian access point off Eastern Promenade (adjacent to the public toilet block). There is a further access point off New Road to the North of the site. The building is set away from the residential units and the commercial units along Eastern Promenade to the west.

**Figure 3 – Photographs and Google street view of the Application site.**



## **RELEVANT HISTORY**

P/98/1010 - Fit Three Roller Shutter Doors - Granted 26/01/1999

## **PUBLICITY**

The Application has been advertised on site.

Neighbours have been notified of the receipt of the Application.

The period allowed for response to consultations/publicity expired on 07 March 2024.

## **CONSULTATION RESPONSES**

**Cllr. Norah Clarke and Cllr. Robert Smith** - provided a joint objection against the planning Application. The objections raised are summarised as follows:

- The Town Clerk highlights this is a change of use of a storage area, although the first floor currently accommodates a large snooker table that would be difficult to accommodate elsewhere in Porthcawl so there is a loss of a leisure facility which the community can use. Since its opening between 1934/1935, Griffin Park has always been known for its leisure and recreational facilities.
- A public service should be easily accessible to the residents of Porthcawl as it is now in the town & not on the periphery of the town as proposed.
- Pedestrian/children safety/ Vehicular/Pedestrian conflict.
- Ease of access for the elderly and disabled for those living in areas of Porthcawl that have no public transport - Unreliable local bus service.
- Lack of parking/parking restrictions directly outside Griffin Park (i.e. no parking at any time which includes those with disabled badges).
- Users of the Pavilion have not been consulted on this application by Porthcawl Town Council i.e. Gents Bowls section, Ladies Bowls section, Porthcawl Veterans.
- The application states the building is used on a part time seasonal basis, although there are two Bowls Clubs (ladies and gentlemen) that meet separately and to state the clubs only meet on a seasonal basis is not strictly correct.

Cllr. Norah Clarke also requested that the Charity Commission be a consultee during the process as access to the pavilion will likely be by means of land that is covered by the Charity Commission and charity land is directly adjacent to the pavilion (The Charity Commission have been subsequently consulted on the planning Application although no observations to date have been provided on the planning Application).

**Charity Commission** – No comments received on the planning Application.

**Corporate Landlord** – No written comments received on the planning Application, although verbally advised a temporary consent is considered a reasonable approach to the determination of the Application in the first instance.

**Parks Officer** – No comments received on the planning Application.

**Highways Officer** – No objection subject to condition and a temporary consent being issued in the first instance.

**Porthcawl Town Council** – It is acknowledged Porthcawl Town Council is the applicant in this case.

## **REPRESENTATIONS RECEIVED**

Following the advertisement of the Application nineteen letters of objection have been received against the Application including representations from the Porthcawl Bowling Club and three Local Ward Members.

The objections and concerns raised are summarised as follows:

### **Loss of Leisure/Sports Building**

This is the only publicly accessible sports building in Porthcawl and has been used by the bowling club for almost a hundred years.

The Bowls Pavilion is used by the Porthcawl Veterans Hub and offers a vital service to many veterans and their families – there would be nowhere for the veterans to meet if the Town Council use the building (impinging BCBC policy and possibly infringe the military covenant).

This is the only sports building in Porthcawl used by the elderly which helps with mental health issues.

The building is used throughout the year by Porthcawl ladies bowls club. Bowls are played a number of times a week from the venue, various bowling clubs also visit to play in competitions. This pavilion needs to be kept open.

The use should be for leisure and social purposes not business.

The bowls Pavilion was built as a sports facility, the first floor used as a snooker facility and by visiting teams as a change facility for bowls.

It is wrong to utilise what is a community building for Town Council business.

Alternative suitable premises for the bowling clubs and veteran's hub must be found if the use is permitted.

Opposed to any form of 'public space' being used for council purposes.

Placing the Council Offices in this building will be negative for the community and against what the intended use of the land was for.

In the application it states that the first floor is a storeroom, this only came about when Porthcawl Town Council (PTC) employed a facilities manager, who forcefully deemed that it was now his office (he has since left, leaving the facility as a junk room) with the billiard table used as a large shelf. This area needs reinstating as a sports facility.

Porthcawl Town Council has already changed the Bowls Pavilion into a Community Centre, to be used as public venue for Childrens birthday parties and other community functions. This now brings problems of safeguarding.

The Welsh Bowling Association has advised that due to Safeguarding issues at other clubs, all member clubs should not allow children and vulnerable adults into the club houses without a safeguarding officer in attendance.

Porthcawl Town Council have not considered the impact on the recreation and health benefits of an open access bowls pavilion.

Porthcawl is officially designated as the oldest community in the country which should be foremost in considering service to the community.

Griffin Park was gifted to the people of Porthcawl for leisure purposes not the convenience

of the Local Authority.

The upstairs currently houses a full-size snooker table gifted to the town by the YMCA and was previously in regular use, this would need to find a new home. The table is over 100 years old and weighs two tons.

### **Parking/Highway Issues**

There is no parking nearby and allowing cars into Griffin Park would put children and the elderly at risk.

No parking facilities/provision for users of the pavilion.

No parking facilities for either disabled or able body residents nearby with double yellow lines with two yellow lines on curb in the area.

Already limited restricted parking in the area for residents especially New Road.

No opportunity to use a blue badge if you have one.

Restricted parking in front of the commercial units nearby.

Pedestrian crossing at main gate entrance with no drop off point.

Visitors would park in front of the Griffin Park Toilet Block and by doing this would cause serious highway safety issues.

BCBC employees currently take up numerous parking spaces on New Road, those based at the depot behind Griffin Park Community Centre. Staff working in the Residential home and Supported Housing also park on New Road already making it difficult for residents to park.

Five takeaways and the night-time economy mean that there is constant parking on double yellow lines and zig zag lines even on the pedestrian crossings. There will be no parking for any evening meetings in the Pavilion.

### **Insufficient access**

Without internal modification the site would be inaccessible to the disabled.

This building is not Disability Discrimination Act 1995, now Diversity and Inclusivity, compliant.

The pavilion is not DDA compliant, and has inadequate lighting, making access dangerous.

The Town Councils intention to book appointments for disabled people, goes against the diversity act, disabled people want to be treated the same as able bodied people, a level platform not differently which would highlight their disability. Porthcawl Town Council is being discriminatory.

Issues with compliance with The Equality Diversity and Inclusivity Act 2010 and the Equality Diversity and Inclusivity Strategy 2020 to 2024.

The suggestion that residents unable to access the first floor of the building would have to telephone for an appointment first is unacceptable.



If a disabled resident was to attend the ground floor for an appointment this would then displace people from the community building.

Town Council offices should be accessible to all.

### **Griffin Park is not central**

The location is not central and this would deter residents from turning up at meetings as there is no parking and no public transport from either Rest Bay or Nottage. The current Council office at Mary Street, Porthcawl is central and on a public transport route and has ample parking at the rear.

The site is too far from the town centre, deterring residents from attending.

There are no passing busses to the site.

### **Risk of conflict between users**

There is the risk of conflict between bowlers and anyone coming into the Council office as the amount of people using the pavilion will increase.

The pavilion is used during the Elvis event as a triage station, more recently been used as a warm hub for the elderly and homeless. During covid the pavilion was used as the covid 19 hub for the group to arrange collection of prescriptions for the elderly, also used by the veterans who arranged to collect and deliver shopping to elderly and residents who had tested positive for covid. It is also used by the CPR group, in the training of the use of resuscitation equipment. If the Change of use goes ahead this will have a detrimental impact on all the groups, residents and visitors using the Pavilion.

If it is granted, concerns that in the future the whole building will be taken over. Griffin Park should be used wholly for sport and leisure, not offices of any sort. Having spoken to the town clerk today, fears have been allayed to some extent, but promises have been broken in the past.

### **No cost savings**

There would be negligible savings, as the current office is a serviced office which includes all utility bills.

If this was about saving money as per the clerks letter with the submission then committee and subcommittee meetings can be held virtually.

Porthcawl Town Council have already commissioned plans to alter the whole of the ground floor at a cost of £200,000plus, that the residents are unaware of. This will negate any potential savings that Porthcawl Town Council have said they will make.

East Central is classed as a deprived area and by allowing a change of use to the Pavilion would only increase the Deprivation Values of the Area. This is a well-used facility in the summer months by visitors and residents alike.

It is difficult to see the saving of £18,000 against the cost of conversion.

### **Consideration of alternative sites and future/alternative use**

There are many serviced offices for rent in Porthcawl which would save the Council far more money than by using Griffin Park Pavilion.

Why can't the Council negotiate having a Council Chamber and offices in the Grand Pavilion, which is due for refurbishment.

A future Council may decide not to continue with using Griffin Park as a council office and the change of use would stay in situ.

Surely during the Summer Holidays especially it could be used as a venue for some free youth activities. There is nowhere for teenagers to go why not give them a safe space.

With further plans for downstairs, it is the beginning of the end for the Bowls club.

**Lack of consultation.**

No public consultation with residents or the Charities Commission who own the largest part of Griffin Park.

Have the Trustees of Griffin Park and the residents of Porthcawl been fully consulted.

Difficulties reading the site notice given its small size.

**Other matters**

Porthcawl Town Council Have Leased this building from BCBC for 5 years, they are now only 18 months into the lease. Within 6 months of signing the lease confidential meetings were being held to discuss changing the use of the building both at Ground Floor and First Floor, plans were drawn up. There was no discussion with the users of the Pavilion, just decisions made. There are elements of predetermination of the usage even before the lease was signed. So much for working with the community, consultation or collaborative working.

The first floor of the building is small and inadequate to meet the needs of the Town Council.

The building is situated in the middle of a play park where children run around. Where does this fit with child protection when strangers will be frequenting the building.

**COMMENTS ON REPRESENTATIONS RECEIVED**

It is acknowledged that a number of objection letters have been received against the proposal and the material issues raised by the Application submission are fully addressed and considered in the Appraisal Section of this report.

Each of the material concerns raised require careful consideration in this case, although the following observations are provided in respect of each of the main issues raised (and expanded upon in the Appraisal Section of this report).

**Loss of Leisure/Sports Building**

The Application proposal seeks permission for the change of use only of the existing first floor element of the building, the remaining, larger ground floor element would be retained for its existing use.

The Application submission details the first floor of the building, whilst mainly occupied by a full size snooker table, is currently used for general storage purposes rather than specific leisure uses. Whilst the Application does detail that the Applicant intends to set up an appointment system for individuals that would not be able to access the first floor, this is unlikely to prejudice or significantly alter the existing, main use of the ground floor of the pavilion building' particularly given the relatively restricted hours of operation that the proposed use would be open to visiting members of the public and the restricted scale of the use.

Whilst a proposal to alter the main, ground floor use of the building away from a leisure use would unlikely be supported by the Local Planning Authority, a proposal for a small-scale office use of the nature detailed, primarily over the first floor of the building is generally supported in this case.

Nevertheless, and to fully consider the compatibility and appropriateness of the use within such an established leisure/sports building, a temporary consent is being recommended in this case. A temporary consent would fully allow the complete assessment of the scheme once in use and identify any issues that do arise to be carefully considered, particularly when considering the compatibility and appropriateness of the use within a recognised pavilion/leisure facility, albeit the proposal ultimately represents the conversion of only the existing first floor of the building.

### **Parking/Highway Issues**

The planning Application does require careful consideration of the Highway safety matters the proposal raises, although when taking a balanced approach to the assessment of the merits of this scheme, and on the basis a temporary consent is first considered in this instance, the proposal does not raise such adverse highway safety concerns to warrant the refusal of the planning Application in this regard.

Following consultation with the Council's Highways Officer, it is noted that the planning Application lacks supporting information regarding highway and pedestrian safety, and the potential increase in people visiting the proposed facility. It is therefore unclear how many members of the public would attend the proposed use or where they would park.

It is noted the Town Council's mitigation does include a form of booking system for certain visitors to the site which may or may not work depending on the level of visitors to the site. However, as the Highway Authority have very little data to support a refusal of the Application, it has been suggested that an 18 months temporary consent be considered in the first instance. This is deemed an acceptable way forward which would allow the Highway Authority to gather data and evidence of the impact of the development and its effect on highway safety and traffic generation in and around the Application site.

On the basis of the above, on an initial temporary basis, the scheme is considered acceptable from a Highways perspective.

### **Insufficient access**

Comments and concern regarding the accessibility of the first floor of the building to visiting members of the public and staff members are fully acknowledged in this instance and do require careful consideration. However, it is not considered uncommon for office uses to occupy first floor spaces with similar stair access. This is the existing situation within the building, rather than a completely new development, with the Applicant also detailing measures for an appointment system should any visiting members of the public be unable to access the first floor of the building. The use is relatively restricted in its opening times to the public (detailed between 09:30am and 12.00 on weekday mornings) and during those periods the building is unlikely to be heavily used by the sporting organisations or other bodies utilising the ground floor of the building. Whilst again acknowledging the need for development proposals to promote connections within and outside sites to ensure efficient and equality of access for all (Policy SP3 of the Bridgend Local Development Plan), subject to appropriate management where necessary by the Applicant this, on balance, is not considered a reason to refuse the planning Application in this case.

However, again recommending a temporary consent for the use would further illustrate or

highlight any issues with the accessibility of the site, should they arise, over the duration of the consent which could then be duly considered and reviewed towards the end of the initial temporary period.

Other legislation and guidance would also more appropriately address such concerns with the accessibility of the first floor of the building (such as the Equality Act 2010 and Building Regulations) - with the onus of responsibility and duty of care on the service provider/Applicant and, ultimately, they would need to provide a reasonable alternative method of making the service in question available to all members of the public should the building not be fully accessible to all.

### **Griffin Park is not central**

It is fully acknowledged the Application site is not situated within the defined retail and commercial centre of Porthcawl with the existing Town Council Office being situated on Mary Street.

However, as detailed the Application site is situated within the settlement boundary and it is further noted the boundaries of the defined retail, commercial and service centre of Porthcawl Town Centre (Policy SP12 of the Bridgend Local Development Plan) does extend to the commercial buildings along Eastern Promenade to the immediate west of the site. Therefore, the Application site is not considered so remote or within such an unsustainable location to warrant the refusal of such a small-scale, change of use to office proposal (particularly on a temporary basis initially).

The Application site is not considered so remote to detrimentally impact users of the facility or warrant a refusal of the Application on such grounds.

### **Risk of conflict between users**

The compatibility of a small office use on the first floor of the building with restricted hours of operation, is considered acceptable and appropriate for the building and unlikely to seriously erode or undermine the key leisure use of the building. The proposed use would also bring about the benefit of a more continued presence within the building from a Town Council perspective.

Again however, recommending a temporary consent to effectively trial the compatibility of the use with the key, primary leisure/sporting use of the building is considered necessary in this instance, to fully ensure there is no conflict between users and no detrimental impact on the primary use of the building in this case.

### **No cost savings**

Whilst the financial situation of the Town Council and cost implications surrounding such a proposal do aid an understanding of the process and reasoning for such a submission, such issues are not material planning matters or justified refusal reasons for such a scheme.

The Planning Application must be judged on its own planning merits.

### **Consideration of alternative sites and future/alternative use**

The Application currently being considered by the Local Planning Authority is for the change of use of the first floor from a storage area to Town Council office accommodation to accommodate 3 members of administration staff from Monday to Fridays within the existing Griffin Park Bowls Pavilion.

Any differing proposals or alternative uses would likely need planning permission and would be subject to a separate planning application, which would then need to be considered and judged on its own planning merits at that stage.

The Local Planning Authority and Members of the Development Control Committee must consider the current proposal on its own planning merits.

### **Lack of consultation**

The Planning Application has been duly advertised in accordance with the requirements of the relevant legislation and guidance with direct neighbour letters and a site notice being issued in this case. The advertisement of the scheme has generated numerous objections and concerns from a number of differing residents of Porthcawl who are objecting to the planning Application.

The Application is not considered a 'major' development proposal in line with the legislation definition of such development and therefore the Application is not subject to the requirement for the developer/Applicant to undertake a pre-application consultation (PAC process).

As detailed, representations against the scheme have been received from the Bowling clubs and Porthcawl Veterans who currently use the building.

### **Other matters**

The planning Application submitted must be considered on its own planning merits with due regard to the provisions of the adopted Bridgend Local Development Plan, 2024, and all material considerations associated with this case. On balance, when carefully considering the merits of this case and subject to a temporary period to further assess and consider the full implications and issues of this proposal over that period, it is considered the scheme can be recommended for approval.

## **POLICY CONTEXT**

### **Local Policies**

The Development Plan for the area comprises of the Bridgend Local Development Plan 2018 – 2033, which was formally adopted by the Council in March 2024 and within which the following policies and supplementary Planning Guidance are of relevance:

- Policy SF1 - Settlement Hierarchy and Urban Management
- Policy SP1 - Regeneration and Sustainable Growth Strategy
- Policy SP3 - Good Design and Sustainable Place Making
- Policy SP4 - Mitigating the Impact of Climate Change
- Policy SP5 - Sustainable Transport and Accessibility
- Policy PLA11 - Parking Standards
- Policy PLA12 - Active Travel
- Policy SP8 - Health and Well-being
- Policy SP9 - Social and Community Infrastructure
- POLICY SP12 – Retail, Commercial and Service Centres

- Policy COM9 - Protection of Social and Community Facilities
- Policy SP15 – Sustainable waste Management
- Policy ENT15 Waste movement in new development
- Policy SP17 - Conservation and Enhancement of the Natural Environment
- Policy DNP6 - Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP8 - Green Infrastructure
- Policy DNP9 - Natural Resource Protection and Public Health

### **Supplementary Planning Guidance**

- SPG02 – Householder Development
- SPG17 – Parking Standards
- SPG19 – Biodiversity and Development: A Green Infrastructure Approach

### **National Planning Policy and Guidance**

National planning guidance in the form of Planning Policy Wales (Edition 12, Feb. 2024) (**PPW**) and Future Wales – the National Plan 2040 (Feb. 2021) are of relevance to the determination of this Application.

Paragraph 1.30 of PPW confirms that... *‘Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications.’*

*“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.”* (Paragraph 2.2 of PPW refers) Para 2.3 states *“The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”*

*At Para 2.7, it states “Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

PPW states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart and that Planners play a pivotal role...in shaping our society for the future, prioritising placemaking, decarbonisation and well-being.”*

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes, the following are relevant to this proposal:

Planning Policy Wales TAN 5: Nature Conservation and Planning  
 Planning Policy Wales TAN 12: Design  
 Planning Policy Wales TAN 18: Transport

## **Well-being of Future Generations (Wales) Act 2015**

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

The well-being goals identified in the Act are:

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

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

## **The Socio Economic Duty**

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010), which came in to force on 31 March, 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and, whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

## **APPRAISAL**

This application is referred to the Development Control Committee for determination due to the number of objections received following the advertisement of the application.

The Application seeks permission for the change of use of the first floor of the Porthcawl Bowls Pavilion to an office facility for use by Porthcawl Town Council.

The main issues to consider in this Application are the principle and compatibility of the development, the impact on neighbouring residential amenity, the impact on the character and appearance of the existing building and wider locality, and the highway safety implications of the scheme, including the accessibility of the building. Biodiversity matters are also a further consideration in this case.

## **Principle of the Development**

The Application site is located within the main settlement of Porthcawl as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (BLDP) adopted in March, 2024.

The site is also located in the Porthcawl Regeneration Growth Area as defined by Policy SP1 Regeneration and Sustainable Growth Strategy. The site is allocated as a Strategic Allocation to deliver 1,100 homes, including 30% affordable housing under Policy COM1 – SP2(1) Porthcawl Waterfront. The proposal relates to Griffin Park Bowls Pavilion which is an existing community facility and would not prejudice the future development of the Strategic Allocation.

Policy COM9: Protection of Social and Community Facilities of the BLDP states that proposals which would adversely affect or result in the loss of existing or proposed social

and community facilities will not be permitted unless justified on one of the following grounds:

- 1) A sustainable, easily accessible alternative location is available and a facility of equivalent community benefit is provided by the developer on the site or off site within the community; or
- 2) Where it can be demonstrated that the existing facility is no longer required for the current use, or any other social and community uses, or there is already an excess of such provision in the area.

The proposed development seeks the change of use of the first floor of the existing pavilion from a storage area to office accommodation for the Town Council. The proposed use would be limited in nature comprising of three desks to accommodate three members of administrative staff. The main leisure use of the pavilion relates to the ground floor which is currently utilised as a changing facility, club room, kitchen and gallery which would remain largely unaffected. As such, the proposal to accommodate an office on the first floor of the nature described, is unlikely to negatively impact the running of the existing social/community facility.

Nevertheless, and to fully ensure the compatibility of the use with the existing leisure use, and ensure the principal, important leisure/sporting use is not undermined or adversely impacted in any way in this case, a temporary consent is initially being recommended in this instance. Such a temporary use, controlled by means of a planning condition, would fully allow the compatibility of the uses to be fully assessed over a duration of 18 months and ensure the primary use of the building remains unaffected by the new office use.

On the basis a temporary consent is issued in this instance, to fully safeguard the long-term leisure/sporting use of the building, and ensure a full assessment of the compatibility of the office use with the existing established leisure/sporting use is carefully understood and demonstrated over a test period in effect, the planning Application does not raise an in principle objection.

As detailed, representations and concerns have been raised about the general location and accessibility of the site although the building is not considered so remote or unsustainable in location terms to warrant the refusal of such an Application. Whilst the Application site is not situated within the defined retail and commercial/service centre of Porthcawl, the site is situated within the settlement boundary and effectively directly opposite the boundaries of the defined retail and commercial/service centre of Porthcawl Town Centre that extends to include the commercial units to the immediate west of the Application site, along Eastern Promenade. As such, the Application site is not considered so isolated or unsustainable to warrant the refusal of such a small-scale office proposal of the nature detailed.

### **Neighbouring Residential Amenity Impact**

Planning Policy Wales (Edition 12, February 2024) states at paragraph 2.7 that *“placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people”*.



Criterion (k) of Policy SP3 of the Local Development Plan (2024), seeks to ensure that ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected by new development proposals.

The Application building is relatively offset and screened from the nearest residential properties, given the detached nature of the pavilion building and surrounding park and bowling greens that buffer the site from the nearest neighbouring units. With no external alteration works being proposed and given the offset from the nearest neighbouring units, coupled with the relatively small scale and nature of the office use, the scheme raises no serious loss of neighbouring amenity issues in this case.

As such, the scheme accords with the general requirements of Policy SP3 of the Bridgend Local Development Plan (2024) in terms of neighbouring amenity impact.

### **Impact on the character and appearance of the existing building and wider locality**

Policy SP3 of the adopted Bridgend Local Development Plan (LDP), highlights all development should contribute to creating high quality, attractive, sustainable places by, amongst others:

- Demonstrating alignment with the principles of Good Design
- Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;
- Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;

The Application site comprises a two-storey, detached, pavilion style building set within the grounds of Griffin Park, Porthcawl. It is considered that the conversion of part of the existing building, with no external works being detailed or proposed as part of the scheme, would not harmfully or significantly erode the character or appearance of the existing building or the area as a whole.

The essential leisure/sporting use of the building would effectively remain across the ground floor of the pavilion building with the office use being proposed within the existing storage area at first floor level/roof space of the building.

The visual appearance of the building will not change as a result of the proposal and, as such, the scheme accords with the general requirements of Policy SP3 of the Bridgend Local Development Plan (2024) in terms of visual amenity impact.

### **Highway Safety and accessibility of the site**

As earlier detailed, the Application has generated a number of objections from local residents in respect of highway safety and the Council's Highway Officer has been consulted on and has considered the planning Application submission.

Whilst the planning Application does require careful consideration of the Highway safety matters the proposal raises, when taking a balanced approach to the assessment of the merits of this scheme, and on the basis a temporary consent is first considered in this instance, the proposal does not raise such adverse highway safety concerns to warrant the refusal of the planning Application in this regard.

The Council's Highways Officer advises that the planning Application lacks supporting information regarding highway and pedestrian safety and in terms of the potential increase in people visiting the proposed facility. It is therefore unclear how many members of the public would attend the proposed use or where they would park.

It is noted the Town Council's mitigation does include a form of booking system for certain visitors to the site which may or may not work depending on the level of visitors to the site.

However, as the Highway Authority have very little data to support a refusal of the Application, it has been suggested that an 18 month temporary consent be considered in the first instance. This is deemed an acceptable way forward which would allow the Highway Authority to gather data and evidence of the impact of the development and its effect on highway safety and traffic generation in and around the Application site.

Notwithstanding the above, the Highway Authority is aware of instances of vehicles trying to access Griffin Park via the vehicular access gates from New Road, which raises considerable highway and pedestrian safety concerns especially so close to the children's play park. It is considered this proposal would increase potential instances of people visiting the site and trying to park within Griffin Park. Therefore, to resolve this concern a condition is suggested for a removable/collapsible bollard which shall be locked during the Town Council office hours, to be located within the vehicular access gate off New Road. This would be required to be agreed and installed before the building commences use as the Town Council offices.

On the basis of the above, on an initial temporary basis and subject to the above condition, the scheme is considered acceptable from a Highway Safety perspective.

Comments and concerns, as earlier highlighted, have also been raised regarding the accessibility of the building to visiting members of the public and staff members, which are fully acknowledged in this instance and do require careful consideration. However, this is the existing situation within the building, rather than a completely new development, with the Applicant also detailing measures of an appointment system should any visiting members of the public be unable to access the first floor of the building.

The proposed use is relatively restricted in its opening times to the public (detailed between 09:30 and 12.00 in the morning), and during those periods the building is unlikely to be heavily used by the sporting organisations or other bodies utilising the ground floor of the building. Whilst acknowledging the need for development proposals to promote accessibility to all, on balance, the Application is generally considered acceptable in this respect.

However, recommending a temporary consent for the use would further highlight any issues with the accessibility of the site, should they arise, over the duration of the consent which could then be duly considered and reviewed towards the end of the initial temporary period. Other legislation and guidance would also more appropriately address such concerns with the accessibility of the building - with the onus of responsibility and duty of care being on the service provider/Applicant and, ultimately, they would need to provide a reasonable alternative method of making the service in question available to all members of the public should the building not be fully accessible to all.

### **Biodiversity and other matters**

In assessing a planning application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* It further goes on to state that *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Policy SP3 of the adopted Local Development Plan (2024) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created where ever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

Policy DNP7 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*. Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

Whilst acknowledging this is a small scale, change of use Application to part of the existing building, to fully ensure the development meets the requirements of local and national planning policy that *states all development should maintain and enhance biodiversity*, a condition is recommended to ensure an appropriate bird box is introduced at the site in this case.

On balance the proposed development is considered to be compliant with Policy SP3 DNP6, DNP7 and DNP8 of the Local Development Plan (2024) and is therefore acceptable in terms of Biodiversity.

An application for the conversion of part of an existing, established building also raises no adverse land drainage concerns.

## **CONCLUSION**

This Application requires careful consideration of each of the material planning matters raised by the case, and on balance it is concluded the scheme, on a temporary basis, can be recommended for approval and is considered acceptable in planning terms.

The development, initially on a temporary basis and subject to the imposition of conditions, on balance, complies with Council policy and guidelines and is considered acceptable in principle, does not adversely affect the character of the area, prejudice highway safety,

privacy or visual amenities nor so significantly harm neighbours' amenities, as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity or land drainage concerns.

The concerns raised by a number of residents of Porthcawl are fully acknowledged in this case, however, on balance, this is considered a scheme that can be supported on an initial temporary basis, to fully enable the compatibility of the office use with the existing established leisure/community use to be demonstrated. On a temporary basis the planning Application is therefore recommended for approval.

## **RECOMMENDATION**

(R11) That permission be GRANTED, on a temporary basis, subject to the following conditions:-

1. The office use hereby permitted shall be ceased and the first floor of the building restored to its former condition and use on or before 18 months of the date the office use is first implemented.

Reason: To enable the Local Planning Authority to assess the impact of the general compatibility and appropriateness of the use, and to assess the impact on highway safety and the accessibility of the site, and to enable the matter to be reviewed at the end of the period of the temporary consent.

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

Site Location Plan - Received 11/01/2024

Proposed Office Plan (Layout) - Received 11/01/2024

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

3. The use hereby permitted shall be used for office purposes as specified in the application details (use by Porthcawl Town Council only) and for no other purpose including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason: To ensure that the Local Planning Authority retains effective control over the use of the site in the interests of general amenity.

4. The use hereby permitted shall only be open during the following times:-

Monday to Friday 08:30 - 17:00hrs

Not at all on Saturdays, Sundays and Bank Holidays

Reason: In the interests of general amenity and safeguarding the primary, leisure/sporting use of the building.

5. The use hereby permitted shall not commence until a single lockable bollard is installed within the vehicular access gate off New Road in accordance with a scheme that has first been submitted to and approved in writing by the Local Planning Authority. The bollard shall be retained in accordance with the agreed scheme for the duration of the use.

Reason: In the interests of highway safety.

6. Within 1 month of commencement of the beneficial use of the development hereby permitted, an artificial nesting site for birds shall be erected at the site to one of the following specifications and retained thereafter (for the duration of the use);

Nest Box Specifications for House Sparrow Terrace:

- Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings.
- Entrance holes: 32mm diameter
- Dimensions: H310 x W370 x D185mm

or

Swift Nest Box Specification:

- Wide box with small slit shaped entrance hole -must be placed under or close to roofs.
- Dimensions: H150 x W340 x D150mm

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales, Planning Policy Wales (Edition 12, February 2024) and Policies SP17, DNP6 and DNP9 of the Bridgend Local Development Plan 2018 - 2033.

\* THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

This application is recommended for approval because the development, initially on a temporary basis and subject to the imposition of conditions, on balance, complies with Council policy and guidelines and is considered acceptable in principle and does not adversely affect the character of the area, prejudice highway safety, privacy or visual amenities, nor so significantly harm neighbours' amenities, as to warrant refusal on those grounds. The scheme also raises no adverse biodiversity or land drainage concerns.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None

This page is intentionally left blank

**REFERENCE:** P/23/380/BCB

**APPLICANT:** Bridgend County Borough Council Civic Offices, Angel Street, Bridgend, CF31 4WB

**LOCATION:** Ysgol Bryn Castell (Bryncethin Campus) Heol Llan, Abergarw CF32 9NZ

**PROPOSAL:** Erection of floodlights to the external Multi Use Games Area

**RECEIVED:** 13 June 2023

## DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of flood lights to the existing external multi use games area (**MUGA**) that is situated within the grounds of Ysgol Bryn Castell (Bryncethin Campus)

Permission is sought for the erection of 6 number LED floodlights on 8 metre high metal columns.

The proposed floodlights would allow extended use of the facility and improve general safety. The Applicant has indicated that the area to be floodlit is only one part of the MUGA and is intended to support netball training. The area to be lit is the size of two training courts and it is anticipated that a total of 28 persons could use the courts if fully utilised.

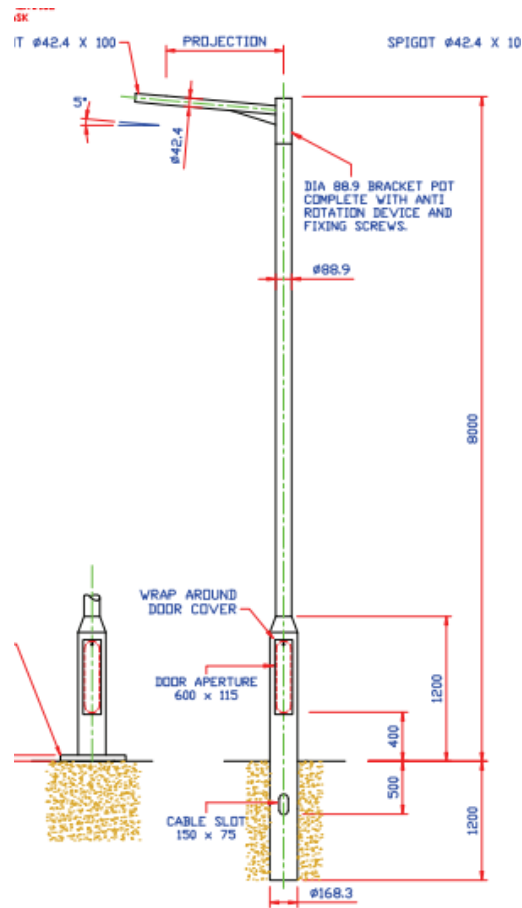
Access and car parking for hard court users would be via the main school entrance.

The planning application is supported by a MUGA Floodlighting report which includes Calculation Results, Luminaire Details and Installation Data, sport pitch diagrams, and lighting column details along with a Bat and Nesting Bird Impact Assessment.

**Figure 1 – Proposed siting of floodlights around MUGA facility**



**Figure 2 – Proposed lighting column**

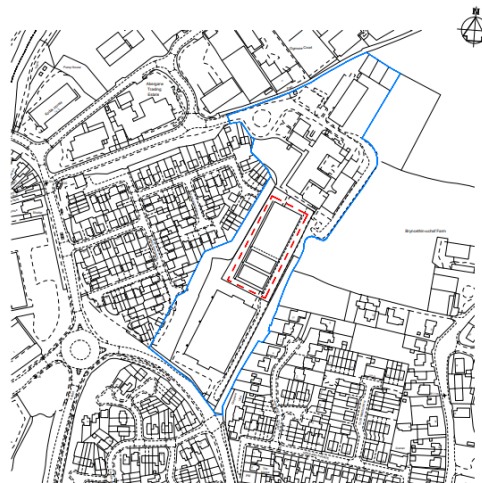


**SITE DESCRIPTION**

The Application site is situated within the Main Settlement of Bryncethin, as defined by Policy SF1 of the adopted Local Development Plan (2018-2033).

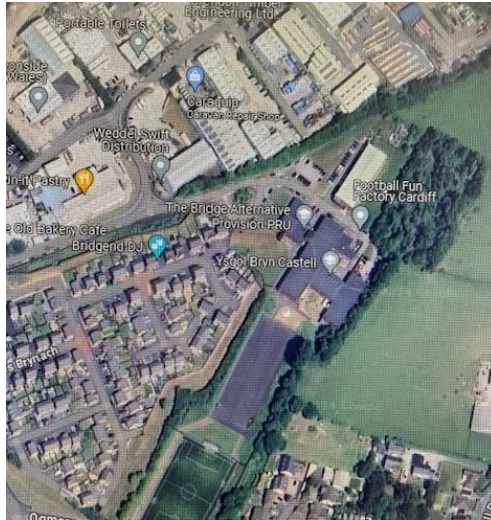
The existing MUGA is situated towards the south of the main school buildings and is enclosed by high perimeter fencing. There is a 50m x 80m artificial pitch located at the southern end of the MUGA, approved under consent P/04/90/BCB. This is enclosed by a 3.3m high steel mesh fence and six floodlights mounted on 12m high poles. The artificial pitch is adjoined by a car parking area consisting of 14 standard spaces plus 2 disabled bays. This is accessed via an existing gateway off Abergarw Road.

**Figure 3 – Site Location Plan**





**Figure 4 – Aerial View of Site**



**Figure 5 – View of MUGA toward the artificial pitch**



To the west of the Application property and at a level lower than the school and its grounds is a development of 53 residential dwellings approved by planning permission in 2017. This estate was developed on the former Ogmore Comprehensive School Playing Fields. The rear boundary of the nearest residential property would be approximately 25m from the proposed floodlights behind a dense belt of woodland planting. Land to the east of the Application site rises up and contains a tree line of broadleaved semi natural trees with trees varying in size and age.

**Figure 6 – View from MUGA towards Residential Properties**



## **RELEVANT HISTORY**

P/04/90/BCB – New External Play Area Including Artificial Pitch, Fencing, Floodlighting & Car Parking – Approved 13/04/2004

## **PUBLICITY**

Neighbours were initially notified of the receipt of the Application on 07 February 2024 and the period allowed for response to consultations/publicity expired on 28 February 2024.

Following the receipt of representations, further information was requested on the proposed use of the MUGA and the planned lighting scheme. The Application was then reconsulted on with responses expiring on 09 April 2024.

## **CONSULTATION RESPONSES**

**Destination & Countryside Management** – No objection subject to the development of the lighting scheme recommended by Acer Ecology.

**St Brides Minor Community Council** – Sought clarification on whether the proposal was for replacement floodlights, the location of the identified woodlands, and why the bat survey was undertaken in September.

**Public Protection, Shared Regulatory Services** - No objection subject to the imposition of conditions.

**Highways Officer** – No comments received.

## **REPRESENTATIONS RECEIVED**

**Councillor Tim Thomas** – Whilst supportive of improved sporting opportunities and healthy lifestyles, expressed reservations with the proposal. He sought clarification on the extent of use of the MUGA, any proposed measures to mitigate noise, and concerns over the accuracy of the ecology assessment.

Two objections were received from nearby residents. The concerns raised included:

- Existing floodlights create light pollution for neighbours.
- Overlooking and impact on privacy.
- Proposal should not adversely impact on the amenity of adjoining residents.
- Cumulative effect of light pollution in association with other development proposals in the area.
- Recommend that the floodlights be time limited in use and turned off between 10pm and 8am.
- Occasional closure of the artificial pitch carpark by the school and resultant highway safety issues.
- Additional car parking will be required for major events.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

In response to the matters raised by Councillor Thomas, the following further information was provided:

1. *The Application is for six, 8m high street-lighting type columns and lights to illuminate the southern most end of the hardsurfaced play area. A further Application would be required should the school or Council wish to illuminate other parts of the play area.*

2. *We have consulted with colleagues in Shared Regulatory Services over the proposal. If they find the proposal acceptable, it is anticipated that they would recommend suitable hours of operation for the lights.*
3. *A bat and bird nesting assessment was submitted with the Application. It noted that there were no signs of bats found during the inspection, but the nearby trees represent potential roosting locations and that the site was in a high-quality area for foraging and commuting bats. The assessment recommends amendments to the proposed lighting layout to mitigate the impact of light spill onto the trees on the eastern border of the site. There was no evidence of bird nesting in the survey area.*

In relation to the other concerns raised by residents, it should be noted that:

- The Application relates to the evening use of the MUGA and not the existing effects of the artificial pitch and car park.
- The proposal involves new rather than replacement lighting.

## **PLANNING POLICY**

### **National Planning Policy and Guidance**

National planning guidance in the form of Future Wales – the National Plan 2040 (February 2021) and Planning Policy Wales (Edition 12, February 2024) (**PPW**) are of relevance to the determination of this Application.

Paragraph 1.30 of PPW confirms that... *“Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning Applications.”*

*“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.” (Paragraph 2.2 of PPW refers) Para 2.3 states “The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”*

At Para 2.7, it states *“Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

PPW states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart and that Planners play a pivotal role...in shaping our society for the future, prioritising placemaking, decarbonisation and well-being.”*

### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009).
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 18 – Transport (2007).

### **Well-being of Future Generations (Wales) Act 2015**

The Well-being of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met

without comprising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

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

The duty has been considered in the assessment of this Application.

### **The Socio-Economic Duty**

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

### **Local Policies**

The Development Plan for the area comprises of the Bridgend Local Development Plan 2018-2033 which was formally adopted by the Council in March 2024 and within which the following policies are of relevance:

### **Strategic Policy**

- Policy SP1: Regeneration and Sustainable Growth Strategy
- Policy SP3: Good Design and Sustainable Placemaking
- Policy SP4: Mitigating the Impact of Climate Change
- Policy SP5: Sustainable Transport and Accessibility
- Policy SP8: Health and Well-being
- Policy SP9: Social and Community Infrastructure
- Policy SP17: Conservation and Enhancement of the Natural Environment

### **Topic Based Policy**

- Policy SF1: Settlement Hierarchy and Urban Management
- Policy PLA11: Parking Standards
- Policy DNP6: Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP7: Trees, Hedgerows and Development
- Policy DNP8: Green Infrastructure.
- Policy DNP9: Natural Resource Protection and Public Health

### **Supplementary Planning Guidance**

- SPG17 - Parking Standards
- SPG19 - Biodiversity

### **APPRAISAL**

The Application is referred to the Development Control Committee as it is an Application made by the Group Manager - Sports and Physical Activity and for the Members to consider the objections raised.

The main issues to consider in this Application relate to the principal of development, visual impact of proposal, the amenities of neighbouring residents, biodiversity, and highway/pedestrian safety.

## **Principle Of Development**

The site is located within the main settlement of Bryncethin as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted in March 2024. Policy SF1 states that Development will be permitted within settlement boundaries at a scale commensurate with the role and function of the settlement.

Policy SP3 Good Design and Sustainable Place Making of the LDP states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.

Ysgol Bryn Castell is a long-established educational institution containing significant outdoor recreational facilities. These are well used by school pupils and other members of the community contributing to their health and well-being in accordance with Policy SP8 of the LDP. On balance, it is considered that in principle, subject to satisfying the requirements of LDP Policy SP3 and DNP9, the proposed development is acceptable and accords with the Bridgend Local Development Plan (2024).

## **Visual Impact**

Policy SP3 of the adopted Bridgend Local Development Plan (BLDP) highlights all development should contribute to creating high quality, attractive, sustainable places by, amongst others:

- Demonstrating alignment with the principles of Good Design
- Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;
- Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;

The proposal involves the erection of six 8m high lighting columns spaced around the two netball courts at the southern end of the MUGA. The columns would be of a slimline appearance similar to standard street lighting. In this location it is considered that the proposed lights would have an acceptable visual effect being located a considerable distance from any adjoining residential properties. The presence of existing woodland planting along both the eastern and western boundaries of the site provides screening and would soften the visual impact of the structures when viewed from any surrounding land.

The proposal is considered to be acceptable in terms of its location, scale and design in accord with criterion (2) of Policy SP3 of the Local Development Plan (2024). As such it is considered that the proposed development would not have any unacceptable impact in relating to visual amenity

## **Residential Amenity**

Planning Policy Wales (Edition 12, February 2024) states at paragraph 2.7 that *“placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people”*.

Criterion (k) of Policy SP3 of the Local Development Plan (2024) seeks to ensure that ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected and, in addition, seeks to ensure that an appropriate level of amenity is afforded to future occupiers of a development.

Policy DNP9 of the LDP notes that development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity due to:

- 2) Noise pollution
- 3) Light pollution

The proposed floodlights would be located approximately 25m from the curtilage of the nearest residential property. They have been designed to illuminate the two netball courts at the southern end of the MUGA to an acceptable playing standard. The lights would be louvred to limit the extent of light spill onto surrounding areas.

The Council's Public Protection Officer (**PP**) has not raised any concerns with the effect of light spill from the proposal on their own or in combination with the other floodlights or other undetermined development proposals in Bryncethin (P/23/218/FUL). However, the PP officer has recommended the imposition of a condition to restrict the hours of operation to mitigate any adverse noise effects generated by users of the illuminated courts. This will ensure that the courts remain available for use over a similar time to the planning restriction on the adjoining artificial pitch which is time limited to 21:00 hours. The agent has reviewed the recommended condition and advised that the lighting is not required on Saturday evenings due to lack of demand and that the proposed limitations on Sunday and Bank Holidays would render the evening use of the MUGA impractical. The hours condition has been drafted to acknowledge this feedback.

Accordingly, it is considered that the proposal complies with criterion (12) of Policy SP3 and DNP9 of the Bridgend Local Development Plan (2024) which relates specifically to residential and local amenity.

### **Highway Safety**

Policy PLA11 of the adopted Bridgend Local Development Plan (2024) stipulates that all development must be served by appropriate levels of parking in accordance with the adopted SPG on parking standards.

The proposal does not include any new car or cycle parking provision. Parking would be made available for netball court users in the main school carpark. Pedestrian access to the MUGA will be provided through the public entrance to the school. It is expected that the floodlighting will generally be used outside school hours when adequate parking should be available within the car park.

It is not anticipated that there will be any additional demand placed on the artificial pitch carpark or adjoining streets as pedestrian access to the illuminated courts will be via the main entrance to the school.

As such, the proposed development is considered to be in accordance with Policy SP3 and PLA11 of the Bridgend Local Development Plan (2024) and is acceptable from a highway and pedestrian safety perspective.

### **Biodiversity**

In assessing a planning Application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development*

*plan preparation and when proposing or considering development proposals.” it further goes on to state that” All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Policy SP3 of the adopted Local Development Plan (2024) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created where ever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.”*

Policy DNP7 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*. Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

In this case the proposal would not result in the loss of any green infrastructure. The Bat and Nesting Bird Impact Assessment recommended the implementation of an amended lighting layout to reduce the impact on bats and nesting birds. These changes have been made to the submitted proposal.

The ecology report further recommended the installation of two bat boxes to be placed on a suitable large tree within the adjacent woodland area, to enhance the site for roosting bats. A condition can be imposed to ensure this is implemented. A note can also be attached advising the Applicant of ways that they could enhance biodiversity at this location. As such the proposal is acceptable in terms of Biodiversity.

On balance the proposed development is considered to be compliant with Policy SP3 DNP6, 7 and 8 of the Local Development Plan (2024) and is therefore acceptable in terms of Biodiversity.

## **CONCLUSION**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2024)

Having regard to the above, and the objections received, on balance, it is considered that

the proposal is an acceptable addition to the established MUGA and would support the health and wellbeing of members of the community. While evening use of the illuminated court area may have some impact on the amenity of adjoining residents, this would be acceptable and considered to be no greater than the effects of other evening recreational use of the adjacent artificial pitch.

Accordingly, the proposed development accords with Policies SP1, SP3, SP4, SP5, SP8, SP9, SP17, SF1 PLA11 DNP6, DNP7 and DNP8, DNP9 of the Bridgend Local Development Plan (2024).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

## **RECOMMENDATION**

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

1. The development shall be carried out in accordance with the following approved plans and documents:
  - LIAS DESIGN NOTES & LUMINAIRE SCHEDULE - REVISION 2 - DATE 21/12/23
  - MUGA FLOODLIGHTING REPORT - DATE 30/11/2023
  - 8M SJCS TUBULAR COLUMN ROOTED & FLANGE PLATED C/W VARIOUS BRACKET ARRANGEMENTS
  - BAT AND NESTING BIRD IMPACT ASSESSMENT - ACER ECOLOGY - DECEMBER 2023 – Section 5 'Required Actions'.

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

2. The floodlighting hereby permitted shall only be illuminated between the following hours:
  - 09.00 and 21.00 hours - Monday to Friday
  - The floodlights shall not be illuminated on Saturday, Sunday, or any Bank Holiday

Reason: In the interests of residential amenities and to accord with Policy SP3 and DNP9 of the Bridgend Local Development Plan (2018-2033).

3. Notwithstanding Condition 2, the floodlights as approved must not be illuminated between 21:00 and 09:00 between May 1st and September 30th (inclusive) in any year.

Reason: In the interest of protecting local biodiversity.

4. Prior to the first beneficial use of the illuminated courts, two artificial nesting sites for roosting bats shall be erected to the following specification - Vivara Pro WoodStone bat boxes or another suitable alternative, within a suitable large tree within the broadleaved woodland along the eastern border of the site. The bat boxes will be installed at a minimum of 3m above ground level. The boxes will be clear of obstructions such as branches, and so some may need to be trimmed off or otherwise the bat boxes will be carefully positioned. The bat boxes will be positioned away from horizontal branches directly below or above which could easily be accessed by cats. The bat boxes should utilise straps rather than nails to avoid damaging trees.

Reasons. In the interest of enhancing biodiversity and to accord with Policy SP3 and



DPN6 of the Bridgend Local Development Plan (2018-2033).

5. \* THE FOLLOWING IS AN ADVISORY NOTE NOT A CONDITION

With respect to biodiversity, the Applicant is referred to Section B1: Biodiversity Design Guidance Sheet: Bats and Development when undertaking building demolition or works that will impact on a roof space which due to its nature creates a potential risk to bats. In particular you are referred to section 8.0 Bat Warning (pp 47) which provides good practice guidelines to be followed by all Applicants whose development involves any risk to bats.

The Applicant is advised to incorporate bird and/or bat boxes into the development which would provide summer roosting opportunities for birds/bats and would contribute to the environmental sustainability of the development. Further information can be found on page 46 section 7.0 of the above SPG. Incorporation biodiversity enhancements will help contribute to the environmental sustainability of the development. Such enhancements will demonstrate Local Authority compliance with Section 6 of the Environment (Wales) Act 2016 that places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

**JANINE NIGHTINGALE  
CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None

This page is intentionally left blank

## Appeals

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

<b>APPEAL NO. APPLICATION NO</b>	CAS-03175-P4C1C7 (2005) P/23/577/FUL
<b>APPELLANT</b>	MR D & MRS M JOHN
<b>SUBJECT OF APPEAL</b>	TWO STOREY REAR AND SIDE EXTENSION; SINGLE STOREY REAR EXTENSION; SIDE ENTRANCE PORCH AND WIDER DRIVE ENTRANCE WITH DROPPED KERB - RESUBMISSION OF REFUSED APPLICATION P/23/393/FUL: 32 MERTHYR MAWR ROAD BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed development, by reason of its siting, scale and design, would constitute an inappropriate and unsympathetic form of development that would unbalance and dominate the appearance of the established pair of semi-detached properties resulting in an unacceptable impact on the character of the host dwelling to the detriment of the existing visual amenities of the locality. As such, the proposal is considered contrary to Policy SP2 of the Bridgend Local Development Plan (2013), the principles of SPG2 - Householder Development (2008) and Technical Advice Note 12 Design (2016), and advice contained within Planning Policy Wales (Edition 11, 2021).
2. The proposed two-storey side/rear extension, by reason of its siting, scale and design, would have an unreasonably overbearing impact on the neighbouring residential property, No. 30 Merthyr Mawr Road, to the detriment of the residential amenities enjoyed by the occupiers of that property. The proposal is therefore contrary to Policy SP2 of the Bridgend Local Development Plan (2013) and the principles of Supplementary Planning Guidance 02: Householder Development (2008) and advice contained within Planning Policy Wales (Edition 11, 2021).

<b>APPEAL NO. APPLICATION NO</b>	CAS-03246-Q8W1S8 (2006) P/23/344/FUL
<b>APPELLANT</b>	CARHYS
<b>SUBJECT OF APPEAL</b>	SINGLE STOREY ONE BEDROOM BUNGALOW: LAND TO THE SIDE OF 1 GER Y BONT BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

The application was refused for the following reasons:

1. The proposed dwelling, by reason of its siting, represents an uncharacteristic form of development which is at odds and harmful to the established character and appearance of the prevailing built up residential area contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales (Edition 11, February 2021).
2. The proposed development, by reason of its siting and design, represents an inappropriate form of development, which fails to provide future occupants with an appropriate and acceptable level of amenity, in terms of the outlook from the proposed dwelling, contrary to Policy SP2 of the Bridgend Local Development Plan, 2013, the principles of Supplementary Planning Guidance 02: Householder Development (2008) and advice contained within Planning Policy Wales (Edition 11, February 2021) and Future Wales – the National Plan 2040 (Feb 2021).

---

<b>APPEAL NO.</b>	CAS-03334-L5K8C7 (2007)
<b>APPLICATION NO</b>	P/23/403/FUL
<b>APPELLANT</b>	MR A MORGAN
<b>SUBJECT OF APPEAL</b>	FIRST FLOOR SIDE AND PART FIRST FLOOR REAR EXTENSION WITH ADDITIONAL GABLE AND PORCH TO FRONT ELEVATION: 86 TREMANS COURT BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its size, scale and design, represents an excessive and overly prominent form of development that fails to respect the character and proportion of the host dwelling and adjoining dwellings, resulting in a significant detrimental impact on the character and appearance of the streetscene, contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance 02 Householder Development (2008), and advice contained within Planning Policy Wales (Edition 11, 2021) and Technical Advice Note 12: Design (2016).
2. The proposed development, by reason of its scale, orientation and design, would have an excessively dominating impact on adjoining properties and would fill the space about the buildings resulting in a significant loss of residential amenity through overbearing and overshadowing impact contrary to Policy SP2 of the Local Development Plan (2013), Supplementary Planning Guidance Note 02 Householder Development and Paragraph 2.7 of Planning Policy Wales (Edition 12, 2024).

---

## **RECOMMENDATION**

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

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

## **TRAINING LOG**

*All training sessions will be held in the Council Chamber but can also be accessed remotely via Microsoft Teams.*

<b><u>Subject</u></b>	<b><u>Date</u></b>
Glamorgan Gwent Archaeological Trust	15 May 2024
Building Conservation & Design	26 June 2024
PEDW Briefing for Members	2024
Public Rights of Way / Bridleways	
Tree Policy - Green infrastructure	

(Members are reminded that the Planning Code of Practice, at paragraph 3.4, advises that you should attend a minimum of 75% of the training arranged).

### **Recommendation:**

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

### **BACKGROUND PAPERS**

None

This page is intentionally left blank