

Public Document Pack
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.



Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate
Deialu uniongyrchol / Direct line /: 01656 643148 / 643694 / 643513
Gofynnwch am / Ask for: Democratic Services

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

Dyddiad/Date: Friday, 15 August 2025

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held Hybrid in the Council Chamber - Civic Offices, Angel Street, Bridgend, CF31 4WB on **Thursday, 21 August 2025 at 10:00.**

AGENDA

1 Apologies for Absence

To receive apologies for absence from Members.

2 Declarations of Interest

To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are also Town and Community Councillors, in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008. Members having such dual roles should declare a personal interest in respect of their membership of such Town/Community Council and a prejudicial interest if they have taken part in the consideration of an item at that Town/Community Council contained in the Officer's Reports below.

3 Site Visits

To confirm a date of Wednesday 01/10/2025 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.

4 Approval of Minutes

By receiving this Agenda Pack electronically you will save the Authority approx. £4.44 in printing costs

To receive for approval the minutes of the 10/07/2025

5 Public Speakers

To advise Members of the names of the public speakers listed to speak at today's meeting (if any).

6 Amendment Sheet

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

7 Development Control Committee Guidance

11 - 14

8 P/25/98/BCB - Corneli Primary School, Greenfield Terrace, North Cornelly, CF31 4WB

15 - 106

9 P/24/806/FUL - 34 Caerau Road, Caerau, Maesteg, CF34 0PB

107 - 124

10 P/25/259/RLX - Land West of Maesteg Road, Tondy, CF32 9DF

125 - 150

11 Appeals

151 - 172

12 Retail and Commercial Development Supplementary Planning Guidance

173 - 220

13 Training Log

221 - 222

14 Urgent Items

To consider any other item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Note: This will be a Hybrid meeting and Members and Officers will be attending in the Council Chamber, Civic Offices, Angel Street Bridgend / Remotely via Microsoft Teams. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you would like to view this meeting live, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643148 / 643694 / 643513 / 643159.

Yours faithfully

K Watson

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

A R Berrow

RJ Collins

C L C Davies

S Easterbrook

RM Granville

H Griffiths

S J Griffiths

GC Haines

D T Harrison

M L Hughes

D M Hughes

M R John

W J Kendall

J Llewellyn-Hopkins

J E Pratt

Vacancy

A Wathan

R Williams

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DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 10 JULY 2025

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON THURSDAY, 10 JULY 2025 AT 10:00

Present

Councillor RM Granville – Chairperson

A R Berrow
M L Hughes

RJ Collins
D M Hughes

S Easterbrook
J E Pratt

GC Haines
A Wathan

Present Virtually

C L C Davies
W J Kendall

H Griffiths
R Williams

D T Harrison

M R John

Officers:

Jonathan Parsons
Gillian Dawson
Philip Thomas
Robert Morgan
Craig Flower
Rachel Keepins
Oscar Roberts

Group Manager Development
Lawyer - Planning
Development Control Team Leader
Senior Development Control Officer
Planning Support Team Leader
Democratic Services Manager
Temporary Democratic Services Officer - Committees

130. Apologies for Absence

Decision Made	Apologies for absence were received from Cllr S Griffiths.
Date Decision Made	10 July 2025

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 10 JULY 2025

131. Declarations of Interest

Decision Made	None.
Date Decision Made	10 July 2025

132. Site Visits

Decision Made	<u>RESOLVED</u> : That a date of 20 August 2025 be approved for any site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.
Date Decision Made	10 July 2025

133. Approval of Minutes

Decision Made	<u>RESOLVED</u> : That the minutes of a meeting of the Development Control Committee dated 29 May 2025, be approved as a true and accurate record.
Date Decision Made	10 July 2025

134. Public Speakers

Decision Made	There were no public speakers.
Date Decision Made	10 July 2025

135. Amendment Sheet

Decision Made	No amendment sheet was presented to the Committee for consideration.
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DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 10 JULY 2025

Date Decision Made	10 July 2025
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136. Development Control Committee Guidance

Decision Made	<u>RESOLVED</u> : That the report of the Corporate Director – Communities outlining guidance for Members on Development Control and Planning issues, be noted.
Date Decision Made	10 July 2025

**137. P/23/652/FUL - Maple Meadows Wern Tarw Road (Church Street)
Rhiwceiliog Pencoed**

Decision Made	<u>RESOLVED</u> : That the above application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:- <u>PROPOSAL</u> : Three residential traveller pitches with day/utility room, static caravan and tourer with ecological restoration scheme and ecological mitigation, improved access, internal driveway, parking areas, boundary fencing and installation of private treatment plant.
Date Decision Made	10 July 2025

138. Appeals

Decision Made	(1) That the appeals received since the last meeting of the Committee as shown in the report of the Corporate Director – Communities, be noted. (2) That the Inspector appointed by the Welsh Ministers to determine the following appeal has directed that it be DISMISSED:- Application No. – P/24/312/FUL Subject of Appeal - Adding a new detached garage and converting the existing internal garage to a living space: 3 Brook Vale, Pencoed
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DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 10 JULY 2025

Date Decision Made	10 July 2025
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139. Agree to hold a Special Development Control Committee on Thursday the 31st July 2025

Decision Made	<u>RESOLVED</u> : That a Special Meeting of the Development Control Committee should be held to consider the following Applications: P/25/96/BCB, P/25/98/BCB & P/24/719/BCB at 10am on Thursday 31 July 2025, and that Full Committee site visits if required shall be undertaken to each of the three locations on the morning of Wednesday 30th July 2025.
Date Decision Made	10 July 2025

140. Planning & Development Services – Workloads Projects & Challenges 2025 - Member Briefing

Decision Made	<u>RESOLVED</u> : The Committee noted the contents of the report.
Date Decision Made	10 July 2025

141. The Care Inspectorate Wales’ (CIW) Response of 24 June 2025 to the Chair of the Council’s Development Control Committee’s Letter of 10 June 2025 Following a Request by Members at the DCC of 17 April 2025

Decision Made	<u>RESOLVED</u> : The Committee noted the contents of the report.
Date Decision Made	10 July 2025

142. Training Log

This document is available in Welsh / Mae’r ddogfen hon ar gael yn Gymraeg

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 10 JULY 2025

Decision Made	<u>RESOLVED:</u> That the report of the Corporate Director – Communities outlining up and coming topics for Member training be noted.
Date Decision Made	10 July 2025

143. Urgent Items

Decision Made	None.
Date Decision Made	10 July 2025

To observe further debate that took place on the above items, please click this [link](#)

The meeting closed at 11:15.

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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
- 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/25/98/BCB

APPLICANT: Bridgend CBC - Education Dept Civic Offices, Angel Street, Bridgend, CF31 4WB

LOCATION: Corneli Primary School Greenfield Terrace North Cornelly CF33 4LW

PROPOSAL: Demolition of the two existing primary schools, construct a new Welsh Medium Primary School building with associated infrastructure and landscape works (amended plans showing revised coach drop off and pick up from hall drive and removal of the coach drop off and pick up from Greenfield Terrace and additional noise details)

RECEIVED: 19 February 2025

Addendum Report P/25/98/BCB

At the Special Development Control Committee meeting held on 31 July 2025, Members resolved to approve Application P/25/98/BCB (which relates to the construction of a new Welsh Medium Primary school) subject to no new or further material objections being received during the re-consultation period (that period was still ongoing at the time of the Special Planning Committee meeting due to the receipt of amended plans for a relocated coach 'pick up/drop off' area) which period expired at midnight on 13 August 2025.

Since the date of the above Special Planning Committee meeting, 1 letter of support and 8 letters of objection have been received which include concerns from Cornelly Community Council. These are '*material objections*' that were not considered at the previous Special Planning Committee meeting.

As such, and in accordance with the resolution agreed at that Special Planning Committee meeting, the Application is being brought back for Members to consider the new *material* objections that have been received.

These new *material* objections have been summarised as follows (together with the Local Planning Authority's response). It should be noted that whilst the new objections have been summarised below, two of the new objections comprise comprehensive documents which are attached as Appendix A and Appendix B so that Members are able to see the entire documents.

Summary of New Material Objections:

Highways issues

The area already experiences heavy traffic and frequent lorry movements. The addition of school buses will significantly increase congestion by a busy junction.

The proposed location poses a safety risk for children travelling from Broadlands and the Cornelly side, as they will be required to cross busy roads to reach the school.

Delivery lorries regularly visit local shops, including Filco supermarket, further contributing to traffic issues.

Increased parking by parents during drop-off and pick-up times is expected to worsen the already congested area.

There is insufficient parking provision for school staff, which will likely result in on-street parking and additional pressure on surrounding roads.

Hall Drive is the centre of the shopping in Cornelly. It's an extremely busy already as it's a village with shops, the GP surgery, 2 supermarkets having their lorry deliveries. There is no room for additional parking. Presently during these extremely busy times, cars are parked everywhere, double parking. Greenfield terrace would be a far better location.

It appears that the relocation of the entrance was forced upon the applicant by the Highways Department.

Pedestrian safety compromised by vehicles turning in across the main pedestrian entrance to the school.

An objection in relation to the Road Traffic Regulation Act 1984 and the TRO, noted in Section 122: requires Councils to balance the safe and convenient movement of traffic with other considerations, such as environmental impacts or community needs. The objector's concern is that under this section the bus entrance conflicts with the Council's duty under Section 122 to ensure safe and expedient traffic movement, especially if it increases congestion or risks to pupils and residents. Any more large vehicles on Hall Drive will increase conflict with illegally parked vehicles or other vehicles as this is the main shopping hub in Cornelly. This bus entrance is less than 40 metres from a major junction in Cornelly. An overriding concern will be for pedestrian safety being potentially compromised by turning in vehicles across the main pedestrian entrance to the school.

The plans show that the redline boundary includes the access to a shared drive, the driveway has been a part of the houses since it was built in 1918 and is in constant use so should not be included on the plans.

The proposal Contravenes principles of safe highway design as implied or explicitly stated in the Highways Act 1980 and associated Welsh Government guidance (like TAN 18: Transport, which draws heavily on highway engineering best practice derived from the Act).

The development will lead to unacceptable highway safety risks for all users, including pedestrians (especially children), cyclists, and other vehicles, which is contrary to the duties imposed on the Council by the Highways Act.

The proposal will cause severe congestion or obstruction on the public highway, thereby interfering with the free flow of traffic, which runs counter to the general purpose of the Highways Act to maintain efficient road networks.

The current situation, is absolutely appalling (see appendix 2 for a full copy of the extensive neighbours response to this application) having a Welsh School built, housing more children and coming from further afield, it will cause even more chaos than what we have already. At present, we have no coaches to the current Primary School, but with the catchment area greatly enlarged, with school coaches at least twice a day, plus parents dropping off and collecting, it is a recipe for disaster, and so far, thankfully it has not happened, but with the increase in traffic, what is already a horrendous issue, will only compound the situation further.

Apparently, the LPA have had Law Enforcement Officers, but the object, nor any of their neighbours have seen any. The objector their neighbours, we are unable to get in or out of the Close, including Hall Drive because of the parking by parents or carers collecting or dropping off the children.

Although the application states there will be no congestion on Greenfield Terrace because the main entrance will be elsewhere, in practice parents are still likely to use this entrance for drop-off and pick-up. This will add to existing traffic pressures, especially at peak times. With another new school planned for the top of the street, vehicle movements in the area will inevitably increase. Without specific traffic calming or parking management measures, there is a risk to pedestrian safety for pupils and residents.

People come to drop their kids off or pick them up and park on the double yellows, on the zig zag lines , on the grass and pavements and even blocking driveways and my neighbour even had someone park actually in her drive . They seem to have a complete disregard to residents or how they impact This causes a huge problem also for us as residents getting to our homes or getting out as there is massive congestion on school house close and getting out onto hall drive and the bottom of hall drive to the junction by the community centre and park. More so than this is the deliveries and frequency on heavy traffic to the filco store which has increased massively recent years. There is only one loading bay to the shop but it's never used as always full of delivery cages and their snappy shopper delivery vehicle . There is 4 very small tight parking spaces in front of the shop where even small cars park they stick out into the road causing partial obstruction . Then there are probably at least 20 or more delivery and collections by Ebro, Amazon prime, DPD and other courier firms as the shop is now a parcel pick up and dispatch point . Additionally there is 10-20 deliveries to the store every day from 6am till 7pm most or which are huge articulated Lorrie's which park in middle of the road often blocking the junction of the school gates or the junction of school house close stopping residents being able to exit safely .

I cannot believe you are proposing to add additional congestion of coaches coming into the school and exiting in the exact location where we already have a huge problem with traffic flow and Parking especially as the pedestrian exit is also at same location and kids will be trying to cross and get to parents vehicles etc This is a disaster waiting tomorrow happen as you have created a melting pot for a child to be knocked down or fatally injured.

- The Highways Officer has commented as follows:

'In response to the above highway safety concerns the following comments should be read together with the Highway Authority's previous observations dated 19th July 2025.

The Highway Authority acknowledges the concerns raised by residents during the consultation stages regarding existing congestion, HGV deliveries to the Filco store and inappropriate parking behaviour on Hall Drive, the adjacent retail area and the surrounding streets. We recognise that these issues are not new and occur independently of this planning application, due to the presence of the existing schools, often at the times referenced in the objections.

Without the proposed redevelopment, these problems will continue for as long as both schools are on this site, with no formal mechanism for the Highway Authority to address them. The school proposal gives us a rare opportunity to introduce new physical and legal measures that have previously not been available, thereby directly tackling the behaviours and conflicts that the objectors have described.

Through this scheme, we will be able to implement new "No Waiting/No Loading" restrictions specifically timed to coincide with school drop-off and pick-up periods, enabling camera enforcement vehicles to issue penalty notices where contraventions occur. This is a significant improvement over the current position, where enforcement against stopping on double yellow lines during these peak times is not always legally possible (as vehicles can briefly stop to allow drop off or picking up of passengers). In addition, the development allows us to amend the local highway arrangement to better manage vehicle movements associated with the supermarket next door, providing safer pedestrian access and reducing obstruction points.

These works, secured through planning conditions and Traffic Regulation Orders (**TROs**), represent an opportunity to achieve a highway betterment in an area that has suffered from unmanaged conflict between different road users and residents. In addition, the works proposed in front of the lane access servicing houses on Hall drive is all highway land. the access to the lane will remain and not be restricted.

The proposed TROs will be robust, enforceable, and targeted at the critical times and locations where inappropriate or obstructive parking has the greatest impact. Combined with the redesigned access arrangements, dedicated coach and taxi bays within the school, and visibility improvements recommended in the Road Safety Audit, which raised no other concerns with Hall Drive coach access, these measures are necessary to ensure the safe and efficient operation of the school within the context of existing traffic patterns.

Following further consultation, site observations, and technical input from colleagues in Traffic Management and Road Safety, additional safeguards have been secured through planning conditions including the closure of conflict points at the access to the retail area, provision of a new pedestrian crossing, and enhanced enforcement powers. This reflects the normal progression of the planning process, where community feedback and updated technical evidence

are used to strengthen a scheme. In this way, the development not only mitigates its own impact but also delivers wider operational and safety benefits for pupils, residents, and all users of the village centre.'

The Highway Authority continues to have no objection to the proposal which includes a relocated coach 'pick up/drop off' area subject to the original condition 12 being replaced by conditions 47 and 48, and the Highway Authority's further requested conditions numbered 46 and 49 to 53.

Residential Amenity

A 3-metre-high wall is being erected as part of the development, which will have a negative impact on local residents and the character of the area.

- In response to the above objection:

The Application was originally designed with a 3m high acoustic barrier along the section of the access road to provide the best protection to residents in relation to any noise from vehicles. However, due to the objections raised, the Applicant has been in discussions with the Council's Environmental Health Officer and Local Planning Authority and has undertaken a further noise assessment resulting in a reduction in the height of the acoustic barrier to 2.4m. This would be consistent with the perimeter fencing around the school. The Council's Environmental Health Officer has advised that reducing the height of the acoustic barrier from 3m to 2.4m results in a 2dB increase in noise levels which, within the context of the scheme, is negligible. Environmental Health therefore have no objection to the reduction in the height of the acoustic barrier subject to all other noise conditions remaining the same. As such it is considered that condition 42 shall be reworded so that the height of the barrier reads 2.4m. Consideration will be given to see whether the visual appearance of the acoustic wall can be broken up, either using a variety of materials and colours and/or softened with landscaping or climbing plants. Condition 42 will be reworded so that this can be considered.

Concerns over noise, vibration and air pollution from traffic:

- The amendments to the scheme relate to the relocation of the bus 'pick up and drop off' area to Hall Drive - the staff car park and pedestrian entrances all remain as originally planned. It is considered that 2 coaches parked within the bus 'pick up/ drop off' area at any one time would not give rise to any unacceptable levels of noise, vibration or air quality issues and there are several conditions attached to the recommendation to ensure there would be no unacceptable impacts upon adjoining residents.

Other

Neighbours feel strongly that the position of the proposed school is a poor choice and should be reviewed:

- The Local Planning Authority can only consider the Application as submitted and the existing school needs to be operational whilst the new school is being constructed.

A neighbour considers that the item should not have been considered before the re-consultation period had elapsed:

- While the Application was considered at the Special Development Control Committee held on 31 July 2025, the Committee's Recommendation clearly sought a resolution to grant permission subject to and provided that no new or further *material* objections are received during the re-consultation period which ended on 13 August 2025. As *material* objections have been received, the Application has been duly referred back to Members of the Development Control Committee to consider the new objections raised. No decision was made at the Development Control Committee site visit which was merely a fact-finding opportunity to allow Members to familiarise themselves with the physical site context in relation to the development proposals.

I object to these current plans and believe the council has amended with almost no consultation whatsoever Hoping to push them through without people noticing

- The Application has been correctly advertised in accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, which has given any persons affected by the proposal the opportunity to any make comments or observations they may have.

A copy of the original Officer's Report presented to Members at the previous Development Control Committee meeting on 31 July 2025, is reproduced below (with condition 12 deleted and replaced by conditions 47 and 48, and the addition of conditions numbered 46 and 49 to 53, as requested by the Highway Authority) :

REFERENCE: P/25/98/BCB

APPLICANT: Bridgend CBC - Education Dept Civic Offices, Angel Street, Bridgend, CF31 4WB

LOCATION: Corneli Primary School Greenfield Terrace North Cornelly CF33 4LW

PROPOSAL: Demolition of the two existing primary schools, construct a new Welsh Medium Primary School building with associated infrastructure and landscape works (amended plans showing revised coach drop off and pick up from hall drive and removal of the coach drop off and pick up from Greenfield Terrace and additional noise details)

RECEIVED: 19 February 2025

APPLICATION/SITE DESCRIPTION

The proposed development for a new Welsh Medium school is a vital part of the Local Authority's 'Bridgend West' school modernisation scheme. A new English Medium primary school is proposed on the site to the North access off Heol Y Parc; a separate planning application has been submitted for this proposal (P/25/96/BCB)

The site is approximately 3.2 hectares of brownfield land and is located in North Cornelly. The site is relatively flat and currently occupied by two Primary Schools and a Children's Centre. The two schools are Corneli Primary in the south of the site and Ysgol Y Ferch O'r Sgêr in the north; the Children's Centre is in the centre of the site. The remainder of the site is green amenity space for the existing education uses or parking and hardstanding areas associated with the education use. The school site is surrounded by residential properties, on each of its boundaries (Greenfield Terrace to the north, Heol Y Parc to the east, Hall Drive to the south and Heol Fach to the west). The southeastern boundary has mature woodland that separates the site from residential properties; there are also a series of other mature trees located across the site. The Site Location is shown below in figure 1

Figure 1 – Site Location Plan:



The development proposes the demolition of the two existing primary schools, to construct a new Welsh Medium Primary School building. The school would accommodate students from the existing Welsh school 'Ysgol y Ferch o'r Sger' and the wider community. The Children's Centre would be retained and would remain in operation during the development operations and construction, continuing to provide a facility for the local area.

The existing facilities of the two Primary Schools would be demolished and replaced with higher quality provision of education support. This demolition and construction would be phased, to deliver the new school while those two schools continue to operate. There would be a small demolition of part of one school, during school holidays, to enable the new school construction to be completed.

Breakdown of the proposal

- Capacity: The school will accommodate approximately 420 primary school places, 60 nursery places
- Staffing: It will house around 45 teaching staff (45 full-time,) and 29 ancillary staff (3 full-time, 26 part-time).
- Building: The proposed two-storey building will have a gross internal floorspace of 2,899 sq m.
 - The ground floor will house 2 Nursery classrooms, 2 Reception classrooms, 4 Infant classrooms, WC, main Hall, staff room, offices, kitchen and external play space etc.
 - The upper floor will contain 8 Junior classrooms.
- **Access and Parking:**
 - Pedestrian and Bus vehicle access will be from Hall Drive, leading to a new entrance plaza. With staff parking accessed from Greenfield Terrace
 - The car park will provide 46 spaces (39 standard, 2 visitors, 2 motorcycle, 2 blue badge, there are also 3 taxi drop off spaces).
 - A total of 20 spaces will be retained for the Children's Centre including 2 disabled blue badge spaces
 - Electric vehicle charging will include 10% active and 90% passive provision.
 - 30 covered cycle storage
- **External Facilities:** A **Multi-Use Games Area (MUGA)** and a playing field will be provided, along with extensive landscaping, external compound, sprinkler enclosure, bin storage area and perimeter security fencing.
- **Community Use:** The new school facilities, such as the MUGA, will be available for community use on a bookable basis.

Members should Note that, during the course of the planning Application, the Local Authority Highways Officer raised a fundamental objection to the use of Greenfield Terrace for access to and egress of the proposed 'coach' drop-off and pick-up area

This objection is due to conflict between large vehicles and other vehicles on Greenfield Terrace during school start and finish times which is exacerbated with the adjacent proposed Marlas School. The Local Authorities Highways Officer advised that the school 'coach' drop-off and pick-up vehicle-access would need to be moved from

Greenfield Terrace; as such, the plans have been amended to show the coach drop-off and pick-up located off the Hall drive access instead, adjacent to the main school entrance. The original bus drop-off area has been removed from the proposal and will be landscaped. The amended plans detailing this change have recently been received and are currently still out to consultation with the consultation period ending on the 13th August 2025; however due to the tight timescale within which the Local Authority Education Department has to deliver the school, the Application is being presented to planning committee to make a resolution subject to no material objection be received before the consultation period end date.

The proposed masterplan/site layout and computer-generated images (CGI) can be seen below in **figures 2 and 3**.

Figure 2 – Site Masterplan/Layout



Figure 3 – Indicative Computer Generated Images of the School



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

- Planning Statement (February 2025) by prepared by The Urbanist;
- Design and access Statement (February 2025) prepared by Sheppard Robson;
- Pre Application Report (PAC) (February 2025) prepared by the Urbanist;
- Phase I Geo-Environmental Desk Study Report (September 2020) prepared by HSP Consulting;
- Phase II Geo-Environmental Desk Study Report (September 2020) prepared by HSP Consulting;
- Transport Assessment (February 2025) prepared by TTP Consulting
- School Travel Plan (February 2025) prepared by TTP Consulting;
- Drainage Maintenance Report (January 2025) prepared by Hydrock;
- Soakaway Technical Note (December 2024) prepared by HSP Consulting
- AGP & MUGA Noise Assessment (May 2025) prepared by Hydrock;
- Stage 3 Acoustic Design Report (September 2023) prepared by Hydrock;
- Noise Planning Report (October 2024) by Hydrock;
- Detailed Unexploded Ordnance Risk Assessment (September 2020) prepared by Safelane Global;
- Landscape Management and Maintenance Plan (February 2025) prepared by Ares Landscape Architects;

- Green Infrastructure Statement (February 2025) prepared by Ares Landscape Architects;
- Habitat Regulation Screening Assessment (October 2023) prepared by CSA Environmental;
- Net benefit for biodiversity Report (October 2024) prepared by CSA Environmental;
- Preliminary Roost Assessment (March 2025 prepared by TACP
- Ecological Impact Assessment (November 2023) prepared by CSA Environmental;
- Arboricultural Impact Assessment (October 2023) prepared by CSA Environmental;
- Arboricultural Survey Report (September 2023) prepared by CSA Environmental;
- Preliminary Ecology Appraisal (August 2020) prepared by CSA Environmental;
- Flood Consequences Assessment (August 2020) prepared by HSP Consulting;
- Energy Masterplan Technical Note (November 2024) prepared by Hydrock.
- Demolition Technical Note *December 2024) prepared by Hydrock
- BR101-HYD-XX-XX-RP-Y-0006 - Bus and Deliveries Noise Assessment

PRE-APPLICATION CONSULTATION

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended 2016) requires all applicants proposing 'major' development to consult landowners adjacent to the application site and key stakeholders prior to submitting the planning application, and to demonstrate how consultation responses received have been considered and managed.

In line with the above Pre application consultation was carried out between 11th October 2023 to 10th November 2023 by the Urbanist.

The issues raised by local residents were as follows.

1. *Why has the siting within the school been chosen?*
2. *How will the demolition of the existing school be managed, to ensure the safety of the pupils?*
3. *How will we ensure noise, vibration, dust be managed to have no effect on the learners?*
4. *What will the construction traffic impacts be from building two schools consecutively?*
5. *How will traffic be managed?*
6. *Where will the access/drop off locations be during construction?*
7. *Would the school have an impact on trees and hedgerows?*
8. *How does the location of proposed trees compare with the location of proposed soakaways?*
9. *How will the smell from school catering be managed?*
10. *How will the noise generated from the new school be managed?*
11. *How will residents' privacy be retained?*
12. *Views from existing dwellings / open aspect character change*
13. *Local health and wellbeing impact for neighbouring residents*

14. *Why is it necessary for there to be loss of daylight and the close proximity of the proposed school to existing residences at the Corneli (Welsh) Primary School site?*
15. *What are the proposed pupil numbers for the new school?*
16. *Toilet provision*

The comments above that were made as part of the Statutory Pre- application Consultation Process have been considered by the Applicant and addressed by the Applicant within the PAC report Comments and the final design of the school derived in part from these comments. Observation was also made from statutory consultees which has also been considered and addressed within the PAC Report.

It is considered the Applicant has complied with the PAC requirement as set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended 2016)

EIA SCREENING

The application site does not exceed the Schedule 2 threshold for development of this type as outlined within the Environmental Impact Assessment (Wales) Regulations 2017. As such the Application has not been EIA screened.

The proposed development is located within a zone of influence of the following Special Area of Conservation (**SAC**) sites:

- Kenfig SAC (c. 1.2km west)
- Cefn Cribwr Grasslands SAC (c. 1.9km east)

As such a Habitat Regulations Assessment (preliminary screening) as set down within the Conservation of Habitats and Species Regulations 2017 (as amended) was undertaken. This concluded that the proposed development would by itself, or in combination with any other development/project be unlikely have any likely significant effect on Kenfig SAC or Cefn Cribwr Grasslands SAC. As such, an 'Appropriate Assessment' is not required.

RELEVANT HISTORY

P/22/325/FUL: Proposal: Siting of container for use as shop (Pay as you feel), container for storage and raised beds approved 19/07/22

P/14/683/FUL: Two bicycle storage facilities, each accommodating 20 bicycles on the school grounds- Approved 19/11/2014.

P/13/585/BCB: Mobile classroom unit with boys/girl's toilet facilities, lobby and cloak area/ store- Reg 3 Deemed consent 09/09/2013.

P/12/642/FUL: Canopy to main infant entrance- Approved 22/11/2012.

P/10/925/BCB: Installation of an outdoor sun canopy on a soft play area- Reg 3 Deemed consent 27/01/2011.

P/05/1402/BCB: To provide an all-weather play area with boundary fencing- Reg 3 Deemed consent 29/11/2005.

P/03/1183/BCB: Early Years Centre including classrooms, creche, kitchen, toilets, stores, play area & parking- Reg 3 Deemed consent 28/01/2004.

PUBLICITY

The Application was advertised on site (27th March 2025) and in the Press (Glamorgan Start on 3rd April 2025)

Neighbours have been notified of the receipt of the Application and of the proposed amendment to move the main coach drop off.

The period allowed for response to consultations/publicity **expires on 13th August 2025**

CONSULTATION RESPONSES

Cornelly Community Council: have raised concerns for the traffic management with heavy plant going in and out of the area when the school is being built, and the current school still open, with the safety of the children. Recent accident on Heol y Parc, which shows the traffic conditions on this road. They have also requested that swift bricks or swift boxes are fitted while the schools are being built, as these birds come to this area to breed during summer months.

Transportation Officer (Highways) – No objection subject to conditions

Land Drainage Officer: No Objection

Natural Resource Wales (NRW): have concerns however are satisfied the concerns can be overcome by attaching condition requesting a Construction Environmental Management Plan and relating to unforeseen contamination.

Fire and Rescue Service: No objection

Welsh Water: No objection

Destination and Countryside Manager (Ecology): No objection subject to conditions

Shared Regulatory Services (Environment): No objection subject to conditions

Shared Regulatory Services (Environmental Health): No objection subject to conditions

Education: Supports the proposal

Heneb (Formerly Glamorgan Gwent Archaeology): No objection

REPRESENTATIONS RECEIVED

3 objections summarised as follows:

Residential Amenity

- a) the siting of a bicycle storage rack close to my boundary wall as there have been numerous incidents of antisocial behaviour where Police have attended. The proposed bicycle rack would be a target for antisocial behaviour and act as a shelter. Given the proximity to my boundary wall it would present a security and nuisance risk to my property.
- b) Loss of light to existing neighbours.

Highways

- a) The volume of traffic in Greenfield Terrace will be increased considerably as parents access the new English language primary at the top of the street and as they drop children to the Welsh primary school.
- b) There is no provision for speed reduction measures and no serious consideration of the effects of increased traffic flow for residents. I've shared my concerns with Cllr Winstanley, who supports my objection.
- c) Greenfield Terrace is too Narrow for the school, parent dropping children off park across private drives blocking in residents, cars parked make it impossible to drive down causing jams.
- d) Parent will also drop children off the other proposed school across the road which is not appropriate as Greenfield Drive will be used to access 3 schools.

Other

- e) Excess rubbish from children walking to school who currently litter the area.
- f) The school should be built on an industrial estate
- g) Uninterrupted views would be lost
- h) Building a new school whilst the other still operates is a risk to children's safety
- i) Building on the footprint of the existing school would make more sense
- j) Devaluation of property as the school is too close to the houses

COMMENTS ON REPRESENTATIONS RECEIVED

Residential Amenity

- a) The Bicycle Rack is within a secure school compound for children to use when travelling to school, this area would be under control of the school. Furthermore, the Bicycle rack is not immediate adjacent to the boundary and is on the opposite side of the access path.
- b) Issues of residential amenity have been addressed in the report

Highways

Highways issues have been addressed in the highways section of the report

Other

- e) People littering is not a material planning consideration, this should be taken up with the school to manage if pupils are seen doing this
- f) Each application is determined on its own merits and it's for the planning department to consider the application submitted, furthermore the proposed school is on a site that is currently a school site.
- g) The loss of uninterrupted views is not a material planning consideration
- h) Many school construction projects take place when the school is still operating and can be appropriately managed by the school and the Education Authority.
- i) The planning department must consider the application submitted, the existing school needs to operate whilst the new school is being constructed
- j) Devaluation of property is not a material planning consideration.

RELEVANT POLICIES

National Planning Policy:

Planning Policy Wales (PPW Edition 12) was revised and restructured in February 2024 to coincide with publication of, and take into account the policies, themes and approaches set out in, Future Wales - the National Plan 2040 and to deliver the vision for Wales that is set out therein.

Future Wales now forms part of the Development Plan for all parts of Wales, comprising a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities. All Development Management decisions, strategic and local development plans, planning appeals and all other work directed by the development plan need to accord with Future Wales.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015 and the Well-being of Future Generations (Wales) Act 2015.

PPW12 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision-making process.

Planning Policy Wales (PPW Edition 12) para 4.4.1 states “*Community buildings and spaces provide an important focus for sustaining communities and their well-being. They cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. They can include schools, cultural facilities, health services, libraries, allotments and places of worship.*”

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the seven sustainable development (or wellbeing) goals/objectives. This report has been prepared in consideration of the Council’s duty and the “sustainable development principle” as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

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.

Technical Advice Notes, the Welsh Government has provided additional guidance in the form of Technical Advice Notes (TAN):

- Technical Advice Note (TAN) 5 Nature Conservation and Planning
- Technical Advice Note (TAN) 11 Noise
- Technical Advice Note (TAN) 12 Design
- Technical Advice Note (TAN) 18 Transport
- Technical Advice Note (TAN) 23 Economic Development

Local Planning Policy and Guidance:

The Development Plan for the area comprises of the Bridgend Replacement Local Development Plan (RLDP) 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 SP9: Social and Community Infrastructure
- Policy SP13: Renewable and Low Carbon Energy Development
- Policy SP15: Sustainable Waste Management
- Policy SP17: Conservation and Enhancement of the Natural Environment

Topic Based Policy

- Policy SF1: Settlement Hierarchy and Urban Management
- Policy PLA8: Transport Proposals
- Policy PLA11: Parking Standards
- Policy PLA12: Active Travel
- Policy ENT10: Low Carbon Heating Technologies for new Development
- Policy ENT15: Waste Movement in new development
- Policy DNP6: Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP7: Trees, Hedgerows and Development
- Policy DNP8: Green Infrastructure.
- Policy DNP9: Natural Resource and Public Health

Supplementary Planning Guidance

In addition to the adopted Replacement Local Development Plan, the Council has approved Supplementary Planning Guidance (SPG) the following are of relevance:

- SPG12 – Sustainable Energy
- SPG17 - Parking Standards
- SPG19 – Biodiversity

APPRAISAL

The Application is reported to the Council's Development Control Committee due to the Application being made by the Council and due to the level of public interest in the

development.

Issues

Having regard to the above, the main issues for consideration in the assessment of this Application are the principle of the development, visual impact regarding proposed scale, design and materials, impact on neighbouring properties, ecology, drainage, and highway safety.

Principle of Development

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. PPW and the National Development Framework (NDF) set out how the planning system at a national, regional and local level can assist in delivering these requirements through Strategic Development Plans (SDPs) and Local Development Plans (LDPs).

The proposal is located within the Settlement of North Cornelly as defined by **Policy SF1** Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (RLDP). It is also located within the Pyle, Kenfig Hill and North Cornelly Sustainable Growth Area as defined by Policy SP1: Regeneration and Sustainable Growth Strategy of the RLDP.

Policy SP9: Social and Community Infrastructure of the RLDP states that in order to maintain and improve the quality of life of residents, existing educational and training facilities will be retained or enhanced. The proposal comprises a new Welsh Medium Primary School. This includes the construction of a new school building, external playing field and Multi Use Games Area (MUGA), access, parking, landscape works, as well as perimeter security fencing. The proposed development marks a significant investment into local education provision and will future proof the delivery of education in the local area for current and future generations. The supporting Planning Statement indicates that the proposed school will provide co-location benefits, as the proposed external MUGA will be made available to the local community. Therefore, the proposed development accords with Policy SP9.

The proposal would see the loss of an existing English Medium Primary School facility.

Policy COM9: Protection of Social and Community Facilities of the RLDP states that proposal 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 existing English Medium Primary School is to be relocated to a different part of the settlement as referred in paragraph 1 of this report (application ref P/25/96/BCB), which forms a key part of a targeted programme to invest in primary education provision in West Bridgend. As such, the loss is justified and accords with Policy COM9.

Policy SP3: Good Design and Sustainable Placemaking of the RLDP 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.

As such the principle of development is acceptable subject to further design, residential amenity, highways, drainage and ecology considerations addressed within this report.

Impact on Visual Amenity and Character.

Planning Policy Wales (PPW Edition 12) 2024 at paragraph 4.11.9 stipulates the following: *“The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.”*

Strategic Policy SP2 *Design and Sustainable Place Making* seeks to conserve and enhance the built environment and states *“All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.”* Local Planning Authorities should ensure that the proposed developments should not have an unacceptable impact upon the character and amenity of an area.

The proposed school building's location within the site has been refined from its initial concept, directly addressing discussions with the Local Planning Authority, the proximity of existing residential properties and Welsh water apparatus. This revised layout establishes a distinctive main entrance from Hall Drive, enhanced by the inclusion of a 'plaza' pedestrian area. This design significantly improves the street scene along this key route while ensuring sensitive integration with the surrounding environment and residential properties seen below in figure 4.

Figure 4 – Computer Generated Image of the School



The school building has been developed comprising two structures angled to each other: one single-storey and one two-storey, to minimise the overall footprint and height. The building's appearance is purposefully designed to be bright and vibrant, creating a welcoming atmosphere for pupils and visitors, and adding significant visual interest and colour to the local streetscape. The use of a light brickwork on the ground floor with a dark standing seam metal cladding on the upper floors, and roof with windows on the ground floor having a contrasting accent colour, provides an inviting and well-balanced appearance. A condition can be imposed to ensure samples and detail for the final material choices are provided.

This aesthetic, coupled with a well-considered building form and size, delivers a facility capable of fully meeting modern educational needs while also reflecting its status as a valuable community destination. The entrance elevations are particularly critical in achieving these objectives, further aiding legibility and ease of navigation for all users, which can be seen below in figure 5. (please note this image will be slightly different due to the relocated bus/coach drop off/pick up)

Figure 5 – Computer Generated indicative Images of the School Entrance



Externally, the site's landscape design will feature high-quality modern outdoor play facilities and distinctive outdoor teaching spaces, complementing the internal learning environment. The primary approach to the site from Hall Drive will be transformed through new hard landscape treatments and strategic tree planting, creating clear, high-quality pedestrian entrance points. This design works cohesively with the architectural elements of the building to foster a strong sense of place and arrival. The bus drop-off area sited adjacent to the entrance plaza has been designed to ensure it would not be a dominant feature. Staff car parking will be located to the North, off Greenfield Terrace, which will be surrounded by complementary landscaping features which enhance the visual interest of the site. It is further considered that the proposed school building and wider landscaping would be a significant improvement over the existing school site, which are considered to be in need of modernisation.

With regards to the new sports facilities (AGP and MUGA), it is considered that these would provide an acceptable addition within the street-scene, given the proposed educational context of the site. These facilities will also be accessible to the public outside of school hours. Turning to the proposed servicing area and bin/sprinkler enclosure, it is noted that they are located to the Northwest corner of the site adjacent to the MUGAs and at the end of the bus/coach drop-off/pick-up area. However, given they would be appropriately screened, it is considered that they would not detract from overall character and appearance of the surrounding area.

It should also be noted that the proposal will also be designed to be compliant with 'secure by design' principles and, as such, the safety of the users has been carefully considered. The proposal also includes secure boundary treatments and gateways at boundaries alongside ensuring a high level of natural surveillance with well-lit areas.

It is considered that the proposed design, scale and massing of the development and mix of landscaping areas is acceptable and will not have a detrimental impact upon the visual amenity of the area. Accordingly, it is concluded that the proposals accords with Policy SP3 of the Bridgend Replacement Local Development Plan, and reflects the aspirations for design quality within Planning Policy Wales and Technical Advice Note 12: Design (2016)

Residential Amenity

Policy SP3 of the RLDP, criterion (k), states a development must ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected; which have been addressed as follows:

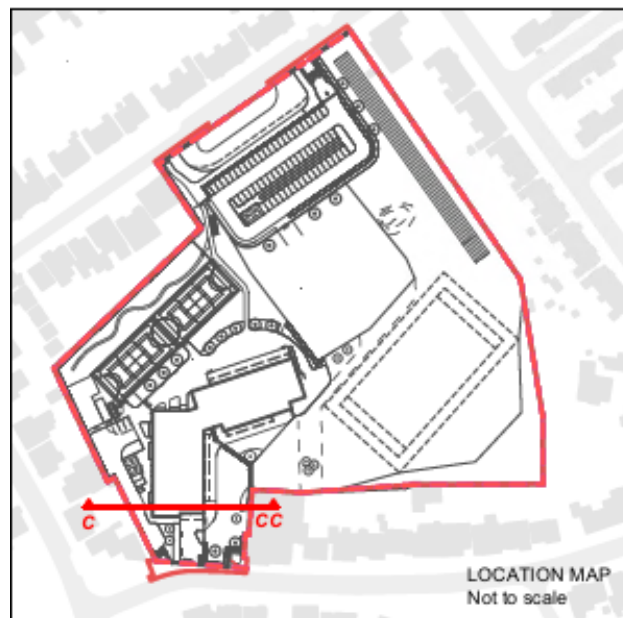
The site is surrounded by residential properties: to the Northwest are properties off Greenfield Terrace; to the Northeast off Heol Y Parc; to the Southeast off Hall Drive and off Heol Y Fach to the South and Southwest. The properties nearest to the proposed school building are numbers 1 to 17 Heol y Fach and the Filco Supermarket on Hall Drive. The staff parking area is located on the Northwest part of the site accessed off Greenfield Terrace, the nearest houses to the car parking area are off Greenfield Terrace and Heol Y Park. The houses nearest to the Multi Use Games Area (MUGA) in the Northwest of the site are numbers 2 to 16 Greenfield Terrace. The nearest dwelling to the All-weather pitch in the Southwest of the site is off Hall drive.

Overbearing/Overshadowing

The school building is the only element of the proposal that could have the potential to overbear or overshadow any existing adjoining property, as all the other works along the boundaries and within the site are relatively low level and unlikely to have any unacceptable impacts. These works include car parking areas, access roads and paths, landscaping, sprinkler compound and bin store, sport pitches, cycle shelters, some ground works which include level changes and weld mesh security fencing.

The proposed school building is part single- storey and part 2- storey; the single- storey element measures approximately 47m long by 22m wide and has a height of 7.5m to the ridge level 6.5m/5m to the eaves. The two- storey element measures 47m long by 22m wide and has a height of 10.2 to the ridge level, 8.5m at the eaves. The position of the proposed school buildings is shown below in figure 6, which also show a section line (in red) which have been requested to show the relationship the proposed school has to the nearest residential properties.

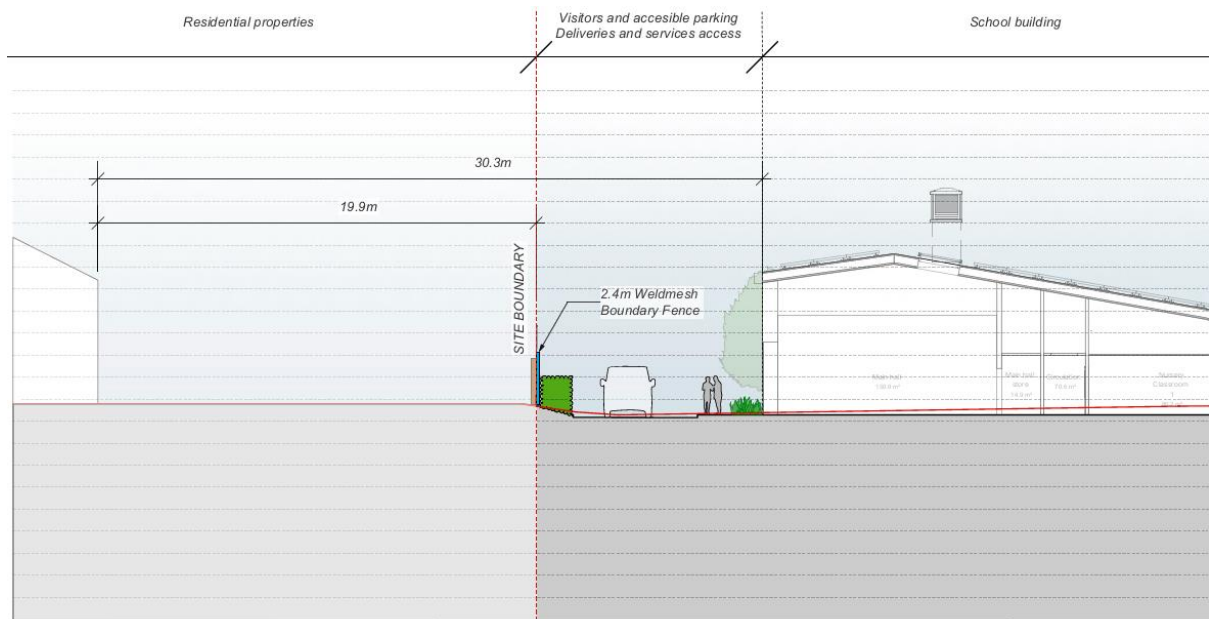
Figure 6 - Site plan showing sections to nearest residential properties



The properties nearest to the proposed school building are 1 to 17 Heol Y Fach and the Filco supermarket on Hall Drive

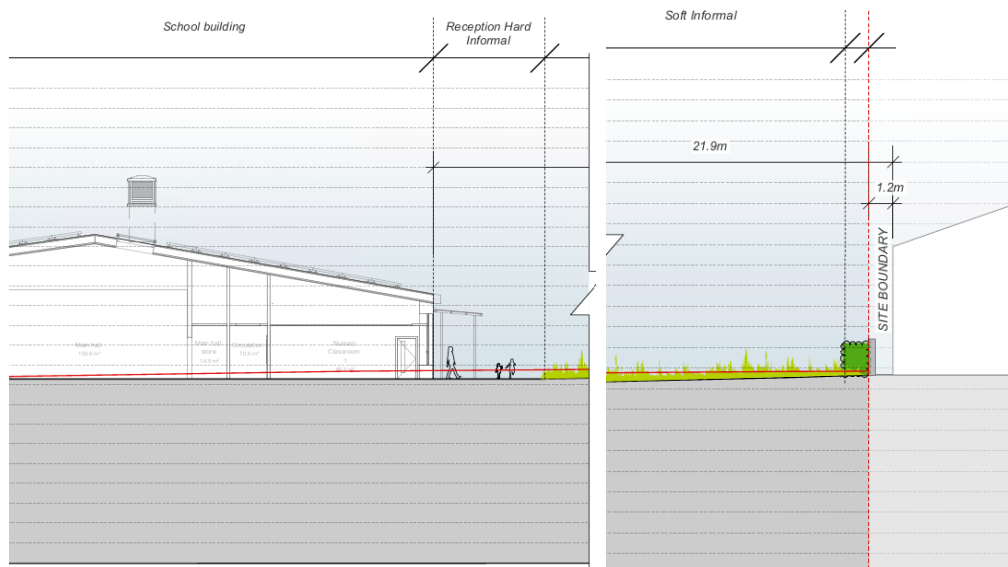
Figure 7 below shows the relationship of the proposed school and 1 to 17 Heol Y Fach which are the properties closest to the school on the western boundary. This shows there is a separation distance between the proposed school building and the rear boundaries of the residential properties of 10.4m with a further 19.9m to the rear elevation of the properties. It is considered that whilst the school building is similar in height, the separation distances are sufficient to ensure there is no unacceptable overshadowing or overbearing caused by the development upon the existing houses and their garden areas. North Cornelly Methodist Church is on the boundary to the school and has no rear garden area however this is still 21m from the school building. 1a Heol Y Fach is approximately 11 m away from the school building; other properties on Heol Y Fach are further away.

Figure 7 - Relationship between Proposed School and Heol Y Fach



Similarly, Figure 8 below shows the relationship of the proposed school and Filco supermarket on Hall Drive which is the closest property on the Southwest boundary. This shows there is a separation distance between the proposed building and the rear of the residential properties of 21.9m; the school building is also lower than the supermarket. The separation distances are sufficient to ensure there is no unacceptable overshadowing or overbearing caused by the development.

Figure 8 - Relationship between Proposed School Filco Supermarket (Hall Drive)



All other properties are further away from any structures as such; it is concluded that the proposal would have no unacceptable overshadowing or overbearing impact to surrounding properties.

Overlooking

In term of overlooking, the Application is for a school and is not considered to be habitable; as such there would be no issues with any distances between habitable room windows, however the school could have the potential to overlook properties which is assessed as follows.

The majority of the school is single-storey with windows at ground level; it is considered that these windows due to the location, the distances from boundaries and the intervening boundaries and landscaping would not cause any issues with overlooking or loss of privacy. The two-storey element shown below in Figure 9 (outlined in red) is at a considerable distance from any boundary of the school: approximately 30m to the south (rear of Hall Drive); 55m to the Northwest (rear of Greenfield Terrace); 50m to the South West (rear of Heol Y Fach) and 104m to the North East, Heol Y Parc. It is considered that whilst there are school classroom windows in the first-floor element the separation distances between any adjoining property is sufficient to ensure there is no unacceptable impact in terms of overlooking or loss of privacy.

Figure 9 - Plan showing two storey element of the school



In terms of any of the other features such as the playing fields and MUGA, these are far enough away from any residential property and at ground level, and would be screened by boundary treatments and landscaping, and so unlikely to have any unacceptable impacts with regards to overlooking and loss of privacy. It should be noted that the site is already a school. As such it is concluded that the proposal would have no unacceptable impacts on overlooking or loss of privacy to any residential or adjoining property.

Noise

Policy SP3 Criterion (g) RLDP states: *“Development should Avoid or minimise noise, air, soil and water pollution”*. As part of the proposal the Applicant has submitted three reports: AGP & MUGA Noise Assessment (May 2025), Noise Planning Report (October 2024) and Stage 3 Acoustic Design Report (September 2023), all prepared by Hydrock.

These three reports detail and demonstrate that the school has been designed to meet specific criteria with a low level ambient indoor noise level, incorporating acoustic absorption methods and ensuring plant and machinery do not adversely affect any nearby noise sensitive receptors. The AGP and MUGA Noise Assessment also proposed several mitigation measures to ensure the AGP and MUGA do not adversely affect nearby residents.

Shared Regulatory Services **SRS** (Environmental Health) have considered the submission and have no objections subject to several recommendations to protect the amenity of nearby residents. These relate to maximum noise level ratings from plant and machinery, schemes to be submitted prior to any plant and machinery being installed to ensure it meets rating levels, restricting the hours of use of the Multi use Games Area (**MUGA**) and mitigation measure to minimise noise. It is considered that these recommendations can be imposed via suitably worded conditions. As such it is considered the noise generated within the school and its grounds, which include the parking areas, MUGA playing fields, would not have any unacceptable impact in relation to noise and disturbance.

In terms of the car park it is not considered that this would generate a level of noise that would disturb any nearby residents due to the limited use and the separation distances in excess of 13m.

In relation to the revised Coach/Bus drop-off/ pick-up area, as part of the revision the Applicant has provided a “Bus/delivery Noise Assessment” to assess the potential noise impact of the proposed new bus access on nearby receptors. This report shows that an acoustic barrier is to be incorporated along the southwestern boundary of the site. For modelling purposes of the report, the barrier is assumed to be 3 metres high, with a minimum surface mass of 10 kg/m², and is considered to be solid and continuous, without any gaps or openings that could compromise its acoustic performance (e.g. close-boarded fencing).

The report concludes that Noise modelling for bus transport and deliveries indicates that the highest predicted façade noise levels at the nearest noise-sensitive receptors may be up to 3 dB above the typical daytime background sound level (07:00–23:00). However, these levels remain within the range of ambient noise (LAeq,30mins) recorded at monitoring location LT1, and are therefore considered to have a low impact on nearby receptors. To maintain this low impact, bus drivers must be instructed not to idle the school bus for more than one minute upon arrival or prior to departure. Idling beyond this limit could elevate noise levels and increase the risk of adverse effects on sensitive receptors.

SRS have considered the acoustic technical addendum note provided for the additional entrance to the above school. The noise levels are not predicted to be unreasonable. However, a number of assumptions were made in the modelling (as per section 2 of the report) as well as the provision of an acoustic fence. SRS therefore have no objections, subject to restricting the use of the access, providing detail of an acoustic barrier, placing restrictions on school buses, providing a service delivery management plan and a quiet delivery scheme. As such it is considered that the Coach/Bus drop-off/pick-up parking area would not cause any unacceptable impacts in terms of noise.

In terms of noise from construction it is generally accepted that during construction there would be some disturbance from this development, however this would be transient in nature. A condition can be imposed to show how this can be managed as part of a Construction Environmental Management Plan. As such subject to conditions there are no concerns in relation to noise

Air Quality

Coaches and buses entering and leaving the school could have the potential to impact Air Quality but, given that there would only be a maximum of 1.30 buses at a time between 2hrs hour in the morning and 1.30hrs in the afternoon and they will not idle when parked within the site for more than one minute, it is considered that this would not give rise to any unacceptable air quality issues over and above what would already exist in the area

Lighting

In terms of external lighting, the Applicant has provided a plan detail the lighting overspill from the development this shows overspill to surrounding properties to be within 0.5 and 2.5 lux which is low. As such the lighting in terms of residential amenity is considered acceptable

However, the Local Authority Ecologist has requested a sensitive lighting strategy to ensure dark corridors are protected and vegetation not illuminated and minimised where possible as such a condition can be imposed to ensure a lighting strategy is provided to ensure there is no unacceptable lighting to and adjoining property and to ensure dark corridors are retained.

Construction lighting may also cause a nuisance, as such the Construction Environmental Management Plan condition will also consider construction lighting. As such subject to the above-mentioned conditions there are no concerns in relation to lighting.

Highway and Pedestrian Safety

Policy PLA11 of the adopted Bridgend Replacement Local Development Plan (2024) (RLDP), stipulates that all development must be served by appropriate levels of parking in accordance with the adopted SPG on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles.

Note 9 of SPG02 states that *“off-street parking should be available to meet the County Borough Council’s guidelines for a dwelling of the size after extension”* and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a

maximum of 3 spaces. Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage. Supplementary Planning Guidance Note 17 Parking Standards (SPG17) stipulates that “*garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m*”.

The development seeks planning permission for the redevelopment of the existing Corneli school site to provide a new Welsh Medium primary school for 480 pupils, including a 60-place nursery. The proposals form part of a wider investment in primary education in the area and will replace the existing ‘Ysgol y Ferch o’r Sger’ and Corneli Primary School, which currently operate from the same site.

The Local Authority Highways Officer has advised the Application is supported by a Transport Assessment (TTP Consulting, February 2025), a School Travel Plan Framework, Road Safety Audit, and a detailed set of architectural and access drawings. These recently submitted revised documents provide the basis for assessing the highway and transport impacts of the scheme.

Currently, the site includes a small minibus/single coach turning facility accessed from Greenfield Terrace, which is used only occasionally for school day trips. However, the original access proposal for the Welsh Medium School sought to significantly expand this facility to accommodate 3–4 full-size coaches, on a daily basis, accessed from Greenfield Terrace. This was not considered a like-for-like intensification by the Highway Authority and raised significant concerns regarding highway and pedestrian safety and highway network constraints.

As a result, all coach and bus access to the site is now proposed via Hall Drive, which will become the principal access point for school transport (bus and coach), and deliveries. Greenfield Terrace will be retained solely for walking and cycling pupils, limited staff and Children’s Centre access. This change is strongly welcomed and directly addresses concerns raised by the Council’s Traffic Management and Road Safety Team regarding the narrow carriageway, constrained geometry, and unsafe parking conditions along Greenfield Terrace. Supporting swept path analysis (ref. drawing 02854-03 submitted 8th July 2025), confirms that coaches can now enter and exit the site from Hall Drive in forward gear under the revised layout.

The proposed development provides 46 parking spaces (39 standard, 5 visitor, and 2 blue badge bays), along with 20 retained spaces for the Integrated Children’s Centre. Provision includes 10% active EV charging, with infrastructure in place for easy future expansion. The level of provision complies with BCBC’s adopted standards for schools in Zones 2–4 which would allow a maximum of 48 parking spaces. Covered cycle and scooter storage is provided for pupils and staff, along with internal staff changing facilities, consistent with Active Travel expectations.

The internal layout facilitates access for emergency vehicles, refuse, and deliveries, with no servicing to occur on the public highway. Pedestrian access is available from multiple points including Hall Drive (main entrance), Greenfield Terrace (Active Travel, staff and Children’s Centre). The layout promotes permeability and aligns with the wider Active Travel aspirations.

The Local Authority's Highways Officer has advised that whilst the submitted Transport Assessment and Travel Plan references Active Travel audits and the future delivery of improvements through the Council's Integrated Network Map (INM), this is not an appropriate or reliable mechanism for securing mitigation. The identification and implementation of critical off-site pedestrian and cycle improvements such as dropped kerbs, tactile paving, footway resurfacing, and new or upgraded crossing points cannot be left to the discretion of the Highway Authority, through grant funding at a later stage. These are infrastructure elements necessary to make the development acceptable in Active Travel terms.

The WRAT audit submitted with the Application identifies a number of "potential fail" and "fail" pedestrian links in the vicinity of the site, which, if left unaddressed, will undermine the accessibility and sustainability credentials of the proposal. In this context, a planning condition is necessary to require the Applicant to build upon the initial audit findings, assess key desire lines in consultation with the school, and deliver appropriate Active Travel enhancements prior to beneficial use. Without this commitment, the development risks increasing car dependency and failing to comply with LDP Policy PLA12 and the Active Travel (Wales) Act 2013.

It is further noted that the submitted Active Travel audit appears to focus exclusively on pedestrian infrastructure through use of the WRAT methodology. In line with the Active Travel (Wales) Act 2013, and accompanying Design Guidance, a comprehensive Active Travel assessment must also consider cycling infrastructure and barriers to uptake. This includes the condition, connectivity, and safety of key cycling desire lines within the catchment. Any revised assessment should be used to inform appropriate off-site improvements, to be secured via condition.

The Transport Assessment forecasts a marginal reduction in overall vehicle movements when compared with the existing use of the site. This conclusion may appear to be incorrect given the uplift from approximately 240 to 480 pupils. However, the forecast is based on several assumptions that require additional analysis.

Firstly, the majority of additional pupils are expected to qualify for free home-to-school transport under the Council's Welsh-medium policy, meaning they will travel by dedicated school transport rather than private car. These journeys are consolidated into a small number of coach trips rather than generating individual car movements.

Secondly, the assessment assumes that the existing schools already generate high levels of short-distance car trips due to the lack of Active Travel links and school travel plan. The new school layout, combined with a dedicated Travel Plan and improved permeability, is intended to reduce this dependency and shift more trips toward walking, cycling, and bus for those living within the catchment.

However, the Highway Authority acknowledges that these assumptions are dependent on robust implementation and behavioural change. Nonetheless, the reliance on on-street parent parking reinforces the need for ongoing monitoring of parking behaviour and the introduction or revision of existing waiting restrictions on Hall Drive and Greenfield Terrace.

The submitted Transport Assessment and Travel Plan outline a range of 'soft' behavioural and promotional measures to encourage sustainable travel, including before and after school clubs, active travel campaigns, and travel information packs. While these measures are welcomed in principle, it is noted that the suggestion of staggered start and finish times is not supported by any detailed timetable, operational rationale, or governance commitment specific to the Welsh-medium school. Given the reliance on local authority-arranged coach transport across multiple year groups, it is highly unlikely that staggered timings could be delivered in practice. As such, the effectiveness of the Travel Plan will depend heavily on robust implementation, active engagement with pupils and annual monitoring.

In conclusion, the transportation implications of the proposal have been assessed and subject to the imposition of appropriate conditions relating to a Construction Method Statement; Construction and Phasing Plan; engineering details of the Hall Drive vehicular access; the redesign and reconfiguration of the Greenfield Terrace parking and access; off-site Active Travel infrastructure improvements; a pedestrian crossing on Heol-Y-Parc; Traffic Regulation Orders; a Final School Travel Plan, parking and vision splays being provided and maximising the total number of pupils at the school, the Local Authority highways officer has no objection

Accordingly, it is considered that the proposed development is acceptable in highway terms and accords with Policy SP3, PLA11 and PLA12 of the RBLDP 2024 and the Council's Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

The application form states that the proposed development is within a flood risk zone, is not within 20m of a watercourse and does not propose to increase flood risk elsewhere. The Council's Land Drainage Officer has advised a review of the OS database confirms the development is not located within a flood risk zone nor within 20 m of a watercourse and does not propose to increase flood risk.

Foul Sewerage

The Council's Land Drainage Officer has advised the application form states foul water will be disposed of via the main sewer. The applicant shall contact DCWW should any new connections be required to the public sewer.

Dwr Cymru/Welsh Water acknowledge that the development proposes to discharge foul and surface water flows to a public sewer and 'Sustainable Drainage Systems' respectively. The proposed development site is located in the catchment of a public sewerage system which drains to Afan Wastewater Treatment Works (WwTW). Welsh Water have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system.

Surface water

The application form states surface water will be disposed via SUDS in the form of a soakaway. The Council's Land Drainage Officer has advised Given the development site is over 100m² a sustainable drainage application will be required. A sustainable drainage application is currently being reviewed and will be approved shortly as such has no objection the have requested a condition to prevent surface water entering the public highway and a condition preventing land drainage to discharge directly or indirectly into the public sewerage system, this can be imposed via a condition

Welsh Water have advised, as of 7th January 2019, that this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (**SuDS**) features will be required in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. In this instance, Welsh Water offer no objection to proposals for disposal of surface water flows into a soakaway, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.

Sewer Protection

Welsh Water advised that this site is crossed by a public sewer. Originally, they advised the protection zone of the public asset was measured 5 metres either side of the centreline and that the school building was in the protection zone and offered a holding objection. However further consultation and technical information was provided to Welsh Water by the Applicant which Welsh Water reviewed. They noted that the asset ranges from 450mm to 525mm in diameter and 0.9m to 1.4m in depth and therefore, based on the information provided, Welsh Water confirmed that the protection zone should in fact be measured 3 metres either side of the centreline. Accordingly, with respect to the 'Site Wide Masterplan' (BR0201-SRA-01-RF-DR-A-02003), Welsh Water have advised they are satisfied that the proposed development will be suitably set back from the protection zone of the asset and Welsh Water have confirmed that they withdraw their holding objection subject to inclusion of a condition to prevent surface water and land drainage into the public sewerage networks and a standard Advisory Notes; both these can be added.

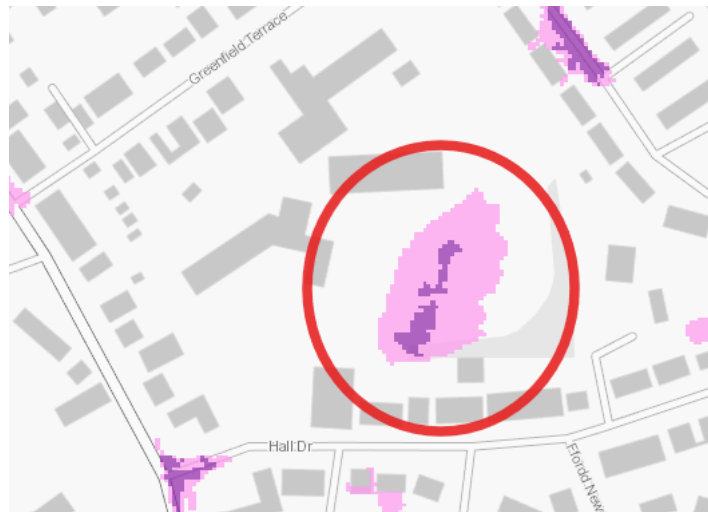
Water Supply

Welsh Water has no objection to the proposed development.

Flood Risk

The site is not located with any Tidal/river flood risk zones however there is a very small, isolated area within Zone 2/3 surface water flooding as defined by the Flood Maps for Planning (shown below in figure 11 below). This is considered negligible and Natural Resource Wales (NRW) and the Local Authority Drainage Officer have not required any further investigation; it is considered that this area would be remedied by the wider surface water drainage scheme and 'Sab' approval related to this development and is located where the exiting playing field is located where there is a depression.

Figure 11 – Plan showing zone 2/3 surface water flooding (light purple)



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.”* PPW12 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 Replacement Local Development Plan (2024) (**RLDP**) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 RLDP 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. 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 of the RLDP 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 RLDP 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.

To support the application the Applicant submitted the following documents:

- Landscape Management and Maintenance Plan (February 2025) prepared by Ares Landscape Architects;
- Green Infrastructure Statement (February 2025) prepared by Ares Landscape Architects;
- Habitat Regulation Screening Assessment (October 2023) prepared by CSA Environmental;
- Net benefit for biodiversity Report (October 2024) prepared by CSA Environmental;
- Preliminary Roost Assessment (March 2025 prepared by TACP
- Ecological Impact Assessment (November 2023) prepared by CSA Environmental;
- Arboricultural impact Assessment (October 2023) prepared by CSA Environmental;
- Arboricultural Survey Report (September 2023) prepared by CSA Environmental;]
- Preliminary Ecology Appraisal (August 2020) prepared by CSA Environmental;

The above reports identify that Habitats within the Site are generally common and widespread, with the features of most ecological value comprising woodland, trees and hedgerows around the periphery of the Site. The scheme seeks to retain hedgerows and other habitat wherever practicable, with compensatory planting provided within retained open space areas.

The proposed development of a new school with associated landscaping offers an opportunity to deliver a betterment to what is currently present. The landscaping plans show the provision of new green infrastructure such as the proposed tree planting and delivery of new hedgerow features and meadow planting, the provision of new bat and bird roosting/nesting opportunities within the fabric of the new building, together with bug hotels and log piles and a Hedgehog hotel, will provide new opportunities for protected species and contribute towards a net gain in biodiversity

The Local Authority’s Ecologist has reviewed the Preliminary Roost Assessment (PRA) prepared by TACP (March 2025), and note the buildings have low to negligible roost potential for bats and one tree was identified as having a single minor roost feature. They have recommended that Section 4.3 *Recommendations* of PRA Report be included in the conditions of approval. This can be imposed via a suitably worded condition.

They have also recommended that swift bird and bat boxes are included and that the mitigation and enhancement measures, the precautionary method of works, Net Benefit for Biodiversity proposals and landscaping management and planting plans. are conditioned. These can also be added as suitably worded conditions.

The Ecological Impact assessment prepared by CSA Environmental (Nov 2023), also refers to specific mitigation and enhancement measures and requires a Construction environmental management plan, a Landscape and Ecology management plan and a lighting strategy; these can be secured via conditions.

Natural Resources Wales (**NRW**) have noted that the Kenfig Special Area of Conservation (**SAC**) is approximately 1.2km west and that Cefn Cribwr Grasslands SAC is approximately 1.8km east from the development site. NRW have advised, from the information provided, that the proposal is not likely to have a significant effect on the Cefn Cribwr Grasslands SAC site as there are no potential pathway(s) to the protected site. However, (NRW) have identified a hydrological link via the Afon Fach as a potential impact pathway to features of the Kenfig SAC. Whilst the site is not in immediate proximity of a watercourse, due to topography and road drainage adjacent to the proposal site it is likely there is hydrological link to the Afon Fach, which is located to the north of the development site.

As such, NRW have advised that high rainfall events during the construction phase of the proposal could cause wash off to enter the road drainage system, which discharges to the Afon Fach and potentially cause a pollution incident. Therefore, in the absence of additional information or a comprehensive Construction Environmental Management Plan being provided in support of this proposal, they would advise that sufficient control of pollution prevention for the watercourses could be achieved by requesting a site wide Construction Environmental Management Plan. Prior to the commencement of any works. This can be imposed via a suitably worded condition.

On Balance the proposed development is considered to be compliant with Policy SP3 DNP6,7 and 8 of the Bridgend Replacement Local Development Plan (2024) and is therefore acceptable in terms of Biodiversity.

Land Quality

As part of the Application the Applicant has the following information has been submitted a "Phase I Geo-Environmental Desk Study Report Document Ref: C3341/PI" and "Phase II Geo-Environmental Assessment Report Document Ref: C3342/PII" by HSP.

Shared Regulatory Services (**SRS**) Environment Team have advised the above assessments have not identified any significant contamination or ground gas concerns, however the potential for this cannot be ruled out and the '*unforeseen contamination*' condition is requested. They have also advised should there be any materials imported as part of the construction of the development and site won material, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Conditions and an informative can be added in relation to the above

Archaeology

Heneb (formerly Glamorgan Gwent Archaeology) have advised the information in the Historic Environment Record (**HER**) curated by them, shows that, whilst the area itself is of Medieval origin, there are no known archaeological assets within the Application area, additionally it is situated outside of any Archaeologically Sensitive Area. Additionally, a review of historic Ordnance Survey mapping indicates no archaeologically significant features or structures in the area.

The proposed development involves the demolition of the two existing primary schools, construct a new Welsh Medium Primary School building with associated infrastructure and landscape works. The proposed works are in an area of low archaeological potential. Furthermore, the ground intrusion works associated with the construction of the existing structures (which are of limited significance), as well as landscaping, will likely have had an adverse effect on any potential archaeological remains. As a result, it is unlikely that significant remains will be encountered during the course of the proposal. As a result, it is unlikely that significant remains will be encountered during the course of the proposal. Consequently, Heneb have no objections to the positive determination of this Application.

Renewable and Low Carbon Energy

The proposed school building has been designed to achieve BREEAM Excellent and be Net Zero Carbon. It would therefore be highly efficient and fully in line with national commitments to address carbon emission levels and instil climate resilience in the development. The proposals have been undertaken in accordance with the energy hierarchy of reduce (use less energy); efficiency (supply energy efficiently); renewables (use renewable energy); and manage (manage energy efficiently). The development is supported by an Energy Masterplan, as is required by Policy ENT10, Low Carbon Heating Technologies for New Development.

The Energy Masterplan has considered the use of a number of Low Zero Carbon technologies as part of the overall energy strategy for the proposed Primary School. In each case the feasibility has been assessed in terms of energy and as a result will incorporate photovoltaic panels to reduce imported electrical power and hence reduce carbon emissions and also utilise air source heat pumps to provide heat to the development. It is considered that the proposal would comply with the requirements set out within Policy ENT10 a condition can be imposed to ensure these technologies are implemented.

Waste Management

Policy ENT15 – Waste Management in Development – requires all proposals for new built development must include provision for the proper design, location, storage and management of waste generated by the development both during construction and operation of the site. Development must incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel. No details have been provided; however, a condition can be imposed to address such requirements.

Unexploded ordnance

The Applicant has undertaken an Unexploded Ordnance Risk Assessment

(September 2020), prepared by Safe Lane Global, this concludes that the site has been assessed as Low Risk; however as risk of encountering Unexploded Ordnance (**UXO**) during the proposed works cannot be completely ruled out therefore a condition can be imposed to ensure minimum risk mitigation measures be deployed to support the proposed ground works at the site.

CONCLUSION

The decision to recommend planning permission be approved 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 Replacement Local Development Plan (2024).

The proposed school is a vital part of the Local Authority's 'Bridgend West' school modernisation scheme which will provide a new modern Welsh Medium primary school and external sport facilities that can be used by the wider community of North Cornelly. On balance and having regards to the objection raised It is considered that the proposal represents an appropriate form of development that would have no unacceptable impacts on visual amenity, residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5 SP9, SP11, SP13, SP15, SP17, SF1, PLA11, PLA8, PLA12, COM9, COM10, ENT1, ENT2, ENT3, ENT15, DNP6, DNP7, DNP8 and DP9 of the Bridgend Replacement 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) and a decision notice issued after the consultation period ends on the 13th August 2025, subject to and provided that no new or further material objections are received:-

1. Approved Plans

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

BR0201-ALA-00-ZZ-DR-L-20011 S4 P02 Site Location Plan

BR0201-SRA-00-RF-DR-A-02000 P05 Site location Plan existing school

BR0201-ALA-00-ZZ-DR-L-20004 S4 P02 Site Sections

BR0201 - SRA- 00 - RF- DR - A - 02001 P05 Existing Site Plan

BR0201 - SRA- 01 - ZZ- DR - A - 02200 P04 Proposal long Elevations

BR0201 - SRA - XX - ZZ - DR - A - 02201 P04 Gable End Elevations

BR0201-HYD-XX-XX-DR-C-0200 P02 Existing site layout and services

BR0201-HYD-00-XX-DR-M-90005 C01 Existing external mechanical services

BR0201 - SRA - 00 -XX- DR - A - 02002 P06 Demolition Plan

BR0201 - SRA - 01 - 00 - DR - A - 02100 P06 Proposal Ground Floor Plan

BR0201 - SRA - 01 - 01 - DR - A - 02101 P05 proposal first floor plan
 BR0201 - SRA - 01 -RF- DR - A - 02103 P05 proposal Roof Plan
 BR0201 - SRA - 01 - ZZ - DR - A - 00900 P04 Area plans and schedules GEA and GIA
 BR0201-HYD-XX-XX-DR-C-1200 P04 Cut and Fill Plan
 BR0201-HYD-XX-XX-DR-C-1003 P01 Proposed levels Sheet 1
 BR0201-HYD-XX-XX-DR-C-1004 P01 Proposed levels Sheet 2
 BR0201-HYD-XX-XX-DR-C-3000 P01 Proposed Surface Water Drainage Sheet 1
 BR0201-HYD-XX-XX-DR-C-3002 P01 Proposed Surface Water Drainage Sheet 2
 BR0201-ALA-00-ZZ-DR-L-20001 P06 Landscape Illustrative Master Plan
 BR0201-ALA-00-ZZ-DR-L-20002 P02 Landscape General Arrangement
 BR0201-ALA-00-ZZ-DR-L-20003 P06 Fencing General Arrangement
 BR0201-ALA-00-ZZ-DR-L-20006 P02 Secure Line
 BR0201-ALA-00-ZZ-DR-L-20005 P06 Access and Circulation
 BR0201-ALA-00-ZZ-DR-L-20015 P02 Planting Plan
 BR0201-HYD-00-XX-DR-E-90007 C01 Proposed External Lighting
 BR0201-HYD-00-XX-DR-N-90006 C01 Proposed External Services
 BR0201-HYD-XX-XX-DR-C-0400 P02 Site Enabling works
 BR0201-HYD-XX-XX-DR-C-1400 P01 External Finishes
 BR0201 - SRA - 01 - ZZ - DR - A - 20110 P03 General Arrangements
 BR0201-ALA-00-ZZ-DR-L-21002 P01 Typical Weld mesh Fencing
 BR0201-ALA-00-ZZ-DR-L-21003 P01 External Compound Detail
 BR0201-ALA-00-ZZ-DR-L-21004 P01 Typical Tree Pit Detail
 BR0201-ALA-00-ZZ-DR-L-21005 P01 Typical Soft Landscape Detail
 BR0201-ALA-00-ZZ-DR-L-21006 P01 Cycle Shelter Detail
 BR0201-ALA-00-ZZ-DR-L-20017 P02 Views 1 of 2
 BR0201-ALA-00-ZZ-DR-L-20018 P02 Views 2 of 2
 BR0201-ALA-00-ZZ-DR-L-20007 P01Detail section
 BR0201 - SRA- 01 - ZZ- DR - A - 02202 P01 Proposed elevations
 211315-01 swept path analysis
 211315-02 pedestrian vision splays

Planning Statement (February 2025) by prepared by The Urbanist;
 Design and access Statement (February 2025) prepared by Sheppard Robson;
 Addendum to DAS (July 2025) prepared by Sheppard Robson;
 Pre Application Report (PAC) (February 2025) prepared by the Urbanist;
 Phase I Geo-Environmental Desk Study Report (September 2020) prepared by HSP Consulting;
 Phase II Geo-Environmental Desk Study Report (September 2020) prepared by HSP Consulting;
 Transport Assessment (February 2025) prepared by TTP Consulting
 School Travel Plan (February 2025) prepared by TTP Consulting;
 Drainage Maintenance report (January 2025) prepared by Hydrock;
 Soakaway Technical Note (December 2024) prepared by HSP Consulting
 AGP & MUGA Noise Assessment (May 2025) prepared by Hydrock;
 Stage 3 Acoustic Design Report (September 2023) prepared by Hydrock;
 Noise Planning Report (October 2024) by Hydrock;
 Detailed Unexploded ordnance risk assessment (September 2020) prepared by Safelane Global;
 Landscape management and Maintenance plan (February 2025) prepared by Ares Landscape Architects;

Green Infrastructure Statement (February 2025) prepared by Ares Landscape Architects;
Habitat Regulation Screening Assessment (October 2023) prepared by CSA Environmental;
Net benefit for biodiversity Report (October 2024) prepared by CSA Environmental;
Preliminary Roost Assessment (March 2025 prepared by TACP
Ecological Impact assessment (November 2023) prepared by CSA Environmental;
Preliminary Ecology Appraisal (August 2020) prepared by CSA Environmental;
Arboricultural impact Assessment (October 2023) prepared by CSA Environmental;
Arboricultural Survey report (September 2023) prepared by CSA Environmental;
Flood Consequences Assessment (August 2020) prepared by HSP Consulting;
Energy Masterplan Technical Note (November 2024) prepared by Hydrock.
Demolition Technical Note *December 2024) prepared by Hydrock
BR101-HYD-XX-XX-RP-Y-0006 - Bus and Deliveries Noise Assessment

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

2. Before beginning any development at the site, you must do the following: -
 - a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and
 - b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason: To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

3. Notwithstanding the submitted plans, prior to their use in the construction of the development hereby permitted, details and samples of the materials to be used in the construction of the external surfaces of the development including details of the windows, doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interest of the visual amenity of the area and to ensure the development complies with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

4. No development, including demolition and site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- a) General Site Management: details of the construction programme including timetable, details of site clearance; details of any potential drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain
- b) Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- c) Construction methods: details of materials, how waste generated will be managed.
- d) Soil Management: details of topsoil strip, storage and amelioration for re-use.
- e) Resource Management: details of fuel and chemical storage and containment.
- f) Traffic Management: details of wheel wash facilities
- g) Biodiversity: avoidance measures with respect to nesting birds, badger and hedgehogs.
- h) Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: In the interest of the Environment, Biodiversity highway and pedestrian safety, and to ensure accordance with Policies accord with Policies SP3, SP17 and DNP5, DNP6, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

5. No development shall commence until, a Waste Management Plan for the proper design, location, storage and management, of any waste material generated during the demolition, construction and operation of the development shall be submitted to and approved in writing by the Local Planning Authority. All waste shall be treated in accordance with the agreed waste plan. The plan shall be implemented as approved.

Reason: To ensure the appropriate disposal of any waste arising from the development in terms of protection of the environment and to ensure the sustainability principles are adopted during development and complies with Policy ENT15 of the Bridgend Replacement Local Development Plan (2024).

6. No development shall take place, including any works of demolition/site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. The routeing and timing of HGV construction traffic to/from the site in order to avoid school drop off and pick up times and the narrow railway bridge on Marlas Road
 - b. the parking of vehicles of site operatives and visitors
 - c. loading and unloading of plant and materials
 - d. storage of plant and materials used in constructing the development.
 - e. wheel washing facilities.
 - f. measures to control the emission of dust and dirt during construction.
 - g. the provision of temporary traffic and pedestrian management along Hall Drive and Greenfield Terrace

Reason: In the interests of highway safety and to comply with Policies SP3, SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

7. No development shall commence on the Corneli site until a detailed Construction and Phasing Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The Plan shall include:
- The proposed phasing of development across both the Corneli (Welsh Medium) and Marlas (English Medium) school sites, including the sequence of construction and site occupation.
 - Access and haul routes for construction vehicles.
 - Details of temporary site access arrangements, including safe pedestrian and cycle routes during works.
 - Mitigation to minimise overlapping impacts from concurrent site development.
 - Temporary parking and compound locations
 - Construction working hours and HGV delivery times.
 - Measures to protect public highway safety and minimise disruption to surrounding residents and road users, especially on Greenfield Terrace and Hall Drive.
- The development shall thereafter be carried out in accordance with the approved Construction and Phasing Plan.

Reason: To ensure coordinated delivery of both school sites, safeguard highway and pedestrian safety during construction, and minimise disruption to the local community and to comply with policies SP3, SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

8. Notwithstanding the submitted plans, prior to the commencement of any development above slab level, full engineering details of the Hall Drive vehicular access shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:
- Levels, gradients, kerbing, construction materials
 - Drainage arrangements and lighting
 - Visibility splays and dropped kerbs.
 - Vehicle tracking for service and coach access.
 - A Stage 2 Road Safety Audit.

The approved access shall be fully implemented prior to beneficial use.

Reason: In the interests of highway safety and to ensure safe and suitable access to the development and to comply with policies SP3, SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

9. Notwithstanding the submitted plans, prior to the commencement of any development above slab level, a scheme for the redesign and reconfiguration of the Greenfield Terrace parking and access forecourt shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- Reflect the removal of coach access from this location.
 - Rationalise parking for staff and Children's Centre users.
 - Provide safe pedestrian access and turning arrangements.
 - Include swept path tracking for all expected vehicle types.

The approved scheme shall be fully implemented prior to beneficial use.

Reason: To ensure safe and efficient use of the staff parking area and protect the amenity of local residents and free flow of the highway network. and to comply with policies SP3, SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

10. Within 6 months from the date of consent a scheme for the delivery of off-site Active Travel infrastructure improvements identified in the WRAT audit and informed by consultation with the Highway Authority shall be submitted to and approved in writing. The scheme shall include:
- Dropped kerbs, tactile paving, and footway resurfacing.
 - Any necessary crossing points or new links
 - A delivery timetable tied to school opening.

The improvements shall be completed in accordance with the approved scheme and retained thereafter.

Reason: To ensure safe and sustainable pedestrian and cycle access in accordance with the Active Travel (Wales) Act 2013 and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

11. In the event that the Corneli school is constructed and brought into beneficial use prior to the delivery of the Marlas school, the developer shall deliver the proposed pedestrian crossing on Heol-Y-Parc in accordance with the approved plans and in consultation with the Highway Authority. Details and timing of delivery shall be submitted to and approved in writing prior to beneficial use of the Corneli school.

Reason: To ensure continuity of pedestrian safety infrastructure irrespective of delivery sequence and to promote walking and cycling and to comply with policies SP3, SP5, PLA8, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

- ~~12. Prior to the beneficial occupation of the school any Traffic Regulation Orders (TRO) deemed necessary by the Highway Authority to manage on-street parking and access in the vicinity of the site shall be implemented. The TRO shall include, but not be limited to~~
- ~~Waiting restrictions on Hall Drive~~
 - ~~Review and amendment of existing TROs on Greenfield Terrace~~
 - ~~School Keep Clear markings.~~

~~Reason: To mitigate parking and access impacts on surrounding streets and ensure highway safety and the free flow of traffic and to comply with policies SP3, SP5, PLA8, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).~~

12. A Final School Travel Plan shall be submitted to and approved by the Local Planning Authority within 6 months of beneficial occupation of the school. The Plan shall include:
- Baseline travel data and modal split targets
 - Active travel and behavioural measures
 - Annual monitoring and review mechanisms by an Active Travel Champion
 - Triggered interventions where targets are not met.

The Travel Plan shall be implemented in accordance with the approved version and monitored annually for a minimum of five years.

Reason: To promote sustainable travel patterns in accordance with national and local policy and to comply with policies SP3, SP5, PLA8, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

13. No part of the development shall be brought into beneficial use until the approved parking, servicing, and cycle storage areas (including EV charging and blue badge bays,) have been fully implemented and made available for use. These areas shall be retained thereafter for their designated purpose.

Reason: To ensure adequate off-street provision for vehicles, cyclists, and service users and to comply with policies SP3, SP5 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

14. As detailed in the submitted Transport Assessment the school shall accommodate no more than 480 pupils, including nursery provision.

Reason: To ensure that parking demand, trip generation, and site infrastructure remain within the assessed capacity envelope and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

15. Prior to beneficial use, the new access from Hall Drive shall be constructed with visibility splays of 2.4m x 25m provided in both directions and maintained thereafter.

Reason: To ensure safe vehicular access and in the interests of highway safety and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

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

Reason: In the interests of highway safety. and to comply with policies SP3 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

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

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents, to ensure no pollution of or detriment to the environment and prevent water discharging onto the public highway in the interest of highway and pedestrian safety and to comply with accord with Policies SP3 and DNP9 of the Bridgend Local Development Plan (2024).

18. Notwithstanding the submitted details no demolition of existing buildings on site shall take place until a Demolition Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Demolition Method Statement shall be made in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved

Statement shall be adhered to throughout the demolition works. The Statement shall provide for the following: -

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding
- v) wheel washing facilities to prevent deposition of material onto any hard surface road;
- vi) measures to control the emission of dust and dirt during demolition;
- vii) Identification of the significant demolition noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures;
- viii) Hours of working on site, and specified hours for deliveries and any elements of the demolition that could lead to amenity issues from noise and disturbance to adjoining properties.
- ix) Timetable and Phasing for demolition works.
- x) Measures to protect children, staff and any visitors to the schools during demolition and construction works.
- xi) Methods of demolition and details of any waste storage and disposal

Reason: In the interest of highway and pedestrian safety, the environment, and the amenity of residents and occupier of the school, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

19. The combined noise rating levels from any mechanical fixed plant and equipment when assessed in accordance with BS4142: 2014 at any residential premises shall not exceed the following limits:

Time Period	Maximum Noise rating level
Day (07:00-23:00)	40 dB LAeq,1 hour
Night (23:00-07:00)	30dB LAeq, 15mins

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

20. Prior to the installation of any fixed mechanical plant and equipment a scheme detailing the location and noise levels of all fixed mechanical plant and equipment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a noise technical report to demonstrate compliance with the noise rating levels in condition 19. The scheme shall be implemented as agreed and retained as such thereafter.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

21. Use of the Multi use Games Area (MUGA) shall be restricted to 08.00-17.00 hours Monday- Friday and 10.00-15.00 hours on Saturdays and Sundays

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

22. Prior to the MUGA courts being brought into beneficial use, a 2m acoustic barrier shall be installed along the northwest boundary of the MUGAs at the location shown in Figure 3 of the AGP & MUGA Noise Impact Assessment by Hydrock dated 29 April 2025 Doc Reference: BR101-HYD-XX-XX-RP-Y-0005 Project Number 24390. The barrier shall be continuous in length with no gaps and shall have a minimum surface mass of 10kg/m². The acoustic barrier shall be built outside the perimeter fence so they are protected from being hit by balls and generating impact sounds. Details of the barrier shall be submitted to and approved in writing by the Local Planning Authority and shall demonstrate that the minimum mass will be achieved.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

23. The impact noise impact mitigation measures recommended in section 3.4 of the AGP & MUGA Noise Impact Assessment by Hydrock dated 2nd May 2025 Doc Reference: BR101-HYD-XX-XX-RP-Y-0005 Project Number 24390 shall be implemented, and retained as such thereafter.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

24. Any proposed weld-mesh sports fencing around the sports pitch and MUGA shall be sufficiently stiff/robust to avoid high levels of metal impact noise and resonating fence sections. Any low-level boundary retention system shall be 'padded' to avoid high impact noise in accordance with section 6.2 of the Noise Planning Report by Hydrock dated 3/10/24 Doc Reference: 24390-HYD-ZZ-XX-RP-Y-0001 Project Number 24390-AWAL and retained as such thereafter.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

25. Prior to the first beneficial use of the school the recommended Zero/Low Carbon technologies detailed within section 16.1 of the Low and Zero Carbon Technologies assessment (appendix A of the Energy Master plan (November 2024) by Hydrock) shall be implemented in full and shall be retained in perpetuity.

Reason: In the interest of residential amenity, biodiversity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP13 and ENT10 of the Bridgend Replacement Local Development Plan (2024).

26. Notwithstanding the submitted plans, prior to the first beneficial use of the development details soft landscape works shall be submitted to and approved in writing by the Local

Planning Authority. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate (the scheme should include species/details of native hedgerow planting) (including phasing of work where relevant). The landscaping works shall be carried out in accordance with the approved details in accordance with the agreed implementation program and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and to ensure the development complies with Policies SP3, SP13, DNP7 and DNP8 of the Bridgend Replacement Local Development Plan (2024)

27. Notwithstanding the Submitted Plans, prior to the first occupation of any unit hereby approved, a landscape management plan, including the long-term design objectives, management responsibilities and maintenance schedules, for all hard and soft landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority. This document will also detail the establishment and long-term management of retained and newly created habitats to maximise benefits for wildlife. It will include a graphical Ecological Enhancements Plan setting out the number, type and position of enhancement features, The landscape and ecology management plan shall be implemented and adhered to in accordance with the approved details thereafter.

Reason: In the interest of visual amenity, and to ensure the long-term management and maintenance of all landscaped areas within the site and to ensure the development complies with Policies SP3, SP13, DNP7 and DNP8 of the Replacement Bridgend Local Development Plan (2024).

28. Notwithstanding the submitted Plans, prior to the first beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing a minimum of 4 artificial nesting sites for swifts and a minimum of 4 bat tiles/bricks/boxes. The scheme shall include detail and locations of swift nesting boxes (swift boxes should be installed at least 5m above the ground and should be obstruction free for the entire 5m below) and bat tiles/bricks/boxes to new build elements. All approved artificial nesting sites and bat tiles/bricks/boxes shall be implemented in accordance with the approved details prior to the first occupation of the school building and retained as such thereafter.

Reason: In the interest of Biodiversity Enhancement and mitigation for the loss of habitat within the site and to accord with Policy SP3, SP13, DNP6 and DNP8 of the Bridgend Replacement Local Development Plan (2024).

29. The 3x Bug Hotels and 2x Log Piles and 1x Hedgehog house detailed within Sections 4 of the Net benefit for biodiversity Report (October 2024) prepared by CSA Environmental shall be implemented on site prior to the first beneficial use of the school building and retained as such thereafter.

Reason: To avoid doubt and confusion, in the interest of biodiversity and in accordance with policy SP3, SP16 DNP5, DNP6, DNP7 and DNP8 of the Bridgend Replacement Local Development Plan (2024).

30. The recommendation within Sections 4.3 of the Report on a preliminary roost assessment (March 2025)) prepared by TACP shall be adhered during demolition and construction works.

Reason: To avoid doubt and confusion, in the interest of biodiversity and in accordance with policy SP3, SP16 DNP5, DNP6, DNP7 and DNP8 of the Bridgend Replacement Local Development Plan (2024).

31. Notwithstanding the submitted plans, prior to the installation of any permanent external lighting on the site, a detailed lighting scheme for the site shall be submitted to and approved in writing by the Local Planning Authority detailing the location of all proposed lights, the specification, intensity of illumination, predicted lighting contours (lux plots), together with proposed hours of operation and any mitigation measures required (including measures to reduce as far as practicable light spillage onto the adjoining properties and incorporate best practice guidance to ensure the retention of dark corridors and minimise lighting to retained and newly created habitat for the movement of wildlife). The approved lighting shall be implemented on site in accordance with the approved scheme only and retained as such thereafter.

Reason: In the interest of residential amenity, biodiversity and to prevent any unacceptable light spillage, and to ensure compliance with Policies SP3, DNP6 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

32. The proposed mitigation strategy detailed within section 12 of the Unexploded ordnance risk assessment (September 2020) prepared by Safe Lane Global shall be implemented during all ground works.

Reason: To avoid doubt and confusion, in the interest of biodiversity and in accordance with policy SP3, and DNP8 of the Bridgend Replacement Local Development Plan (2024).

33. The bin storage area hereby approved shall be provided in accordance with the approved scheme prior to the first beneficial use of the development and retained as such thereafter.

Reason: In the interest of visual amenity, residential amenity and to ensure adequate bin storage is provided for future residents and to ensure compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

34. There shall be no outside storage of bins, equipment, waste, materials etc. except within the designated bin storage areas.

Reason: In the interest of visual amenity and to ensure compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

35. 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 Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

36. 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 Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

37. 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 Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

38. 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 Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

39. Notwithstanding the submitted plans the site layout and vehicular access shall be as shown on drawing BR0201-ALA-00-ZZ-DR-L-20001 P06 Landscape Illustrative Master Plan.

Reason: The access has changed since the original submission and several plans still show the original access and in the interest of clarity.

40. Prior to the first beneficial use of the school, the means of enclosure shall be erected in accordance with drawing BR0201-ALA-00-ZZ-DR-L-20003 P06 Fencing General Arrangement and retained as such thereafter.

Reason: In the interest of highways and pedestrian safety and Clarity, and to comply with policies SP3, SP5, PLA8 and PLA11 of the Bridgend Replacement Local Development Plan (2024).

41. The new vehicular entrance to the South of the site from Hall Drive shall only be used for the arrival and departure of school buses, emergency services vehicles, refuse vehicles and deliveries/ servicing vehicles.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

42. Notwithstanding the submitted plans, prior to the use of the new vehicular access for the school buses from Hall Drive, a [2.4m](#), solid and continuous acoustic barrier, with a minimum surface mass of 10 kg/m² and no gaps) shall be erected along the south-western boundary of the site and Heol Fach. Details of the acoustic barrier (including any details of the barriers finish and colours and/or any details of landscaping to help break up its visual mass) shall be provided to the Local Planning Authority for approval in writing, and provided thereafter in accordance with the approved details. The acoustic barrier shall be maintained in a good condition so as not to compromise the acoustic integrity of the barrier and be retained for as long as this access arrangement continues.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

43. All school buses shall comply with following restrictions:
- Arrival and departure of buses shall be between the following times: 08.00-9.30am and 14.30-16.00 hours
 - A maximum of 2no. school buses shall arrive and depart the site at any one time i.e. allowing for only one school bus to be parked on the lay-by within the school 'vehicular zone' and one school bus to then pass and park within the turning head
 - When each school bus arrives at the site, the school bus shall not idle for any longer than 1-minute before switching off the engine
 - When each school bus prepares to depart the site, the school bus shall not idle for any longer than 1-minute before driving to the site exit

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

44. Notwithstanding the submitted plans, prior to the first beneficial use of the site a Service Delivery Management Plan which will identify all relevant delivery and servicing vehicles (including refuse collections), timings of deliveries and risk assessment contact details, shall have been submitted to and approved in writing by the Local Planning Authority. The Plan shall ensure that deliveries shall only access or leave the site between the hours of 9.30am-2.30pm and between 4-5pm (when buses are not operating) and only during school term times. Deliveries shall thereafter operate in accordance with the agreed details.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

45. Notwithstanding condition (45) deliveries and servicing shall be undertaken in accordance with the Quiet Deliveries Good Practice Guidance – Key Principles and Processes for Community and Resident Groups, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to the first beneficial use of the school, or other Quiet Deliveries Scheme which shall on review first have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of residential amenity and to prevent any unacceptable noise, and to ensure compliance with Policies SP3 and DNP9 the Bridgend Replacement Local Development Plan (2024).

46. Prior to the beneficial use of the Corneli school, the existing minibus access from Greenfield Terrace shall be permanently closed to all vehicles in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall include the removal of the vehicular crossover and reinstatement of full-height kerbs and footway to adoptable standards. The approved works shall be completed prior to beneficial use and retained thereafter.

Reason: To remove vehicular access for coaches and minibuses from Greenfield Terrace, in the interests of highway safety and residential amenity and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

47. Within 6 months from the date of consent, the developer shall fund and facilitate the statutory process for any Traffic Regulation Orders identified as necessary by the Highway Authority to manage on-street parking and access in the vicinity of the site. The developer shall also implement, at their own expense, all associated signing, lining, and highway works within the public highway required to give effect to any TROs made.

Reason: To mitigate parking and access impacts on surrounding streets and ensure and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

48. Within 3 Months from the date of consent, a scheme for the delivery of peak-period “No Waiting / No Loading” restrictions on Hall Drive, including associated signing, lining, and enforcement camera infrastructure, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include evidence that the applicant has funded and initiated the Traffic Regulation Order process with the Highway Authority. The approved physical works shall be implemented in full prior to beneficial use, subject to the TRO being made, and retained thereafter.

Reason: To ensure enforceable control of on-street parking and loading during critical school operating periods, in the interests of highway safety and the free flow of traffic. and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024)

49. Prior to the beneficial use of the Corneli school, the eastern vehicular access from Hall Drive into the adjacent retail car park (located immediately south of the approved school coach access) shall be permanently closed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the removal of the access crossover, reinstatement of full-height kerbs, and associated footway construction to adoptable standards. The works shall be completed prior to beneficial use of the school and retained thereafter.

Reason: To rationalise access arrangements, improve visibility, and reduce conflict between school traffic, retail traffic, and pedestrians, in the interests of highway safety. and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

50. Prior to the commencement of development above slab level, a scheme for the management of vehicular and pedestrian movements between the Hall Drive school access and adjacent retail premises shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include physical measures to prevent obstruction of the school access and pedestrian desire lines by delivery vehicles and customer parking, loading bay layout adjustments, and associated signing and lining. The approved scheme shall be implemented in full prior to beneficial use and maintained thereafter.

Reason: To reduce potential conflicts between school traffic, retail deliveries, and pedestrian movements, and to maintain safe and efficient operation of the highway network and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

51. Prior to the beneficial use of the Corneli school, the existing vehicular access to the site from Hall Drive that is to be repurposed as the main pedestrian entrance shall be permanently closed to vehicles. The closure shall include the removal of the vehicular crossover, reinstatement of full-height kerbs, and reconstruction of the footway to adoptable standards, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall be completed prior to beneficial use and retained thereafter.

Reason: To ensure the former vehicle access is safe and convenient for pedestrian use and to prevent unauthorised vehicular access, in the interests of highway safety and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

52. Within 3 months from the date of consent, a scheme for a pedestrian crossing facility on Hall Drive linking the southern footway to the main pedestrian entrance of the school shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall locate the crossing clear of the approved school coach access and shall take into account the closure of the eastern retail vehicle access. The scheme shall include full engineering details of the crossing type, tactile paving, road markings, signing, and any necessary kerb/footway alterations. The approved crossing shall be implemented in full prior to beneficial use of the school and retained thereafter.

Reason: To provide a safe and convenient pedestrian route to the school from the southern side of Hall Drive and to minimise conflict between pedestrians and vehicles. and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

53. Notwithstanding the details shown on the approved plans, no development above slab level shall take place until a scheme of visibility and pedestrian priority measures at the Hall Drive coach access has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include boundary treatments along the site frontage designed to maintain pedestrian inter-visibility and tactile paving to give clear pedestrian priority across the access. The approved scheme shall be implemented prior to beneficial use and retained thereafter.

Reason: To ensure pedestrian safety and adequate visibility between users of the footway and vehicles entering and leaving the site. and to comply with policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan (2024).

54. * 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 Replacement Local Development Plan (2024)

The proposed school is a vital part of the Local Authority's Bridgend West school modernisation scheme which will provide a new modern Welsh primary school and

external sport facilities that can be used by the wider community of North Cornelly. On balance and having regards to the objection raised It is considered that the proposal represents an appropriate form of development that would have no unacceptable impacts on visual amenity, residential amenity, drainage, ecology, environment, or highway safety and the proposal is therefore recommended for approval. Accordingly, the proposed development is in accordance with Policies SP1, SP2, SP3, SP4, SP5 SP9, SP11, SP13, SP15, SP17, SF1, PLA11, PLA8, PLA12, COM9, COM10, ENT1, ENT2, ENT3, ENT15, DNP6, DNP7, DNP8 and DP9 of the Bridgend Replacement 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

B)HIGHWAYS ADVISORY NOTE

Prior to any works commencing on the highway the developer / contractor will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the legal agreement to work on the adopted highway shall include all necessary engineering drawings and include a stage 2 safety audit.

The cost of the TRO shall be met by the developer

C)WELSH WATER ADVISORY NOTE

As of 7th January 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 County Borough 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.

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.

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 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.

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

D)DESIGNING OUT CRIME ADVISORY NOTE

(i). Perimeter security.

The whole of the school site, the vehicle parking area, sports pitches etc. must be protected by walls/fencing at least 2.4 metres in height and designed to be difficult to climb. Fencing and gates must meet the standard LPS 1175SR1 and be manufactured of weld mesh, expanded metal or similar. Fencing must be preferably ground on a hard surface or embedded in the ground. There must be nothing adjacent to the walls/fencing to assist criminals in climbing over them and therefore gaining access into the school grounds.

Gates must be of the same height as the adjacent walls/fencing and must be kept locked when the school is unoccupied. Gates, other than the main entrance, must also be kept locked during school time. The gap under gates must be minimal to prevent persons from crawling under.

If padlocks and chains are used to secure the gates they must meet appropriate security standards, e.g., Sold Secure.

Reason – To prevent crime and anti-social behaviour.

(ii). CCTV.

The external elevations of the school buildings, main entrances, public circulation areas, vehicle parking areas, bike and bin stores, and the pupil play areas must be protected by CCTV.

The images produced must be admissible in a court of law and the General Data Protection Regulations (GDPR) must be complied with.

All CCTV cameras must be protected against vandalism and be positioned in elevated positions. During school hours the cameras should be monitored from the reception area.

The CCTV recording equipment should be kept in a locked, secure internal room protected by the alarm system.

Reason – To deter and detect crime.

(iii). Lighting.

Lighting must protect the whole outside of the school buildings, bike stores, bin stores and vehicle parking areas. All fittings shall be vandal resistant and positioned in elevated positions.

The lighting must be controlled by photo electric cells or time switches and must complement and enhance the CCTV coverage on site.

The lighting protecting the car parking area must meet the British Standard 5489.

Reason – To increase public safety and to complement and enhance CCTV.

(iv). Landscaping.

Planting must be of a type that grows to a maximum height of 1 metre. Trees must be sited in locations that do not interfere with CCTV and lighting or provide an assist to climbing over the perimeter security. They must be bare stemmed to 2 metres from the ground and located away from buildings and perimeter security.

Reason – To increase surveillance.

(v). Signage.

Signs from the site entrance through to the school entrance must be clearly displayed and be multi-lingual.

Signs indicating that CCTV is in operation must be in prominent positions on site.

Reason – To deter crime and to comply with GDPR.

(vi). Vehicular parking area and access.

The vehicle parking area must be lit, the lighting meeting the British Standard 5489. It must be protected by CCTV, which should be monitored from reception during school opening hours.

The boundary of the parking area must be clearly defined. Bays must be clearly marked.

Vehicular access must be restricted to those areas necessary i.e., parking and service areas and access must be restricted to the entrance/exit point. Access into the staff car park must be controlled by a barrier system with access control fitted.

Reason – To restrict access and to prevent autocrime.

(vii). Bike stores.

Bike stores must be secure (please visit the SBD website www.securedbydesign.com for further information). They must be overlooked by

rooms in the school and protected by lighting and CCTV.

Reason – To prevent bike theft.

(viii). Refuse and recycling store.

Waste disposal areas must be secure areas and sited away from the main buildings, as they can be a target for arson or provide access to roofs and windows. The refuse and recycling stores should be protected by doors/gates that have access control fitted. They should meet SBD specifications.

Reason – To prevent arson and access to floors above ground floor level.

(ix). External furniture.

External furniture must be located away from buildings and perimeter security. They must be robustly constructed and either fixed in place or of a weight that is difficult to move.

Reason To prevent being climbing aids.

(x). Access to drainage and service areas.

Access to telephone junction points must if possible be prevented and manhole covers should be secured to prevent interference/removal.

Reason – To prevent metal theft.

(xi). Building shell security.

The design of the building must consider the need to prevent features that aid scaling or climbing, and hidden areas must be designed out.

The building must be constructed of materials that are resistant to attack. The first two metres of the external walls must be brickwork or materials of a similar strength.

Outside covered areas can be problematic and therefore must be protected by CCTV and lighting.

Reason -To prevent burglary and anti-social behaviour.

(xii). Access control.

Access from the lobby/reception area into the main school must be controlled by

access control. In addition, entry into all rooms where valuable equipment is sited e.g., offices, must be controlled and these rooms must be kept locked when not in use.

I would like to see an ability to lock down the site securely should there be an increase in threat and that appropriate doors and locking mechanisms are in place to achieve a reasonable delay both externally and internally creating layers of delay.

The doors leading into the event spaces need to be able to be secured and give some resilience and delay from a determined intrusion. This will allow time for escape and a delay to allow a response. There needs to be a means to communicate a threat throughout the buildings to facilitate a lock down of the building, i.e., alarm or tannoy system. In addition, external fire doors should not have an automatic release mechanism off the fire alarm but should be m

(xiii). School entrances and visitor control.

The number of public entrances into the school must be reduced to the minimum. practicable.

It should be possible to reduce the number to one during school hours, which must be clearly signed and well illuminated.

All visitors must sign in and out and wear visitor badges.

Reason – To restrict visitors to areas and to identify them.

(xiv). Drainpipes.

Downpipes must be either flush fitting (i.e. square profile) or concealed within the cavities of the building.

Access to the roof of the school must be made difficult.

Reason – To prevent access to upper floors and the roof area.

(xv). Doors.

All external doors must, where possible, meet the SBD standard LPS 1175 SR2. PAS 24 2022 or equivalent and must be third party tested and certificated.

Fire doors must be alarmed so a signal on opening can be transmitted to the reception area. These doors must be signed to warn of alarm alert and have no visible external ironmongery fitted.

Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for smoke, security and fire performance.

All glazing to external door panels and adjacent to these door panels must be laminated.

Reason – To prevent burglary and to protect pupils and staff.

(xvi). Windows.

All external vulnerable windows must, where possible, meet SBD standards i.e. LPS 1175 SR2, PAS 24 2022 or equivalent and be third party tested and certificated. Any glazing in vulnerable windows must be laminated glass.

Reason – To prevent burglary.

(xvii). Reception Areas

Reception areas should be designed to allow escape for staff. Counters should be deep enough to reduce the threat from persons lunging at staff to attack them. Alternatively, a laminated screen can be placed on the countertop to protect staff from attack. Ideally there should also be a secured escape room behind the reception desk for staff to take shelter to create a delay from any potential attack.

Reason – To protect staff.

(xviii). Intruder alarm system.

The school must be alarmed with the alarm system linked to a central monitoring station. Any alarm wires must be protected.

All floors and rooms where valuable property e.g., ipads, are located must be protected by the alarm system.

The alarm must be capable of being zoned off, so unoccupied areas of the school are alarmed when other parts of the school, e.g., community areas, are in use and are therefore not alarmed.

Consideration should be given to having a personal attack alarm installed linked to the intruder alarm system and central monitoring station. The panic buttons should be in areas where staff are more vulnerable e.g., head teacher's office, reception area.

Reason – To deter and detect intruders.

Further detailed information can be obtained from the Secured by Design website www.securedbydesign.com .

E)CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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 licence. 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.

F) FIRE SERVICE ADVISORY NOTICE

The Developer should also consider the need for the provision of

- A adequate water supplies on the site for firefighting purposes; and
- B Access for emergency firefighting appliances

Should the applicant require further information in relation to these matters they should contact the fire service Watch Manager J. Mann firesafety@southwales-fire.gov.uk

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None.

FROM – [REDACTED]
 ADDRESS – [REDACTED]

REF: P/25/98/BCB

I OBJECT to the proposal for the reasons outlined below.

Please confirm by email that you have received this objection.

Under the Road Traffic Regulation Act 1984 and the TRO, the following is to be noted

Section 122: Requires councils to balance the safe and convenient movement of traffic with other considerations, such as environmental impact or community needs.

My concern is that under this section the bus entrance conflicts with the council's duty under Section 122 to ensure safe and expedient traffic movement, especially if it increases congestion or risks to pupils and residents. I can see that any more large vehicles on Hall Drive will increase conflict with illegally parked vehicles or other vehicles as this is the main shopping hub in Cornelly. My overriding concern will be for pedestrian safety being potentially compromised by turning in vehicles across the main pedestrian entrance to the school.

I would also like to point out the following points I disagree with in **The Urbanists**
"Planning Statement Highways Update"

" While, ultimately, a 'coach' may not be used, or indeed any communal transport vehicles for pupils, it is considered to be a reasonable 'worst-case' scenario of the schools use."

This statement is not realistic and far from reality. The existing Welsh school already uses coaches to transport children from the area to the school. In fact the number of transport vehicles is likely to rise as a result of over doubling the school population from its current level. And again evidence of this is in the Urbanists own afore mentioned statement -

"This new proposed 'coach' area would now be required to provide a facility to cater for the potential temporary parking, and turning, of all school-managed vehicles. It would need to facilitate the above for the likely use of minibuses and, at largest, small-coaches for potential school pick-up and drop-off provision. This is considered to be likely required because of the wider catchment, as a Welsh Medium School."

This statement indicates the increase of pupils from further away. So requiring more transport.

The 'coach' or other transport vehicles will need to cross the pedestrian footway, off of Hall Drive"

Again an admission of the danger that coaches will need to cross the pedestrian footway that is heavily used by entering pupils arriving at school and departing. I see every day this stream of parents and children entering school on this very footway. It causes problems for our exit and entrance to our drive.

“In particular, the proposed revision of ‘coach’ access and turning to the south of site will need to be carefully managed by the school to ensure safety in-site”

“increased management of pupil movements needed; to both ensure they move immediately between the main entrance and transport vehicles, and that they don’t try and utilise the road access as a pedestrian route. It is likely that a ‘coach’ area management strategy will be required, irrespective of planning requirement, so the school may operate without an increased risk to pupils in their care

This again confirms the danger of the coaches manouvering on site and the need for staff of some sort to be administrating the movement.

“Overall, the change would naturally bring an increased likelihood of pedestrian and ‘coach’ or other transport vehicles conflict to Hall Drive (not previously present)”

This very statement alone shows the increased danger to pedestrian and other transport with this proposal. There is already at peak times a multitude of vehicle movements and children cycling to school at this key point at the south of the site. So increasing danger even more is unacceptable and dangerous.

“The ability to enter, turn, and move into the ‘layby’ feature within the site, to enable new entering vehicles to pass, is physically limited. Should the capacity be exceeded, vehicles may need to wait on the public highway.”

Again further danger created with the admition that the coach capacity could increase and in doing so stack up coaches on Heol Fach. As the proposed entrance is less than 40 metres from a major junction in Cornelly any stacking up of coaches will cause conjection on the main road through Cornelly, Heol-Fach. So the council would be failing in its duty under the

Town and Country Planning Act 1990: Active Travel (Wales) Act 2013

The bus entrance prioritizes vehicular access over pedestrian or cyclist safety (e.g., by reducing footpath space or increasing traffic near active travel routes) It conflicts with the council’s duties under this act. This is particularly relevant given the emphasis on School Streets and safe active travel routes around schools.

Education Act 2002 and Learner Travel (Wales) Measure 2008

Relevance: These laws govern school transport and safety. The Learner Travel (Wales) Measure 2008 requires councils to assess travel needs for learners under 19, considering **safety, disabilities, and looked-after children**

The proposed entrance cuts across the travel of pedestrians and children going to school. As arriving buses will be required to wait for pedestrians to cross over the entrance, they will cause a blockage on the road. As this bus entrance is less than 40 metres from a major junction in Cornelly.

Traffic Management Act 2004

Relevance: This act gives councils powers to manage traffic and enforce restrictions, including around schools (e.g., School Streets schemes). **It emphasizes minimizing congestion and ensuring safety.**

The bus entrance is less than 40m from a junction that is the major route through Cornelly and insufficient stacking space for buses waiting to enter the site likely to cause potential dangers to pupils, pedestrians, or cyclists, congestion and safety issues. There is inadequate parking provision for shoppers (this is the central hub for shopping in Cornelly, with a Tesco Express and the major road Heol-Fach, and a Spa Morrisons shop next to this entrance, deliveries to the Spa already cause blockages) and parents, leading to on-street parking problems, contrary to the council's duties under this Road Traffic Act.

This will have a detrimental impact on the community and residents such as reduced access and quality of life, **REF Active Travel(Wales) Act 2013 or environmental directive**

My concern is that the design of the new bus entrance, and its impact on the existing highway, will create an unacceptable danger or obstruction to highway users. Buses due to their size, turning circles, and potential for frequent movements at peak times can cause dangers on this road. As the highway authority, you would be failing your duty to ensure the safety and free flow of traffic.

Highways Act 1980

Section 177: Provisions as to use of highway by buildings

Any associated structures or even the sheer scale of the bus entrance works, or the impact of the buses themselves, could constitute an "interference" with the highway that is not properly justified or licensed, and that it significantly impedes the *safe and convenient use* of the highway by other users (pedestrians, cyclists, other vehicles).

Section 130: Duty to assert and protect rights of the public to use and enjoyment of highways:

This is a general duty placed on highway authorities (the council) to protect the rights of the public to use and enjoy highways.

The new bus entrance, by virtue of increased noise, pollution, danger, or congestion, will **deduct from the public's right to safe and peaceful enjoyment of the highway** in this location, especially for pedestrians and local residents.

I have lived at this location [REDACTED] for over 20 years. I believe I have a far better insight to the traffic and pedestrian movements than most. The drive that runs parallel and next to the proposed bus entrance, is a shared drive that is used daily by the 3 houses backing onto the school. We have maintained and used this drive way for over 20 years. This bus entrance proposal will have impact on an already strained highway issue.

In the proposal, there is a recommendation of a 3m wall to run along the south west boundary. This will have a sincerely negative affect on our quality of life, it will be overbearing and depressing. The existing fence height is more than adequate.

So in conclusion my objections to the proposed entrance are:

- **Contravene principles of safe highway design** as implied or explicitly stated in the Highways Act 1980 and associated Welsh Government guidance (like TAN 18: Transport, which draws heavily on highway engineering best practice derived from the Act).

- **Lead to unacceptable highway safety risks** for all users, including pedestrians (especially children), cyclists, and other vehicles, which is contrary to the duties imposed on the council by the Highways Act.

- **Cause severe congestion or obstruction** on the public highway, thereby interfering with the free flow of traffic, which runs counter to the general purpose of the Highways Act to maintain efficient road networks.

- **Result in a loss of amenity** for those using or living near the highway due to noise, vibration, or air pollution from buses, which can be linked to the duty to protect the public's enjoyment of the highway.

Yours sincerely



OBJECTION TO THE PROPOSED PLAN FOR REDEVELOPMENT OF CORNELLI PRIMARY SCHOOL, GREENFIELD TERRACE, NORTH CORNELLY, CF33 4LW

CONTENTS

1. Executive Summary
2. Background
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1. EXECUTIVE SUMMARY

The western end of Hall Drive is already a location made hazardous by illegal parking and HGV deliveries with inadequate unloading and reception facilities. School House Close in particular is, for large parts of the working day inaccessible to Emergency Service Vehicles, in particular Fire and Ambulance services. The additional burden of School Buses and an expanded number of private vehicles dropping off and picking up children makes an already hazardous situation positively dangerous for children and local residents. Adequate drop-off and pick up points for both buses and private cars need to be provided within the site curtilage.

2. BACKGROUND

Bridgend County Borough Council has a legitimate need to provide Welsh Medium Primary Education in the West of its territory and proposes to repurpose the site of the existing Cornelli Primary School for that purpose.

The present proposal is an amended one which revises the coach drop off point from Greenfield Terrace to one in Hall Drive.

3. HISTORY

Development at the western end of Hall Drive over the past 30 years or so has changed significantly.

At the beginning of that period, the land now occupied by School House Close comprised the structure and, most notably, the car park of the Ponderosa Social Club.

The present Filco Store (previously NISA, previously Philip Jones) has expanded its operation significantly in the same period. This has been especially true since the added competition from the nearby Tesco Express over recent years. In particular, opening hours and HGV delivery times at Filco have broadened appreciably during the period.

Initially, parking for the store and some delivery traffic made use of the car park of the Ponderosa Club which was largely under-used by the Club in the daytime. Furthermore, parents used it for a drop off and pick up point for their children attending the school.

Traffic congestion consequently increased significantly after the development of School House Close.

4. PRESENT SITUATION

The present Filco store and the nearby shopping precinct are inadequately served by parking facilities. The Filco Store in particular has many HGV deliveries during the daytime, especially in the mornings. Customers visiting the store frequently have nowhere to park without causing obstruction. Complaints have been made to Councillors and South Wales Police about the situation without resolution. School House Close is used as parking space by Filco employees and customers.

Often the parking in the close is chaotic and would certainly restrict access by a Fire appliance or Ambulance. BCBC (or their agency's) recycling and refuse collection vehicles are quite often unable to access the close – giving substance to the assertion that emergency services could not gain access. Representations have been made to Councillors to make School House Close prohibited to motor vehicles except for access. These have been rejected without substantive reasons being given. It is clear that erroneous planning decisions have led to the present situation, most notably the construction of School House Close on the former Ponderosa site without adequate parking and loading facilities for what is presently the Filco store.

Annotated photographic evidence is appended to this document. Photographs are only taken on an occasional basis but are generally representative of the overall situation. The author works full time and does not spend a significant part of their time observing the street scene.

Original larger and uncropped images are available if required. Cropping has only been for space purposes. No significant information has been lost in that process.

5. BASIS OF OBJECTION

This is not an objection to the redevelopment of Cornelli Primary School. It is not a representation in the “Not In My Back Yard” vein. **The objection is to the revised proposed arrangements for picking up and dropping off of children in buses and cars from Hall Drive where there are no facilities and hazardous situations already occur on a daily basis.** Given the fact that the proposed use of the school is for Welsh Medium education, it is inevitable that children will be travelling from further afield than hitherto. Traffic movements will significantly increase. Clearly there is no enforcement of existing restrictions on parking/waiting, nor any perception by perpetrators of such enforcement being likely.

6. CONCLUSION

The present revised plan is clearly in response to objections to the original plan of pick-up and drop-off on Greenfield Terrace. Neither Hall Drive nor Greenfield Terrace would face these issues if the pick-up and drop-off facilities were located within the school site. If those facilities cannot be located on site, then Greenfield Terrace is the less hazardous option.

Allowing Hall Drive to be used would compound and aggravate earlier inexplicable planning errors.

7. PHOTOGRAPHIC EVIDENCE



11 Apr 2024 – 1507

Two Cars parked in, or partly in, the junction between School House Close and Hall Drive. Car on opposite side obstructing parked vehicle(s) from leaving.



12 Apr 2024 – 1015

Delivery Lorry partly on zig zag lines for school entrance. Both of the other vehicles are in breach of no waiting restriction 0800-1800.



12 Apr 2024 – 1018

See previous annotation.



16 Apr 2024 – 1511

Two Cars parked in, or partly in the junction between School House Close and Hall Drive. Red car also in breach of waiting restriction.

Family trying to cross highlights increased hazard.



19 Apr 2024 – 1526

Car on north (far) side parked on zig zags for school entrance – at a particularly inapt time (despite being illegal at all times).

Car on south (near) side parked in breach of waiting restrictions.



19 Apr 2024 – 1526

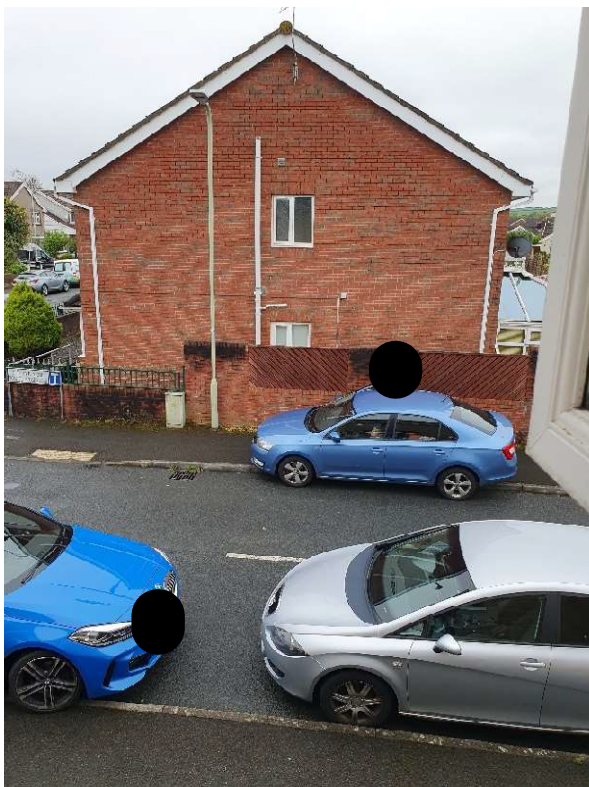
Slightly later than the previous picture.



01 May 2024 – 1516

All 5 vehicles in breach of waiting prohibition. Note time of day.

Apology for camera angle.



02 May 2024 – 1528

School House Close. Blue car on eastern (far) side parked on kerb. Blue car on near side parked on kerb and fully obstructing dropped kerb.



03 May 2024 – 1515

School egress time. Both red cars parking in junction. Blue car breaching waiting prohibition.



06 May 2024 – 1346

Illustration of waiting restriction. The Mon-Fri nature can only relate to the proximity to the school, yet it is never enforced now.



08 May 2024 – 1525

School House Close. Blue car on eastern (far) side parked on kerb. Black car on near side fully obstructing dropped kerb.



08 May 2024 – 1529

Four minutes later than previous image. Clearly related to school drop-off pick up.



23 May 2024 – 1455

Close to school egress time. Parking in junction and breaching waiting prohibition.



24 May 2024 – 1037

Blue/black car parked on corner of junction. Silver car parked totally across the egress from the junction.



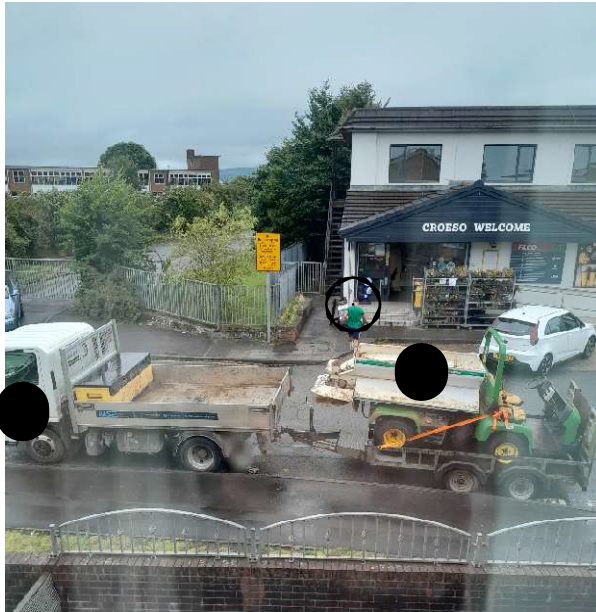
24 May 2024 – 1241

Blue/black car parked on corner of junction. This **may** be the same vehicle there from 1037 (above). Safeway lorry unloading (not in the miniscule bay). White lorry unloading or waiting to unload.



13 Jun 2024 – 1515

Both vehicles closest to the camera are parked, and both illegally.



20 Jul 2024 – 1331

Parked in breach of single line prohibition and overhanging the junction.



30 Aug 2024 – 1219

Unloading lorry parked on kerb in Hall Drive using unregistered fork lift vehicles to unload. Neither fork lift will have Road Traffic Act insurance.



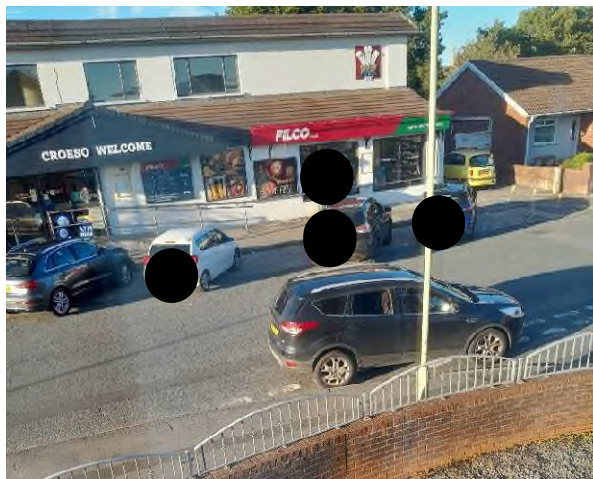
30 Aug 2024 – 1220

Another view of the previous incident.



01 Sep 2024 – 1024

Both nearside vehicles in breach of waiting restriction. Rear vehicle parked over junction egress.



14 Sep 2024 – 1812

Nearside vehicle parked in junction.



16 Sep 2024 – 1134

Using School House Close as a loading/unloading bay.



17 Sep 2024 – 1057

Further illustration of earlier incident. Lorry partly on kerb and completely blocking dropped kerb.



20 Sep 2024 – 0816

Parked across junction.



21 Sep 2024 – 0855

Porthcawl Road, this is not the first time, and I have mentioned it to County Borough Councillors previously. This is a Saturday, but the same occurs during the week. Parked on kerb unloading for Tesco Express.



21 Sep 2024 – 0857

Further illustration of earlier image.



21 Sep 2024 – 0857

Further illustration of 2 earlier images.



27 Sep 2024 – 1109

Illustration of inadequacy of loading facilities at Filco (driver has done his best). The unloading bay is full of rubbish and trolleys and pedestrians have to walk in the middle of the road to get past.



27 Sep 2024 – 1101

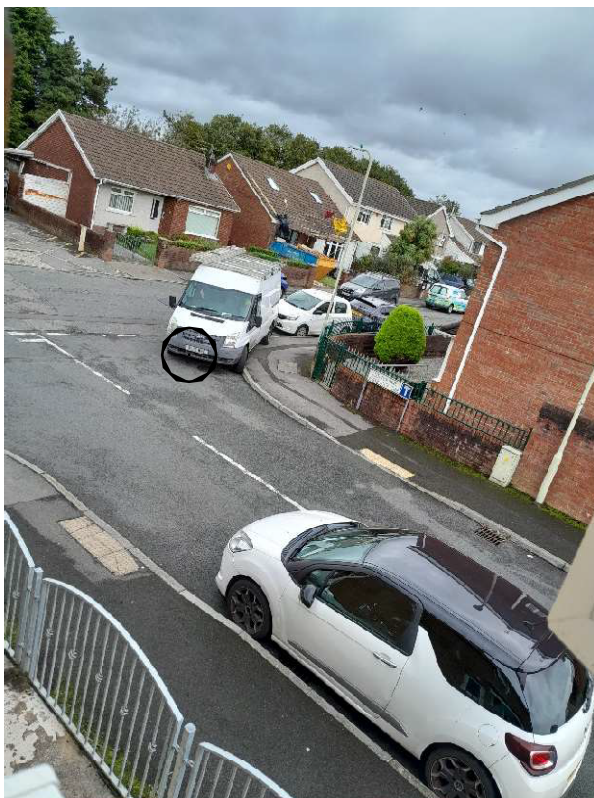
Car on far side has parked on zig-zags for School entrance.

Both cars on near side are in breach of prohibition.



27 Sep 2024 – 1116

Further illustration. The situation has subsisted for at least 15 minutes.



30 Sep 2024 – 1511

Van parked i) on a kerb, ii) on a corner, and iii) in a junction. This is at school egress time.



30 Sep 2024 – 1513

Red car parked on zig zags for school entrance (at school egress time).

Three cars closest to the camera are breaching waiting prohibition.



30 Sep 2024 – 1514

Closer view of earlier incident.



04 Oct 2024 – 1128

Vehicle parked in the junction.



07 Oct 2024 – 0757

Unloading across junction.

Waiting prohibition hasn't quite started and would not apply to legitimate loading/unloading.



07 Oct 2024 – 0757

Further illustration of earlier incident.



08 Oct 2024 – 1244

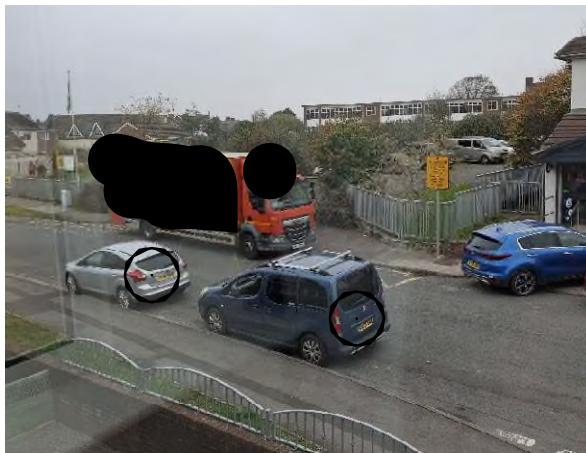
Unloading across junction.



10 Oct 2024 – 0811

Black car on zig zags for school.

Red car (near side) in breach of waiting prohibition.



05 Nov 2024 – 1023

Warburtons lorry not only on zig-zags for school entrance but completely obstructs that entrance.

Two vehicles on nearside are in breach of waiting prohibition.



05 Nov 2024 – 1023

Further illustration of previous incident.



06 Nov 2024 – 1128

Warburtons again using School House
Close as unloading bay



12 Nov 2024 – 1031

And again. Completely obstructing
dropped kerb.



12 Nov 2024 – 1031

Next to no room behind, tail lift might...just clear the parked car.



12 Nov 2024 – 1031

And the cab is right up to the junction.



12 Nov 2024 – 1033

See previous images of the same occasion.



12 Nov 2024 – 1034

See previous images of the same occasion.



13 Nov 2024 – 0809

Obstructing the junction. Any vehicle leaving School House Close would be doing so blind. A left turn would be virtually impossible.



13 Nov 2024 – 0812

See previous images of the same occasion.



13 Dec 2024 – 1307

Almost completely obstructing the pavement ...I had difficulty getting in and out of my front gate.



13 Dec 2024 – 1307

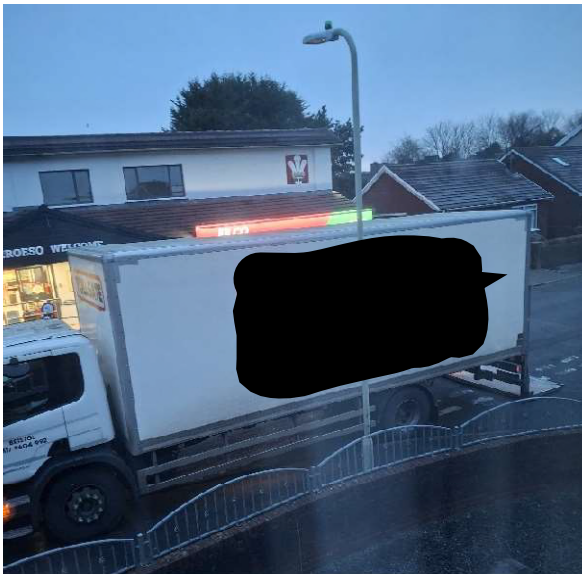
... and partially obstructing the dropped kerb. Not much use to a wheelchair user.



13 Dec 2024 – 1316

Far side ... parked on zig zag lines for the School entrance.

Closest to the camera ... parked in breach of single yellow line prohibition.



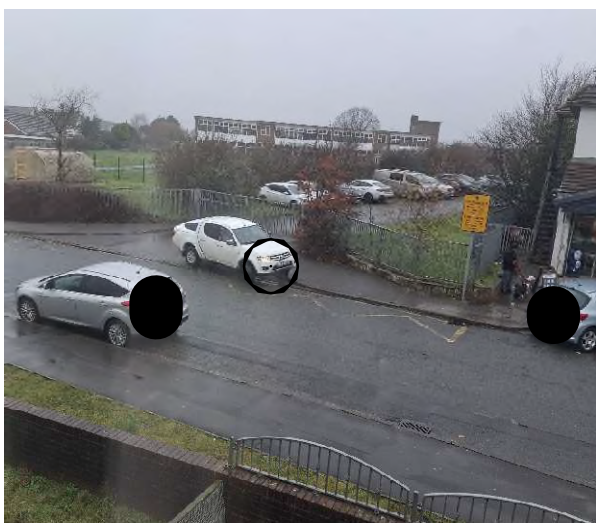
08 Jan 2025 – 0805

Obstructing the junction and the vision splay therefrom.



08 Jan 2025 – 0805

See previous image of the same occasion.



14 Jan 2025 – 1349

Far side ... parked on zig zag lines for the School entrance.

Closest to the camera ... parked in breach of single yellow line prohibition.



15 Jan 2025 – 1409

HGV parked on zig zag lines at the School entrance and the school was still active at the time. Note the time of day. If there was an emergency in the school, the emergency vehicle would not have been able to access the drive.



15 Jan 2025 – 1409

See previous image of the same occasion.



21 Jan 2025 – 1456

Far side ... parked on zig zag lines for the School entrance.

Closest to the camera ... both parked in breach of single yellow line prohibition.

Note the time of day.



21 Jan 2025 – 1459

Car in front in breach of waiting prohibition (although probably the same car as in the previous image). Car behind parked fully across the junction.

Note the time of day.



24 Jan 2025 – 1700

Parked, not waiting for the road to clear.



24 Jan 2025 – 1701

See previous image.

Note, the ghostly image of a silver car is probably a reflection in the window glass of a vehicle either waiting or heading towards Porthcawl Road – probably the former.



28 Jan 2025 – 1147

Far side ... parked on zig zag lines for the School entrance.

Closest to the camera ... parked in breach of single yellow line prohibition.



29 Jan 2025 – 1536

Far side ... DPD van parked on zig zag lines for the School entrance.

Closest to the camera ... at least two cars parked in breach of single yellow line prohibition.

Note time of day.



31 Jan 2025 – 1241

Petit Forestier refrigerated vehicle obstructing dropped kerb. White HGV behind trying to find somewhere to unload from.



31 Jan 2025 – 1241

Another view of the same incident.



17 Mar 2025 – 0810

Significant obstruction of the junction between School House Close and Hall Drive.



17 Mar 2025 – 0810

See previous image.



04 Jun 2025 – 1958

Filco staff vehicle parked throughout the day parked inconsiderately.



05 Jun 2025 – 0822

Far side ... parked on zig zag lines for the School entrance.

Closest to the camera ... three vehicles parked in breach of single yellow line prohibition.



12 Jun 2025 – 1745

Filco staff vehicle parked throughout the day parked inconsiderately.



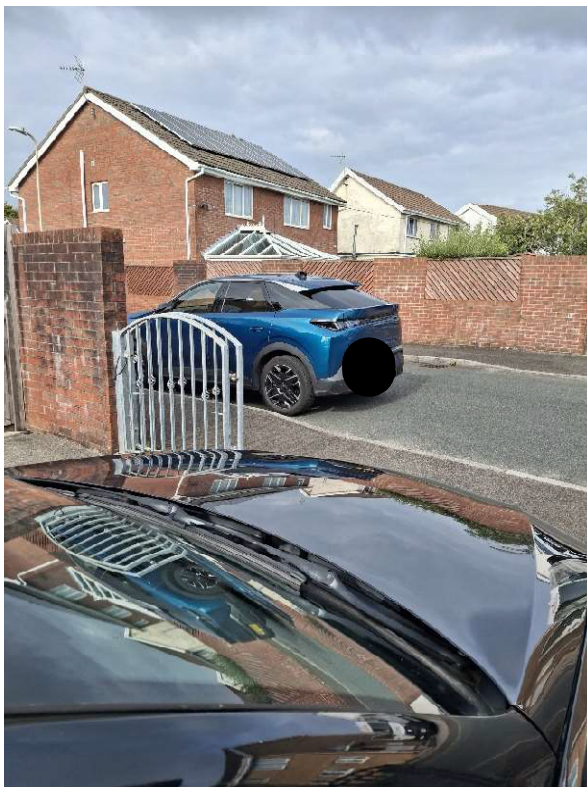
20 Jul 2025 – 1225

Emergency vehicle access compromised.



20 Jul 2025 – 1225

Waitrose delivery was guided in and out of School House Close, due to double parking.



24 Jul 2025 – 1743

Filco staff vehicle parked throughout the day parked inconsiderately.



24 Jul 2025 – 1745

Filco staff vehicle parked throughout the day parked inconsiderately.



26 Jul 2025 – 1225

Filco staff car park.



26 Jul 2025 – 1225

Vehicles parked on kerb. Makes access by emergency vehicles easier but not an acceptable way to park under the Road Traffic Act.

REFERENCE: P/24/806/FUL

APPLICANT: Mrs J Ibe, 34 Caerau Road, Maesteg CF34 0PB

LOCATION: 34 Caerau Road, Caerau, Maesteg CF34 0PB

PROPOSAL: Change of use from use class D1 to 6 bed House of Multiple Occupation (use class C4) and associated works

RECEIVED: 30 December 2024

DESCRIPTION OF PROPOSED DEVELOPMENT

Planning permission is sought for the change of use of this former community facility from Class D1 (Non-Residential Facilities) to Class C4 (House in Multiple Occupation), as a six-bedroom unit with en-suite bathrooms and communal shared facilities at 36 Caerau Road, Caerau.

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 on the ground and first floor to accommodate the change of use. The first floor would comprise of four en-suite bedrooms.

The ground floor would comprise of two en-suite bedrooms and an open plan living/dining area. Externally, rooflights would be installed on both roof planes, as well as the replacement and resizing of front windows, replacement and additional side elevation windows and two rear elevation windows. The access doors would also be replaced in a similar style and position to the existing siting. No increase in ridge height or external footprint is proposed.

There would be two access doors and a rear amenity space requiring engineering works to allow for a usable space and a cycle storage facility whilst no on-site parking provision is provided.

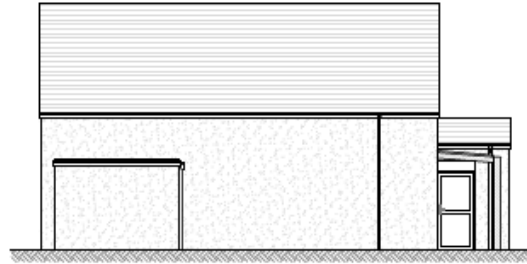
Figure 1: Site Location plan



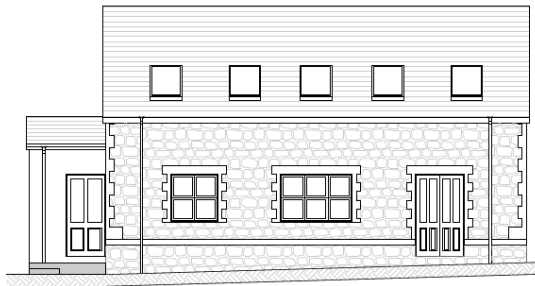
Figure 2: Plans
2a: Existing and Proposed Front/ Rear Elevations



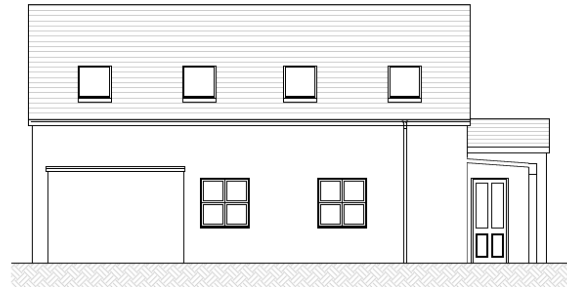
EXISTING FRONT ELEVATION
 SCALE 1:100



EXISTING REAR ELEVATION
 SCALE 1:100



PROPOSED FRONT ELEVATION

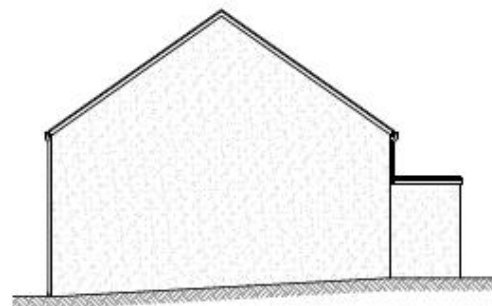


PROPOSED REAR ELEVATION

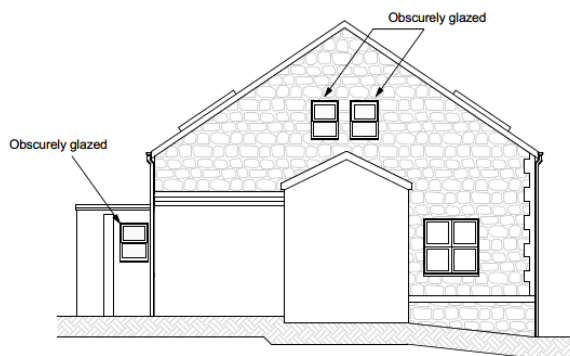
2b: Existing/ Proposed Side Elevations



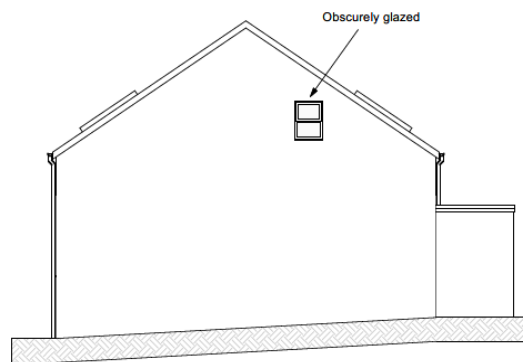
EXISTING LEFT ELEVATION
 SCALE 1:100



EXISTING RIGHT ELEVATION
 SCALE 1:100

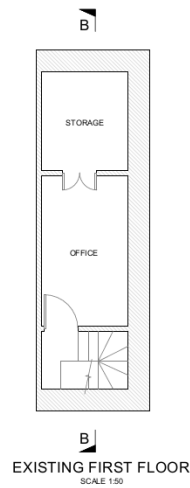
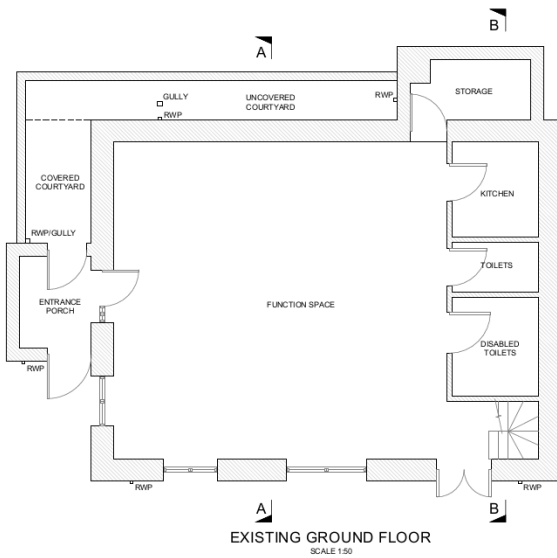
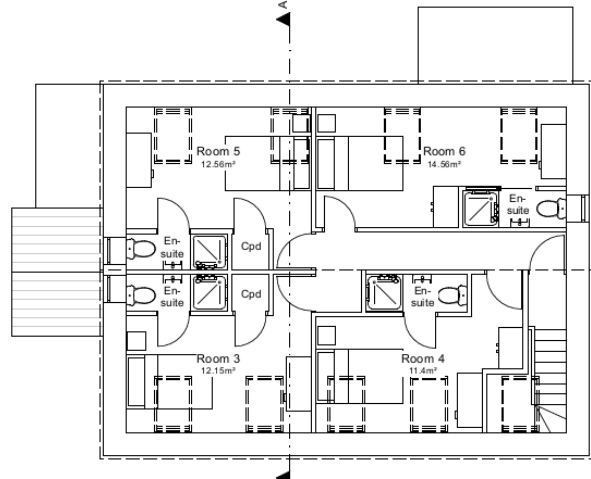
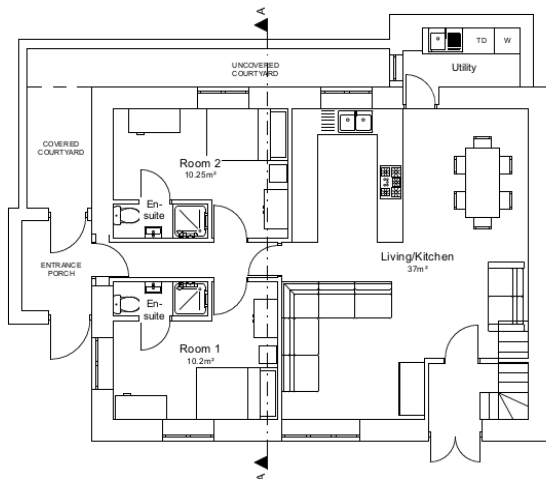


PROPOSED SIDE ELEVATION

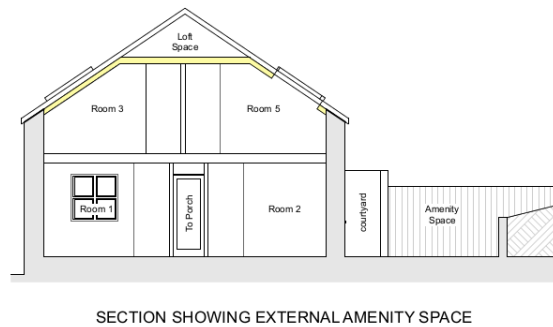
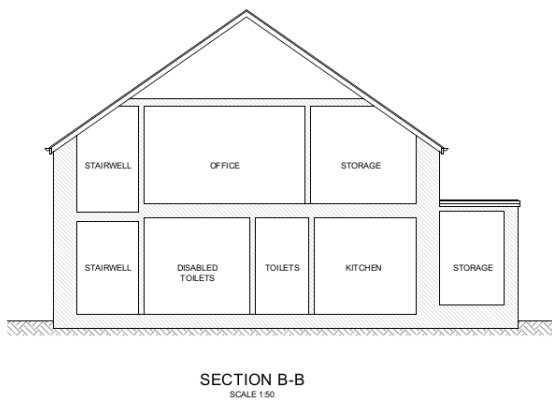


PROPOSED SIDE ELEVATION

2c: Existing/ Proposed Floor Plan



2d: Existing/ Proposed Section



2e: Proposed Block Plan



Figure 3: Site Photos

3a & b: Front elevation, and view opposite front elevation



3c & d: View up and down the street



3e & f: View towards rear amenity space from footway and Aerial view (google earth: 2025)



SITE DESCRIPTION

The site relates to a detached building within a predominantly residential terraced street within the Main Settlement of Maesteg as defined by SF1 of the Bridgend Replacement Local Development Plan (2024).

The community building was previously utilised as an Old Age Hall and occasionally used as a polling station. The site fronts Caerau Road to the south east, with an overgrown and steep amenity space to the rear which abuts a pedestrian footway. Directly to the east and west are end of terrace dwellings associated with Caerau Road, as well as terraced dwellings opposite.

The building is finished with traditional stonework and tiles, similar to the dwellings within the immediate vicinity. However, the building is unique within the wider street-scene given its modest height, fenestration, detached nature and previous use when compared to the terraced dwellings nearby. It is noted that further to the south west, on the opposite side of the street, the traditional stonework façade and consistent roof-line is replaced with pebbledash exteriors and an inconsistent ridge height.

Further to south west, at the end of the street, is the Local Centre of Caerau as defined by SP12 of the Bridgend Replacement Local Development Plan (2024) consisting of local retail units. The closest bus stop with a route to Bridgend Town Centre is 0.2 miles from the site at Caerau War Memorial within the Local Centre.

RELEVANT HISTORY

No recent or relevant history.

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 30 June 2025.

CONSULTATION RESPONSES

Highways and Transportation - No objection subject to conditions relating to cycle storage and restricting the number of residents.

Shared Regulatory Services - No objection or conditions suggested.

Dwr Cymru/Welsh Water - Comment relating to water services with an advisory note suggested.

Land Drainage - No objection or conditions suggested.

Maesteg Town Council - Formal objection, raising concern with the number of HMO's already operating in the area.

REPRESENTATIONS RECEIVED

The Local Ward Member, Councillor Paul Davies, has objected to the application on the following grounds:

- There is no public transport servicing this location and this would encourage car use.
- There are double yellow lines outside the property and parking opposite is currently at saturation point, something I witnessed myself during a recent visit to the location.
- There are several HMOs within a very short distance of this proposed site, it is my understanding that there is a limit on the number of HMOs that can be permitted on one street (there is currently a 4 bed HMO almost directly opposite this proposed one, and one under construction in the former Station Hotel nearby).
- Potential for an increase of anti-social behaviour associated with this type of development.
- Facilities such as this are in short supply in the area and should be protected as a public asset which it has been for 60 to 70 years and not allowed to be lost.

Two letters of objection and a Community Petition with 21 signatures have also been received on the following grounds:

- a) Amenity of future residents i.e. the size of the dwelling
- b) Overconcentration of HMO's within the vicinity/Impact upon local infrastructure and community
- c) Lack of knowledge regarding the future residents and potential for anti-social behaviour and noise
- d) Disruption during the construction phase of the development including noise
- e) Parking provision and Highway Safety
- f) Residential amenity by way of overlooking
- g) Planning Policy conflict
- h) Waste and Refuse concern

COMMENTS ON REPRESENTATIONS RECEIVED

- a) The Replacement Bridgend Replacement Local Development Plan does not contain any minimum standards for bedroom sizes in new HMOs. The proposed bedrooms are all en-suite and considered to be appropriate for the accommodation provided.
- b) The HMO referred to relates to a site which previously had an application for a change of use to a Shared Accommodation unit (reference 20/747/FUL) which was invalid and did not benefit from planning permission. A planning history search indicates another invalid application on Blaencaerau Road (reference 20/748/FUL). However, the use of these buildings as HMOs occurred before the changes to the regulations and the new Use Class (C4) for small HMOs occupied by 3-6 unrelated persons and they were considered acceptable at the time. However, whilst being within a 50-metre radius of the application site, the current proposal will not result in an oversubscription of HMOs in the area.
- c) Issues in respect of anti-social behaviour and/or safeguarding 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 this 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 vicinity of the site. The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type in particular, and it is considered that an appropriately managed, small scale HMO use, for a maximum of six people, would not cause such anti-social behaviour or a perception of anti-social behaviour to recommend refusal of the Application in this instance.

- d) Any noise or disruption during the construction phase of a development would be similar to that of a domestic household extension.
- e) Highways concerns are addressed in the Appraisal section of this report.
- f) Residential amenity concerns are addressed in the Appraisal section of this report.
- g) The principle of development and the loss of an existing community facility are addressed in the Appraisal section of this report.
- h) Waste and Refuse is addressed in the Appraisal section of this report.

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 Act 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

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 Replacement 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 Policies

- **Policy SP1:** Regeneration and Sustainable Growth Strategy
- **Policy SP3:** Good Design and Sustainable Placemaking
- **Policy SP5:** Sustainable Transport and Accessibility
- **Policy SP6:** Sustainable Housing Strategy
- **Policy SP9:** Social and Community Infrastructure
- **Policy SP17:** Conservation and Enhancement of the Natural Environment
- **Policy SP18:** 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 COM9:** Protection of Social and Community Facilities
- **Policy DNP6:** Biodiversity, Ecological Networks, Habitats and Species
- **Policy DNP9:** Natural Resource Protection and Public Health

Supplementary Planning Guidance

- SPG02 - Householder Development
- SPG17 - Parking Standards
- SPG19 - Biodiversity

APPRAISAL

This Application is referred to the Development Control Committee to consider the concerns raised by the Local Ward Member and neighbouring occupiers. Additionally, a Local Ward Member has requested that the application be referred to the Development Control Committee.

Having regard to the above, the main issues to consider in this application relate to the principle of development, the amenities of neighbouring residents, biodiversity, drainage

and highway/pedestrian safety.

Principle of Development

The site is located within the Main Settlement of Maesteg within an established, residential area and near to local services and facilities as defined by **Policy SF1 Settlement Hierarchy and Urban Management** of the Bridgend Replacement Local Development Plan (RLDP) 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 RLDP 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 windfall site under **Policy SP6** which makes a contribution to the overall housing supply and introduces an important element of choice and flexibility into the housing market. **Policy SP6** of the RLDP 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 COM9 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 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.

Supporting information accompanying the application indicates that the site has been used as a community facility since the 1950s and was last utilised by an Old Age Group, now relocated to another facility 900m south of the application site. The applicant also indicates that there are several existing community premises within the immediate vicinity that could be utilised. As such, its considered that the existing facility is no longer required for its current use and there is already an excess of similar provision in the area.

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 sustainable house type located close to local services and transport links within the Caerau Local Centre. It would utilise the existing building, require minor alterations and provide appropriately sized bedrooms and communal living

spaces for up to six occupants. All habitable rooms would benefit from natural light, ventilation, a private bathroom and a means of outlook onto either Caerau Road or the rear facing yard. For these reasons, the proposed HMO is considered to meet **Policy COM6** of the RLDP.

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 RLDP policies.'

In terms of the above criteria, it is noted:

- 1) Neither planning records nor the Public Register of Licensed HMO's identify an oversubscription of HMOs within a 50m radius of the application property.
- 2) The proposal will not require extensive alterations and no extensions which would alter the character or appearance of the property or area.
- 3) The scale and intensity of the use is considered to be compatible both with the existing building (as communal areas are provided for residents) as well as with the adjoining and nearby uses which are also primarily residential.
- 4) Whilst no on-site parking is available for residents, the Applicant proposes covered and secure cycle parking within the rear amenity space. The property is located in a relatively sustainable location in close proximity to the Caerau Local Retail Centre, transport links and other facilities. It is noted that the Highways Officer has not raised any objection to the proposal.
- 5) The proposal provides for sufficient waste and recycling storage and possible clothes drying area at the rear. Provision of cycle parking can be covered as a condition of planning approval.
- 6) The proposal would not have an adverse impact on residential amenity, given the previous D1 use and predominantly residential street-scene.

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

Policy SP3 Good Design and Sustainable Placemaking of the RLDP 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 accords with policies SP6 , COM6, COM7 and COM9 of the Bridgend Replacement RLDP and subject to satisfying the requirements of Policy SP3, the proposed development is acceptable in land use planning terms and accords with the Bridgend Replacement Local Development Plan(2024).

Visual Impact

Policy SP3 of the adopted Bridgend Replacement Local Development Plan(BRLDP) 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 proposed HMO would re-arrange the window placements and access door to the front elevation. The changes are in similar positions and sizes to the existing façade and considered appropriate. There are additional changes to the side and rear, although they are minor in scale and domestic in appearance. With regards to the roof, the scheme will include the insertion of five roof lights to the front and four roof lights to the rear roof planes. The front roof lights will be clearly visible from the public realm, however, they are evenly distributed, of the same size, domestic in appearance and do not significantly protrude.

As such, the proposed change of use respects the street-scene and character and appearance of the area and, for the above reasons, the proposal is considered to be in accord with criterion (2) of Policy SP3 of the Replacement Local Development Plan (2024).

Residential Amenity

Policy SP3 of the RLDP 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 extensions. As such there are no issues in terms of overlooking and overbearing effects over and above what already exists on site.

Overlooking/loss of privacy

In terms of overlooking and loss of privacy, the proposal involves minor alterations to the façade including rear first floor roof lights. Whilst these inclusions may allow for a level of overlooking to neighbours it is considered that these features would not increase the level of mutual overlooking between neighbours and is acceptable in this regard.

With regards to the rear amenity space, there will be a level of disturbance through the creation of a new domestic garden. However, as the previous use was a community facility it is likely the rear space was used, whilst a domestic garden is unlikely to impact the levels of privacy or overlooking that currently exists within the predominantly residential area.

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 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 that of the property being used as dwellinghouse.

Any issues relating to noise from future residents of the property would be a matter for Shared Regulatory Services - Public Protection Officers to investigate under their legislation.

Amenity of future occupiers

In terms of the level of amenity and standard of accommodation being created for future occupiers of the HMO, each bedroom facility would have a satisfactory outlook with appropriate habitable room space with personal bathroom and communal kitchen/living 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 with space for the drying of clothes and storage of bicycles. Due to the overgrown nature of the site and change in ground levels, in order to ensure the appropriateness of the amenity space, a condition for a scheme of landscaping and any engineering works to allow for a usable space is attached to the recommendation.

Bin storage and cycle storage

A suitable waste storage area can be provided at the rear of the property. Cycle parking is proposed in the rear amenity space and can be achieved through the imposition of a suitably worded condition of consent to ensure suitable cycle storage is available for the future 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 Policies SP3 and DNP9 of the Bridgend Replacement 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 sustainable location close to nearby commercial facilities and a bus stop.

The Highway Officer has assessed the proposal, with the assessment below:

The policy on conversions to HMO's details that the conversion will only be acceptable if 'the proposal incorporates on-site parking provision or demonstrates that it will not have an adverse effect on local parking provision.'

Whilst it is understood that there is a planning fall-back position for this building and it could become a more intensive use without the need for planning permission, equally those intensive uses would only serve the local population normally within walking distance, whereas a HMO would generate traffic, journeys and parking similar to a residential dwelling.

Notwithstanding the above, there is emerging evidence that car ownership levels are lower for HMO's and together with the additional information the applicant provided on the 12th May which shows that there is kerbside parking available on this section of Caerau Road, then the proposal is considered acceptable. In addition, to further promote walking and cycling for shorter journeys and to meet the requirements of the Active Travel Act 2013 and PPW 12, I have requested a condition for a scheme of secure cycle parking as it is clear that future residents will not be able to store a cycle in their rooms.

As such the Highway Authority offer 'No Objection' subject to the conditions below:

- 1. The consent hereby granted shall be limited to six persons residing in the HMO.*

Reason: For the avoidance of doubt and to protect the safety and free flow of traffic on the surrounding highway network.

- 1. No development shall commence until a scheme for the provision of six secure cycle parking stands has been submitted to and approved in writing by the Local Planning Authority. The stands shall be implemented before the development is brought into beneficial use and retained as such unless otherwise approved in writing by the Local Planning Authority.*

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

In addition, it is noted that the Local Centre and bus stop is a short walking distance from the site. On balance, it is considered that the change of use would not have an unacceptable impact upon highway and pedestrian safety. Therefore, the proposed development is considered to accord with Policies SP5 and PLA11 of the Bridgend Replacement 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.”*

The application is supported by a Green Infrastructure Statement which identifies the following Biodiversity enhancements:

- Bird Box
- Bat Box
- Insect Hotel
- Hedgehog House
- Refugia Collection

Whilst acknowledging that this is a relatively small-scale change of use Application, to fully ensure that the development meets the requirements of local and national planning policy that states that *all development should maintain and enhance biodiversity*, a condition is recommended to ensure that the enhancements proposed are 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 Replacement 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 result in an unacceptable loss of community infrastructure, or adversely prejudices highway safety, privacy or visual amenities nor so significantly harms 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 cannot be controlled through the planning system. As such, it is considered that the development is acceptable and complies with Policies SP1, SP3, SP5, SP6, SP9, SP17, SF1, PLA11, COM6, COM7, COM9, DNP6 and DNP9 of the Bridgend Replacement 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 implemented in accordance with the following approved plans:
 - Proposed Floor Plans and Sections

- Proposed Elevations
- Block Plan

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

2. The premises shall be used as a house in multiple occupation (Class C4 of the Town and Country Planning (Use Classes) Order 1987 (as amended)) accommodating a maximum of 6 persons only 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. Prior to the first beneficial use of the HMO hereby approved, the windows labelled 'Obscurely Glazed' as indicated on plan 'Proposed Elevations' shall be fitted with obscured glazing to a minimum of level 5 on the Pilkington index of obscurity, and any part of the window/s that is less than 1.7m above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained as such thereafter.

Reason: In the interest of the amenities of the adjoining property, and to ensure the development complies with Policy SP3 of the Bridgend Replacement Local Development Plan (2024)

4. A scheme for the provision of secure cycle storage for 6no. bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented within prior to beneficial use of the development hereby approved, and the cycle parking shall be retained for such purposes 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 Replacement Local Development Plan (2024), and advice contained within Supplementary Planning Guidance SPG17: Parking Standards.

5. A scheme of waste and recycling management for the property shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a suitably located, screened and managed designated area for waste and recycling. The approved scheme shall be implemented prior to the beneficial use of the development hereby approved and the approved scheme shall thereafter be retained and maintained in perpetuity.

Reason: To ensure that adequate waste and recycling facilities are provided in accordance with Policy ENT15 of the of the Bridgend Replacement Local Development Plan (2018-2033).

6. A scheme detailing the existing ground levels and the proposed finished floor level of the rear amenity space shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the beneficial occupation of the HMO hereby approved and the approved scheme shall thereafter be retained and maintained in perpetuity.

Reason: To ensure that adequate living conditions for future occupiers are provided and retained in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2018-2033).

7. Prior to the first beneficial occupation of the HMO hereby approved, a scheme of landscaping shall be submitted to and agreed in writing by the Local Planning Authority. The agreed landscaping works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.

Reason: To maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation in accordance with Policies SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024).

8. Notwithstanding the requirements of Condition 1, the biodiversity enhancements outlined in the 'Implementation' Section of the Green Infrastructure Assessment shall be undertaken in accordance with the associated timeline. The biodiversity enhancements shall be maintained and retained as such thereafter.

Reason: To avoid doubt and confusion and in the interest of enhancing biodiversity and to accord with Policies SP3 and DPN6 of the Bridgend Replacement Local Development Plan (2024).

9. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

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 Replacement 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 result in an unacceptable loss of community infrastructure, adversely 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 cannot be controlled through the planning system. As such, it is considered that the development is acceptable and complies with Policies SP1, SP3, SP5, SP6, SP9, SP17, SF1, PLA11, COM6, COM7, COM9, DNP6 and DNP9 of the Bridgend Replacement 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.

a) Land Drainage note

The conversion of the existing building will not require a SAB application, there is limited opportunity to reduce surface water run-off from the site.

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

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

b) SRS note

The fire safety measures and provision of amenities at the property should comply with the Authorities standards for HMO's, an outline of which are available here -

<https://www.srs.wales/en/Housing/HMO-Licensing/HMO-Licensing.aspx>
More comprehensive details of requirements can be obtained from Shared Regulatory Services (SRS) <https://www.srs.wales/en/Contact-Us.aspx>
The applicant should also notify SRS prior to occupation of the property.

c) DCWW note

The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Should circumstances change and the application proposes any operational development, including any new structures or increase in the roof area of the building, we must be re-consulted on this application.

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. This means that any alterations to existing premises that result in the creation of additional premises or merging of existing premises must be constructed so that each of the premises 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.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

e) Biodiversity Note

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'.

f) Bat informative

Bats often roost in houses and other buildings, and work on these buildings may disturb a bat roost. All bats and their roosts are protected against disturbance under UK and European legislation. If works are planned on a building in which bats are roosting, Natural Resources Wales must be contacted.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work shall cease and NRW should be contacted immediately.

Where bats or their roosts are present, no works of site clearance, demolition or

construction shall take place unless a licence to disturb these species and/or their roosts has been granted in accordance with the relevant legislation.

NRW can be contacted at:-

Natural Resources Wales, Ty Cambria, 29 Newport Road, Cardiff CF24 0TP, 0300 065 3000

Bat Conservation Trust can be contacted at:-

Studio 15, Cloisters House

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None

REFERENCE: P/25/259/RLX

APPLICANT: Llanmoor Development Company Limited 63-65 Talbot Road, Talbot Green, Pontyclun, CF72 8AE

LOCATION: Land West of Maesteg Road Tondy CF32 9DF

PROPOSAL: Vary condition 30 (link road) of P/16/366/OUT (As Amended by P/20/829/NMA) to permit agreed scheme of highway mitigation works to be constructed prior to the beneficial occupation of the 235th dwelling (Original Consent required works to be completed before occupation of the 136th dwelling)

RECEIVED: 25 April 2025

BACKGROUND

On 13th December 2018, outline planning consent was granted for a development of up to 450 dwellings, 1000 square metres of business uses on 0.5 hectares of land (Use Class B1), highway improvement works along with the provision of public open space, green infrastructure, two attenuation ponds and all other associated works on 21.8 hectares of land located off Maesteg Road, Tondy, (P/16/366/OUT refers). The site formed part of a larger brownfield regeneration allocation under Policy PLA3 (10) of the former Bridgend Local Development Plan. Although all matters of detail were reserved for future consideration, key elements of the scheme were identified which included a new link road from Ffordd Haearn (Iron Way) exiting at the highway roundabout spur adjacent to the Waste Transfer Station, with the route being part of the requirements of the Policy. As a result of the link road, Maesteg Road in its present arrangement will be stopped up with a suitable turning head arrangement, with the only vehicular traffic being 'access-only' to the small number of dwellings, a new phase of housing as well as the Church.

The outline application was accompanied by a range of supporting documents including Archaeological and Heritage Assessments, Ecological and Tree reports, a Coal Mining Risk Assessment, a Drainage Strategy and a Transport Assessment and Addendum Transport Note, all provided by consultants acting on behalf of the original applicants.

The Transport Assessment (TA) and Technical Note indicated that the original development site would take some time to be fully completed and built out. Based on average build rates this would mean between 6-9 years for full completion but during this time, the off-site highways infrastructure improvement works relating specifically to the link road would be undertaken. The TA indicated that to fund these significant works, it would be necessary to allow an initial phase of development to occur whilst using the existing highway network e.g. the Pentre Felin Roundabout and the A4063 / Pentre Felin Link and A4063/Bryn Rd / Bridgend Rd. The applicant proposed a phasing of the development such that 250 dwellings could be built and occupied prior to the provision of the highway improvement scheme which included the link road. The consultants that reviewed the TA on behalf of the Council advised that a quantum of 250 units together with a scheme to develop a larger foodstore on the Lidl site, would result in the existing junction being over capacity. The Council's consultants were however satisfied that a quantum of 135 dwellings could be provided without the link road and other improvement works being implemented. It was acknowledged in the report presented to the Development Control Committee that the existing highway network in the vicinity of the site suffered from congestion at peak times, but it was considered that the new link road and junction changes would improve the highway network and provide sufficient mitigation for the development.

In granting planning consent, the Council secured through S106 agreement the delivery of affordable housing, a financial contribution towards Education Facilities, (£1,614,987) and a total of £305,000 towards sustainable transport initiatives including an upgrade of the MOVA

(Microprocessor Optimised Vehicle Actuation system) on the A4063 junction. Planning conditions were imposed to control the number of units for the site, to agree site wide phasing plan, site drainage, tree works, ecology site landscaping and to inform and regulate the later reserved matters applications and the development thereafter. Conditions 30-40 on the Outline Planning Consent relate to highway matters both in terms of the site layout and off-site highway works.

Condition 30 of the Outline Consent states:

No development of the link road shall commence until a scheme for the provision of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to:

- 1. The A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction,*
- 2. Realignment of the western arm of the junction to a revised roundabout junction serving the development*
- 3. Realignment of A4063 (Maesteg Road Tondy) to create a new link route to the site access roundabout and be in accordance with Vectos Drawing W152050/B/05 Rev C.*

The scheme shall include: -

- i. Phasing scheme including temporary traffic management proposals*
- ii. revision of all traffic signing, road markings*
- iii. provision of a 3.5m shared footway/cycleway on the western side of A4065 (Bryn Road) from the signalised junction north to Station Approach, Tondy*
- iv. realigned carriageway markings along the eastbound arm of the signalised junction and (A4063) to provide an extended merge length to no less than 200m*
- v. provision of a 3.5m shared footway/cycleway on the northern side of the new western arm from the signalised junction west to the site access roundabout and spur to the stub end of Maesteg Road, Tondy*
- vi. provision of a 3.5m shared footway/cycleway on the southern side of the new western arm of the signalised junction from the existing cycle route connection to 12 Cwrt yr Hen Ysgol west to the site access roundabout*
- vii. provision of an uncontrolled cycleway footway crossing with associated pedestrian refuge between the improved A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction and the realigned site access roundabout.*
- viii. provision of a 3.5m shared footway/cycleway on the western side of the new link road from Iron Way to the site access roundabout*
- ix. signalised Toucan cycle/pedestrian crossing in the vicinity of the existing NCN4 with onward 3.5m shared footway/cycleway link to the redundant portion of Maesteg Road, Tondy*
- x. Removal of existing bus stops on the redundant portion of Maesteg Road and replacement with new bus stop facilities on the new realigned section of Maesteg Road (link road).*
- xi. Vehicular turning facilities on the southern end of the redundant portion of Maesteg Road*
- xii. New vehicular link from the new realigned section of Maesteg Road to the existing to the redundant portion of Maesteg Road*
- xiii. Replacement off-street parking for the loss of the existing parking layby between TM Cars and 37 Maesteg Road*
- xiv. Scheme of waiting restrictions*
- xv. Scheme of 20mph speed restrictions*
- xvi. Scheme of cycle/pedestrian direction signage*
- xvii. Supporting Stage 2 Road Safety Audit*

*The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the **136th dwelling**.*

Reason: In the interests of highway network capacity, road safety and promoting sustainable travel patterns.

On 17th September 2020, the Council approved details pursuant to the Outline Consent for a development of 405 units and the link road, (P/19/915/RES refers). Applications to discharge the pre-commencement conditions were submitted and agreed and development commenced in 2022. To date (March 2025), approximately 95 dwellings have been constructed and occupied on site.

Applications to agree the details, (i – xvii) listed above and other matters related to the link road are currently being considered by the Council, (P/24/583/DOC, P/24/584/DOC and P/24/585/DOC refer). The figure below is an extract of the layout drawing for the proposed link road and junction changes.

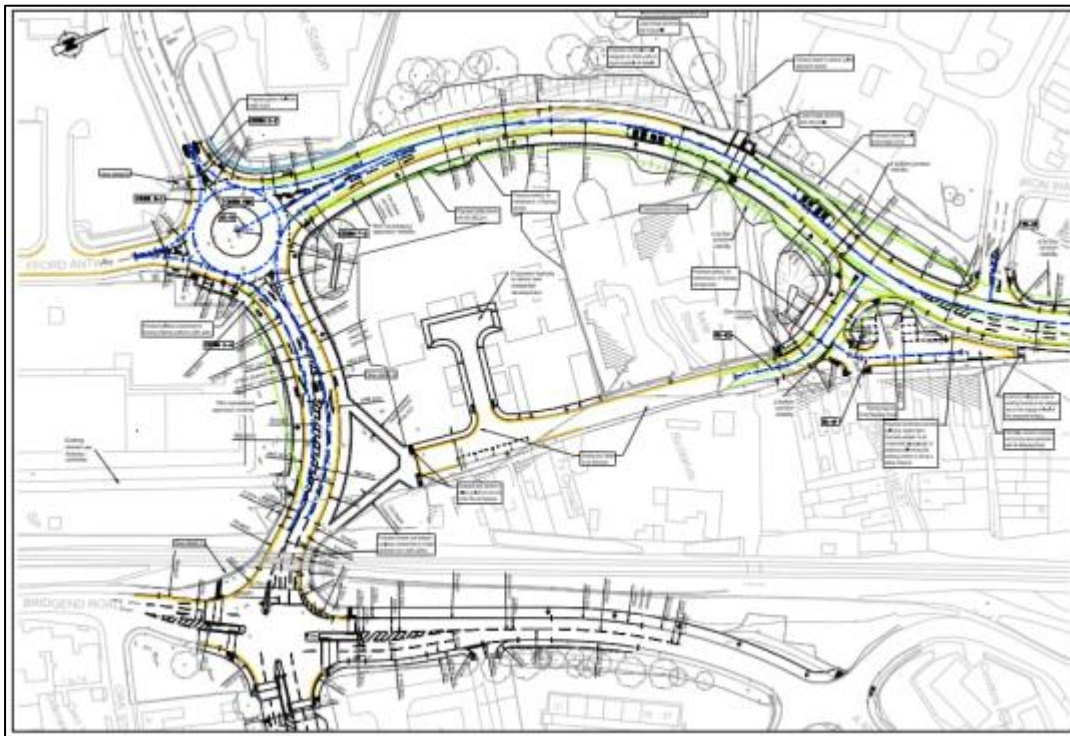


Figure 1 Plan Showing Link Road and Associated Highway Works

In addition to these applications, the Applicant company is currently preparing a Listed Building application and Heritage Assessment in an attempt to gain approval for repairs to the listed bridge structure that lies to the west of the proposed link road. It is intended that the listed bridge works will need to be completed concurrently with the Link Road due to the line and level of the proposed link road and associated infrastructure.

PROPOSED DEVELOPMENT

Condition 30 of the Outline Consent required the Highway Mitigation Work which included the link road to be completed prior to the occupation of the 136th dwelling on site. Under S73 of the Town and Country Planning Act 1990 (as amended), this Application seeks to vary the wording of Condition 30 and to allow up to 235 dwellings to be occupied prior to the completion of the Highway Mitigation Works.

A Planning Statement by SLP Consulting and Technical Note (TN) by SLR Consulting Ltd have accompanied the Application and both consider the impact of the delayed construction of the link road and associated works on the highway network. The planning statement provided on behalf of the Applicant company summarises the finding and conclusions of the Transport

Technical Note:

“The evidence relating to highway safety is commensurate with the previous highway safety analysis (undertaken within the 2016 Transport Assessment (TA)) for the period 2009-2014 which accompanied the Outline Application and shows that there is not an inherent issue with the current configuration of this local highway network.

The 2016 TA was based on 2014 base data with robust assumptions relating to traffic growth to a Future Year of 2023 based on Planning Policy at that time. This assessment assumed that traffic growth would continue to grow consistently between 2014-2023 irrespective of network conditions, Policy mandates, or other factors such as working from home.

In order to test the validity of this previous assessment, manual classified counts (MCCs) and queues length surveys were undertaken on Tuesday 25th March 2025. A comparison of the two datasets demonstrates that the 2023 forecasts underpinning the conclusions of the 2016 TA were overestimated. As such, the 2025 data has been used as the basis for traffic capacity on this network from which to make judgements about trigger points for the delivery of the Link Road.

The evidence collected in these 2025 traffic surveys also shows that traffic growth between 2014 and present day has been negligible and most likely associated with development in this area including the first stages of the permitted development and including retail development that was part of the previous phase of development at Tondy.

In order to determine the trip generation for the potential additional 140 units (235 units excluding the 95 occupied units) prior to delivery of the Link Road, Phase 1 (180 units) has been surveyed and the respective trip rates calculated. This results in a trip generation of 75 and 72 vehicles in the AM and PM peak hours respectively for 140 units.

Llanmoore advise that based on the current build rates/sales profile, that the 235th occupation is likely to occur in the summer of 2027. As such, 2027 provides a realistic future year for this assessment. Hence LDP sites (committed) and a number of smaller sites have been interrogated to determine what quantum of units could reasonably be delivered during this time. The assessment of future year growth with the occupation of 235 No dwellings on Phase 2 of Parc Tondy is therefore considered to be robust.

The results from the LINSIG assessment demonstrate that irrespective of the level of committed development the existing highway network can accommodate traffic up to and including the 235th occupation of Phase 2, Tondy.*

Given these conclusions regarding road safety and traffic capacity, the timing of the delivery of the Link Road can reasonably be extended from its current trigger on the occupation of the 136th dwelling to the occupation of the 235th dwelling.”

*(*Traffic modelling software used for analysing and designing traffic signal junctions and networks)*

The Planning Statement seeks to review the outcomes of the latest transport assessment in the context of local and national policy and continues...

“As part of the Outline Planning permission granted in 2018, the TA was prepared in 2016 to support the planning application. At this time, the TA was predicated on traffic forecasting and growth commensurate with transport policy at that time i.e., 2016 which was largely focused on ensuring that the traffic capacity of the highway network was designed to ensure that the convenience of the car commuter during peak times was not compromised.

At the same time, there was a historic policy requirement (LDP 2013 and before that UDP) within the LDP to deliver a Link Road to bypass a short section of Maesteg Road of circa 220m between Iron Way and Pentre Felin (access to the site and the retail park). The requirement for this Link Road was historically associated with perceived highway capacity and highway safety benefits.

Despite the applicant at the time, seeking to challenge the purpose of the Link Road, the delivery of this infrastructure formed part of a Planning Condition (30) attached to the site, linked to the delivery of the new road prior to the occupation of the 136th dwelling.

Whilst it is important to acknowledge that the technical aspects (forecasting / modelling) supporting the previous TA were based on a predict and provide scenario at that time, there has since been a step change in attitude / policy from Welsh Government (WG) and Bridgend County Borough Council (BCBC) towards new road building and climate change / greenhouse gas emissions reductions.

Welsh Government (WG) and Bridgend County Borough Local Development Plan 2018-2033 Adopted March 2024 have specific policies (SP4 & SP5) which are no longer predicated on creating more road space for the private car during peak commuting periods, rather they are focused on walking, cycling, public transport and reducing travel at source. Moreover, the Climate Emergencies declared by WG and BCBC in 2019 and 2020 respectively, are seeking to reduce the number of car journeys made for all journey purposes, with a significant emphasis on carbon reduction through improved placemaking and mobility choice in relation to new development. The specific LDP policies are SP4: Mitigating the Impact of Climate Change; & SP5: Sustainable Transport and Accessibility.

These policies support the tenet of this Section 73 application and present no fundamental reason to oppose this proposed amendment to the wording of Condition 30."

On the basis that the Application only seeks to review one condition (30) on the Outline Planning Consent it has only been accompanied by the technical reports relevant to the condition and a location plan of the whole site. On submission, the s73 Application was screened and it was the opinion of the Council that the likely effects of the development as amended by the condition are unlikely to be significant enough to require an Environmental Impact Assessment. It should be noted that the Council issued a Screening Opinion in 2016 confirming that an Environmental Impact Assessment was not required to accompany the original Outline Planning Application P/16/366/OUT.

RELEVANT HISTORY

APPLICATION NUMBER	PROPOSAL	DECISION AND DATE
P/16/10/SOR	Screening Opinion 450 Dwellings, Class B1 Development, Highways Works.	EIA not required - 28 January 2016.
P/16/366/OUT	450 dwellings, 1000 sq.m. class B1 use, highway works, public open space	Conditional consent (outline) - 13 December 2018.
P/19/460/DOC	Approval of details for conditions 21 and 23 of P/16/366/OUT	DOC agree - 13 November 2019
P/19/571/DOC	Approval of details for condition 6 of P/16/366/OUT	DOC agree - 19 September 2019
P/19/595/NMA	Non-material amendment to P/16/366/OUT to change the wording of condition 23 (site investigation).	NMA conditional consent - 13 November 2019
P/19/633/DOC	Approval of details for conditions 4, 5, 9 & 36 of P/16/366/OUT	DOC agree - 14 November 2019
P/19/915/RES	Reserved matters to P/16/366/OUT for 405 residential units, link road and temporary car park	Conditional consent (reserved matters) - 17 September 2020.

P/20/770/DOC	Approval of details for condition 5 of P/19/915/RES and condition 37 of P/16/366/OUT	DOC agree - 08 December 2020
P/20/667/DOC	Approval of details for conditions 8, 11, 16, 17, 18, 19 & 20 of P/16/366/OUT	DOC agree - 04 January 2021
P/20/840/DOC	Approval of details for Condition 24 of P/16/366/OUT	DOC agree - 06 January 2021
P/20/829/NMA	Non-material amendment to P/16/366/OUT (Change wording of Conditions 30 & 32).	NMA conditional consent - 20 January 2021
P/20/827/DOC	Approval of details for Condition 4 of P/19/915/RES	DOC agree - 12 March 2021
P/20/809/DOC	Approval of details for Conditions 28 and 29 of Outline consent P/16/366/OUT & Condition 7 of the Reserved Matters consent P/19/915/RES	DOC agree - 29 March 2021
P/20/844/DOC	Approval of Details for Condition 3 of P/19/915/RES	DOC agree - 23 April 2021
P/20/990/DOC	Approval of details for condition 22 (lighting strategy) of P/16/366/OUT	DOC agree - 23 April 2021
P/20/860/DOC	Approval of details for conditions 8, 9, 11, 17, 18 & 19 of P/19/915/RES	DOC agree - 14 June 2021
P/20/896/DOC	Approval of details for Conditions 33 & 38 of P/16/366/OUT and Conditions 12 & 20 of P/19/915/RES.	DOC agree - 01 September 2021
P/21/717/DOC	Approval of details for condition 23 of P/16/366/OUT	DOC agree - 04 November 2021
P/21/986/NMA	Non-material amendment to P/19/915/RES to revise plots 5-8 and 57-59	NMA conditional consent - 13 January 2022.
P/20/943/DOC	Proposal: Approval of details for condition 7 of P/16/366/OUT	DOC agree - 20 January 2022
P/21/1086/DOC	Approval of details for condition 25 of P/16/366/OUT	DOC agree - 11 February 2022
P/22/369/NMA	Non-material amendment to the discharge of condition 28 (CEMP) and condition 29 (CMS) of P/16/366/OUT and condition 7 (CMP) of P/19/915/RES to relocate the site compound, material and plant storage, site visitor parking and wheel washing.	NMA conditional consent - 06 July 2022
P/24/583/DOC	Approval of details for condition 10 (link road verge) of P/19/915/RES.	No decision to date
P/24/584/DOC	Approval of details for conditions 30 (link road) & 32 (B4281 roundabout junction) of P/16/366/OUT.	No decision to date
P/24/585/DOC	Approval of details for condition 9 (scheme for NCN Route 4 pedestrian and cycle crossing) of P/19/915/RES	No decision to date
P/24/652/DOC	Approval of details for Condition 17 (Additional Species Surveys) of P/16/366/OUT.	DOC agree - 14 February 2025

CONSULTATION RESPONSES

Newcastle Higher Community Council	Object to this planning application. There is widespread concern over this application and the impacts it will have on the local community, traffic and safety of residents. The proposals to divert this arterial road where large volumes of traffic run through all day is a concern. The already heavily congested area on the crossroads between Aberkenfig, Tondy and going up to Maesteg
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	Road has an impact on local residents. The proposal to further increase the dwellings and divert the road infrastructure will worsen this issue. There is a concern how the heavily used main road from Bridgend to Maesteg would manage the level of traffic. The area houses a busy retail park and dwellings, and only one exit for the estate. To further add to this would jeopardise safety for residents and shoppers. The congestion on this part of the road is an ongoing problem and further developments will only increase the issues.
Cllr Tim Thomas (Local Member)	May I request this application is considered by the committee. The original application was part of a special committee where there was significant debate. Furthermore, the original application supports major congestion ahead of other significant proposed development. I object to this proposal and the developer must complete what was agreed in the original planning hearing without further delay. Firstly, there has been significant increased traffic from the building of the current dwellings and other development in the Llynfi Valley and neighbouring communities. There is also significant non-residential development being proposed that will increase traffic flows. There has also been a number of accidents on Maesteg Road including serious ones where Air Ambulance Wales were called.
Cllr Heidi Bennet (Local Member for Penyfai – adjoining ward)	Further to a meeting yesterday evening involving residents of Pentre Felin, Tondy and Aberkenfig, I am writing to formally object to the proposed changes in planning requirements and the delay to the original timescale for the construction of a new road associated with the Llanmor Homes development in Tondy/Aberkenfig. Residents views Residents are aware of the increased HGV traffic following the recent expansion of WEPA, the potential for a small nuclear energy site development as well as the proposed redevelopment further up the Valley at Ewenny road Ind Estate, and they are concerned that a 'dog leg'/route change of the main arterial road to divert onto a retail park/residential area and behind the Tondy Methodist Church would create further congestion and conditions for additional accidents. That said, residents believe if the link road was treated as a 'relief road' for estate traffic (rather than a main arterial route), it would be more workable and safer for vehicles and pedestrians. They believe there is an urgent need for this relief road to be put in place to support the volume of estate traffic, and hence the objection to a delay in building the link road. Could further consideration be given to the status of the link road, and whether it remains appropriate to divert the main arterial road to Maesteg via this route? Regardless though on the status of the link road, my objection is based

	on material planning considerations, including the impact on traffic congestion, infrastructure adequacy, road safety and compliance with Welsh planning law. Traffic and Infrastructure Concerns The delay in road construction will significantly impact traffic flow and safety to and from the estate. Under the Highways Act 1980, Section 278 agreements require developers to ensure that road improvements are sufficient to accommodate increased demand and I believe this formed part of the original condition once the development reached a certain number of properties. The postponement of essential infrastructure may exacerbate congestion and create hazardous conditions for residents and commuters. I appreciate an updated traffic impact assessment to assess current road usage may be necessary.
Tondu and Aberkenfig Community Association	Formally object to Planning Application P/25/259/RLX submitted by Llanmoor Developments. The proposed planning application seeks to increase the housing development to a maximum of 235 homes before redirecting Maesteg Road ("Link Road") to join the Ffordd Antwn roundabout. This amendment significantly impacts our community, particularly concerning traffic management and infrastructure development. Firstly, we dispute the merit of the traffic analysis presented by Llanmoor Developments. Their assertion that traffic conditions along Maesteg Road have remained largely unchanged since 2014 is misleading and fails to account for the real experiences of local residents. Daily commuters and residents can attest to the severe congestion and safety hazards posed by the current road network, exacerbated by further developments along the Llynfi Valley. Moreover, the proposed extension of the construction timeline to 2027 for implementing necessary road layout changes raises serious concerns. The delay in progressing with essential infrastructure improvements, despite initial site clearance activities, raises questions about the developer's commitment to mitigating the adverse impacts of their development on our community. Therefore, we firmly object to Planning Application P/25/259/RLX. The proposed increase in housing units without adequate infrastructure improvements poses significant risks to local traffic flow, road safety, and overall community well-being. We urge the Planning Department to reconsider this application in light of its potential adverse effects on our community.
Highways	No objections subject to conditions. It is appreciated that the proposed variation is to increase this trigger number of residential units occupied to 235 prior to the completion of the link road and it is not a request to remove the requirement for the link road. Accordingly, the impact of the additional 99 units is the key factor. The proposal has been supported by a Transportation Assessment and an initial review of this Assessment was undertaken by our independent Highway Consultants. This identified items in need of clarification and additional modelling exercise by the applicants Highways consultant. Those items were addressed in a modified TA.

	That modified TA has also been Independently assessed. The Transport assessments have clarified that the original trigger of 136 units was determined on a forecast a growth of 10% above the 2014 base traffic surveys. Traffic surveys undertaken in March 2025 revealed that this growth has been limited to an actual growth of 4%. As a result, it is evident that the impact of the development on the highway network as originally forecast has not been realised. The traffic modelling work has supported the case of the applicant that the increased threshold of 235 units would have a similar impact on the highway network to that originally approved. To further clarify, the results reveal that during the morning peak hour at the Bryn Road / Bridgend Road/ A4063 junction the impact would be one additional Passenger car unit (PCU) in the queue and three seconds of additional delay per PCU. At the A4063/Site access junction there are very similar results (one PCU in the Queue and up to 2 seconds delay). Such delays are not considered to be sufficient to warrant an objection to the proposals and the conclusion of our Highway consultants review is that "... the proposed increase of the trigger point for the link road to be built on the occupation of the 235th dwelling of the development is acceptable on highway grounds."
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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 has expired.

REPRESENTATIONS RECEIVED

Thirty-eight letters of objection have received been to this Application. The following is a summary of the objections received:

- Original application was opposed by a record number of objections yet approved so objections will be set aside again.
- No infrastructure in place to support the housing including roads, drainage and doctors and dentists.
- No more than 136 homes should be built as the highway improvements were considered necessary to ease pressure on the Tondy railway bridge junction, which is already a traffic bottleneck - the junction currently is overwhelmed with the volume of traffic (especially at peak morning and evening times) – it results in delays for emergency vehicles using the route.
- With housing developments and business growth planned and currently ongoing further up towards Maesteg, this junction will see an even greater level of traffic, not just from the Llanmoor home site but from traffic using it to reach further up the valley.
- As of September 2025, more children will be walking or driven to school on account of the council changing the criteria for provision of home to school transport. This will inevitably mean more traffic on the network - by allowing an additional 99 houses to be built, each with a minimum of 2 cars, that is up to an additional 198 road users utilising that same junction at peak times, on an already dangerous and congested junction.
- Claim traffic hasn't changed much since 2014, but this doesn't reflect the experience of people who live here and deal with daily congestion and delays – when trying to leave the site in the morning residents can wait for at least two light changes and often times more – often long tailbacks extending into the Pentre Felin housing development especially at peak times. Returning home, queues can go back as far as the Aberkenfig roundabout.
- Has a comprehensive traffic survey been carried out at this junction – a one-day traffic survey

is not sufficient to monitor traffic levels – this could have been conducted at the quietest point of the day – also query why manual classified counts (MCCs) and queues length surveys weren't undertaken at different times of the day and on different days to produce a clearer average picture to compare against 2023 forecasts.

- Many accidents have been recorded at this junction, raising serious public road safety concerns – the council has a duty to ensure that the design and condition of public roads safeguard all road users – has the volume of accidents been noted since 2014?
- Congestion does not help to address the Climate Emergencies declared by WG and BCBC in 2019 and 2020 respectively, as the pollution caused by stationary traffic goes against the LDP policies; SP4: Mitigating the Impact of Climate Change.
- The delay in progressing with essential infrastructure improvements, despite initial site clearance activities, raises questions about the developer's commitment to mitigating the adverse impacts of their development on our community – the changes only benefit the developer – risk to the Council that the road will never be built if delayed.
- The development company should fulfil its commitments – there have been other breaches/convictions by/against the development company.
- Local areas of play have not been delivered and were also meant to be complete by 136th dwelling - delays affect the development of the square and the ability for busses to access the new development directly impacting any ability to reduce congestion with no alternate method of transport from the estate.
- Some residents have suggested that Maesteg Road should be kept open in addition to the new link road to relieve congestion – will large vehicles be able to access the new roundabout?
- Concern that the new link road would increase noise and stress to residents have also been offered.

COMMENTS ON REPRESENTATIONS RECEIVED

Many of the objections submitted align with the key consideration of this Application; that being whether the delayed completion of the link road, consented as part of this development would have an adverse impact on the operation of the road network and would be in conflict with related national and local policies. Some objections go beyond this narrow scope and the following comments are offered in response:

- The considerable objections offered to the previous consents were fully considered and informed the planning decisions which were made in accordance with the planning policies at that time and all other material considerations.
- The matter of supporting infrastructure was considered as part of application P/16/366/OUT. However relevant this may be to residents it is not being considered as part of this Application.
- Whilst further commentary on the submitted traffic assessment will be given in the appraisal section of this report, Members should be mindful that an independent review has been undertaken by Transport Consultant's working on behalf of this Council. Their findings have been scrutinised, challenged and resulted in the need for further clarification and data to be submitted by the Applicant's consultant.
- References by objectors to planning breaches and convictions by other regulatory bodies are not relevant to the consideration of this Application. This Application only seeks to vary an element of condition 30 of P/16/366/OUT and delay the construction/completion of the link road. No other changes to the Outline Consent are proposed and the Applicant intends to fulfil all other conditions and obligations.
- Constructing the new link road and keeping Maesteg Road is not before the Council for consideration, and it would not be possible based on the road alignment and junction configuration.
- Concerns about noise from the new link road were considered as part of the original outline application. There was no evidence to suggest that road traffic noise would have a significant adverse impact on the living conditions of new or existing residents. Noise and other pollutions during construction would be controlled through a Construction Environment

Management Plan, (CEMP) which is already in place.

RELEVANT POLICIES

Local Policies

The Development Plan for the area comprises the Replacement Bridgend Local Development Plan 2018-2033 (**RLDP**) which was formally adopted by the Council on 13 March 2024 and within which the following policies are of relevance:

Policy SF1	Settlement Hierarchy and Urban Management
Policy SP3	Good Design and Sustainable Placemaking
Policy SP4	Mitigating the Impact of Climate Change
Policy SP5	Sustainable Transport and Accessibility
Policy PLA6	Transport Corridors
Policy PLA8	Transportation Proposal (1 & 10)
Policy PLA9	Development Affecting Public Rights of Way
Policy PLA11	Parking Standards
Policy PLA12	Active Travel
Policy COM6	Residential Density
Policy COM10	Provision of Outdoor Recreation Facilities
Policy SP10	Infrastructure
Policy ENT1	Employment Allocations
Policy ENT2	Protection of Employment Sites
Policy ENT12	Development in Mineral Safeguarding Zones
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
Policy SP18	Conservation of the Historic Environment (Conservation Areas)

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

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 and Technical Advice Notes (**TAN**) are 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 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 compromising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

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

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

THE 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

Section 73 of the Town and Country Planning Act 1990 allows an applicant to apply to the Local Planning Authority for planning permission for the development of land without complying with conditions subject to which an unexpired previous planning permission was granted. If the application is granted, then a new planning permission will be issued separate to the previous planning permission which remains valid and, in this case, extant.

Since the Original Consent was issued, the Council has adopted the Replacement Bridgend Local Development Plan (2024) and therefore it is the Policies of this document that are relevant to the determination of this Application. Broad support for the development remains but the following Policies are specifically relevant to this s73 submission:

Policy SF1 – the Application site is within the main Valleys Gateway settlement. Whilst the Policy notes that this area faces significant constraints and is therefore currently much less suitable for sustainable development than the other Main Settlements, the Application does not propose additional development just a revision to the program for the construction of the new link road. As development has lawfully commenced the planning permissions on site are extant.

Policy SP3 - 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 and by maximising opportunities for active travel and increased public transport use and promote connections within and outside the site to ensure efficient and equality of access for all, minimising noise, air and water pollution.

Policy SP4 - All development proposals must make a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change. Means of achieving this may include having a location and layout which reflects sustainable transport and access principles, thereby reducing the overall need to travel (active travel).

Policy SP5 - 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, and depending on the nature, scale and siting of the proposal will be required to : (i) be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks and (ii) Provide new transport infrastructure and improvement measures to mitigate the impact of the development and demonstrate the level and acceptability of impacts on the surrounding road network.

Policy PLA6 – Development in the Llynfi Valley Transport Corridor must... not result in adverse impacts on the functioning of the identified transport corridors. Any predicted adverse impacts must be appropriately mitigated, including through local or strategic improvements to specific transport corridors where required.

Having regard to the aforementioned Policies and representations received by residents, community groups, the Community Council and Members, the only matter to be considered in the assessment of this Application is whether allowing the completion of the link road to be delayed until the occupation of the 235th dwelling, through the variation of condition 30 would have an adverse impact on the operation of the road network to the detriment of highway safety and the living conditions of existing residents with specific reference to Policies SP3, SP5 and PLA6 of the RLDP 2024. To be clear, the Application does **not** propose additional dwelling numbers above the 450 approved as part of the Outline Consent and 405 approved as part of the subsequent Reserved Matters consent.

As referred to earlier in this report, the Application has been accompanied by a Transport Technical Note (TN) which revisits the timing (trigger point) of the delivery of the link road from 136 to 235 occupations, i.e., an additional 99 units. The TN reviews the previous transport assessment which accompanied the original outline application and notes that it was based on 2014 base data with robust assumptions relating to traffic growth to a Future Year of 2023, based on Planning Policy at that time. This assessment assumed that traffic growth would continue to grow consistently between 2014-2023 irrespective of network conditions, Policy mandates, or other factors such as working from home. It was also largely focused on ensuring that the traffic capacity of the highway network was designed to ensure that the convenience of the car commuter during peak times was not compromised and was based on data collected in 2014. The TN suggest that *“traffic forecasting and subsequent conclusions derived with respect to modelling / infrastructure requirements, were significantly over-estimated in term of traffic effect from the development.”* In addition, the requirement for a link road was an historic policy requirement associated with the wider allocation and site development. The TN does highlight a shift in national and local policies away from increasing highway capacity through road building programs to reducing the reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Existing highway arrangements have been reviewed along with an analysis of road safety and the latest collision data, (2017-2023). All collisions were recorded as slight in severity, and majority of these collisions relate to driver error with one relating to weather conditions. Most are shunt type accidents which are commonplace at signal-controlled junctions and hence there is no evidence to suggest any inherent highway safety issue on this section of the highway network.

Traffic analysis undertaken to inform the TN included manual classified counts (MCCs) and queue length surveys were undertaken on Tuesday 25th March 2025, for the related junctions. The TN concludes that the 2023 forecasts underpinning the conclusions of the 2016 transport assessment were overestimated based on a comparison of the datasets. As such, the 2025 data has been used as the basis for traffic capacity on this network from which to make judgements about trigger points for the delivery of the Link Road. The TN confirms that the evidence collected in the 2025 traffic surveys also shows that traffic growth between 2014 and present day has been negligible and most likely associated with development in this area including the consented Llanmoor scheme.

In order to determine the trip generation for the potential additional 140 units (235 units excluding the 95 occupied units), prior to delivery of the Link Road, the TN has surveyed the first phase of the Llanmoor Homes development, consented in 2007 & 2012 (180 units), and the respective trip rates calculated. These are considered to be representative of future travel patterns arising from further residential development in this location. This results in a trip generation of 75 and

72 vehicles in the AM and PM peak hours respectively for 140 units.

Llanmoor advise that, based on current build rates/sales profile, the 235th occupation is likely to occur in summer 2027. As such, the TN suggest that 2027 provides a realistic future year for assessment. Hence LDP sites (committed) and a number of smaller sites have been interrogated to determine what quantum of units could reasonably be delivered during this time, (by the summer of 2027). The assessment of future year growth with the occupation of 235 no. dwellings on the development site is therefore considered to be robust.

The results from the modelling assessment demonstrate that irrespective of the level of committed development, (principally additional development in the Llynfi Valley to the north of the site), the existing highway network can accommodate traffic from the occupation of 235 units on the consented development. The TN concludes that given the conclusions regarding road safety and traffic capacity, the timing of the delivery of the Link Road can reasonably be extended from its current trigger on the occupation of the 136th dwelling to the occupation of the 235th dwelling.

The TN has been checked by officers in the Highway's Section and by independent transport consultants and the conclusions are as follows:

"...the Technical Note has provided an acceptable methodology for assessing the proposed change to the trigger for the Link Road under Condition 30 from prior to occupation of the 136th dwelling to the 235th dwelling for the development.

The additional information has been reviewed...including queue length validation and a sensitivity test for 15-minute peak period traffic modelling. WSP has reviewed the technical information provided and is satisfied it has been worked through accurately.

With regards to the 15-minute peak period analysis, this is considered to be acceptable and has demonstrated that even with greater peaks in both queue lengths and delays, both junctions will still operate with capacity when considering the worst-case scenario of background traffic, committed development and the new trigger point of development trips.

With regards to the queues along Maesteg Road north of the site access junction the development proposal increases the queue a negligible amount and therefore the proposals cannot be considered to have a significant impact to this queue. As both junctions also operate MOVA, the additional queue lengths as a result of the development are benefited by this.

... it is shown in the modelling results that the development does not have a severe impact upon the highway compared to the base traffic flow and committed development, plus the operations are modelled to still operate within capacity...WSP recommends the proposed increase of the trigger point for the link road to be built on the occupation of the 235th dwelling of the development is acceptable on highway grounds.

On the specific objections raised by residents, the Community Council and others, the following response is offered:

- The TN is comprehensive and robust and provides sufficient data to enable an assessment of the transport impact of the proposed variation to the planning condition (30) . Furthermore, a review of the accident data has been carried out and there is no evidence to suggest that the relevant junctions are inherently unsafe.
- Although for the residents who may well experience significant congestion at the Tondu railway bridge junction and traffic light-controlled junction to Pente Felin, the technical reports confirms that the trigger for completing the link road can be adjusted without any impact on highway safety and the functioning of this important transport corridor. In reaching this view,

consideration has been given to the additional development consented and planned in the Llynfi valley.

- It is acknowledged that congestion does not help to address the Climate Emergencies declared by WG and BCBC and it is a key Policy objective to reduce reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health. In this case, the new link was road approved in 2018, prior to a change in national planning policy and its purpose is to mitigate the impacts of the new development on the existing highway network. To significantly reduce network congestion, a broad shift in transportation habits, or "modal shift," is needed, where people choose alternative modes of transport over private vehicles. This shift involves encouraging more people to use public transport, cycling, walking, or shared mobility options, thus reducing the number of cars on the road but this scheme alone will not deliver that change.

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 Replacement Local Development Plan (2024) (**RLDP**).

Whilst full regard has been given the representations of the community, it is considered that, based on the technical evidence, amending the trigger point for the completion of the link road from the 136th to the 235th dwelling will not have an adverse impact on the operation of the road network to the detriment of highway safety and the living conditions of existing residents. The proposal is therefore compliant with Policies SP3, SP5 and PLA6 and all other relevant Policies of the RLDP (2024).

As the section 106 (s106) agreement that accompanied the original Outline Planning Consent also included a provision that required the implementation of the Highway Mitigation Works before the occupation of the 136th dwelling unit, the Applicant will need to agree and enter into a s106 deed of variation before a planning permission can be issued in respect of this Application.

RECOMMENDATION

A) The Applicant enters into a s106 deed of variation to vary the original S106 dated 12th December 2018 (**Original S106 Agreement**), to amend the provisions of paragraph 22 under Part 4 of the Third Schedule to the Original S106 Agreement, to provide for a revised trigger for the completion of the link road: prior to the occupation of the 235th Residential Unit.

(B) The Corporate Director Communities be given delegated powers to issue a decision notice granting planning consent in respect of this proposal subject to and once the Applicant has entered into the aforementioned Section 106 deed of variation, in a form acceptable to the Council, subject to the following conditions:

1. Approval of the layout, scale, and appearance of the development (hereinafter called the "Reserved Matters") shall be obtained from the Local Planning Authority before any development commences.

Reason: The condition is imposed in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with Section 92(2) (a) of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: The condition is imposed in accordance with Section 92(2)(b) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved documents:
 - a) Application form dated 3 May 2016
 - b) Revised Site Location Plan - EX01 - Revision C provided by C.W. Architects Ltd received on 23 October 2017
 - c) Proposed Pedestrian and Cycle Links - Drawing W152050_B05 Rev B provided by Vectos received on 3 October 2017
 - d) Design and Access Statement, provided by C.W. Architects Ltd received on 9 May 2016.
 - e) SP484 - Stage One Masterplan - Rev A (1:1250 @A1) provided by C.W. Architects Ltd received on 24 April 2017
 - f) Archaeological and Heritage Assessment prepared by The Environmental Dimension Partnership Ltd (EDP)
 - g) E1457501 R01 – Preliminary Ecological Appraisal Final As Issued 2014-12-12 provided by Soltys Brewster Ecology
 - h) E1457501 R02 – Level 2 Survey Report Final As Issued 2016-03-10 provided by Soltys Brewster Ecology
 - i) Preliminary Utility Strategy Issue 2 by ARUP dated April 2016
 - j) Report 15-9428 Tondu Drainage Strategy 3 provided by ARUP
 - k) Tree Survey, Categorisation and Constraints Report by Steve Ambler and Sons Tree Specialist Ltd dated 20 February 2016

Reason: To ensure that the impact on amenity and character of the area is acceptable and to mitigate the impact in respect of site drainage, highway safety, contamination, ground conditions, the protection of heritage assets and the sites biodiversity interest.

5. No more than 450 dwellings and 1,000 sq.m m of commercial (B1 uses) shall be erected on the application site.

Reason: To ensure that the final development is in accordance with the Outline submission to ensure that the impact on amenity and character of the area is acceptable and to mitigate the impact in respect of site drainage, highway safety, contamination, ground conditions, the protection of heritage assets and the site's

biodiversity interest.

6. The mitigation measures set out in the documents listed below shall be carried out as prescribed in the documents:
- a) Sections 7.0, 8.0, 9.0 10.0 and 11.0 in the Desk Study & Coal Mining Risk Assessment Report Tondur – Rev A: April 2016 provided by Integral Geotechnique
 - b) Section 6.0 Conclusions and Recommendations in the Level 2 Survey Report Final As Issued 2016-03-10 provided by Soltys Brewster Ecology
 - c) Section 6 - Recommendations in the Tree Survey, Categorisation and Constraints Report by Steve Ambler and Sons Tree Specialist Ltd dated 20 February 2016.

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

7. The development shall proceed in accordance with the Development Brief and comprehensive site-wide phasing plan agreed by the Local Planning Authority as part of P/19/633/DOC on 14 November 2019.

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

8. All drainage connections shall be undertaken prior to the occupation of any property and in accordance with the Hydraulic Modelling Assessment agreed by the Local Planning Authority as part of P/19/571/DOC on 19 September 2019.

Reason: To ensure the development is served by an adequate supply of drinking water, to protect the health and safety of existing residents and to ensure no pollution of or detriment to the environment.

9. All foul drainage, roof/yard water, highway drainage and land drainage shall be disposed of in accordance with the scheme agreed by the Local Planning Authority as part of P/20/943/DOC on 20 January 2022 and prior to any building being occupied.

Reason: To ensure effective drainage facilities are provided for the proposed development.

10. The recommendations of the Arboricultural Method Statement (Incorporating Impact Assessment) - Prepared by The Environmental Dimension Partnership Ltd - August 2020 - Report Reference - edp5556_r004d and agreed by the Local Planning Authority as part of P/20/667/DOC shall be followed for all phases of the proposed housing, the link road and all development.

Reason: To minimise the impact of the road construction on the woodland in the interests of the amenities of the wider area.

11. The strategic landscaping, including the Informal Public Open Space, Walkways, Eco Corridors (buffer landscape scheme), Open Spaces, Informal Open Space, Retained Woodland and structure planting to the spine road scheme shall be carried out and

retained in accordance with the details agreed as part of P/19/633/DOC which included a programme of implementation for the whole site

Reason: In the interests of the residential amenities of future occupants.

12. If within a period of up to five years from the planting of any strategic landscaping, any tree or hedgerow planted is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

13. Prior to the development of any development phase, a detailed landscaping scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The plans and particulars to be submitted shall include:
- (a) A plan showing the location of, and allocating a reference number to, each existing tree including crown spread, hedgerow and other soft landscape features to be removed or retained on the site. For the purpose of this condition trees are defined as those which have a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm.
 - (b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.
 - (c) Details of any proposed crown reduction or lopping of any retained tree or of any tree on land adjacent to the site.
 - (d) Details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree on land adjacent to the site or within a distance from any retained tree or any tree on land adjacent to the site equivalent to half the height of that tree.
 - (e) Details of the specification and position of temporary fencing (and of any other measures to be taken) for the protection of any retained tree, hedgerow or other soft landscape feature from damage before or during the course of development.

In this condition and in Condition 14 below 'retained tree' means any existing tree, hedgerow or other feature which is to be retained in accordance with the plan referred to in paragraph (a) above.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

14. In accordance with condition 13 (above) all works comprised in the approved details of landscaping, including public open spaces and landscape buffers, associated

with each development phase shall be completed prior to the occupation of the penultimate dwelling of that phase and retained thereafter.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

15. If within a period of up to five years from the date of first occupation of the last dwelling on a development phase, any retained tree/hedgerow or new tree/hedgerow planted within that phase is removed, uprooted or destroyed or dies (or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective), another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

16. The details submitted pursuant to discharging landscaping as a Reserved Matter shall include a new buffer of woodland, open habitat and scrub at least 10m depth between the proposed development site and the Parc Slip Local Nature Reserve and Site of Importance for Nature Conservation (SINC). The landscaping scheme shall effectively protect the adjacent sites and should include a Landscape Management Plan that details how the new planting and retained habitats will be managed. No gardens of any adjacent dwellings shall be included within the 10m woodland buffer planting zone.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

17. The details submitted pursuant to discharging landscaping as a Reserved Matter for any development phase shall provide for the:
- a) Retention and protection of several priority habitats, including wet woodland, ponds and rush pasture (marshy grassland) - Reference the Preliminary Ecological Appraisal Final As Issued by Soltys Brewster Ecology and the Level 2 Survey Report Final As Issued by Soltys Brewster Ecology;
 - b) Maintenance of habitat connectivity through the retention of the woodland along the eastern boundary and new planting bordering the cycleway and Derllwyn Road. Appropriate management of these areas will be required to off-set the loss of the north-eastern area;
 - c) A long-term net gain in local biodiversity through the removal of invasive species and the maintenance of a smaller area of marshy grassland habitat;
 - d) Provision of a large attenuation pond in the south-west of the site, an area of more diverse marshy grassland, where careful development of the area will enable the retention of the existing botanical diversity.

Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual amenity and to promote nature conservation.

18. All demolition or partial demolition of any buildings or other structures and/or the felling of any trees shall take place in accordance with the Construction Environmental Management Plan: Biodiversity (CEMP) agreed by the Council as part of P/20/667/DOC on 4 January 2021. The protection measures shall be fully implemented in accordance with the approved details.

Reason: For the avoidance of doubt as to the extent of the permission granted and to promote nature conservation.

19. The development shall proceed in accordance with the following documents agreed by the Local Planning Authority as part of P/20/667/DOC and P/24/652/DOC on 4 January 2021 and 14 February 2025:

- Construction Environmental Management Plan: Biodiversity - Prepared by: The Environmental Dimension Partnership Ltd - August 2020 - Report Reference edp5556_r003c
- Habitat Management Plan/Landscape and Ecological Management Plan - Prepared by The Environmental Dimension Partnership Ltd - August 2020 - Report Reference edp5556_r005b

Recommendations and requirements from all the above documents shall be adhered to and implemented throughout the construction period.

Reason: For the avoidance of doubt as to the extent of the permission granted and to promote nature conservation.

20. The containment, control and removal of Japanese Knotweed shall be carried out strictly in accordance with the protocol agreed by the Local Planning Authority as part of P/19/460/DOC on 13 November 2019.

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

21. All external lighting on each phase of the development shall accord with the detailed lighting strategy agreed by the Local Planning Authority as part of P/20/990/DOC on 23 April 2021.

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

22. All site investigations and any scheme of treatment/remedial works required for both the mine entries and shallow coal mine workings shall be carried out in accordance with the details and program of works agreed by the Local Planning Authority as part of respect of P/19/460/DOC on 13 November 2019 and P/21/717/DOC on 4 November 2021.

The agreed treatment/remedial works shall be implemented on site prior to the commencement of development of the phase to which they relate.

Reason: In the interests of the safety of the future occupiers of the development.

23. The detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use and agreed by the Local Planning Authority as part of P/20/840/DOC on 6 January 2021 and P/21/1086/DOC on 11 February 2022 and

shall be fully undertaken as agreed prior to the occupation of any part of the development.

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.

24. 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 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 Local Planning Authority 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.

25. Piling or any other foundation design using penetrative methods shall not be permitted unless otherwise agreed in writing by the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To prevent pollution of controlled waters.

26. All phase of the development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) and Construction Method Statement as agreed by the Local Planning Authority as part of P/20/809/DOC on 29 March 2021 s amended on 6 July 2022 under P/22/369/NMA. The approved dust suppression measures shall be maintained for the duration of all the construction phases including the link road.

Reason: In the interests of safeguarding the amenities of existing residents.

27. No development of the link road shall commence until a scheme for the provision of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to:
1. the A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction,
 2. realignment of the western arm of the junction to a revised roundabout junction serving the development
 3. realignment of A4063 (Maesteg Road Tondu) to create a new link route to the site access roundabout and be in accordance with Vectos Drawing W152050/B/05 Rev C.

The scheme shall include:-

- i. Phasing scheme including temporary traffic management proposals

- ii. revision of all traffic signing, road markings
- iii. provision of a 3.5m shared footway/cycleway on the western side of A4065 (Bryn Road) from the signalised junction north to Station Approach, Tondy
- iv. realigned carriageway markings along the eastbound arm of the signalised junction and (A4063) to provide an extended merge length to no less than 200m
- v. provision of a 3.5m shared footway/cycleway on the northern side of the new western arm from the signalised junction west to the site access roundabout and spur to the stub end of Maesteg Road, Tondy
- vi. provision of a 3.5m shared footway/cycleway on the southern side of the new western arm of the signalised junction from the existing cycle route connection to 12 Cwrt yr Hen Ysgol west to the site access roundabout
- vii. provision of an uncontrolled cycleway footway crossing with associated pedestrian refuge between the improved A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction and the realigned site access roundabout.
- viii. provision of a 3.5m shared footway/cycleway on the western side of the new link road from Iron Way to the site access roundabout
- ix. signalised Toucan cycle/pedestrian crossing in the vicinity of the existing NCN4 with onward 3.5m shared footway/cycleway link to the redundant portion of Maesteg Road, Tondy
- x. Removal of existing bus stops on the redundant portion of Maesteg Road and replacement with new bus stop facilities on the new realigned section of Maesteg Road (link road).
- xi. Vehicular turning facilities on the southern end of the redundant portion of Maesteg Road
- xii. New vehicular link from the new realigned section of Maesteg Road to the existing to the redundant portion of Maesteg Road
- xiii. Replacement off-street parking for the loss of the existing parking layby between TM Cars and 37 Maesteg Road
- xiv. Scheme of waiting restrictions
- xv. Scheme of 20mph speed restrictions
- xvi. Scheme of cycle/pedestrian direction signage
- xvii. Supporting Stage 2 Road Safety Audit

The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the 235th dwelling.

Reason: In the interests of highway network capacity, road safety and promoting sustainable travel patterns.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall be no vehicular access to the site other than the two approved access points being the continuation of the existing western arm of the Pentre Felin/Lidl/Proposed Link Road roundabout along the unnamed road and the "emergency vehicles" only access off Derllwyn Road.

Reason: In the interests of highway safety.

29. No more than 135 dwellings shall be occupied until a scheme for the provision of a scheme of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to the geometry of the A4063 (Bridgend Road/Sarn Link)/ B4281 roundabout junction. Such scheme shall include for:

- i. Phasing scheme including temporary traffic management proposals
- ii. revision of all traffic signing, road markings
- iii. Supporting Stage 2 Road Safety Audit

The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the 136th dwelling.

Reason: In the interests of Highway network capacity and Road Safety.

30. The emergency vehicular access linking the northern area of the site to the highway network at Derllwyn Road shall be constructed in accordance with a scheme agreed by the Local Planning Authority as part of P/21/986/DOC on 1 September 2021. The emergency access shall incorporate physical features preventing regular vehicular traffic traversing the route and shall be constructed in permanent materials in accordance with the approved layout prior to the 200th dwelling on the greater development parcel being brought into beneficial use and shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of highway safety.

31. No building shall be occupied until that part of the road system which provides access to it has been constructed to at least base course level in accordance with the approved plans.

Reason: In the interests of highway safety.

32. No building shall be occupied until parking has been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Garages meant for parking shall have minimum internal dimensions of 6m x 3m. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order, with or without modification), all such garages and parking spaces shall thereafter be retained solely for the parking of vehicles in connection with the building they serve.

Reason: In the interests of highway safety.

33. Bus stops throughout the site shall be provided in accordance with the scheme agreed by the Local Planning Authority as part of P/19/633/DOC on 14 November 2019.

Reason: In the interests of highway safety and to promote sustainable transport.

34. The development shall proceed in accordance with the written scheme of historic environment mitigation agreed by the Local Planning Authority as part of P/20/770/DOC on 8 December 2020. The approved site investigation works shall be implemented prior to the commencement of development on Phases 4 and 5 or any infrastructure scheme or strategic landscaping area. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme and the developer shall afford access at all reasonable times during construction to a nominated archaeologist for the purpose of observing the excavations and recording items of interest and finds.

Reason: To safeguard the heritage assets that may be buried beneath ground in accordance with national and local planning policy.

35. The provision of a pedestrian/cycle routes linking the site to the highway network at Derllwyn Road, adjacent residential development and the National Cycle Network shall be implemented in accordance with the scheme agreed by the Local Planning Authority as part of P/21/896/DOC on 1 September 2021 and shall be constructed in permanent materials in accordance with the phasing plan and shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of promoting sustainable travel patterns.

36. The main site spine road of the greater development parcel (Phases 1-5 on the Phasing Plan in the Design and Access Statement, excluding Phase 2/3) shall be laid out to provide a circular route suitable for future public transport to permeate into the site and serve the development. The spine route and circular bus route shall be not less than 6.5m with appropriate lane widening on bends and bus stops.

Reason: In the interests of promoting sustainable travel patterns.

37. The main site spine roads of the greater development parcel (Phases 1-5 on the Phasing Plan in the Design and Access Statement, excluding Phase 2/3) shall be laid out to provide carriageways of no less than 5.5m, with a single cycleway footway of no less than 3.5m and a single footway of no less than 2.0m.

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

38. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *

- a) The developer should contact the Rights of Way Section as soon as possible when the detailed plans are submitted for the design of any phases of the development that will affect either the Public Rights of Way or cycle network so that the protection of that network, which may include for the diversion of some or all of that network can be agreed and, where necessary Orders processed as soon as possible.
- b) Any site clearance of vegetation associated with future development will be undertaken outside of the bird nesting season and in accordance with

method statements for other species.to be agreed with the Local Planning Authority.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None.

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Appeals

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

APPEAL NO.	2032
APPLICATION NO	P/24/274/FUL
APPELLANT	K FERNANDEZ
SUBJECT OF APPEAL	ERECTION OF BOUNDARY FENCE: 11 KINGFISHER CLOSE BRACKLA
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reasons:

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1. The proposed fence would comprise a blunt, prominent and unattractive visual intrusion into a significant sweep of trees and hedging which forms an important green edge to, and corridor alongside a busy thoroughfare within the settlement. The scale, position, materials and design of the proposed structure would not represent a high quality development and would neither respect nor enhance the distinctiveness and landscape character of the locality. The proposed development would therefore conflict with the terms and objectives of local and national planning policy and guidance as set out in Policy SP3 of the Bridgend County Borough Local Development Plan 2018 – 2033 (2024), and advice contained in Supplementary Planning Guidance 02: Householder Development (2008), in Planning Policy Wales Edition 12 (2024) and in Technical Advice Note 12: Design (2016).
 2. The development would reduce visibility for pedestrians and create an area of concealment at the junction of the footway on Coychurch Road and the public footpath leading to it from Kingfisher Close. This would impact adversely on the safe operation of the pedestrian routes around the site, increasing risk of collision, and would likely increase both the opportunity for crime and the fear of crime, so would represent a discouragement for the use of the route by pedestrians as a sustainable means of transport. The proposed development would therefore conflict with the terms and objectives of local and national planning policy and guidance as set out in Policies SP3, SP5 and PLA9 of the Bridgend County Borough Local Development Plan 2018 – 2033 (2024), and with advice contained in Planning Policy Wales Edition 12 (2024) and Technical Advice Note 18: Transport (2007).
 3. The proposed development would result in a material reduction in the depth of the significant belt of tree and other vegetation on the north side of Coychurch Road to the detriment of its contribution to the local ecosystem. The proposed development would not maintain, protect or enhance biodiversity and ecological networks / services, or the interconnectivity of them, and would therefore conflict with the terms and objectives of local and national planning policy and guidance as set out in Policies SP3, SP4, SP17, DNP6, DNP7 and DNP8 of the Bridgend County Borough Local Development Plan 2018 – 2033 (2024), and with advice contained in Supplementary Planning Guidance 02: Householder Development (2008), in Supplementary Planning Guidance 19: Biodiversity (2014), in Planning Policy Wales Edition 12 (2024) and in Technical Advice Note 05: Nature conservation and planning (2009).
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APPEAL NO.	2038
APPLICATION NO	P/24/631/FUL
APPELLANT	MR W J FLEMING

SUBJECT OF APPEAL	SINGLE STOREY REAR AND SIDE EXTENSION, REAR DORMER WITH 2 X JULIET BALCONIES, ALTERATIONS TO ROOF RIDGE AND PORCH (PART RETROSPECTIVE): 103 HEOL LAS NORTH CORNELLY
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER

The application was refused for the following reason:

1. The proposed development, by reason of its alternative form, scale, design and materials, fails to take into account the context and character of the host property with the front porch, increase in ridge height and rear dormer resulting in alien and incongruous features which have a significant detrimental impact upon the established appearance and character of the existing property, contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Supplementary Planning Guidance Note 02 Householder Development, Technical Advice Note 12 Design (2016) and Planning Policy Wales 12 (Feb. 2024).

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

APPEAL NO.	2021
APPLICATION NO	P/24/21/FUL
APPELLANT	CARHYS
SUBJECT OF APPEAL	1NO. SINGLE STOREY BUNGALOW: 1NO. SINGLE STOREY BUNGALOW: LAND TO THE SIDE OF 1 GER Y BONT BRIDGEND
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER
DECISION	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED.

The Appeal decision is attached as **APPENDIX A.**

APPEAL NO.	2029
APPLICATION NO	P/24/424/FUL
APPELLANT	MR C BOWEN
SUBJECT OF APPEAL	SINGLE STOREY EXTENSION TO FRONT OF DWELLING: 123 HEOL Y BARDD BRIDGEND
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER
DECISION	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE

DISMISSED.

The Appeal decision is attached as **APPENDIX B.**

APPEAL NO.	2030
APPLICATION NO	P/25/78/FUL
APPELLANT	MR A MORGAN
SUBJECT OF APPEAL	FIRST FLOOR SIDE EXTENSION AND PORCH EXTENSION TO FRONT ELEVATION: 86 TREMAINS COURT BRIDGEND
PROCEDURE	HOUSEHOLDER
DECISION LEVEL	DELEGATED OFFICER
DECISION	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED.

The Appeal decision is attached as **APPENDIX C.**

APPEAL NO.	2020
APPLICATION NO	P/24/2/OUT
APPELLANT	MR P EVANS
SUBJECT OF APPEAL	OUTLINE PLANNING APPLICATION FOR ONE BLOCK OF 2 BEDROOM APARTMENTS (WITH APPROVAL FOR ACCESS) AND HIGHWAY IMPROVEMENT WORKS: PARCEL B LAND NORTH OF UNDERHILL COTTAGES TONDU ROAD BRIDGEND
PROCEDURE	WRITTEN REPRESENTATIONS
DECISION LEVEL	DELEGATED OFFICER
DECISION	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE DISMISSED AND THE APPLICATION FOR COSTS REFUSED

The Appeal and costs application decisions are attached as **APPENDIX D**

The two appeals that were reported in July for 145 Commercial Street Maesteg (P/24/323/FUL & P/24/285/CAC) have since been withdrawn by Walters Environmental Limited.

RECOMMENDATION

That the report of the Corporate Director Communities be noted.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers (see application reference number)



Appeal Decision

by L. Hughson-Smith LLB MSc MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 15/04/2025

Appeal reference: CAS-03938-H8P6H2

Site address: Land to the side of 1 Ger Y Bont, Bridgend CF31 1HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Carhys against the decision of Bridgend County Borough Council.
 - The application P/24/21/FUL, dated 4 January 2024, was refused by notice dated 26 June 2024.
 - The proposed development is one single storey bungalow.
 - A site visit was made on 28 March 2025.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The site address as stated on the application form is inaccurate, therefore I have taken the address as stated on the appeal form and decision notice.
3. I note the description of development as stated on the appeal form refers to one new single-storey bungalow with one bedroom, however, this does not accurately describe the proposal applied for. I have, therefore, reverted to the original description of development as stated on the original planning application and Decision Notice.

Main Issue

4. This is the effect of the proposal on the living conditions of prospective occupiers and the occupants of 1 Ger Y Bont, with particular regard to outlook.

Reasons

5. The appeal site comprises a parcel of land located to the side of No. 1 Ger Y Bont (No. 1) and positioned between the rear of properties along Castle View and Glynbridge Gardens. It sits at a significantly lower ground level than the surrounding residential development and was previously a railway cutting.
6. Whilst planning policy does not protect a view, the Bridgend County Borough Council's Local Development Plan (LDP) Policy SP3 requires all development to have design of the highest quality possible and ensure the amenity of neighbouring occupiers will not be adversely affected. Planning Policy Wales (Edition 12) (PPW) includes national

placemaking outcomes which, amongst other things, requires development to promote mental health and wellbeing.

7. The Council have referred to Supplementary Planning Guidance Note 02 Householder Development (2008) (SPG). Although aimed at householder development, it includes principles relevant to new residential development including that proposed boundary enclosures should not unduly dominate the outlook of an adjacent neighbour's habitable rooms.
8. Due to the appeal site's significantly lower ground level, the proposed dwelling would be positioned well below surrounding properties and require substantial retaining walls with fencing above along three boundaries. The proposed front and side elevations would be reasonably set back from the retaining walls, with intervening soft landscaping, ensuring no unacceptable overbearing impact on future occupants.
9. However, the proposed rear elevation, containing windows to two bedrooms and a bathroom, would be positioned in close proximity to a substantial retaining wall with sloping ground above. Due to its height and position, the retaining wall would have an overbearing impact on the proposed rear bedroom windows, creating an oppressive sense of enclosure that would not be conducive to a good quality internal environment for prospective occupiers. Whilst I acknowledge the proposed roof lights would ensure adequate daylight to these rooms they would offer no meaningful alternative outlook.
10. Regardless of prospective purchasers having the ability to choose if they are satisfied with the internal living environment, the proposal must be considered against the planning policy requirements of the adopted LDP and national policy, that requires high quality development that supports occupants' well-being, as set out above. The appellant refers to an approved planning application (ref: P/21/594/RES), however, limited details have been provided including its location. Given this, I have not been able to make a comparison between it and the proposed development. I have, therefore, considered the development on its own merits.
11. The proposed fence would be 2m in height and positioned adjacent to the existing fence, along the common boundary with No. 1. The appellant claims the existing fence is the same height as that proposed; however, this does not align with my observations during my site visit. Furthermore, the Council states the existing fence is approximately 1.6m tall. I am, therefore, of the view the proposed fence would be considerably higher than the current one.
12. Although the proposed fence would sit at an oblique angle to the front elevation of No. 1, it would be in close proximity to the nearest ground and lower ground floor windows. At present, the ground floor window benefits from a reasonable level of openness, as the existing fence only partially obstructs it, allowing some outlook above it. The increased height of the proposed fence, combined with its proximity to the window, would introduce a visually dominant and overbearing feature that would substantially reduce the sense of openness to an extent that would be oppressive. Overall, the proposed fence would have a considerably more harmful impact on the living conditions of the occupants of No. 1 than the existing arrangement.
13. The appellant suggests the proposed fence benefits from permitted development rights, however, there is no cogent evidence of a lawful fallback position before me. They also refer to an example of an approved 2m fence at the land to the rear of 2 Hillcrest, Penyfai, (ref: P/22/322/FUL). However, the information provided indicates that the approved fence has a reasonable offset from the property's windows unlike the appeal proposal. It is not, therefore, directly comparable and I have determined the appeal on its own merits.

14. I conclude that the proposal would have a harmful impact on the living conditions of the prospective occupiers and the occupants of No.1 Ger Y Bont with particular regard to outlook. This would conflict with LDP Policy SP3, PPW and the objectives of the SPG.

Other Matters

15. I have not been provided with sufficient information to determine whether the appeal site is brownfield land. However, even if I were to assume that it is and give this weight along with the other benefits, which include a housing net gain in a sustainable location, I consider the scope of these benefits to be limited due to the small-scale nature of the development. As such, they would not justify or outweigh the harm identified above.
16. I note the appellant's concerns in relation to the Council's consideration of the planning application, including the lack of communication. These matters, however, are not relevant to the planning merits of the appeal proposal.

Conclusion

17. For the above reasons, and having regard to all matters raised, I conclude that the appeal should be dismissed.
18. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

L. Hughson-Smith

INSPECTOR



Appeal Decision

by P J Davies BSc (Hons) MA MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 10/07/2025

Appeal reference: CAS-04216-Q1L6T4

Site address: 123 Heol Y Bardd, Bridgend CF31 4TD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Clive Bowen against the decision of Bridgend County Borough Council.
 - The application Ref P/24/424/FUL, dated 15 July 2024, was refused by a notice dated 3 April 2025.
 - The development proposed is described as 'construct single storey extension to front of dwelling'.
 - A site visit was made on 2 July 2025.
-

Decision

1. The appeal is dismissed.

Main Issue

2. This is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal relates to a modest semi-detached bungalow in a short cul-de-sac of similar pairs which share commonalities in appearance, scale and design. They also display visual consistency in their layout and siting set back in a regular manner from the highway, enclosed primarily with low front boundary walls and soft forms of landscaping. I observed a timber garden building at the top end of the street, but otherwise the cul-de-sac retains a cohesive and spacious character.
4. The proposal would extend close to the front boundary and would be a wide and deep structure relative to the simple proportions of the dwelling's front elevation. Its siting and scale would therefore combine to form a prominent feature in the front garden which would demonstrably disrupt the clearly defined visual rhythm of the street. Unlike a porch falling within permitted development rights, the proposal would cause significant visual intrusion and would fail to respect the context I have described.
5. My attention is drawn to other front extensions along Oaklands Avenue, but these relate to a different street scene where there is more diversity to the street layout and

appearance. I also note the photo of a front extension to another similar property which appears to be within a nearby cul de sac. However, this forms a 'bookend' to the cul-de-sac and derives some symmetry with another front extension at the other end of the street. None of the examples shown to me have influenced the individual context of the appeal site, and they do not therefore justify the identified harm. I note the appellant has offered to reduce the size of the extension, but my assessment must be based on the scheme that was subject to the Council's decision.

6. I conclude that the proposal would be harmful to the character and appearance of the area contrary to the design and placemaking principles of Policy SP3 of the adopted Bridgend County Borough Local Development Plan 2018 – 2033, and the Council's Supplementary Planning Guidance Note 2 – Householder Development.

Conclusions

7. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.
8. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

P J Davies

INSPECTOR



Appeal Decision

by J P Tudor BA (Hons), Solicitor (non-practising)

an Inspector appointed by the Welsh Ministers

Decision date: 08/07/2025

Appeal reference: CAS-04229-W2F7Q7

Site address: 86 Tremains Court, Brackla, Bridgend CF31 2SS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Morgan against the decision of Bridgend County Borough Council ('the Council').
 - The application Ref: P/25/78/FUL, dated 12 February 2025, was refused by notice dated 21 March 2025.
 - The development proposed is first floor side extension and porch extension to front elevation.
 - A site visit was made on 18 June 2025.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposed development seeks to address concerns raised in relation to a previous scheme refused by the Council (ref: P/23/403/FUL) and dismissed on appeal (ref: CAS-03334-L5K8C7). While I have considered that aspect, my primary role is to assess the current proposal on its own merits against relevant policy and guidance rather than relative to a previous refused scheme.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

Reasons

4. The appeal site comprises a detached two-storey dwelling located on a corner plot within a residential estate. A two-storey gable section projects to the front of the house and there is a single-storey hipped roof element to the side. A driveway to the front is adjacent to a small lawned garden with a low hedge bounding the pavement and road. There is further garden space to the side and rear of the property enclosed by wooden fencing. The estate is characterised by a range of house types, which are repeated, along with the use of common materials such as red brick, brown tiles for roofs, and

brown fenestration. The houses have mainly open frontages. The combination of these elements provides a sense of cohesion.

5. The proposed first-floor side extension would involve replacing the front part of the single-storey section to the side of the house with a new two-storey front gable. At the rear, the first-floor addition would be set in from the existing main elevation. There would also be a new central front porch extension. The submitted drawings indicate that the extensions would be finished in materials matching those used in the current building.
6. Policy SP3 of the Bridgend County Borough Local Development Plan 2018-2033, Adopted 13 March 2024 ('LDP'), indicates that all development must contribute to creating high quality and attractive places by demonstrating alignment with the principles of good design. In addition, it must, among other things, have a design of the highest quality possible, while respecting local distinctiveness and landscape character and be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detail, layout, form, mix and density.
7. The Council's adopted Supplementary Planning Guidance, SPG02 Householder Development ('SPG') advises that the form, materials, and details of extensions and alterations should harmonise with those of the existing house, reinforcing its character by appearing to be a natural part of the building and that extensions should be compatible in form (6.4 Note 11). Furthermore, that an extension should be in scale with the existing dwelling (6.5 Note 12).
8. The proposed front gable would appear similar to the existing gable projection in design and scale, giving an impression of a double-fronted property, albeit its set-back position would detract from that to an extent. However, the central porch extension, with its lean-to roof reaching down from the main roof and its door to one side, would form only a partial and incongruous link between the gables. Combined with a discordant series of roof planes, the extensions would create an odd façade that would be visible in views from the road and from adjacent properties. The proposed development would, therefore, have an adverse visual effect on the existing dwelling and on the street scene, which the use of matching materials would not sufficiently mitigate.
9. In addition, the Council advises that the full width of the first-floor extension would be approximately 5.4m compared with an existing first-floor width of about 8m, figures which have not been disputed by the appellant. As this would increase the width of the host dwelling, albeit at first floor level only, by over 50%, the Council considers that the extension would not appear subservient to, or in proportion with, the existing building. The ground floor footprint would not increase significantly as a result of the extensions and I recognise that attempts at subservience, including the set down of the side extension roof from the main roof, have been made. Notwithstanding, I consider that the overall size, scale and design of the proposed development would appear disproportionate in relation to the existing building and adjacent properties.
10. Moreover, although there are different house types on the estate, I did not see directly comparable double-fronted style houses with two projecting gables in the immediate street scene. In any event, given the design and scale of the extensions, I consider that they would result in a dwelling that would appear out of keeping with those in this part of the estate. That visual dissonance would be particularly apparent in both public and private views as the appeal site is in a prominent corner location, albeit at the entrance to a cul-de-sac.
11. The appellant has referred to other examples of side extensions within Tremains Court and Briary Way, which I viewed on my site visit. While some properties appear to have two-storey side extensions or extensions above garages, those that I saw bore limited

resemblance to the appeal proposal. In any event, it is a truism that each case should be decided on its own particular merits. Therefore, while I have considered those examples, they do not lead me to alter my decision.

12. Overall, I conclude that the proposed development would have an adverse effect on the character and appearance of the host dwelling and the area. It follows that it would be contrary to LDP policy SP3, including its 'good design' principles, and design advice for extensions detailed in the SPG, as summarised above, both of which are broadly in accordance with national policy contained in Planning Policy Wales (2024).

Conclusion

13. I appreciate that the proposed development would have benefits for existing and future occupiers in expanding the available living space within the dwelling. However, in this case, that would not outweigh the harm identified to the character and appearance of the existing building and the area.
14. For the reasons given above and taking account of all other matters raised, I conclude that the appeal should be dismissed.
15. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-being of Future Generations (Wales) Act 2015 ('the Act'). I consider that this decision is in accord with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's well-being objectives as required by section 8 of the Act.

JP Tudor

INSPECTOR



Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 10/07/2025

Appeal reference: CAS-03855-D9G8D3

Site address: Parcel B, Land North of Underhill Cottages, Tondu Road, Bridgend

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
- The appeal is made by P Evans against Bridgend County Borough Council.
- The application Ref P/24/2/OUT is dated 30 December 2023.
- The development proposed is described as 'highway improvement works and outline planning permission for one block of 2 bedroom apartments (with approval for access)'.
- A site visit was made on 30 May 2025.

Decision

1. The appeal is dismissed and planning permission is refused.

Procedural Matters and Background

2. The appeal has been submitted against the non-determination of a planning application for outline planning permission. The Council issued a Decision Notice refusing the planning permission outside of the dual jurisdiction period. I have used the Decision Notice and Officer's Report as the basis for identifying the main issues in relation to this appeal.
3. The application was made in outline with access to be agreed. All other matters are reserved for subsequent approval. I have therefore treated the submitted site layout plan, together with the site sections and street scene drawings as indicative. The indicative site section plan shows that the scale parameters of the height of the proposed building are between 8 and 9m. I have considered the appeal on that basis.
4. There is a detailed planning history associated with this site. An outline application for up to 24 dwellings was dismissed at appeal in 2019 on the grounds of the effect on the character and appearance of the area and highway safety together with the impact on trees and features of importance for local ecology. (Ref: APP/F6915/A/19/3237153). A later proposal for up to 9 dwellings was also dismissed on appeal for similar reasons (Ref: APP/F6915/A/20/3249034). An appeal against a refusal to fell 33 trees protected by a Tree Preservation Order (TPO) and the planting of replacement trees along the southern, western and northern site boundaries was dismissed in February 2022 insofar as it related to 29no. trees but allowed insofar as it related to 4no. trees (Ref: CAS-01379-M4T9Y9). More recently, an appeal against a refusal for outline planning application for residential development for 15 dwellings with approval for access was

dismissed in August 2023 on the grounds of harm to the character and appearance of the area, living conditions of future occupiers, trees and ecology and highway and pedestrian safety (Ref: CAS-02289-T3Y1C3)(the 2023 appeal decision).

5. These previous appeals related to a larger site than the appeal site. This larger site has been split into 2 and are referred to in the appeal submissions as 'Parcel A' and 'Parcel B'. The appeal scheme relates to 'Parcel B', the northern section of the larger site. Parcel A was subject to a separate planning application for outline planning application for one block of 2 bedroom apartments (with approval for access) and highway improvement works (Ref: P/24/1/OUT). This planning application was refused by the Council in December 2024.
6. The Council declined to determine the planning application subject of this appeal under Section 70A of the Town and Country Planning Act 1990 (as amended), as they considered that a similar proposal had recently been refused by the Council and dismissed on appeal. This decision was quashed by the High Court. The appellant states that the High Court Decision validates the proposal's merits and urges approval. However, the High Court Decision relates to the Council's decision to decline to determine the planning application and clearly states that nothing said in that judgment should be taken as any indication as to how the application should be determined, which is a matter for the authority. I have determined the appeal on that basis.
7. In response to the Council's statement, the appellant's final comments include a Transport and Highway Rebuttal. It states that this document seeks to *address* [my emphasis] and respond to the Council's Highways comments. In doing so, a revised drawing package (Revision E) of the proposed highway improvements has been submitted and seeks to replace the drawing package submitted with the planning application (Revision D).
8. However, whilst the appellant is entitled to provide evidence to overcome objections raised at the planning application stage, Section 78(4BA) of the Town and Country Planning Act 1990 (as amended) is clear that, once notice of an appeal under this section to the Welsh Ministers has been served, the application to which it relates may not be varied, except in such circumstances as may be prescribed by a development order. Article 26C of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) goes on to clarify that, for the purposes of Sections 78(4BA) of the 1990 Act, the prescribed circumstance is that where an application to which the appeal relates contains a correctable error.
9. In this case, the revised drawing package includes additional signage, narrowing of the central reservation and changes in the design of the lay-by/pick up drop off point. I am not therefore persuaded that the amended plans simply seek to correct an error on the previous plans. I have therefore had no regard to these revised plans in my decision. For clarity, my decision is based on the plans considered by the Council, Revision D.

Application for Costs

10. An application for costs has been made by P Evans against Bridgend County Borough Council. This application is the subject of a separate Decision.

Main Issues

11. The main issues are the effect of the proposed development on:
 - the character and appearance of the area;
 - trees and features of importance for local ecology;

- whether the development would comply with planning policies relating to sustainable transport and its effect on highway and pedestrian safety; and
- the living conditions of future occupiers.

Reasons

Character and appearance

12. The appeal site forms part of a wider broadly linear parcel of land located on the western side of the A4063 Tondu Road. It has a steep gradient and comprises a largely wooded area incorporating a large number of mature trees. As the appeal site and the wider parcel of land it sits within comprises a significant wooded area, it has a verdant character which provides an attractive visual break in the otherwise built-up area and significantly contributes to the character of the area. The site's important contribution to the character of the area is supported by the Inspectors comments on the previous appeals.
13. The western side of the A4063 is largely free from development, other than some small scale two storey dwellings to the south on the corner of Mill Lane and a two storey dwelling some distance to the north. Owing to its location immediately adjacent the A4063, one of the main routes into and out of the town centre, the site occupies a visually prominent location. Although there is a 3 storey block of flats in Millfield, this is sited on the opposite side of the dual carriageway, is set well back and at a lower level than the A4063 and does not generally inform the character of the residential development in the area.
14. Although scale, layout and appearance have been reserved for subsequent consideration, the scale parameters and the indicative plans are material considerations. The proposal is for the erection of a block of 9 apartments which would have a height of between 8 and 9m. The indicative drawings show a 3 storey flat roof building taking up the majority of the frontage of the site onto the A4063, located close to the road.
15. In dismissing the 2023 appeal, the Inspector considered that two separate blocks of the height specified, combined with their proposed width and depth, would read as bulky and monolithic. Whilst that decision related to 2 separate blocks on a larger site, the larger block was proposed on this appeal site, and therefore I consider the Inspector's conclusions relevant to this appeal in this respect. Although the height parameters would be lower than that previous scheme, which were 8.5m to 9.5m, this would be marginally so. Furthermore, as the indicative street scene drawings show that the appeal scheme would be 3 storey with a flat roof, this, in combination with its length and depth, would result in a large scale and bulky building which would be at odds with the limited number of small-scale buildings in its immediate context.
16. Owing to its scale and bulk, the proposal would significantly erode the verdant character of the appeal site and would be seen as a bulky and unsympathetic development which would be visually dominant in its otherwise verdant and wooded setting. It would therefore be an unduly discordant development, inappropriate in its context. This would unacceptably harm the character and appearance of the area.
17. I conclude that, for the reasons set out above, the proposed development would significantly harm the character and appearance of the area, contrary to the objectives of Policy SP3 of the Adopted Bridgend County Borough Council Local Development Plan (2018 – 2033)(LDP), which seeks to ensure that all developments contribute to creating high quality, attractive and sustainable places. It also conflicts with the placemaking objectives of Planning Policy Wales (PPW).

Trees and ecology

18. The site is located within the Cefn Glass Wood Site of Importance for Nature Conservation (SINC), which is designated for its semi natural woodland with an assemblage of indicator species and containing disused quarries with shaded rock exposure and scrub. The site comprises semi natural broad-leaved woodland and is covered by a Tree Preservation Order (No.3) 1954 (TPO) and forms part of a Restored Ancient Woodland Site (RAWS).
19. PPW aims to protect and enhance habitats and biodiversity and to improve the overall resilience of ecosystems through a step-wise approach. It identifies the great importance of trees and woodlands for biodiversity, in particular urban trees, and advises that they are important connecting habitats for resilient ecological networks and make an essential wider contribution to landscape character, culture, heritage and sense of place, air quality, recreation and local climate moderation. In this regard it requires compensatory planting for trees that are removed as part of a proposed scheme and states that replacement planting shall be at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every one lost.
20. PPW continues to state that a green infrastructure statement (GIS) should be submitted with all planning applications, proportionate to the scale and nature of the development proposed. This will describe how green infrastructure has been incorporated into the proposal and “must be used for demonstrating how the step-wise approach has been applied”. LDP policies DNP5, DNP6, DNP7 and DNP8, and the advice in the Council's Supplementary Planning Guidance 19 Biodiversity and Development (SPG), are consistent with the objectives of PPW.
21. The appellant's Tree Survey covers the appeal site and the southern part of the larger site subject to the previous appeals. In relation to the appeal site, whilst it shows that some of the trees within the site are of low quality and need to be removed due to Ash Dieback, and that some are dead, there are a number of individual trees and a large group of trees that are identified as Category B's (moderate quality). A further Arboricultural Assessment identifies some trees on the boundary of the site adjacent to the A4063 as being at risk of failure but clarifies that the remedial works required are specified only in relation to the trees which are dead, dying and dangerous.
22. The removal of any trees that are dead, dying or dangerous, would not significantly erode the site's contribution to the wider area of woodland, as the remaining trees would still provide a sufficient tree coverage within the site. The indicative layout shows that only 2 trees would be retained and therefore the proposed development would result in a substantial loss of protected trees. This would erode the woodland which significantly contributes to the verdant setting of the locality and its function as a green buffer in the urban environment.
23. Furthermore, although the appellant contends that proposed replacement planting would be at a 4:1 ratio, the Indicative Site Layout Plan and the Ecology Enhancement Plan shows that this replacement planting would be predominantly on the boundaries of the site, due to the amount of the site taken up by the proposed building and the amenity areas. Owing to the constrained nature of the site, I am not persuaded that there would be sufficient space to provide adequate compensatory size and type of trees to replace those mature trees lost, as required by PPW.
24. Even though no protected species were found to be present on the site during the preliminary ecological survey and the Preliminary Roost Assessment (Ground Level Tree Assessment) (PRA), the Ecological Appraisal identifies the site as having a high local ecological value with the woodland on site being part of an area of RAWS and the SINC.

The PRA also recognises that the site is good habitat for foraging and commuting bats. I am also mindful of the Inspector's observations in the previous appeals that the trees and habitats are important and integral features of the SINC, which supports my view. Such a loss of these features would harm the integrity of the SINC and the RAWS.

25. I have had regard to proposed mitigation and enhancement measures set out in the Biodiversity Enhancement and Mitigation Plan and the Ecological Construction Method Statement, which include proposed tree and grass planting, a range of artificial habitats such as bat bricks/boxes, bird boxes/bricks or swift/swallow cups, hibernacula/log brush piles and hedgehog domes. However, given the extent and nature of the habitat to be lost, and my findings on the proposed tree replanting, I do not consider that the proposal would adequately mitigate its impacts, nor would it provide a net gain in biodiversity. Moreover, whilst a GIS has been submitted, it fails to demonstrate that a stepwise approach has been applied, as required by PPW.
26. I note that Natural Resources Wales made no comments on the application. Nevertheless, they stated that the decision not to comment does not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. This therefore does not override the Council's Ecologist's objection to the proposal or my findings.
27. To conclude, the proposed development would result in the loss of trees and habitat that are important features of the SINC. It would harm the character and appearance of the area and the biodiversity characteristics of the site. It also fails to demonstrate that a stepwise approach has been applied and that it would deliver a net benefit for biodiversity. For these reasons, the proposed development would result in the unacceptable loss of trees and features of importance for local ecology, contrary to LDP Policies DNP5, DNP6, DNP7 and DNP8 and the objectives of the SPG and PPW.

Highway matters

28. The appeal site is located on the dual carriage way section of the A4063 which has a speed limit of 50mph and a central reservation. At my site visit, I saw that vehicles appeared to be travelling at or around this speed limit and the flow of traffic was consistent. There are no footways on the western side of the road in the immediate vicinity of the appeal site.
29. Approval of access to the site is sought as part of the appeal scheme and the proposal includes highway improvement works. Unlike the previous appeals, this appeal scheme is being promoted as a 'car free development' and therefore provides no parking provision within the site. A universal pick up/drop off point/lay-by is proposed on the highway verge between the site's frontage and the A4063. Other proposed highway works includes the provision of a shared space refuge island and crossing point on the A4063 to the south of the appeal site, the widening of existing footways and the provision of an off road shared 3m wide footway/cycle, tactile paving, white lining and hatching on the highway, including narrowing of the northbound carriageway to a single lane.
30. PPW states that good design is about avoiding the creation of car-based developments and seeks to ensure that development proposals are fully integrated with networks for walking and cycling to access work, education, services and facilities. Whilst Policy 12 of Future Wales (FW) supports car-free developments, this is in the context of accessible locations. In relation to car parking, PPW states that parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. LDP Policies SP5 and PA11 are consistent with the objectives of PPW and FW.

31. The Council's SPG 17 – Parking Standards identifies the site as falling within Zone 4 (Suburban or Near Urban). In such areas new build apartments are expected to provide 1 parking space per bedroom (maximum of 3 spaces). In relation to sustainability, it states that other than for Zone 1 City Centre locations and Zone 2 Town Centre locations, the reductions in parking requirement for residential units shall not result in less than one parking space remaining (unless exceptional circumstances apply). Consequently, given its location, and as there is no mechanism before me to ensure that residents would not have access to a car or any other exceptional circumstances, the proposed development would result in a parking demand. Indeed, the appellant's Transport and Highway Rebuttal acknowledges that it would likely result in an offsite parking demand of up to 6 cars or vans.
32. The appellant states that this demand would likely be accommodated through on-street provision along Tynton Road, Lewis Avenue, Millfield, and Trews Field Industrial Estate, as well as within the Tondy Road surface pay-and-display car park, all of which are located on the opposite side of the A4063. The closest available on street parking would be Trews Field Industrial Estate and given its location opposite the appeal site, it is likely that residents would park here and would likely attempt to cross the A4063 at this location. Even if the other on street parking areas were used, residents would still have to negotiate crossing the busy road and walk some distance. I note that the proposed highway improvements would include a shared space refuge island and a crossing point, nevertheless, this would be located some distance to the south of the site and would therefore not be convenient for residents, especially if they are carrying shopping bags, or for visitors to the site. Given the nature and speed of vehicles on this part of the road, this would give rise to an increase in the risk of conflict of pedestrians accessing the site with vehicles using the A4063.
33. Whilst a Traffic Regulation Order (TRO) could be used to prevent parking on the A4063 and within the lay-by, and limit its use to loading only, owing to the inconvenience of the available on street parking in the area, it is likely that residents would utilise the proposed lay-by to unload shopping. The lay-by would also likely be used by visitors, taxi's, delivery and servicing vehicles accessing the proposed development. Given that the site would accommodate 9 dwellings, it is likely that there would be times when multiple vehicles would need to use the lay-by. In these circumstances vehicles would have to wait on the highway to access the lay-by at a point where the highway would be reduced to a single carriageway. I note the appellant considers that based on the capacity and flows of the highway it could accommodate existing movements in a single carriageway arrangement. Nevertheless, vehicles waiting on the highway would impact the free flow of traffic.
34. Furthermore, given the distance that southbound and northbound traffic would have to travel to turn around to either access or leave the lay-by, any such vehicle movements to and from the lay-by would be likely to give rise to hazardous U turn movements. The appellant states that this would be circa 8 daily movements. The appellant proposes to mitigate any harm by traffic orders and signage prohibiting such movements and the reduction of the speed limit of the road from 50mph to 30mph. Such mitigation was also proposed in the previous appeal schemes and I note the Inspectors did not consider the reduction in the speed limit was justifiable. I also note that such a variation of the speed limit was not supported by the Highway Authority in the previous schemes, and I have no evidence to suggest that the Highway Authority would now support such a variation. There are also no details of such traffic orders before me. In these circumstances, I am not persuaded that highway safety concerns could be overcome. As such, the proposal would be detrimental to highway and pedestrian safety.

35. Unlike the 2023 appeal scheme, the proposed highway improvements seek to improve the pedestrian and cycle links to and from the proposed development in line with the Active Travel requirements. A Unilateral Undertaking (UU) has been submitted with the appeal which includes the contribution of £18,000 to the Council for the purpose of funding the proposed off-site highway improvement works, including pedestrian/cycle facilities and lay-by enhancements along Tondur Road. However, this UU is not complete and I give it little weight in my decision.
36. In any event, the Highway and Transport Rebuttal confirms that these works would have to be subject to a full costing exercise and given the extent of the proposed highway works, I am not convinced that such a contribution would be sufficient to provide the proposed highway, pedestrian and cycle links improvements. The Council's Statement references a contribution of £18,000 but that is in relation to the processing of necessary legal traffic orders to enforce signage required in the vicinity of the application site and not in relation to the provision of the proposed highway improvements. Furthermore, it is unclear how the 3m wide footway/cycleway would continue along the site's frontage given the location of the proposed lay-by. This was also highlighted in the Road Safety Audit (RSA) but it stated that it was outside of its scope. In these circumstances, the proposal would not accord with the objectives of PPW relating to Active Travel that seeks to ensure that new developments are fully accessible by walking and cycling.
37. Furthermore, the Council state that the bus stops located reasonably close to the appeal site are not served by any public transport owing to the cessation of the bus services in 2019 due to the commercial viability of the routes. I have no evidence to suggest otherwise or that these services would be reintroduced in the future. The next nearest public transport links can be found at the Bridgend Bus Station which provides good services. Nevertheless, owing to its distance from the appeal site, it is unlikely that residents would use this mode of transport for day-to-day movements, including access to schools, workplaces and essential facilities, particularly in inclement weather. Consequently, the site would not be fully accessible by a range of transport modes and the residents would be reliant on the use of cars, despite the proposal being promoted by the appellant as a 'car free development'.
38. I note that the RSA did not identify any areas of concerns, nevertheless, it is clear that this was based on the introduction of pedestrian and cycle improvements associated with a 'vehicle free' residential development. As such this does not overcome the harm I have identified.
39. To conclude, the proposed development fails to demonstrate that it would be fully accessible by a range of different transport modes and would be harmful to highway and pedestrian safety, contrary to Policies SP5 and PA11 of the LDP and the sustainability objectives of PPW.

Living Conditions

40. The indicative site layout shows that the proposed building would be sited in the eastern part of the narrow site and that the remainder of the site would comprise of amenity areas for the proposed flats. The Council have not provided any specific space standards for flats. Nevertheless, Policy SP3 of the LDP seeks to protect, amongst other things, the amenity of future occupiers. This policy is in general accordance with PPW's objective to achieve good design which it states is fundamental to creating sustainable places where people want to live, work and socialise. The Council has referenced Supplementary Planning Guidance 02 Householder Development (SPG), however, as the advice in this SPG relates to extensions and alterations to dwellings, I do not consider it particularly relevant to this proposal.

41. In the 2023 appeal decision, the Inspector considered that access to outdoor space would need to be of a sufficient size and quality to cater for the day-to-day needs of the future occupants of the dwellings. Such day-to-day needs include activities such as sitting out and relaxing, socialising and hanging washing out. The Inspector concluded that they were not satisfied that there would be sufficient space of a reasonable quality for each dwelling to meet the day-to-day needs of the future occupiers. As no on-site car parking or access road are proposed in this appeal scheme, the area shown as amenity spaces would be larger than what was proposed relating to the Block on the northern part of the site in the 2023 appeal decision. The indicative site layout shows that the amenity areas for each flat would range from 35 m² to 94 m², with additional communal areas including bike and bin stores.
42. Nevertheless, owing to the sloping topography of the land, the dense surrounding woodland and the extent of the proposed replacement tree planting on the boundaries of the site and within the proposed amenity areas, such spaces would be severely overshadowed and dominated by the tall trees. This would result in dark and oppressive outdoor amenity areas that would not meet the day-to-day needs of future occupiers of the flats.
43. Consequently, although the size of the amenity areas may be appropriate to the size of the proposed development, and larger than those proposed in the previous scheme, from my observations on site, and on the basis of the evidence before me, I am not satisfied that the appeal proposal would provide adequate quality outdoor amenity space for its future occupiers. The proposed development would not provide suitable living conditions for future occupiers, contrary to the objectives of Policy SP3 of the LDP and PPW.

Other Matters

44. I acknowledge the contribution the proposed development would make to the housing supply in Bridgend, particularly in relation to the provision of affordable housing. Nevertheless, this, nor any of the other cited benefits of the proposed development, including any social and economic benefits, do not outweigh the considerable harms I have identified.
45. I note the representations raising concerns relating to the stability of the appeal site as a consequence of the proposed development. However, I have no cogent evidence that it would be unacceptable for this reason. Any impact on property values is not a planning matter.

Conclusion

46. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed and planning permission be refused.
47. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

H Smith

INSPECTOR



Costs Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 10/07/2025

Costs application in relation to Appeal Ref: CAS-03855-D9G8D3

Site address: Parcel B, Land North of Underhill Cottages, Tondu Road, Bridgend

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
 - The application is made by P Evans for a full award of costs against Bridgend County Borough Council.
 - The appeal was against the failure of the Council to issue a notice of their decision within the prescribed period on an application for planning permission for highway improvement works and outline planning permission for one block of 2 bedroom apartments (with approval for access).
 - A site visit was made on 30 May 2025.
-

Decision

1. The application for an award of costs is refused.

Procedural Matters and Background

2. The planning application was registered as valid by the Council on 23 January 2024 following the receipt of a bat survey. On the same day, the Council made a decision to decline to determine the planning application, in addition to a similar application on the adjacent site (Parcel A), under Section 70A of the Town and Country Planning Act 1990 (as amended). This decision was challenged and ultimately quashed by the High Court on 18 October 2024 (the High Court Decision).
3. An appeal against the non-determination of the planning application was submitted on 8 November 2024. The Council refused the application on 12 December 2024. However, as the valid date of the planning application ran from the initial valid date (23 January 2024), the Council's decision was outside the dual jurisdiction period.

Reasons

4. The Section 12 Annex 'Award of Costs' of the Development Management Manual ('the Annex') advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
5. The applicant states that the Council has acted unreasonably due to significant and substantial delays and that they refused to engage with him and refused to determine the application following the High Court Decision.

6. It is clear to me that the delay in the determination of the planning application was as a consequence of the proceedings relating to the challenge to the Council's decision to decline to determine the application. Once that decision was quashed, the Council had to undertake the required consultations to enable them to proceed to a determination.
7. The appeal against non-determination was submitted 3 weeks after the High Court Decision. As the valid date of the planning application was effectively back dated to the date of the decision to decline to determine the application, it would have been impossible for the Council to determine the application within the statutory time limit following the High Court Decision. Whilst Councils are expected to determine applications in a timely manner, there are often extenuating circumstances which prevents this, such as is the case here.
8. Although the Council's decision to refuse the planning application was outside of the dual jurisdiction period, it showed that the Council had intended to determine the application, as instructed by the High Court Decision. Therefore, there is no evidence that the Council refused to determine the application.
9. There is also no evidence that the Council refused to cooperate with the appellant. Indeed, the appellant concedes that he declined an offer of a meeting following the decision to decline to determine the application. I also have no evidence that any formal pre-application requests were submitted. The Council's case is clearly substantiated in their appeal submissions. Consequently, I do not consider that the Council have acted unreasonably following the High Court Decision. In any event, while costs may be claimed for the period before an appeal is made, those costs must be directly related to the appeal proceedings.

Conclusion

10. For the above reasons, I find that unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Annex, has not been demonstrated. The application for an award of costs is refused.

H Smith

INSPECTOR

Meeting of:	DEVELOPMENT CONTROL COMMITTEE
Date of Meeting:	21 AUGUST 2025
Report Title:	RETAIL AND COMMERCIAL DEVELOPMENT SUPPLEMENTARY PLANNING GUIDANCE
Report Owner / Corporate Director:	CORPORATE DIRECTOR – COMMUNITIES
Responsible Officer:	LOUIS PANNELL PRINCIPAL STRATEGIC PLANNING POLICY OFFICER
Policy Framework and Procedure Rules:	There is no impact on the policy framework or procedure rules.
Executive Summary:	The purpose of this report is to provide the Development Control Committee with an overview of the public consultation responses on the draft Retail and Commercial Development Supplementary Planning Guidance (SPG) document. It also summarises the resultant changes made to the draft SPG and informs Committee of the intention to present the amended draft final form SPG document to Council to seek its adoption following Cabinet approval on 22 nd July 2025. Adoption of the SPG will enable effective implementation of the Retail and Commercial Development Policies within the adopted Replacement Local Development Plan (RLDP), the Council's statutory land-use Planning document.

1. Purpose of Report

- 1.1 The purpose of this report is to inform Members of the Development Control Committee of the outcome of the public consultation exercise on the draft Retail and Commercial Development Supplementary Planning Guidance (**SPG**) document.
- 1.2 The report also informs the Development Control Committee of the intention to present the amended draft final form Retail and Commercial Development SPG (**Appendix 1**) to Council to seek its adoption in order to support the Retail and Commercial Development Policies within the adopted Replacement Local Development Plan (**RLDP, March 2024**).

2. Background

- 2.1 The adopted RLDP has a key role in ensuring that Town, District and Local Centres (**Centres**), are promoted as hubs of socio-economic activity, and are the focal points for a diverse range of services which support the needs of the communities they serve. Town Centres offer a wide range of shops and facilities serving a large catchment area, whereas District and Local Centres usually contain a small food store

and a range of services that serve a smaller, more limited catchment area. They act as the most appropriate and sustainable locations for new retail, leisure and supporting commercial development. This accords with the '*Town Centre First*' policy contained within '*Future Wales: The National Plan 2040*' (**Future Wales**), Planning Policy Wales and Technical Advice Note 4: Retail and Commercial Development (**TAN4**), to help build resilient communities, and respond to the long-term impacts of Covid-19, which have not only re-focused the lives of people and communities but acted as a further driver towards making such Centres multi-functional places.

- 2.2 The framework for the management of retail and commercial development in the County Borough is provided by Policy SP12, and its supporting Policies ENT6, ENT7, ENT8 and ENT9. The *Retail Study 2018* formed a key part of the adopted RLDP's evidence base and helped form the basis of these policies. The *Retail Study 2018* sets out a number of recommendations, including '*retail need*' (the demand for additional retail floorspace), the distribution of retail need and the definition of "*Primary Shopping Areas*" and "*Secondary Shopping Areas*", to inform the policies contained within the adopted RLDP. The *Retail Study Update 2022*, further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for '*comparison*' retail (retail that sells goods that consumers compare before purchasing or goods that are usually higher value and purchased infrequently e.g. furniture, clothing, electronics), and '*convenience*' retail floorspace (retail that stocks a wide range of everyday items e.g. groceries), to 2033.
- 2.3 In recognising that Centres are moving away from their traditional retail roles, Policy SP12, and its supporting policies, seek to ensure that such Centres become the focus of a wider variety of services and facilities. The '*Town Centre First*' approach is key to enabling such Centres to increasingly become multi-functional places and community focal points, thereby rendering them more viable as "go-to" destinations.
- 2.4 The purpose of this SPG is to expand on the above policies and provide clarity in respect of their future interpretation and application, and setting out what the Council expects from applicants in respect of satisfying the detailed criteria of those policies.
- 2.5 Members of the Development Control Committee were informed of the need to produce a SPG for Retail and Commercial Development on 8th August 2024. Councillor Easterbrook, volunteered to champion production of the SPG for Retail and Commercial Development and has since been working alongside the Principal Strategic Planning Policy Officer to progress the SPG.
- 2.6 The draft SPG provides updated, specific guidance on:
 - *Policy ENT7: Development in the Commercial Centres of Bridgend, Porthcawl and Maesteg* – This Policy defines Primary Shopping Areas and Secondary Shopping Areas within these three commercial Centres. This Policy seeks to protect these areas to ensure their existing function is not diluted so they can continue to operate as viable shopping centres. The SPG will provide further clarity on what is deemed acceptable within these named Centres.
 - *Policy ENT8: Non-A1, A2 and A3 Outside of Primary Shopping Areas* – The RLDP allows more flexibility to introduce shops, financial/professional services and food

and drink uses outside of Primary Shopping Areas. This Policy explains what other uses may be acceptable in commercial Centres. The SPG will clarify what uses may be acceptable within commercial Centres outside of Bridgend, Porthcawl or Maesteg.

- *Policy ENT9: Retail Development Outside of Retailing and Commercial Centres* – This Policy explains the type of retail and commercial development that is acceptable outside of retailing and commercial Centres. The SPG will provide guidance on the loss of retail and commercial floorspace outside of commercial Centres in addition to explaining what types of development would be appropriate on existing retail parks.

3. Current situation / proposal

3.1 On 11th March 2025, a draft version of the SPG was presented to Cabinet. Cabinet resolved to approve that draft SPG as the basis for a public consultation period of 6 weeks. Cabinet also authorised officers to make appropriate arrangements for that public consultation before reporting the outcome back to Cabinet for approval to send a report to Council to seek adoption of the final SPG.

3.2 A 6-week public consultation period was held from 19th March 2025 to 30th April 2025. The consultation was advertised in the following ways:

- Information on the consultation, including all the documentation, representation forms and how to make representations was placed on the Council's online Consultation Portal.
- Consultation details were sent directly to approximately 140 targeted consultees including all Elected Members, Town and Community Councils, planning consultants, house builders and Registered Social Landlords (**RSLs**).
- A social media campaign was launched to promote the consultation across various social media platforms, aiming to generate awareness throughout the public consultation period. Periodic posts were made on the Council's X (formerly Twitter), LinkedIn and Facebook accounts.

3.3 At the close of the public consultation period, two representations were received on the draft SPG: one from an Elected Member and one from a planning consultant on behalf of McArthurGlen. These representations, together with the Local Planning Authority's (**LPA's**) responses to the comments raised, are provided in **Appendix 2** to this report. Copies of the full representations are held by the Local Planning Authority and can be viewed upon request. Given the extensive publication of the public consultation and the direct targeting of consultees, the response rate is positive in that there were no wholesale objections to the contents of the draft SPG.

3.4 The representors principally commented on the wording of certain paragraphs. Therefore, only minor amendments to the SPG are considered necessary in light of the comments received. These proposed amendments are now incorporated within the final form draft of the SPG, which is attached at **Appendix 1**. The paragraphs proposed for amendment following the consultation are detailed in full at the end of **Appendix 2** for ease of reference and include:

- Minor amendment to clearly set out the acceptable uses permitted on edge-of-centre and out-of-centre retail allocations;
- Removal of a specified floorspace limit for small scale ancillary/incidental uses on edge-of-centre and out-of-centre retail allocations to avoid being overly prescriptive. Furthermore, the role of the SPG is to augment and interpret what is already contained in adopted RLDP policies rather than introduce new policies. Any application for ancillary/incidental uses will be judged on a case-by-case basis to determine their appropriateness; and,
- Minor amendment to the Sequential Test – Assessment Checklist detailed in Appendix B, to require the test to be based on a sound methodology. This will add further detail ensuring that applicants set out a clear methodology with regard to their assessment of the suitability of alternative sites. A sequential test is used to assess the suitability of sites for retail and commercial uses, prioritising development in defined retail and commercial centres first, followed by edge-of-centre and out-of-centre locations if no suitable alternative sites are available.

3.5 On 22nd July 2025, Cabinet resolved to approve the presentation of the draft final form Retail and Commercial Development SPG (**Appendix 1**) to Council to seek its adoption. When formally adopted, the SPG will add weight to the interpretation and application of RLDP Retail and Commercial Development policies, will provide more detailed advice and guidance to applicants preparing planning applications and will become a material consideration in the determination of planning applications.

4. Equality implications (including Socio-economic Duty and Welsh Language)

4.1 An initial Equality Impact Assessment (**EIA**) screening has identified that there would be no negative impact on those with one or more of the protected characteristics, on socio-economic disadvantage or the use of the Welsh Language. It is therefore not necessary to carry out a full EIA on this policy or proposal.

5. Well-being of Future Generations (Wales) Act 2015 - implications and connection to Corporate Well-being Objectives

5.1 The Retail and Commercial Development SPG will provide additional guidance and material weight to support adopted RLDP Policies and seeks to provide clarity in respect of their future interpretation and application, setting out what the Council expects from applicants in respect of satisfying those policies' detailed criteria. This

is a key contributory factor to delivering Local Wellbeing Objective one '*A prosperous place with thriving communities*'.

5.2 The SPG will also contribute to the following goals within the Well-being of Future Generations (Wales) Act 2015:

- A prosperous Wales – Ensuring retail and commercial Centres are protected, promoted and support a prosperous Wales by ensuring such Centres act as hubs of socio-economic activity and are the focal points for a diverse range of services which support the needs of the communities they serve.
- A resilient Wales – Ensuring retail and commercial Centres are protected, promoted and support a resilient Wales by ensuring such Centres become increasingly multifunctional, which will help to respond to the long-term impacts of Covid-19 and online shopping.

6. Climate Change and Nature Implications

6.1 There are no direct climate change and nature implications from this report, although the SPG will provide additional guidance to ensure that new retail and commercial development is directed to existing retail and commercial Centres that are well connected by established active travel routes and public transport links. This will help to encourage a sustainable modal shift, reducing carbon emissions that are released from car-borne travel.

7. Safeguarding and Corporate Parent Implications

7.1 There are no safeguarding and corporate parent implications arising from this report.

8. Financial Implications

8.1 There are no financial implications arising from this report.

9. Recommendations

9.1 It is recommended that Development Control Committee:

- a) Note the contents of the report, the final form draft Retail and Commercial Development SPG (**Appendix 1**) and the summary of consultation responses received on the draft Retail and Commercial Development SPG, together with resultant amendments attached as **Appendix 2**.

Background documents

None

**Bridgend County Borough
Local Development Plan
2018-2033**

**Draft Retail and Commercial Development
Supplementary Planning Guidance
July 2025**

Cyngor Bwrdeistref Sirol



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Wyndham Street, Bridgend

Bridgend Local Development Plan 2018-2033

Retail and Commercial Development Supplementary Planning Guidance

1.0 Introduction

- 1.1 The purpose of this Supplementary Planning Guidance (SPG) is to support and provide further direction on the implementation of the retail and commercial development policies contained within the adopted (March 2024) Bridgend Replacement Local Development Plan (RLDP). It outlines further guidance on retail and commercial development to protect the vitality, attractiveness, and viability of the designated retail centres in accordance with the approach outlined in National Planning Policy. This guidance aims to assist applicants and decision makers when considering specific changes of use in retail centres and other town centre developments, in accordance with the policies contained within the RLDP, National Plan 2040 (Future Wales) and in light of other material considerations to ensure the County Borough's retail centres are sustainable in the long term.
- 1.2 This SPG will be a material consideration in the determination of all planning applications for retail and commercial development including applications for renewal of consents.
- 1.3 Anyone wishing to submit an application for retail and commercial development within Bridgend County Borough is urged to consider this SPG and to contact the Local Planning Authority (LPA), in advance of submitting a planning application, to discuss the issues that are raised in this document on a site-specific basis.
- 1.4 The SPG provides specific guidance on:
- Development in commercial centres of Bridgend, Porthcawl and Maesteg (including Primary Shopping Areas, Secondary Shopping Areas and outside of shopping areas but within commercial centres);
 - Non A1, A2 and A3 uses in commercial centres outside of Bridgend, Porthcawl and Maesteg; and
 - Retail development outside of retail and commercial centres.

2.0 Policy and Legislative Context

- 2.1 The National Planning Policy context for the provision of retail and commercial development through the planning system is set out in Future Wales: The National Plan 2040, Planning Policy Wales (PPW) and Technical Advice Note 4 November 2016 (TAN4) Retail and Commercial Development.
- 2.2 **Future Wales: The National Plan** is the National Policy framework setting out the direction for development in Wales to 2040. ‘Town Centre First’ is a key policy within Future Wales (Policy 6), and it is recognised that the planning system has a long-established role in this respect. Future Wales recognises the need to re-think the future of town and city centres, which are moving away from their traditional retail roles towards more multi-functional places. Town centres remain important focal points of communities and are increasingly becoming places to live, centres of community and cultural activity, a focus for public services such as health and education, and the location of new co-working spaces.
- 2.3 **PPW (Edition 12)** sets out the National priorities and considerations with regards to new commercial and retail development and for managing change within existing commercial and retail centres. PPW requires local planning authorities to establish through their development plan a clear strategy for retail development, supported by policies, to achieve vibrant, attractive and viable retail and commercial centres. The Welsh Government operates a ‘Town Centre First’ approach in relation to the location of new retail and commercial centre development (Policy 6, Future Wales, as referred above).
- 2.4 **TAN 4: Retail and Commercial Development** sets out National Policy and guidance in relation to the changes of use in Primary and Secondary retail and commercial Areas. TAN4 identifies a number of overarching objectives for retail and commercial centres where the planning system must promote viable urban and rural retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business; sustain and enhance retail

and commercial centres' vibrancy, viability and attractiveness; and improve access to, and within, retail and commercial centres by all modes of transport, prioritising walking, cycling and public transport.

- 2.5 **TAN 23: Economic Development (February 2014)** defines economic development broadly so that it can include any form of development that generates wealth, jobs and income, recognising that retail is an economic land use.
- 2.6 **Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and The Covid-19 Recovery (Welsh Government, July 2020)** recognises that town centres should become places where a variety of retail, employment, commercial, community, leisure, health and public sector uses come together in a hub of activity to make them viable as go-to destinations. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and that noise impacts are considered.
- 2.7 **Town and Country Planning (Use Classes) Order 1987 (as Amended) (Use Classes Order 1987)** identifies uses of land and buildings and places them within various categories known as 'Use Classes'. The Use Classes Order 1987 does not contain a definitive list of all the different types of uses of land and buildings but provides broad categories to allow developers and decision makers to understand which Use Class should apply.
- 2.8 Table 1 sets out the types of uses which would fall under the retail Use Classes contained under Part A Schedule 1 of the Use Classes Order 1987:

Table 1: Retail Use Classes

Use Class	Examples
A1 Shops	Shops, retail warehouses, post office (not sorting offices), hairdressing, undertakers, dry cleaners, pet shops, sandwich bars, showrooms and domestic hire shops.
A2 Financial and professional services	Financial services such as banks and building societies, professional services (other than health and medical services) including estate and employment agencies.
A3 Food and drink	For the sale of food and drink for consumption on the premises – restaurants, snack bars and cafes, drinking establishments and take-aways.

2.9 **Town and Country Planning (General Permitted Development) Order 1995 (as Amended) (GPD Order 1995)** identifies that certain types of minor development changes can be made to land and buildings without requiring planning consent. These are known as permitted development rights and are contained within the GPD Order 1995. In relation to proposals involving similar types of Use Classes a change of use to the building or land may not require planning consent. For example, a hairdressers could be changed to a shoe shop without the need for permission as these uses fall within the same 'Class', a restaurant could be changed to a shop or an estate agency as the Use Classes Order allows this type of change to occur without requiring planning permission.

2.10 However, most external building work associated with a change of use is likely to require planning permission, for example new advertising for the new use.

Regarding change of uses which fall under the Use Class A retail uses, Table 2 outlines where a change of use would be considered a permitted development.

Table 2: Permitted Development, Retail Uses

Existing Use	Permitted Change of Use
A2 (professional and financial services) when premises have a display window at ground level	A1 (shop)
A3 (food and drink)	A1 or A2
Sui Generis – Car showrooms and Betting Offices only	A1 Shop
A1 or A2	A1 plus a single flat above
A2	A2 plus a single flat above

2.11 Please note in some areas of the County Borough permitted development rights are more restricted. If the land or building is located in a Conservation Area (including Bridgend Town Centre, Porthcawl Town Centre and Maesteg Town Centre), planning permission will be required for certain types of development works which may not apply in other areas. There are also additional restrictions if a building has been designated as a Listed Building. Furthermore, the existing use may have been permitted but subject to the removal of permitted development rights so that planning consent would be required for the changes of use shown in Table 2. In some instances, a use may have been restricted to a specific user or subject to other limitations, consequently it is important that the planning history of a building or land is fully understood before undertaking any type of permitted development. The LPA offers a pre-application service (details available on the Council's website), which offers advice before a planning application is submitted. This will help to identify issues that may be of relevance to a particular site.



Street Art, Cheapside, Bridgend

Bridgend Local Development Plan 2018-2033

Retail and Commercial Development Supplementary Planning Guidance

6

3.0 Background

3.1 The RLDP sets out the Council's land use planning policies up to 2033. The Retail Study 2018 (Stantec) formed a key part of the adopted RLDP's evidence base setting out recommendations on retail need (the demand for additional retail floorspace), the distribution of retail need and the definition of "Primary and Secondary Shopping Areas" to inform the policies contained within the adopted RLDP. The Retail Study Update 2022 (Stantec) further analysed trends affecting the retail sector across the County Borough, considered how trends may change over time and then assessed future needs for comparison and convenience retail floorspace to 2033, based on existing market shares. In the consideration of planning applications for retail and commercial development, the following policies are particularly relevant:

- SP12: Retailing, Commercial and Service Centres
- ENT6: Retail and Commercial Development
- ENT7: Development in Commercial Centres
- ENT8: Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas
- ENT9: Retail Development Outside of Retailing and Commercial Centres

3.2 The policies listed above can be viewed within the RLDP Written Statement.

3.3 Policy SP12 promotes specified town, district, and local centres (Centres) as hubs of socio-economic activity and as the focal points for a diverse range of services which support the needs of the communities they serve. These Centres are denoted on the RLDP Proposals Map. Policy ENT7 also defines Primary Shopping Areas (a central part of a retail and commercial Centre where A1 retail uses are concentrated) and Secondary Shopping Areas (located adjacent to or near a Primary Shopping Area that consists of a wider range of uses) located in Bridgend, Porthcawl and Maesteg, which adds an additional layer of protection in defining a retail 'mass' where policy controls apply in respect of retail activity.

- 3.4 The distribution of shopping facilities in Bridgend fits within the wider regional hierarchy. Cardiff and Swansea are the highest order Centres within the regional hierarchy. As the sub-regional town centre, Bridgend contains the largest number and widest range of shops, services and leisure and is the principal shopping centre for much of the County Borough and some communities outside.
- 3.5 The other significant town centres of Maesteg and Porthcawl offer a wide range of shops and facilities, including a medium sized convenience offer to meet the needs of their immediate catchment areas.
- 3.6 District and local Centres within the County Borough usually contain a small foodstore and a range of services which serve a smaller, more limited catchment area. These Centres primarily provide only essential goods available for 'top up' shops.
- 3.7 The County Borough's retail hierarchy comprising of sub regional, town, district and local Centres is set out in Table 3. This excludes existing '*edge of centre*' and '*out of centre*' retail sites.

Table 3: Retail Hierarchy

Sub Regional Centre	Bridgend Town Centre
Town Centres	Maesteg and Porthcawl
District Centres	Aberkenfig (Valleys Gateway); Kenfig Hill, Ogmore Vale, Pencoed, Pontycymmer and Pyle
Local Centres	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydydyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)



4.0 Planning Requirements

4.1 Policy ENT7 – Development in Commercial Centres of Bridgend, Porthcawl and Maesteg

- 4.2 Policy ENT7 defines the Primary and Secondary Shopping Areas of Bridgend, Porthcawl and Maesteg. Policy ENT7 aims to ensure that commercial centres do not lose their ‘critical mass’ of retail units to the extent that they can no longer function as viable shopping centres. This section will clarify how Policy ENT7 applies to Primary Shopping Areas and Secondary Shopping Areas in turn, before providing further clarity on the status of the remaining broader commercial centres.

Primary Shopping Areas

- 4.3 Primary Shopping Areas are frontages within the town centre which are focussed on providing an opportunity for shopping and therefore the dominant use should be A1 retail. In relation to Primary Shopping Areas, strict criteria need to be met before a change of use to a non-A1 use will be considered as acceptable.

- 4.4 The following paragraphs will address each policy criterion in turn.

4.5 Policy ENT7: Criterion 1

‘The development would not, by virtue of its nature, design and scale, materially dilute the continuity of the primary shopping frontage.’

- 4.6 Proposals which are considered to ‘tip the balance’ in terms of diluting the ‘critical mass’ of A1 retail frontage will not be supported.

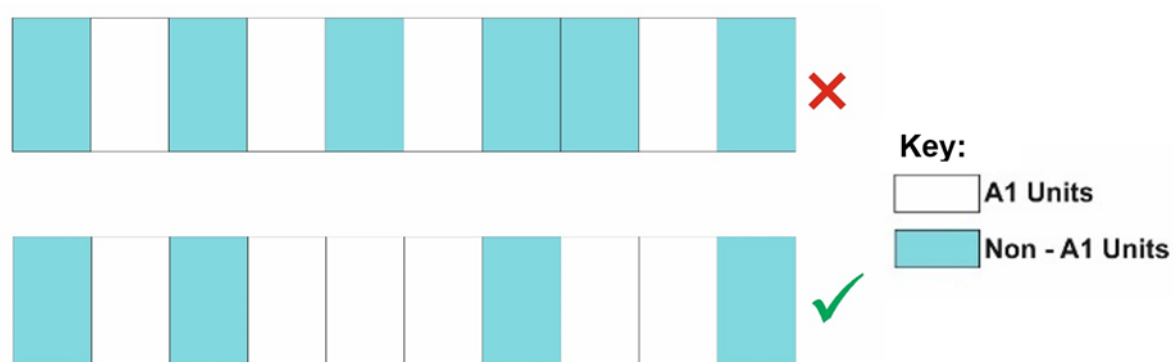
- 4.7 In determining the impact of a proposed change of use, consideration should be given to the following:

- i) **The proportion of non-A1 uses that already exist in the Primary Shopping Area in the street scene and in the frontage within which it is located.**

Consideration will be given to where the introduction of another non-A1 use would *'tip-the-balance'* in terms of diluting the *'critical mass'* of A1 uses. Figure 1.1 provides an illustrative example of this dilution effect. This scenario reduces the number of A1 uses, with the non-A1 uses becoming dominant and therefore unacceptable in planning terms. This phenomenon dilutes the primary retail character of the area, reducing its appeal as a shopping destination.

Consideration of this dilution effect will need to be reviewed on a case-by-case basis.

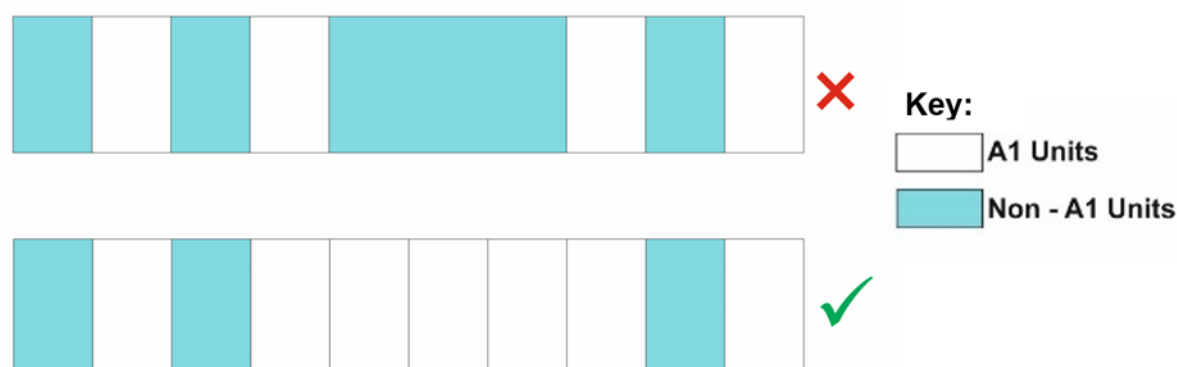
Figure 1.1: Primary Shopping Area Dilution



- ii) **The scale and design of a shop front to which the change of use relates.**

Whilst the proposal may not numerically 'tip the balance' in favour of non-A1 uses, loss of a large shop front with a prominent design or presence in the frontage can have a significant impact in terms of dilution as illustrated in Figure 1.2.

Figure 1.2: Primary Shopping Area Dilution



4.8 Policy ENT7: Criterion 2

'The development would not exacerbate an existing, nor create a new, undue concentration of non-A1 uses.'

4.9 Criterion 2 is concerned with clusters of non-A1 uses in the Primary Shopping Area. Whilst a change of use might be acceptable in the context of Criterion 1 in terms of the number of units in the frontage as a whole, a number of non-A1 units in close proximity can have a similarly detrimental impact on the frontage.

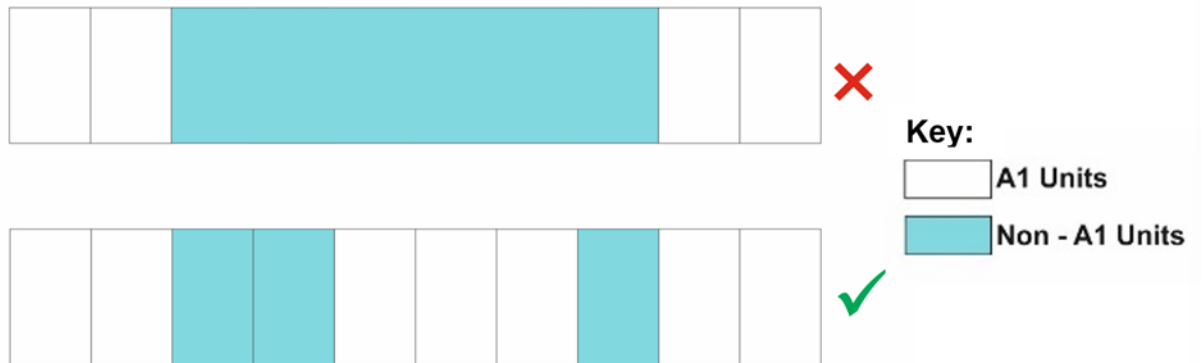
4.10 When considering applications for a change of use in the context of Criterion 2, applicants should consider the units that surround the proposal and whether the introduction of an additional non-A1 use would create a noticeable 'gap' in the A1 retail frontage. Figure 1.3 provides an illustrative example.

Figure 1.3: Undue Concentration



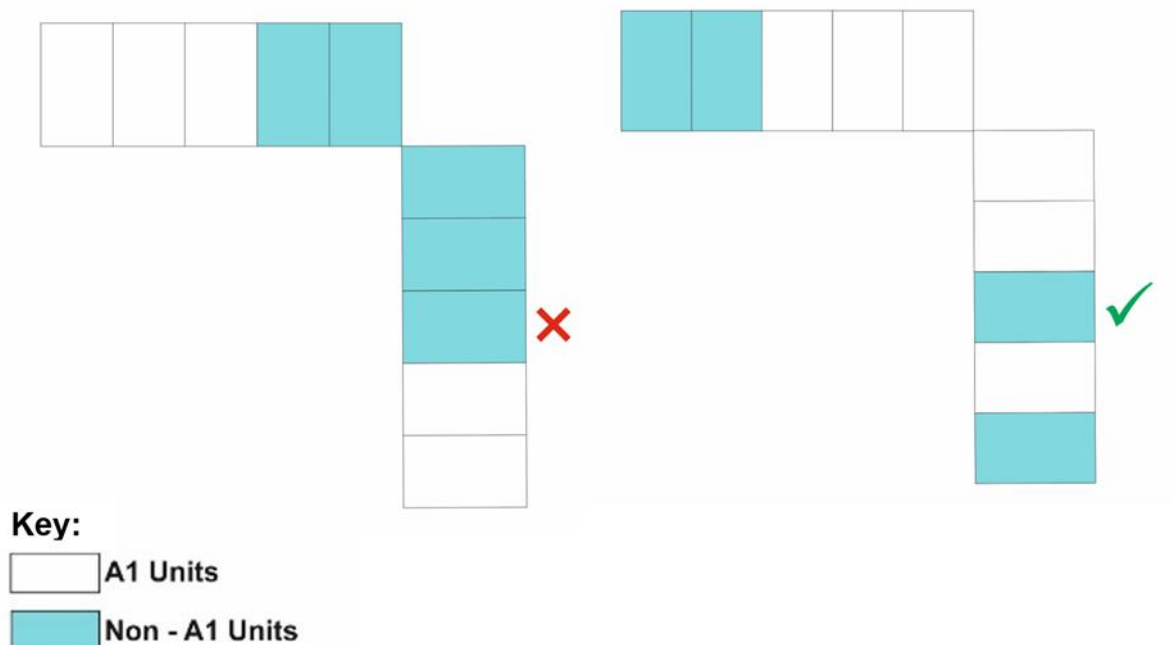
4.11 The impact may be exaggerated by the scale of the shop front. Loss of a large and/or prominent A1 frontage is likely to have an impact far greater than a regular sized frontage as illustrated by Figure 1.4.

Figure 1.4: Undue Concentration



4.12 Additionally, the location of the proposal may be of significance. For example, a proposal which is located in a gateway location and/or on a corner will have a far more noticeable impact as illustrative by Figure 1.5.

Figure 1.5: Undue Concentration



4.13 Policy ENT7: Criterion 3

'The development would not create a dead frontage but would rather stimulate passing trade and maintain public interest.'

4.14 This Criterion 3 relates to individual units. All units in the Primary Shopping Area should seek to create attractive and vibrant shopping frontages of interest to passers-by. A dead window frontage is not only concerned with the design of the frontage (i.e. blank facades or blanked out windows), but it also refers to the operations within the unit. For example, a B1 office use could have a similar dead frontage impact as a blank façade because the operation within the unit may not be of interest to the shopping public and may also be unlikely to operate on the basis of passing trade. A dead window frontage can also be created by A3 hot food takeaway establishments where the operating hours are associated with the nighttime economy and are closed during the daytime operating hours of the town centre.

4.15 However, certain non-A1 uses can maintain the interest of passers-by provided that they are acceptable in the context of the other Policy ENT7 Criteria. For example, A3 cafes and coffee shops which have window displays, outside seating and opening hours consistent with A1 retail operations can introduce an element of vibrancy to the town centre.

4.16 Therefore, consideration should be given to the nature of the use in terms of its operational requirements, opening hours and window displays, which could make the proposal acceptable in accordance with Criterion 3.

4.17 Policy ENT7: Criterion 4

'Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.'

4.18 Diversity of retail and commercial Centres is the key to their success, and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a

Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.19 Factors that will be considered in the determination of planning applications, to ensure that any loss of A1 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Primary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

4.20 Policy ENT7: Criterion 5

‘The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.’

4.21 With regards to traffic generation, congestion and highway safety, town centres are highly accessible locations with ample car parking, therefore small-scale proposals for change of use within the Primary Shopping Area are not likely to have an adverse impact.

4.22 However, for some larger proposals that are likely to generate significantly higher levels or densities of traffic, a traffic statement may be required to support a planning application. Applicants are advised to contact the LPA prior to the submission of a planning application to ascertain what additional information, if any, is required.

4.23 A traffic statement should include information on:

- Likely patron/visitor attraction;
- Staffing levels;
- Parking requirements;
- Potential area of attraction;

- Means of accessing the site by sustainable means i.e. public transport; active travel; and
- A travel plan may also be of benefit, assuming the proposal is large enough to warrant this.

4.24 Any highway infrastructure improvements to cater for an increase in traffic, such as a widened or new footway or a junction or carriageway improvement, should be included as part of the planning application.

4.25 With regards to noise, smell, crime, anti-social behaviour and other amenity considerations, applicants should consider the nature of the proposal, its impact on its surroundings and the impact of the surroundings on the proposal.

4.26 For example, if the proposal was for A3 hot food takeaway use, potential issues relating to noise and smell (generated by the extractor fans or otherwise), in addition to noise and litter generated by customers, will need to be given due consideration.

4.27 Applicants should consider the following:

- Is the land or building located amongst other similar uses?
- Are there residential units in close proximity?
- What opening times will the use be operating within?
- How will the site accommodate delivery to the unit?
- Will the operation offer a delivery service?

4.28 In addition to the above requirements [and considerations], **all developments that involve the loss of an existing A1 use on the ground floor must be actively marketed** prior to submission of a planning application. A marketing strategy (See Appendix 1 for Marketing Strategy Checklist) should be submitted to and agreed by the LPA in advance of any marketing being undertaken. Providing the LPA has approved the marketing strategy in advance and is satisfied that the strategy has been executed appropriately, one year of

marketing will be considered acceptable. Otherwise, the LPA will need to be satisfied that marketing has been undertaken on reasonable terms for at least two years prior to the submission of a planning application. Residential development on the ground floor will not be permitted within Primary Shopping Areas.

Secondary Shopping Areas

4.29 In relation to **Secondary Shopping Areas**, greater flexibility exists to promote a wider range of retail uses to address long-term vacancy rates. Development proposals must be for A1, A2 and A3 unless they satisfy the Criteria under Policy ENT7. Residential development on the ground floor will not be permitted within Secondary Shopping Areas.

4.30 The following paragraphs will address each Criterion in turn.

4.31 Policy ENT7: Criterion a)

‘Individually or cumulatively the proposal would not adversely affect the vitality, viability and character of the centre.’

4.32 Diversity of retail and commercial Centres is the key to their success and careful attention should be paid to proposals within Centres, which will enhance their vitality and viability. Some proposals can have an adverse effect on a Centre, damaging both the vitality and viability of the retail and entertainment uses within it.

4.33 Factors that will be considered in the determination of planning applications to ensure that any loss of A1, A2 and A3 floorspace would not undermine the vitality, viability and character of a Centre, include:

- Whether the existing use is surplus to requirements;
- The nature of the proposed use and the contribution to vitality it might bring;
- The number of vacant premises in the Secondary Shopping Area or Centre;
- The length of continuous frontage in non-retail use that would be created.

4.34 Policy ENT7: Criterion b)

'The development would not give rise to new, nor materially exacerbate existing, local problems due to traffic generation, congestion, highway safety, noise, smell, crime, anti-social behaviour or other amenity considerations.'

4.35 This Criterion b) will be assessed in accordance with the guidance detailed under Policy ENT7 Criterion 5 (paragraph 4.20 above).

4.36 Policy ENT7: Development outside of Primary and Secondary Shopping Areas but within the commercial Centres of Bridgend, Porthcawl and Maesteg

4.37 Greater flexibility exists within the commercial Centres of Bridgend, Porthcawl and Maesteg that are located outside of Primary and Secondary Shopping Areas. New development that provides retail, office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres as outlined by Policy SP12 (RLDP). Residential development will be encouraged and permitted on the first and upper floors of properties.





Well Street, Porthcawl

4.38 Policy ENT8: Non A1, A2 and A3 Uses Outside of Primary Shopping Areas

4.39 Paragraphs 5.4.65 – 5.4.67 of the RLDP provide the rationale behind Policy ENT8, however, it is considered that additional guidance on meeting the policy criteria under this Policy ENT8 would be beneficial to applicants wishing to introduce a non-A1, A2 or A3 use within commercial Centres that do not relate to Bridgend, Porthcawl or Maesteg (See table below).

Table 4: Commercial Centres Outside of Bridgend, Porthcawl and Maesteg

District Centres	Aberkenfig (Valleys Gateway), Kenfig Hill, Ogmore Vale, Pencoed, Pontycymmer and Pyle.
Local Centres	Bettws North, Bettws South, Blackmill, Blaengarw, Brackla, Broadlands, Bryntirion, Caerau, Laleston, Nantymoel, North Cornelly, Nottage, Pontrhydycyff, Sarn, Verlands Court (Pencoed), Wildmill and Five Bells Road (Bridgend)

4.40 The following paragraphs will address each Policy ENT8 Criterion in turn.

4.41 Policy ENT8: Criterion 1

‘If for residential purposes: a) The premises/floorspace has been vacant for at least two years and has been actively marketed over that time’

4.42 In terms of demonstrating that the premises has been vacant for at least two years, it should be noted that the LPA conducts an annual survey of all retail premises within established town, district and local service Centres.

4.43 As such, the LPA maintains an annual “*snapshot*” of the use and occupancy of each retail unit, which will be used to assist in identifying how long a retail unit may have been vacant for. In addition to the length of any vacancy period, the LPA must be satisfied that the property is no longer required for its retail function. Applicants must therefore provide evidence of the length of time the property has been vacant and demonstrate that the property has been actively marketed on reasonable terms for retail occupancy/sale over that time.

- 4.44 This will include due consideration as to 'where' and 'how' the marketing has taken place, together with the advertised sale price/rent compared to comparable properties within the locality.
- 4.45 It should be noted that the LPA will require evidence to demonstrate the requirements under paragraph 4.41 above, which may include letters of instruction to agents; published letting/sales material and/or photographic evidence (See Appendix 1 for the 'Marketing Strategy Checklist').
- 4.46 In some Centres, it is acknowledged that existing retail and commercial uses may have only been operating for a short period of time. Where applicants can robustly demonstrate that this is the case and that a long-term residential use was previously established, a more pragmatic approach may be adopted for residential development proposals following an investigation into the nature and duration of the existing use.

4.47 Policy ENT8: Criterion 1

'If for residential purposes: b) The premises/floorspace does not form part of a purpose-built retail environment or a continuous frontage of three or more existing commercial units.'

Purpose-built retail environments refer to those retail sites which have been developed to meet a specific retail need. Examples include shopping Centres such as Brackla Local Service Centre or retail centres which were developed to specifically serve a housing development such as the Broadlands Local Service Centre.

4.48 Policy ENT8: Criterion 2

'If for other purposes: The proposal does not involve the loss of existing A1 floorspace.'

- 4.49 In terms of the acceptability of uses other than A1, A2 and A3 within the boundaries of existing retailing and commercial Centres; developments that

provide office, leisure, entertainment, cultural or community floorspace will be permitted within these retailing and commercial Centres, providing the proposal does not involve the loss of occupied and operational A1 floorspace.

4.50 The final requirement of Policy ENT8 Criterion 2 states:

‘Wherever possible, proposals for a change of use of existing floorspace must be designed so as not to prejudice a future conversion back to a retail or commercial use.’

4.51 It is accepted that changes of use to residential cannot practicably retain a retail frontage within its final design. However, non-retail commercial uses should wherever possible limit the external alteration to the unit to retain its external appearance. This would limit the visual impact of the change of use on the street scene and enable the unit to re-use its primary A1, A2 or A3 retail function, should the non-retail use vacate the property, without unnecessary complication and costs.

4.52 Policy ENT9: Retail Development Outside of Retailing and Commercial Centres

4.53 The first requirement of Policy ENT9 of the RLDP states:

‘Development proposals outside of Retail and Commercial Centres that result in the loss of retail and commercial floorspace will only be permitted where there is proven to be other sufficient provision locally or where the premises/floorspace has been vacant for at least 12 months and has been actively marketed over that time.’

4.54 It is recognised that local shopping facilities play an important role in serving local communities and their provision can mean a vital service is provided to local people. The loss of a single retail store to another use could lead to a deficit in provision locally. Policy ENT9 seeks to ensure that any loss of shopping facilities serving local communities outside of retail and commercial Centres will not lead to an under-provision in the area. Applicants must demonstrate that there is other sufficient provision locally. The LPA will

undertake a check of the surrounding area to determine whether there is sufficient local provision to justify the loss of retail use. If there is no other local provision, applicants proposing a loss of local retail use must demonstrate that the property has been actively marketed for at least 12 months prior to the submission of a planning application. The LPA will need to be satisfied that marketing has been undertaken on reasonable terms and, as a minimum, would require sales particulars and information from sales/letting agents to be submitted as part of an application (See Appendix 1 for Marketing Strategy Checklist). Examples of uses that are considered to offer a local convenience service, include but are not limited to the following:

- Newsagent/convenience store
- Bakery
- Café/restaurant/hot food takeaway
- Post Office
- Pharmacy

4.55 Policy ENT9 also states:

‘Retail development outside of Retail and Commercial Centres will be concentrated at the following existing locations:’

Location	Acceptable Uses	Type
Bridgend Retail Park	Bulky Comparison & Convenience	Out-Of-Centre
Waterton Retail Park	Bulky Comparison & Convenience	Out-Of-Centre
Sainsbury, Cefn Hirgoed	Convenience	Out-Of-Centre
Tesco, Brewery Lane	Convenience	Edge-Of-Centre
Tesco, Llynfi Lane, Maesteg	Convenience	Edge-Of-Centre
Bridgend Designer Outlet Village	Controlled by s106	Out-Of-Centre

4.56 Whilst Proposals for new out-of-centre retail will not be encouraged, Policy ENT9 acknowledges the presence of existing retail developments outside of Town, District and Local Centres. Retail development at these locations defined in Policy ENT9 will be restricted to the acceptable uses outlined in the table above, by means of appropriate planning conditions and/or legal agreements. Extensions within the boundaries of these locations, increases to the allocated floorspace or relaxations/changes to the types of goods sold, may require a needs test, sequential test and retail impact assessment, as detailed within National Policy (TAN4: Retail and Commercial Development / PPW), depending on the nature of the proposal and the potential impacts. This will also apply to planning applications which seek to vary conditions to change the types of goods sold from sites at these locations or the subdivision of units, both of which could potentially undermine the vitality and viability of town and district Centres if not properly controlled.



4.57 In respect of the ‘types’ of bulky comparison goods that are likely to be permitted at Bridgend and Waterton Retail parks, these are defined as:

- Carpets and flooring;
- Baby and toddler equipment;
- Cycles and accessories;
- DIY and home improvements;
- Electrical and other durable goods;
- Footwear;
- Gardening items and equipment;
- Sports camping and leisure goods (excluding clothing);
- Textiles and soft furnishings;
- Toys, games and hobbies;
- Vehicle and motorcycle sales;
- Vehicle accessories; and
- Bulky food and drink outlets.

4.58 In general terms, the LPA considers that the above list reflects accurately what could be considered as ‘*bulky*’ and is the starting point in determining whether it is a ‘*bulky*’ item or not, although this is not an exhaustive list. As a further guide in determining acceptability the following two questions are useful:

1) *Can the item fit within a bag and be easily carried around a town or district Centre?*

(The purpose of allowing out-of-centre retailing for bulky items is because the items, by their very nature do not allow easy movement between shopping units and require the use of a car within close proximity of the store to transport items with them).

2) *Are there other stores already located within any of the town and district Centres which sell similar items?*

(If there are stores selling similar items within a town, district or local Centre already, this could be used as an indication that an ‘*out-of-centre*’ location is not required).

4.59 Whilst there have been subsequent variations of conditions based on individual circumstances, the above list (paragraph 4.57), remains the basis for determining what constitutes a ‘*bulky*’ item in the above described retail parks and will be the starting point in determining planning applications on those retail parks.

4.60 Proposals for non-Bulky goods

4.61 As highlighted above, development within allocated ‘*edge of centre*’ and ‘*out of centre*’ locations will be restricted to specific goods that would not typically be sold from premises within a Centre. The tests of ‘*retail need*’, ‘Sequential’ approach and impact will apply to the consideration of **all development proposals** at ‘*edge of centre*’ and ‘*out of centre*’ locations.

4.62 Proposals for ancillary and incidental uses such as Use Class A3 (food and drink) floorspace within designated ‘*out of centre*’ locations will be restricted to small scale provision that supports the primary retail function of the wider site, or comprises a facility that due to its operational and functional requirements cannot reasonably be accommodated within a Centre. Ancillary and incidental uses will be judged on a case-by-case basis and will not be permitted if judged to give rise to a critical mass.

4.63 Class D2 (leisure) proposals will only be permitted at ‘*out of centre*’ locations if the applicant demonstrates that there is no viable prospect of the proposed scheme being accommodated within the retailing, commercial and services hierarchy outlined under Policy SP12 (RLDP), as required by the Sequential Test (used to assess the suitability of sites for retail and commercial uses, prioritising development in defined retail and commercial centres first, followed by ‘*edge of centre*’ locations, and finally ‘*out-of-centre*’ locations if no suitable alternative areas are available) (See Appendix 2 for Checklist).

4.64 Leisure uses will not be permitted at these locations if judged to give rise to a critical mass and range of facilities that pose a threat to the future vitality, viability and attractiveness of the retail, commercial and district Centres. The

policy aim is to protect the threat of '*out of centre*' allocations becoming '*all round destinations*' for customers to have such a range and opportunity for retail and leisure experiences that it negates the need to undertake any separate visit to existing retail, commercial and district Centres.

- 4.65 Certain proposals have operational requirements that cannot reasonably be accommodated within Centres. A '*drive through*' restaurant/café proposal, for example, represents a Class A3 operation that, due to its circulation requirements and size constraints, would not typically be located within a Centre and may instead be accommodated within an '*out of centre*' allocation.

Appendix A: Marketing Checklist for Applicants

Marketing Requirement	Further Information
Period of Marketing	
1. Has the site and/or premises been actively and comprehensively marketed for its current and/or last permitted use for the minimum continuous period specified in the relevant RLDP Policy?	Marketing is required under Policy ENT7: (RLDP): <i>Development in Commercial Centres of Bridgend, Porthcawl and Maesteg</i> (Supporting paragraph 5.4.62) for the change of use from A1 to non-A1. Marketing is required under Policy ENT8: (RLDP): <i>Non-A1, A2 and A3 Uses Outside of Primary Shopping Areas</i> for the change of use from non-A1, A2 or A3 to residential.
Flexibility of use	
2. Does the marketing include marketing of the site/premises on a freehold as well as leasehold basis?	The purpose of marketing the freehold of a site and/or building is to increase the likelihood of sale by enabling potential purchasers to use it for a wider range of future uses than if they rented or purchased the site/building's leasehold.
Forms of marketing	
3. Advertising board posted in a prominent location on site throughout the period of marketing. The board should include contact information and be clearly visible. Photographic evidence should be provided with the application and/or pre-application enquiry.	
4. Registration of the property with at least one commercial property agent. The site should be continuously included on the commercial agent's website over the period of the marketing campaign. The site/premises should also be advertised on commercial property search sites and online advertising portals.	The requirement for registration with at least one commercial agent is a Minimum. The LPA will expect to see evidence of a range of methods of advertising throughout the required marketing period in order to demonstrate wide market exposure and an active approach to marketing. This may include mailshots, printed and online advertising (see point below) and use of a number of commercial agents.

5. Have details of where and how often the site was advertised, with copies of all printed advertisements placed and web pages, including publication dates, been supplied?	Any advertisements on websites should appear continuously throughout the required marketing period.
Price and terms	
6. Has evidence of the asking price and/or rent at which the property has been offered been included in the marketing statement?	
7. Has the site/premises been independently valued by at least two independent agents and marketing at a reasonable and competitive guide sale price and lease amount and terms that reflects its current value taking into account the current state of the property (including in relation to use, condition, quality and location of floorspace) and local sales/rents? Evidence of the above should be provided with the application and/or pre-application enquiry.	
8. Have details of any reductions in price throughout the marketing period also been recorded and included with the valuation evidence referred to in question 7?	Note: This information should be provided to indicate the price and/or rent at which the property has been offered.
9. Does the marketing statement include the number and detail of enquiries and/or offers received for the site/premises, reasons for refusal of any offers and reasons why any offers fell through?	
10. Does the marketing statement include the reasons for prospective tenants not making an offer and/or taking up the space, and how these problems have been addressed?	
11. Have the dates and periods for each individual marketing activity been clearly shown on the marketing statement?	

Appendix B: Sequential Test - Assessment Checklist for Applicants

Sequential Assessment	Further Information
1. Description of the proposed use	
2. The size of the unit	Whether existing or proposed
3. The area covered by the sequential search	
4. Justification for the area search	If it is less than Borough-wide or limited to particular types of centres
5. The types of units searched for	
6. Justification for any limitations applied to the types of units considered	
7. A list of the alternative, available, sequentially preferable units identified	• This list should set out the address and size of the unit and if it is suitable or not. The suitability of a unit should be based on a sound methodology and will be assessed on a case-by-case basis. • If a unit is unsuitable, full justification and evidence should be provided alongside the listing. • A conclusion as to whether the Sequential Test is met, looking at both the availability and suitability of those sites to accommodate the proposal. • If the Sequential Test is not met, an explanation of any overriding material considerations that would justify the grant of planning permission.

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Appendix 2: Consultation Representations, Responses and Resultant Action

Do you have any comments on the proposed guidance for Policy ENT7: Development in Commercial Centres of Bridgend, Porthcawl and Maesteg detail in Section 4	
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	The draft SPG sets out specific measures concerning the interpretation of Policy ENT7 in order to promote the vitality and viability of Bridgend town centre. These should be applied flexibly to enable the centre to respond to those changes in shopping patterns that have occurred over the last five years, both as a result of the pandemic and the shift towards online shopping. It should be noted that these changes have affected outlet centres as well, particularly given the growth in the availability of online outlet shopping channels. It is important that these flexible measures are applied without unnecessary burden in order to support a dynamic and changing retail environment, as well as to support alternative uses within centres. This is promoted at page 71 of Future Wales: The National Plan 2040 under the supporting text to Policy 6: <i>‘The principle of ‘Town Centre First’ is well established in planning policy in relation to retail developments. However, good planning can help us re-think the future of town and city centres, which are moving away from their traditional retail roles.’</i> This approach ought to apply in equal measure to other centres, including Bridgend Designer Outlet Centre, in order for it to also remain vital and viable and to continue to act as an important tourist attractor and to maintain the aforementioned synergy.

Local Planning Authority Response	Policy ENT7 specifically deals with development within the commercial centres of Bridgend, Porthcawl and Maesteg, of which does not include edge-of-centre or out-of-centre allocations such as Bridgend Designer Outlet Centre. Any proposal that relates to Bridgend Designer Outlet Centre will be assessed against Policy ENT9 and uses specified by the associated Section 106 Agreement. Policy ENT7 takes into account the impacts of both the pandemic and the shift towards online shopping recognising that centres are moving away from their traditional retail roles. This policy ensures that these centres do not lose their 'critical mass' of retail units to the extent that they can no longer function as viable shopping centres. However, there is sufficient flexibility embedded within this policy and other policies to enable such centres to become multifunctional places and community focal points, thereby rendering them more viable as go-to destinations in light of the impacts of the pandemic and shift towards online shopping.
Resultant Action	No action necessary – the SPG provides supplementary information and guidance in respect of the adopted RLDP policy framework, but it cannot introduce new policies or change the policies in the adopted RLDP. Furthermore, there is considered to be sufficient flexibility embedded into Policy ENT7 and other retail and commercial policies contained within the RLDP. Policy ENT7 does not relate to out of town retail provision such as Bridgend Designer Outlet Centre.
Do you have any comments on the proposed guidance for Policy ENT9: Retail Development Outside of Retailing and Commercial Centres detailed in Section 4	
Organisation	BCBC Elected Member
Representation	I request that, where a commercial premises such as a corner shop is located in a residential area, then any application to instal a parcel locker system adjacent to the premises should be subject to a planning condition which restricts its use to match the agreed permitted opening hours of the business in question. Such a condition would address problems of additional traffic generation and associated overnight noise and disturbance experiences by neighbours.

Local Planning Authority Response	Comments noted. Whilst it is beyond the scope of the policy and this SPG to include specific guidance on parcel locker systems, planning conditions can be attached to future planning consents to control the operating hours of parcel lockers in circumstances where it is deemed to be necessary and appropriate. This would ensure that the local planning authority would retain effective control over the hours of operation of the business in the interests of general amenity.
Resultant Action	No amendments necessary – this issue can be addressed at the planning application stage through the use of appropriate conditions.
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	Paragraph 4.56 identifies that retail development at the locations defined in Policy ENT9 will be restricted to bulky goods retailing. The paragraph should be amended to confirm that the Outlet Centre will not be restricted to bulky goods, as these, as I am sure you will be aware, are not the prevailing range of goods that are sold from the centre. We suggest that the reference to bulky goods sales be referenced specifically to the retail parks listed.
Local Planning Authority Response	Comments noted. As drafted, the current wording of paragraph 4.56 states that retail development at the locations defined in Policy ENT9 are restricted to bulky goods retailing of which is misleading. As such, further clarity will be made to paragraphs 4.56 and 4.61 to ensure that the acceptable uses on edge-of-centre and out-of-centre allocations are clearly outlined.
Resultant Action	Paragraphs 4.56 and 4.61 will be amended to clarify the permitted uses on edge-of-centre and out-of-centre retail and commercial allocations.
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	We are supportive of paragraph 4.62, which sets out support for ancillary/incidental A3 uses at out of centre retail destinations. We would however suggest that the reference to '200 sqm' be amended to read 'in the region of' 200 square metres so to be less prescriptive. Given that every planning application is considered on its own merits it is not considered appropriate (or necessary) for the Council to impose a specified floorspace limit, as this may act as a moratorium to certain

	development, even if the applicant was able to demonstrate compliance with the impact and sequential tests. The guidance set out in 4.64 on critical mass will likely assist in controlling total A3 provision in any of the identified out of centre locations, were a further proposal to arise.
Local Planning Authority Response	Support for paragraph 4.62 is noted. The representor's suggestion to amend paragraph 4.62, specifically requesting a change in wording from '200sqm' to 'in the region of 200sqm' is acknowledged. Furthermore, the purpose of the SPG is to augment and interpret existing adopted RLDP policies. As such, removal of a specific floorspace figure is considered appropriate in this instance, and any proposed ancillary and incidental use on an edge-of-centre or out-of-centre allocation will be assessed on a case-by-case basis regarding its appropriateness.
Resultant Action	Paragraph 4.62 will be amended to be less prescriptive regarding the size of ancillary/incidental uses at edge-of-centre and out-of-centre retail allocations, making it clear that each application will be considered on a case-by-case basis.
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	We are supportive of paragraph 4.63 and 4.64, which relate to D2 uses.
Local Planning Authority Response	Noted.
Resultant Action	No amendments necessary.
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	What is important, and what we consider is missing from this section of the draft SPG, is reference to other appropriate commercial uses that would also be considered small-scale/ancillary and incidental to the primary retail function of the out of centre destination listed. Examples would include A2 (Financial and professional services) uses, e.g. a bank, and D1 (Non-residential institutions) uses, e.g. a crèche. Such uses are provided in smaller units than those typically provided in the retail warehouse parks identified, so their inclusion in this section of the SPG might be more appropriate with specific reference to Bridgend Designer Outlet only.

	There is no reason why such uses should be considered differently to the A3 and D2 uses listed and there would be a clear synergy with the primary purpose served by the Outlet Centre with those additional Use Classes identified above and when taking into account the critical mass point. In this regard, we are mindful that the Council has supported the provision of a bureau de change unit (Use Class A2) at Bridgend Designer Outlet under planning permission ref. P/15/774/FUL. Here, it was identified in the officer's report that: <i>'The proposed installation of a kiosk to provide money exchange facilities will, it is considered, be ancillary to the main retail uses contained within the centre and therefore not significantly change the character of the centre.'</i>
Local Planning Authority Response	The representor's suggestion to reference additional examples that could also be considered small-scale/ancillary and incidental to the primary retail function of the edge-of-centre and out-of-centre allocations is acknowledged. The policy aim is to avoid 'out of centre' allocations becoming 'all round destinations' for customers with such a range and opportunity for retail and leisure experiences that they would negate the need to undertake any separate visit to existing retail, commercial and district centres. This would be considered out of accord with the 'Town Centre First' approach outlined in national planning policy. However, it is acknowledged that a limited number of appropriate uses can support or complement the primary retail function. Further detail will be included in the supporting text to clarify that uses that are ancillary and incidental (not exclusively those operating under Use Class A3) to the primary retail function of the wider site will be permitted where appropriate, while clarifying that each proposal will be judged on a case-by-case basis.

Resultant Action	Paragraph 4.62 will be amended to clarify that uses which are considered to be ancillary and incidental to the primary retail function of an edge-of-centre or out-of-centre retail allocation will be judged on a case-by-case basis to determine their appropriateness.
Do you have any comments on the proposed Sequential Test – Assessment Checklist for Applicants detailed in Appendix B?	
Organisation	NTR Planning Ltd (on behalf of McArthurGlen)
Representation	This section is helpful but perhaps lacking in detail. In undertaking any sequential test (where relevant) it is necessary to consider whether any alternative site is suitable for the broad nature of development proposed, as established by well documented case law. Whilst suitability is referenced in the 'Further information' part of the table, it is normal practice for an applicant to set out a methodology in undertaking an assessment. Whilst unit size is referenced in the table, there are other factors that would inform a judgement on the suitability of any alternative site as part of the applicant's methodology. These details could be incorporated or referenced in the draft SPG for clarity, or at least reference to the requirement of the test to be based on a sound methodology. For retail development, examples might include: 1. the ability of any alternative site to accommodate a specified minimum site size. 2. the ability of any alternative site to accommodate a store of a specified minimum gross floor area. 3. the ability of any alternative site to the safe manoeuvring of customer vehicles and delivery vehicles. 4. the ability of any alternative site to offer a viable trading environment. 5. the ability of any alternative site to be easily accessible by a choice of means of transport. 6. the ability of any alternative site to be able to provide suitable servicing arrangements to enable deliveries. Clearly, each case would be considered differently based on the requirements of the proposal under consideration.

	We consider that the appendix be expanded to include reference to 'methodology' and expand on matters relating to 'suitability' on a 'case-by-case basis', with reference to 'established case law'.
Local Planning Authority Response	Support for the sequential test assessment checklist for applicants is noted. The sequential test assessment checklist provides guidance to prospective applicants, clarifying the necessary information to support a planning application for a proposal on an edge-of-centre or out-of-centre allocation, that should in the first instance be located within a designated centre as per the retailing, commercial and services hierarchy outlined by Policy SP12 of the RLDP. The representor recommends adding further detail, specifically making reference to the requirement of the test to be based on a 'sound methodology'. The representor also suggests introducing several additional factors to expand upon the suitability criteria of any alternative site. Whilst this is acknowledged, the inclusion of such criteria is considered too prescriptive and would vary based upon the nature of the proposed use. However, in the interests of providing further detail, the appendix will be amended to make reference to the requirement for all assessments to be based on a sound methodology.
Resultant Action	Appendix B – Sequential Test Assessment Checklist for Applicants will be updated to include a reference to the requirement that the test be based on a sound methodology in relation to the suitability of alternative sites.

Proposed SPG Changes as a Result of the Consultation

The paragraphs proposed for amendment following the consultation are detailed below, for the reasons explained in the previous table. Strikethrough text is used to indicate proposed deletions from the SPG, whereas blue text is used to indicate proposed additions to the SPG. Only paragraphs proposed for amendment are included below, there are no proposed changes to the remainder of the draft SPG following consultation. The final draft version of the SPG (Appendix 1) incorporates the proposed amendments below.

- 4.56 **Whilst Proposals for new out-of-centre retail will not be encouraged, Policy ENT9 acknowledges the presence of existing retail developments outside of Town, District and Local centres.** Retail development at these locations defined in Policy ENT9 will be restricted to ~~bulky goods retailing~~ **the acceptable uses outlined in the table above,** by means of appropriate planning conditions and/or legal agreements. ~~Policy ENT9 respects the specific role and function of sites at these locations, which can provide a complementary role to town and district Centres by providing opportunities for large format, bulky goods retailing that does not compete with 'in-Centre' trading.~~ Extensions within the boundaries of these locations, increases to the allocated floorspace or relaxations/changes to the types of goods sold, may require a needs test, sequential test and retail impact assessment, as detailed within National Policy (TAN4: Retail and Commercial Development / PPW), depending on the nature of the proposal and the potential impacts. This will also apply to planning applications which seek to vary conditions to change the types of goods sold from sites at these locations or the subdivision of units, both of which could potentially undermine the vitality and viability of town and district Centres if not properly controlled.
- 4.61 As highlighted above, development within allocated '*edge of centre*' and '*out of centre*' locations will be restricted to ~~the sale of predominantly bulky goods, and/or other goods~~ **specific goods** that would not typically be sold from premises within a Centre. The tests of '*retail need*', 'Sequential' approach and impact will apply to the consideration of **all development proposals** at '*edge of centre*' and '*out of centre*' locations.
- 4.62 Proposals for **ancillary and incidental uses such as Use Class A3 (food and drink)** floorspace within designated 'out of centre' locations will be restricted to small scale provision that ~~is ancillary and incidental to~~ **supports** the primary retail function of the wider site, or comprises a facility that due to its operational and functional requirements cannot reasonably be accommodated within a Centre. **Proposals for ancillary and incidental uses will be judged on a case-by-case basis and will not be permitted if judged to give rise to a critical mass.** ~~'Small scale', for the purposes of this policy refers to a facility less than 200 sqm gross floor area.~~

Appendix B: Sequential Test – Assessment Checklist for Applicants

Sequential Assessment	Further Information
1. Description of the proposed use	
2. The size of the unit	Whether existing or proposed
3. The area covered by the sequential search	
4. Justification for the area search	If it is less than Borough-wide or limited to particular types of centres
5. The types of units searched for	
6. Justification for any limitations applied to the types of units considered	
7. A list of the alternative, available, sequentially preferable units identified	• This list should set out the address and size of the unit and if it is suitable or not. The suitability of a unit should be based on a sound methodology and will be assessed on a case-by-case basis. • If a unit is unsuitable, full justification and evidence should be provided alongside the listing. • A conclusion as to whether the Sequential Test is met, looking at both the availability and suitability of those sites to accommodate the proposal. • If the Sequential Test is not met, an explanation of any overriding material considerations that would justify the grant of planning permission.

TRAINING LOG

All training sessions will be held in the Council Chamber but can also be accessed remotely via Microsoft Teams.

<u>Subject</u>	<u>Date</u>
Coal Authority Engagement with Local Planning Authorities	20 August 2025
Workshop – HMO SPG	21 August 2025
Tree Policy - Green infrastructure	To be arranged.

(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

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