

REFERENCE: P/16/547/FUL

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

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

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

RECEIVED: 11 July 2016

SITE INSPECTED: 23 August 2016

APPLICATION/SITE DESCRIPTION

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

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

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

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

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

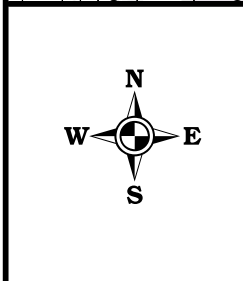
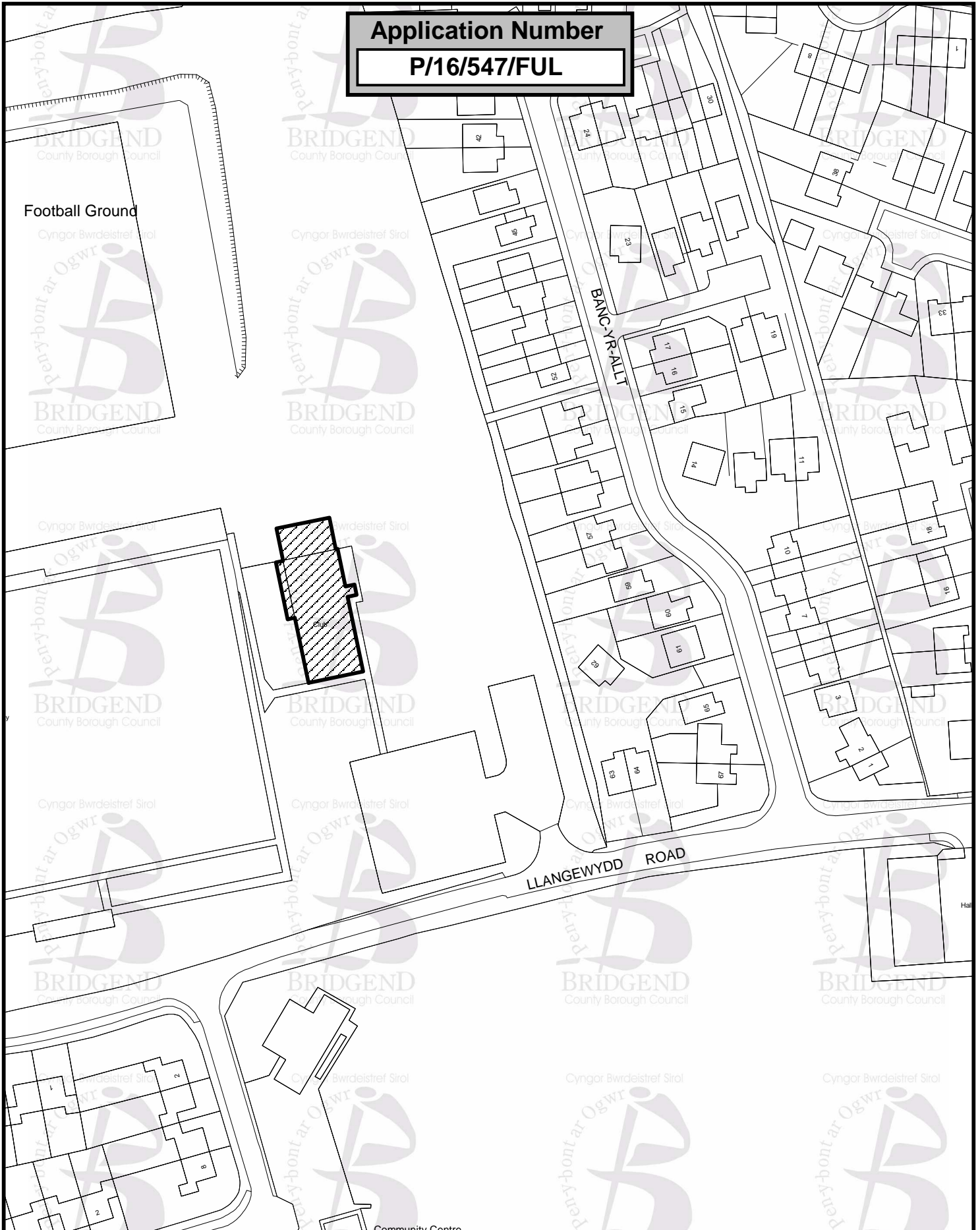
The current facilities are part of the merged Bryntirion Athletic and Bridgend Town football clubs and the proposal has been designed to facilitate the Club's aspirations for promotion from the Welsh Football League to the Welsh Premier League.

RELEVANT HISTORY

P/97/858/FUL - New clubhouse, floodlights, spectator stand and ancillary works, pitch drainage and car park extension - Conditional Consent - 23 December 1997
P/01/553FUL - Viewing area - Conditional Consent - 6 August 2001
P/06/289/FUL - 2 add pitch floodlighting columns - Conditional Consent 13 April 2006

Application Number

P/16/547/FUL



Scale 1:1,250

Date Issued:
23/09/2016

Development-Mapping
Tel: 01656 643176

Mark Shephard
Corporate Director-Communities

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

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

(c) Crown Copyright and database rights
(2016) Ordnance Survey (100023405)

(c) Hawlfraint a hawliau cronfa ddata'r Goron
(2016) Rhif Trwydded yr Arolwg Ordnans
(100023405)

(c) Cities Revealed Aerial Photography
copyright, The GeoInformation Group (2009)



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

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

PUBLICITY

Neighbours have been notified of the receipt of the application.

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

CONSULTATION RESPONSES

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

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

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

REPRESENTATIONS RECEIVED

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

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

COMMENTS ON REPRESENTATIONS RECEIVED

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

APPRAISAL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The well-being goals identified in the Act are:

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

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

CONCLUSION

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

RECOMMENDATION

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

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

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

and documents:-

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

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

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

Reason: In the interests of highway safety.

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

Reason: In the interests of pedestrian and highway safety.

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

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

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

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

Reason : To ensure safe drainage of the site.

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

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

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

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

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

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

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

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

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

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

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

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

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None