

REFERENCE: P/18/139/FUL

APPLICANT: Actseen Limited c/o Mrs A Patel, 4 Adrian Close, Porthcawl, CF36 3LX

LOCATION: Bro Ewenny Nursing Home Ewenny Road Bridgend CF35 5AW

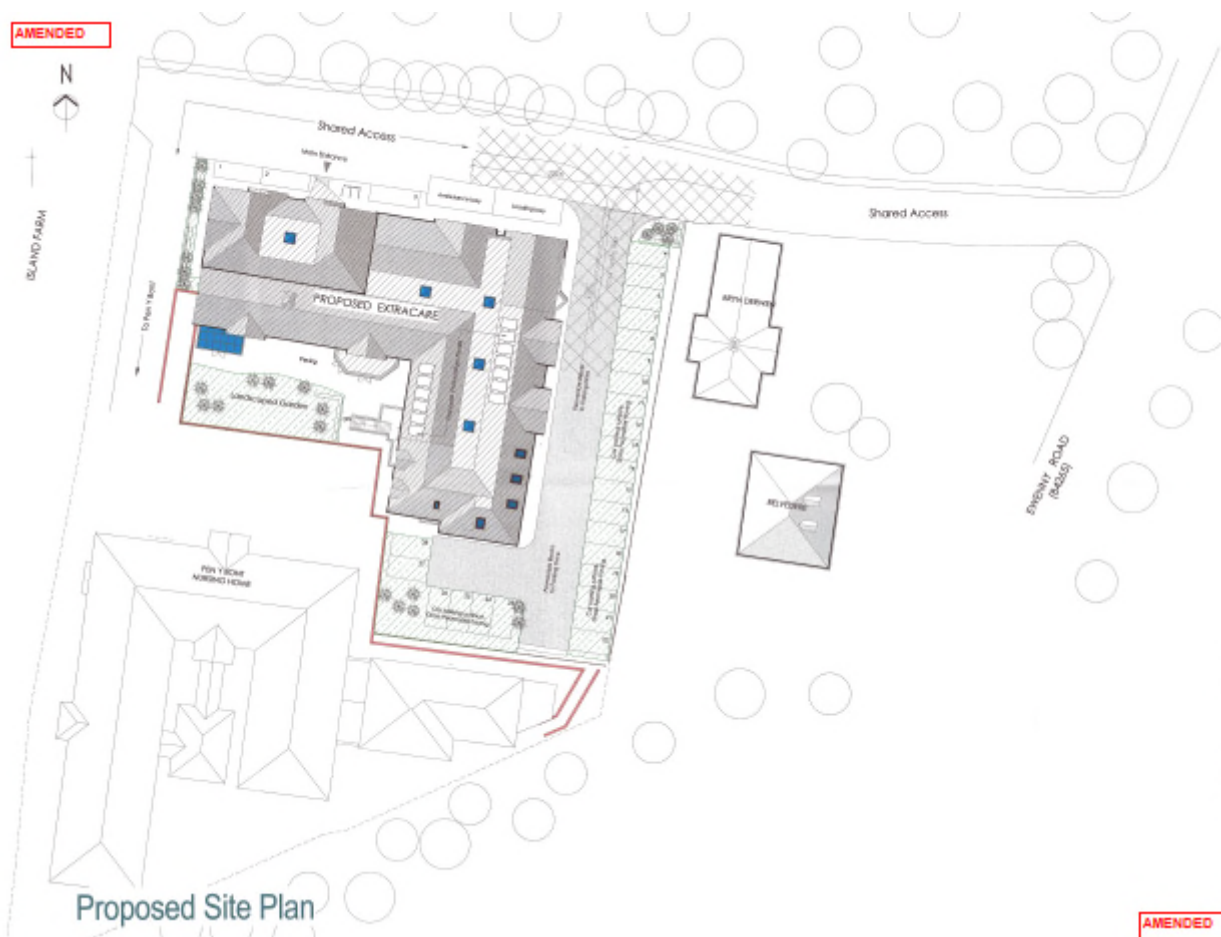
PROPOSAL: Demolition of existing Bro Ewenny Nursing Home and construction of a new extra care facility consisting of 16 care bedrooms and 25 extra care apartments.

RECEIVED: 27 February 2018

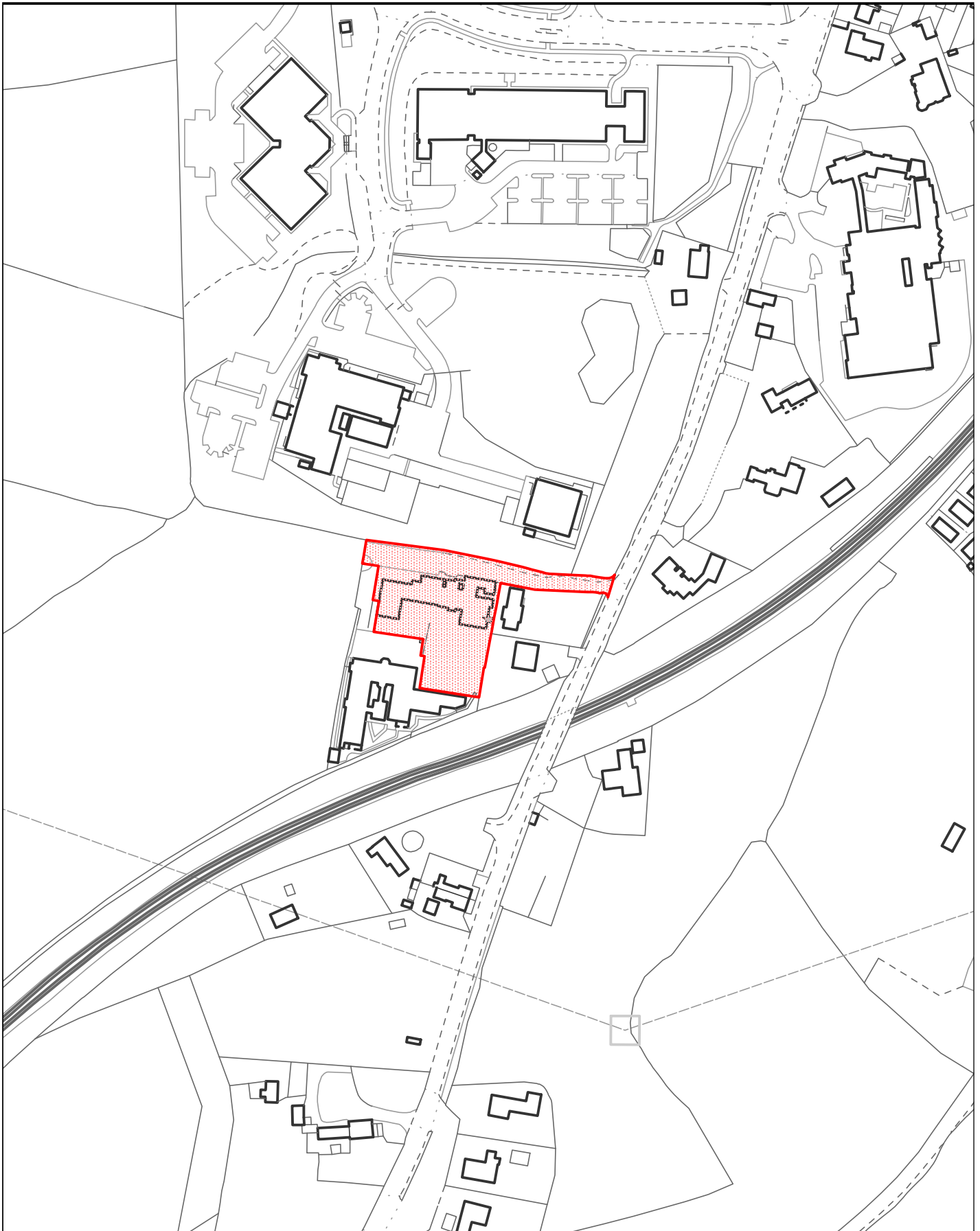
SITE INSPECTED: 4 May 2018

APPLICATION/SITE DESCRIPTION

The application proposes to demolish the existing Bro Ewenny Nursing Home, which contained 39 bedrooms and is currently vacant and semi-derelict to allow for the construction of a new extra care facility comprising a 16 bed nursing home with 25 extra care apartments. The proposed new building will have an "L" shaped footprint which measures 43m across its northern elevation, with a 37m eastern elevation, a width of 16m across its southernmost elevation and a depth of 17m across its western frontage.



It can be seen from the above site plan that vehicular access is retained along the existing shared access, which leads from the B4265 Ewenny Road with a new dedicated parking area created to the eastern side of the proposed new building. Three parking spaces, an ambulance bay and loading bay are to be provided either side of the main entrance to the building. In terms of its scale, the proposed new building will be effectively three storeys in height across part of the northern end and along its western elevation, increasing to four storey in the north western corner.



Cyngor Bwrdeistref Sirol
 Iddoedd-bont ar Obwr

BRIDGEND
 County Borough Council

**BRIDGEND COUNTY
 BOROUGH COUNCIL**


COMMUNITIES DIRECTORATE

Mark Shephard
 Corporate Director - Communities

Civic Offices
 Angel Street
 Bridgend CF31 4WB
 Telephone (01656) 643643

P/18/139/FUL

**Bro Ewenny Nursing
 Home
 Ewenny Road
 BRIDGEND**

W  E
 S

Scale 1 : 2,500

Date 21/03/2019

©Crown Copyright and database right 2018. Ordnance Survey 100023405.

Aerial Imagery: Cities Revealed aerial photography copyright The GeoInformation Group 2011. Copyright Getmapping plc

Countryside Council for Wales. ©Crown Copyright and database right 2011. Ordnance Survey 100018813.

Forestry Commission. ©Crown Copyright and database right 2011. Ordnance Survey 100025498.

Elevation drawings



Proposed Elevations (North and East)

AMENDED



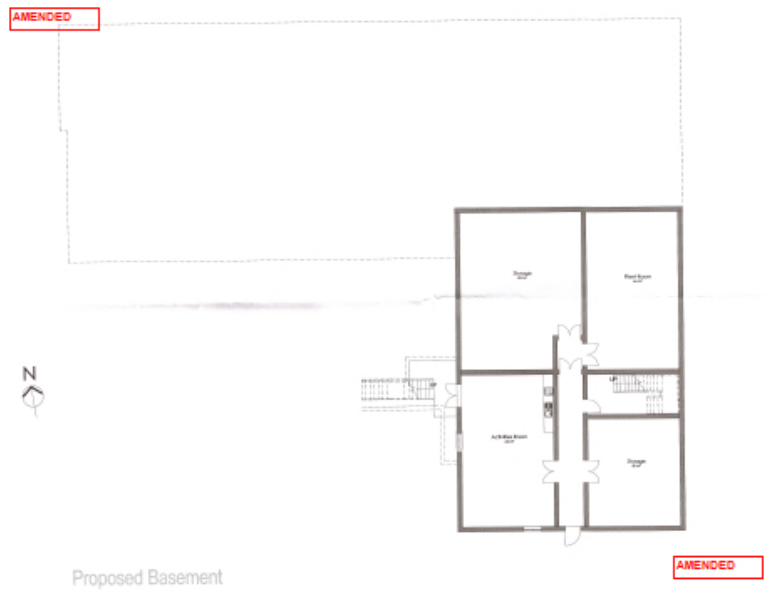
Proposed Elevations (South and West)

External finishes of the proposed new building include slate roofs, white window and door frames, stone headers and cills to window openings, brickwork on the lower levels of the building, with a mix of render and some composite weather boarding on the upper floors. Black rainwater goods and black steel enclosures to the juliet balconies are proposed but decorative timber features will be created in the gables.

Finishes



Internally, the accommodation will comprise:- Basement (south eastern corner of proposed building) – Two store rooms, a plant room and an activities room are proposed.



Proposed Basement

It is proposed to locate the 16 bed nursing home on the ground floor along with a laundry, resident dining room, kitchen, staff facilities, lift, WCs, office, staff duty areas and a bin store.



Proposed Ground Floor

It can be seen from the above floor plan that the bedroom accommodation is located in the northern and eastern sections with the communal staff and operational facilities concentrated in the remainder of the northern wing of the building.

At first floor level it is proposed to create eleven, 1 bedroom apartments, a guest room, a communal dining room and lounge, WC, Lift and Storage.

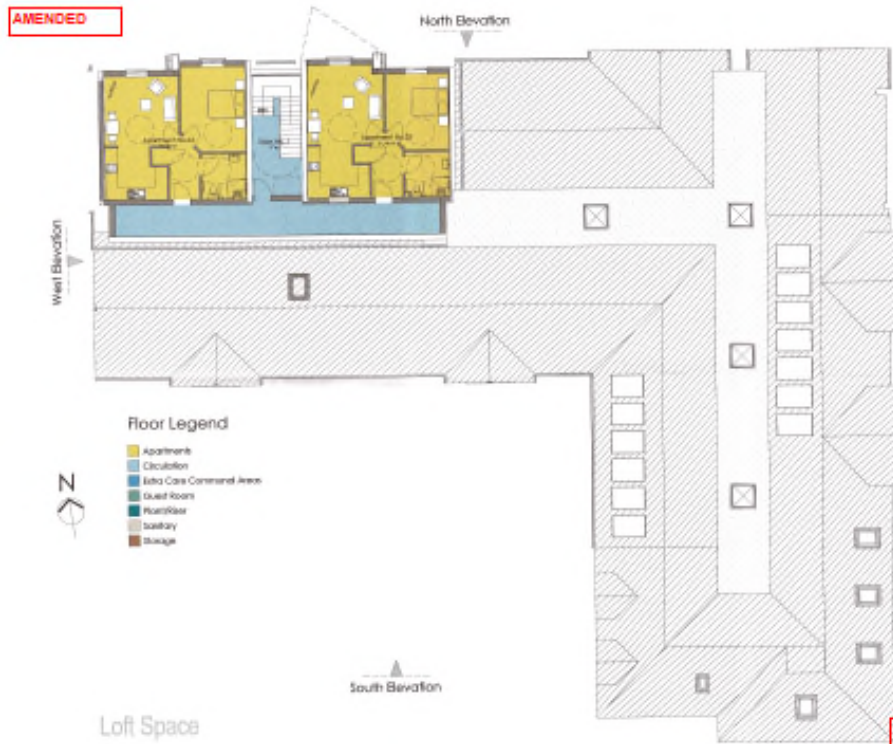


The above floor plan shows that the apartments will occupy all of the eastern wing of the building and approximately two thirds of the northern wing with the communal facilities in the north western corner.

On the second floor a further twelve 1 bed apartments are proposed a second guest bedroom, stores and an activities room.



In the loft space in the north western corner of the building a further two 1 bed apartments are proposed.



The application site is located on the western side of Ewenny Road (B4265) to the south of the Bridgend Science Park. Access to the site is obtained via a shared private driveway that runs along the north site boundary and serves the adjoining Penybont Court Nursing Home whilst providing access to the agricultural land to the west. On the eastern side of the application site are two residential properties Bryn Derwen, which abuts the shared driveway and Belvedere sited slightly to the south east and which benefits from direct access onto Ewenny Road.

A band of trees along the northern side of the driveway effectively separates the site from the Science Park and it was evident during the site inspection that the area immediately to the south of the existing building currently contains mature trees. It can be seen from the Google Map extract reproduced below that a railway line runs to the south of the adjoining Penybont Court Nursing Home and underneath Ewenny Road.



The land in this area slopes from north to south so that the application site is elevated above the adjoining Penybont Court Nursing Home. The following photograph showing the existing western elevation of the building provides an indication of the topography of the site.



It can be seen from the following photograph that the difference in land level at the southern application site boundary with the car park serving Penybont Court is approximately 1.5m



RELEVANT HISTORY

Originally the property was a dwelling house but in 1983 planning permission was granted for its conversion to a residential home for the elderly and since that time, the property has been extended including the construction of a separate 40-42 bed facility to the south of the existing building during the 1990s. In 2007, consent was granted for a conservatory extension (P/07/1022/FUL refers) and subsequently in 2009, following the withdrawal of an initial application (P/09/339/FUL), a submission for the demolition of the existing building to allow for the construction of a new nursing home was approved subject to conditions (P/09/534/FUL refers).

PUBLICITY

The application has been advertised on site and in the local press and neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 11 May 2018

CONSULTATION RESPONSES

Councillor M C Voisey - Initially suggested a briefing meeting but following an explanation of the proposed development, no further comments have been raised.

Welsh Water Developer Services - No objection subject to conditions and advisory notes.

Glamorgan Gwent Archaeological Trust – No objection subject to a condition requiring a programme of archaeological work to protect this historic resource.

Destination & Countryside Management - The Ecological Impact Assessment Report has been reviewed and it is noted that it confirms that the existing building is used as an occasional day roost and a night roost for small numbers/individual lesser horseshoe bats and brown long eared bats. It is also a day roost for individual common pipistrelle and soprano pipistrelle bats. The surrounding vegetation is likely to be used by nesting birds during the breeding season with birds seen also associating with the building. The site is also in close proximity (within 600m) of a known lesser horseshoe hibernation and maternity roost.

The Survey report and its recommendations, including the principles of bat mitigation are considered satisfactory. The developer should be reminded that no works can be commenced until a European Protected Species Licence has been obtained from Natural Resources Wales.

Incorporation of the biodiversity enhancements proposed will help contribute to the environmental sustainability of the development and demonstrate the Authority's compliance with Section 6 of the Environment Wales Act 2016.

Head of Street Scene (Highways) - Following a meeting to clarify issues, amended plans were submitted in early January 2019 and there are no objections subject to conditions.

Crime Prevention Design S.Wales Police - It is confirmed that the architect has applied for a Secured By Design Award and therefore advice on security matters is attached for the developer's consideration.

Head of Street Scene (Drainage) - No objection subject to a condition requiring a scheme for a comprehensive and integrated drainage system.

Network Rail (Western Region) - No objection in principle but due to its location next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts on the safety, operation and integrity of the operational railway, asset protection comments have been provided for the applicant's information and consideration.

Bridgend Town Council - No objection

Public Protection - Shared Regulatory Services - Advice on contamination issues has been provided for the information and consideration of the developer.

REPRESENTATIONS RECEIVED

Penybont Court Nursing Home - There is objection to the proposals for the following reasons:-

Overdevelopment of the site – The proposed development looks to significantly increase the property footprint by not only retaining the current northern and eastern footprint but by increasing westwards and southwards to cover more than two thirds of the land area. Moreover, the building will comprise four floors and from its elevated position at its southern-most point be in a dominant position overlooking a number of neighbouring properties.

Previous Planning Consents – Over the years a number of planning consents have been granted on the site which has significantly increased the footprint of the current building over the original building. The current proposal further exacerbates this. The current proposal is not suited to the location in which the original, pre-existing building still exists.

Looking onto neighbouring buildings – A number of surrounding properties have not pursued planning consents over the years and have remained within their footprint for privacy and amenity purposes. This proposal would negate this by expanding out to all boundaries with the creation of a substantial building thereby invading neighbours' privacy at every opportunity.

Loss of Privacy – The southernmost part of the proposed dwelling overlooks a number of bedrooms at our property. The proposal is on an elevated section of ground. Screening with hedging is not a solution as this will remove all light from these bedrooms and they will be in a position of semi-darkness throughout daytime hours. With the extension of the southern façade closer towards Penybont Court, the proposal becomes even more overbearing, which is further exacerbated by the elevated position. The submitted design results in overwhelming encroachment and the southern elevation has apartment windows looking straight into bedrooms at Penybont Court at a closer distance than at present. The southernmost point of the existing building does not contain windows that view Penybont Court. It is considered that this gable end invades the privacy of vulnerable residents in Penybont Court.

Nature & Conservation – The proposal includes the removal of all vegetation to cover the majority of the site with buildings or car parking. The development will rely on surrounding properties for nature and conservation and contribute nothing. Trees, some of which are protected on neighbouring properties would have to be felled or cut back to enable the construction of the proposed building which would be a further blight on the nature and conservation in the vicinity.

The property has been unoccupied for in excess of 10 years and the site would have benefitted in new forms of wildlife, flora and fauna which will be lost as a result of the proposals. The scale of the building, together with unshown footways & fire emergency congregation points, will cover the entire site area leaving no room for any landscaped areas.

Car Parking – 24 parking spaces are provided for a 16 bed nursing home and 25 extra care apartments and this is considered to be insufficient to serve the proposed development. Some of the apartments are two bedrooms and it is anticipated that a significant number of future occupiers will be car owners resulting in at least half the spaces permanently occupied. Alternatively, if residents are not independently mobile, this is likely to result in a requirement for additional care staff. Either way, it is considered that additional car parking will be required particularly due to the lack of public transport and pedestrian footways on either side of the road in both directions.

As operators of the neighbouring 43 bed nursing home we already have to lease an off site car park in order to provide adequate spaces for our staff and visitors and at peak times even this isn't sufficient. With increased demand and limited parking to serve the proposed development this will exacerbate problems. It is noted that the layout fails to provide a designated ambulance spot required by care regulations. The proposed parking provisions as explained in the Design and Access Statement will be insufficient to serve the nursing home and similarly there will be an under-provision for the apartments.

Access Points – At present the property benefits from two points of access located at different points along the northern boundary. The proposals involve access along the whole length of the northern boundary and no consideration has been given to the owner refusing such access, leaving the proposed development compromised. No turning facilities have been included for delivery/waste collection vehicles which creates unnecessary risks to other occupiers.

Highway Safety – No account has been taken of the additional traffic entering or leaving the site onto the main highway. The main road fronting the site is heavily trafficked and it is considered that improvements would be needed to ensure safety for all users at this location. The development itself generates substantial volumes of traffic and neither the private lane nor the junction is suitable to serve this.

Affordable Housing – No account has been taken of TAN 2 – Planning & Affordable Housing.

TAN 12 Design – It is considered that little has been taken on board – there is an absence of an appraising context.

Pre-Application Meetings – Although a pre-application meeting was held, a number of the issues raised have not been reflected in the proposals shown in this application nor have any suggested alternatives. It appears that no account of local views has been taken and the consultation was therefore just a tick box exercise.

Belvedere - Two letters of objection have been received and the following is a summary of their concerns:-

1. Proposed new building occupies all of the plot and dominates the surrounding area – overdevelopment due to scale and footprint of proposed new building.
2. Infrastructure unable to cope with proposed new building.
3. Proposed new building will completely dominate and overshadow adjoining properties due to it being approximately 40% higher.

4. Lack of privacy to the rear of the property and rear private amenity space.
5. Vehicle access & parking – the current access onto Ewenny Road is extremely dangerous and parking is non-existent especially at weekends. The access lane is shared with the house, the existing care home and the farmer making it difficult to navigate. It is believed that access for emergency vehicles would be extremely difficult. The removal of the front parking spaces with a similar amount of parking to the side of the new building would indicate that there is no provision to increase parking but plenty of intention to increase vehicle load. The existing lane is in poor condition with no drainage and a new fully serviced two-lane road with full and proper traffic management of the land, junction, traffic lights, roundabout, junction widening (vision splay) would be expected but cannot be seen in the submitted plans.
6. Noise Pollution especially during the demolition and construction phase.
7. Air Pollution – the increased work during the demolition and construction phase and will continue with the normal functioning of a care home of this size.
8. Visual Pollution – This building is huge taking almost 100% of the plot and 40% higher than surrounding properties it will be overpowering and dominate the natural light and skyline.
9. Third Party Flood consequences – the development will have a dramatic effect on the current water table and levels and given that the adjoining properties are at a lower level, will impact on water levels in adjoining gardens to the detriment of foundations, causing damp in the house and ultimately affecting wildlife and the railway embankment.
10. Impact on Wildlife on the site and the surrounding area – I have observed badgers, hedgehogs, woodpeckers, fox, bats, dormice, pheasants and on occasion a peacock in the garden therefore all environmental surveys should be available to demonstrate the predicted effect on wildlife on completion of the building.
11. It is considered that the proposed development will adversely impact on the scenery, tranquillity, privacy and wildlife the new building will thereby take away all existing benefits of this location.
12. Having been so traumatised by this proposal, I considered moving house but discovered that nobody will buy the property due to the threat of this development which overlooks the property resulting in a 30%-40% drop in value.
13. There does not appear to be any justification for the proposed large new building other than corporate greed as research demonstrates that there is a lot of money to be made from the care industry.
14. There would be no opposition to a replacement home but why can this not be built on the existing footprint.

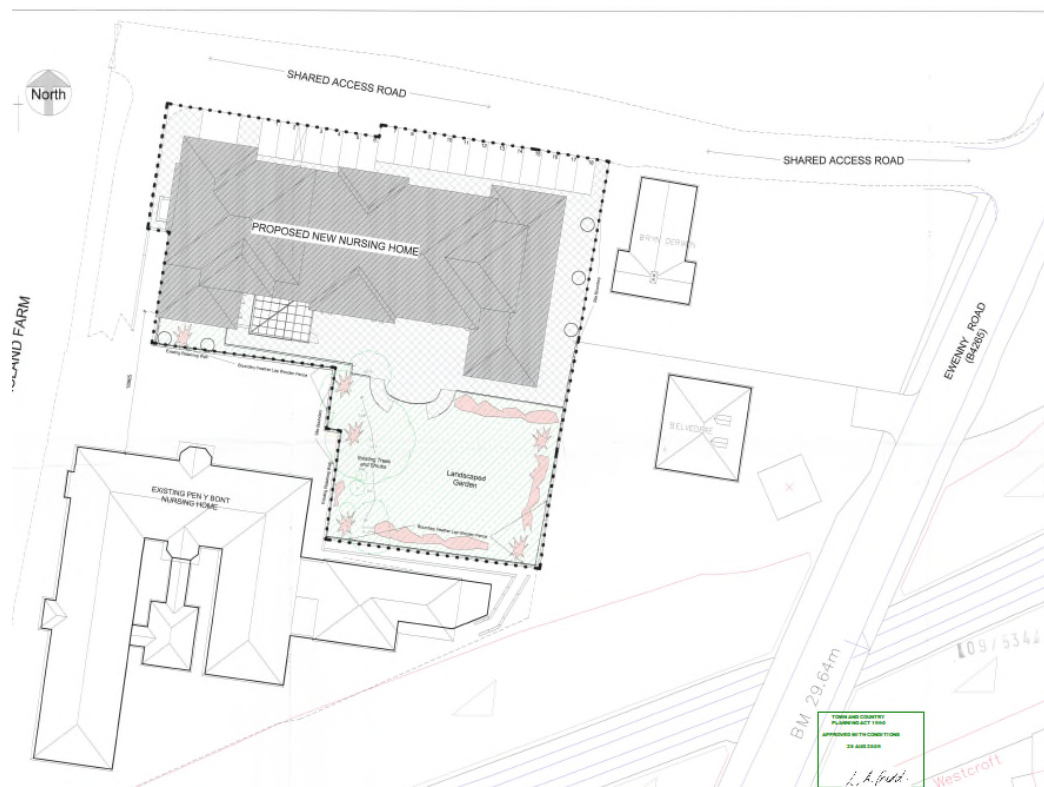
High Winds - Objects to the application for the following reasons:-

1. The height of a four-storey building is not in keeping with the local area.
2. There is insufficient car parking provision to meet the requirements for staff and visitors.
3. Visibility of the main road is very poor when exiting the lane and an increased amount of traffic is likely to lead to more accidents.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by adjoining occupiers/residents:-

Over development – Comparison of the currently proposed development with the scheme for a replacement nursing home approved under reference P/09/534/FUL is difficult given that the two buildings have significantly different footprint designs-



Layout approved by P/09/534/FUL

The L shaped building proposed has a northern frontage that is 7m shorter than the above approved building and is 3.5m shallower on its western side reducing by 1m for the central section. There are significant changes on the eastern side with the proposed eastern wing 12.5m longer but there is a greater separation distance between this elevation and the adjoining dwellings at Bryn Derwen (previously 8m now proposed a minimum of 15.5m) and Belvedere (previously 17.5m now proposed 26.5m). In respect of the Nursing Home to the south, the separation distance between the southern elevation of the western section of the building approved in 2009 and the front entrance of Penybont Court was 18m and this has increased to approximately 26m but on the eastern side the previous 26m separation distance between the two buildings is now reduced to approximately 16m. The other main difference between the two schemes is the location of the parking facilities with the approved scheme providing 18 spaces across the northern frontage of the building in contrast to the 28 spaces proposed in the current application, the majority of which are sited along the eastern site boundary. The approved Nursing Home was to provide 42 beds whereas the current submission proposes a mixed nursing home and extra care facility providing a total of 41 beds. In light of the foregoing, it is considered that the proposed development is not so significantly larger than either the existing building or the scheme approved in 2009 as to warrant refusal on the grounds of overdevelopment.

Loss of Privacy – The southern elevation of the eastern wing of the proposed development does not contain any habitable room windows and therefore there will be no infringement of the privacy of bedroom windows in the northern elevation of the section of this neighbouring Nursing Home directly facing this wing. In respect of the windows in the southern elevation of the northern wing of the proposed development, the 26m separation distance to the front elevation of Penybont Nursing Home exceeds the Council's 21m privacy standard.

Turning to the consideration of the impact on the privacy of the dwellings to the east of the application site, with regard to Bryn Derwen, although there is only a 15m separation distance at its closest, the proposed development has been designed so that the first and second floor windows in this eastern elevation are oriel windows creating angled views so

that direct overlooking does not occur. Departmental records relating to this dwelling suggests that only two habitable room windows at first floor level (serving a bedroom and an office/lounge) face the application site. In respect of Belvedere there will be a separation distance of approximately 26m between the respective frontages and therefore there will be no infringement of the privacy standard in this case.

Nature and Conservation – An ecological appraisal has been submitted with the application which has confirmed the presence of bats, which are European Protected Species and therefore an appropriate derogation licence will need to be obtained from Natural Resources Wales prior to any works including demolition and site clearance being undertaken. The submitted appraisal includes recommendations for enhancements and it is considered that an appropriately worded condition can require their provision. Overall, therefore, the proposed development will not so adversely impact on nature conservation assets or wildlife as to warrant refusal for this reason.

Car Parking – Amended plans now show that 28 parking spaces are to be provided together with an ambulance bay and a loading bay. The Highways Department is satisfied that the revised parking scheme meets the requirements of SPG17 : Parking Standards in terms of numbers, size of spaces, ability to turn and ambulance provision.

Access Points – The objectors have highlighted that the access from Ewenny Road, which runs along the northern side of the proposed building is a private lane. It is noted that the application has been accompanied by a Certificate B, which confirms that the appropriate Notice has been served on the owner. The applicant's ability to utilise this access and implement any consent that the Authority may be minded to grant would be a matter to be pursued outside the planning system.

Highway Safety – The Highways Department has advised that whilst it would be preferable for the vision splays at the junction to be improved, it is acknowledged that this would involve land outside the control of the applicant. On the basis that there would be a fall back position to reinstate the existing nursing home which has a similar number of beds (39) on the site, it is accepted that the proposed development would not so significantly increase traffic generation as to warrant refusal of the scheme for this reason.

Affordable Housing – Contrary to the objectors view that no consideration has been taken of the requirements of TAN 2 : Planning & Affordable Housing, the Authority has discussed this issue with the applicant's agent and a Section 106 Agreement will be secured to ensure the provision of a number of units with an appropriate tenure.

Design – It is clear that the design of the proposed building has been carefully considered so as to reduce any adverse impact on the neighbouring occupiers/users. Whilst an element of the building will be four storey in scale, this section is located in the north western corner of the building away from adjoining properties. More detailed consideration of the relationship with neighbouring properties in terms of domination and overshadowing will be provided below.

Pre-Application Consultation – The objector's views on the pre-application procedure are noted.

Domination and Overshadowing – Although relating to domestic extensions, the Authority's Supplementary Planning Guidance 02 : Householder Development at Notes 1 & 2 explains how the issue of assessment of unreasonable domination of the outlook of an adjoining property is made. Paragraph 4.1.1 confirms that whilst there is no right to a view, some extensions can appear unreasonably dominant and overbearing when seen from neighbouring houses. It is clarified that each case needs to be assessed on its

individual merits taking into account the distance from and alignment with overlooking windows and the topography of the area. Paragraph 4.1.2 states that unreasonable domination is an issue only where a main window to a habitable room in an adjacent dwelling will directly overlook a proposed extension. In addition, for unreasonable domination to be demonstrable, the extension must be either:-

- (a) Higher than a line, perpendicular to the window wall rising at 25 degrees to the horizontal from the mid point of the affected windows or
- (b) Closer than 10.5m to the window.

In this case it is clear that the proposed building does not infringe the daylight protection zone of ground floor windows in Bryn Derwen or Belvedere as measured by (a) above nor is the proposed building within 10.5m of the ground floor windows in either of these properties. It is therefore concluded that the impact on these neighbours will not be so significant as to warrant refusal for this reason.

In respect of the impact on ground floor windows in the northern elevation of Penybont Nursing Home, separate assessments have been made in respect of the western section of this frontage and the eastern section due to the different separation distances between these windows and the proposed new building. There is a separation distance of 26m between the respective windows in the western section of the Nursing Home and the proposed building and notwithstanding the topography of the site, the proposed building will not infringe the daylight protection zone of these windows. The impact on this section of the Nursing Home, therefore, will not be so significant as to warrant refusal of the scheme. With regard to the eastern section of the Nursing Home, the separation distance reduces to 16m and it has been calculated that the second floor of the proposed building will infringe a line perpendicular of the window wall rising at 25 degrees to the horizontal. On the basis that the distance exceeds the 10.5m identified in the guidance and given that the windows in the Nursing Home already face northwards, it is considered that the impact of the proposed development would not be so significant as to warrant refusal.

Noise & Air Pollution – In this regard the objectors concerns appear in the main to relate to the demolition and construction phases of the development rather than the development itself generating these forms of pollution. It is therefore considered a condition requiring a demolition and construction management plan could adequately control these phases.

Third Party Flood consequences – The Land Drainage Section considers that a condition requiring a comprehensive and integrated drainage scheme will adequately address this concern.

Dwr Cymru/Welsh Water (DCWW) has highlighted the presence of a public sewer, which runs along the shared access drive but consider that the proposed development would be situated outside the safeguarding zone for this apparatus. It has also advised that there is a private sewerage pumping station (SPS) serving Penybont Court adjacent to the application site boundary. In order to minimise the effects of noise and odour nuisance, a distance of 15m from the SPS is recommended for habitable buildings. In this case although the proposed new building will be closer, internally the facility has been designed so that staff facilities (on the ground floor) and communal facilities (on the first floor) will be the closest to the location of the SPS. It is considered that this arrangement will overcome any potential nuisance.

Devaluation – This is not a material planning consideration.

Justification – The Local Planning Authority can only assess the planning merits of the

application as submitted and it is not for the Authority to seek to justify the proposals.

APPRAISAL

The application is referred to Committee to consider the objections received from adjoining occupiers.

The application seeks consent for the demolition of the existing Bro Ewenni Nursing Home to allow for the construction of a new care facility comprising a 16 bed care facility with 25 extra care apartments at the former Bro Ewenni Nursing Home, Ewenny Road, Bridgend. The application site is located within the settlement boundary for Bridgend as designated by Policy PLA1 of the Bridgend Local Development Plan (LDP).

Policy SP5 of the LDP states that development will only be permitted where they will not have a significant adverse impact on the built and historic environment of the County Borough and its setting. In particular, development proposals will only be permitted where it can be demonstrated that they will not have a significant adverse impact on identified heritage assets - in this case areas of archaeological significance.

Policy COM3 states that residential developments within settlement boundaries on windfall and small scale sites, for the conversion of existing buildings, or the re-use of vacant or under-utilised land will be permitted where no other policy protects the building or land for an existing or alternative use. The application site qualifies as a small site under this Policy and would introduce an important element of choice and flexibility to the housing market. The site is not allocated for any other specific use and, therefore, residential development would be acceptable in principle.

In respect of planning obligations, as the proposal relates to 16 care bedrooms with 25 extra care apartments, the application would be exempt from an education contribution but the extra care apartments are considered to be residential units. Due to the scale of the development (25 units), this will trigger Policy COM5 which requires 20% affordable housing as a contribution. In this case the proposed S106 Agreement would seek either 5 of the apartments to be provided as affordable units with an appropriate tenure agreed with the Housing Strategy Manager or a financial contribution of £329,440.00.

In terms of its details, design and appearance, the proposed development falls to be assessed against Policy SP2, which requires that all development contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. The Policy establishes fifteen criteria against which development proposals can be assessed and in respect of the proposed development it is considered that only criteria 1,2,3,4,6,10,12 & 13 would be relevant.

Criterion 1 requires that development proposals comply with relevant national policy and guidance. National planning policy set out in Planning Policy Wales (Ed. 10) at paragraph 3.51 states that "Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome...." It is therefore considered that, in general terms, the redevelopment of the former Nursing Home site with another care facility within the settlement of Bridgend would be compatible with national policy.

Criteria 2 & 3 require development proposals to have a high quality design, which respects and enhances local character and distinctiveness and are of an appropriate scale and

prominence. For the reasons outlined in the previous section of the report, it is considered that the design of the replacement building has been carefully considered and in that it will replace a currently vacant building which is deteriorating in condition, can be considered to be an enhancement on the existing site condition. With regard to the scale of the proposed new building, it is also considered that, for the reasons indicated in the previous section of the report, the submitted proposals are appropriate.

Criterion 4 requires the efficient use of land so that proposals maximise development potential whilst respecting the surrounding development and demonstrates a preference for development on previously developed land over greenfield sites. As indicated above, the application site is considered to constitute previously developed land and when the density of the submitted proposals is compared with the existing building or previously approved redevelopment on the site, it is considered to be appropriate.

Criterion 6 states that proposed developments should incorporate appropriate connections within and outside the site to ensure efficient access. The Highways Department is satisfied that in light of the fall-back position of being able to operate a similarly sized (bed numbers) nursing home on the site, the access and parking arrangements are acceptable.

Criterion 10 seeks to safeguard and enhance biodiversity and green infrastructure and complements Policy ENV6 which requires development or redevelopment in the first instance to retain, conserve, restore and enhance wherever possible. In this case it has been identified in the accompanying Ecological Appraisal that the existing building constitutes a bat roost. The Appraisal recommends suitable mitigation /compensatory measures, which can be required by conditions attached to any consent the Authority may be minded to grant and highlights that a derogation licence will be required prior to any development including demolition and site clearance.

Criterion 12 aims to ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected. The impacts of the submitted proposals on the adjoining occupiers has been considered and for the reasons outlined in the comments on representations received, the proposed development does not so significantly impact on the privacy and amenities of its neighbours as to warrant refusal.

The final criterion (13) requires development schemes to incorporate appropriate arrangements for the disposal of foul sewage, waste and water. As previously indicated appropriately worded conditions can ensure this provision.

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

The well-being goals identified in the Act are:

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

During the processing of the application Policies PLA1, COM3, COM5, SP2, SP5 of the Bridgend Local Development Plan and Supplementary Planning Guidance (SPG) 17 : Parking Standards and 19 : A Green Infrastructure Approach were considered.

CONCLUSION

The application is recommended for approval because the development complies with Council policy and does not adversely affect highway safety, privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal. The development will provide a modern extra care facilities on the site of a former Nursing Home, which is currently derelict in parts, thereby improving the existing site appearance, whilst having due regard to the amenities of its neighbours and incorporating appropriate ecological mitigation and compensatory measures.

RECOMMENDATION

(A) The applicant enter into a Section 106 Agreement to :-

Ensure that 5 of the apartments are provided as affordable housing units in perpetuity with an appropriate tenure agreement reached between the applicant/operator and the Housing Strategy Manager or a financial contribution of £329,440.00

(B) The Corporate Direct Communities be given delegated powers to issue a decision notice granting permission for the development on completion of the above agreement subject to the following conditions:-

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 178/03, 04, 05, 06, 07, 08, 09, 11, 12, 13, 16, 17, Rev P1 received 7 January 2019.

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

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

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

3. No development shall take place until the applicant (or their agents or successors in title) has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: In the interests of preserving the historic environment of this part of the County Borough.

4. No development shall commence including any works of demolition or site clearance until a demolition/construction method statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-

- (i) the parking of vehicles of site operatives and visitors;
- (ii) loading and unloading of plant and materials;
- (iii) storage of plant and materials during the demolition and construction phases;
- (iv) the erection and maintenance of security hoarding including any decorative displays;
- (v) wheel washing facilities;
- (vi) measures to control the emission of dust and dirt during demolition and construction;
- (vii) internal management arrangements to ensure that safe vehicular and pedestrian access is maintained to the adjoining properties served by the shared private driveway leading from Ewenny Road;
- (viii) a scheme for recycling/disposing of waste resulting from demolition and construction.

Thereafter the works shall be undertaken in accordance with the agreed method statement throughout the demolition and construction phases of the development.

Reason : In the interests of safety and amenity

- 5. No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the development being brought into beneficial use and shall be retained in perpetuity.

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

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

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

- 7. The development shall not be brought into beneficial use until space has been laid out within the site in accordance with the approved site layout plan, for 28 cars, an ambulance bay and loading bay, which shall be completed in permanent materials with the spaces individually demarcated in permanent materials. The parking and loading bays shall thereafter be retained in perpetuity.

Reason: To ensure the provision of adequate off street parking space in the interests of highway safety.

- 8. Prior to the first beneficial occupation of the development hereby approved, a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The boundary treatment shall be completed as approved before the development is occupied and be so maintained in perpetuity.

Reason: In the interests of visual and residential amenity

- 9. No development shall commence until there has been submitted to and agreed in writing by the Local Planning Authority a scheme of landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting

and seeding seasons following the occupation of the building; 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 visual amenity and biodiversity.

10. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development. The landscape management plan shall be implemented as agreed.

Reason: In the interests of visual amenity and biodiversity.

11. Notwithstanding the submitted plans, no external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, so that it can be demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places have been first submitted to, and approved in writing by, the Local Planning Authority prior to first use of the site. Any external lighting that is installed shall accord with the details so approved.

Reason: In the interests of residential amenities and to maintain the favourable conservation status of any protected species on site.

12. No development shall commence on site, including any demolition or site clearance works, until a detailed ecological mitigation and enhancement strategy has been submitted to and agreed in writing by the Local Planning Authority. The strategy shall be implemented as agreed.

Reason: To ensure the impacts arising from this development are mitigated and measures to enhance the development are undertaken in accordance with the timing of the development.

13. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

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

(b) An European Protected Species (EPS) Licence is required for this development.

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at:-

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

(c) The applicant's attention is drawn to the observations provided by Dwr Cymru/Welsh

Water, which highlight the presence of a foul water public sewer within the shared access drive and provide guidance in respect of connections to the public sewerage system and provision of a water supply.

(d) The observations received from the South Wales Police Designing Out Crime Officer, Network Rail, and the Shared Regulatory Services Environment Team are highlighted for the applicant's information and consideration.

(e) In view of the proximity of the railway line, the developer may wish to consider the installation of sound proofing measures to mitigate any noise nuisance that may emanate from the railway operations.

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

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

(h) In order to satisfy condition 5 in respect of drainage, the developer's attention is drawn to the observations provided by the Land Drainage Section which clarify the level of information that will be required to be provided to accompany the drainage scheme.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None