

**REFERENCE:** P/19/466/BCB

**APPLICANT:** BCBC Education and Family Support  
Civic Offices, Angel Street, Bridgend, CF31 4WB

**LOCATION:** Land at Brynteg Upper School, Ewenny Road, Bridgend  
CF31 3ER

**PROPOSAL:** Proposed new build office & multi-agency hub.

**RECEIVED:** 26 June 2019

### **APPLICATION/SITE DESCRIPTION**

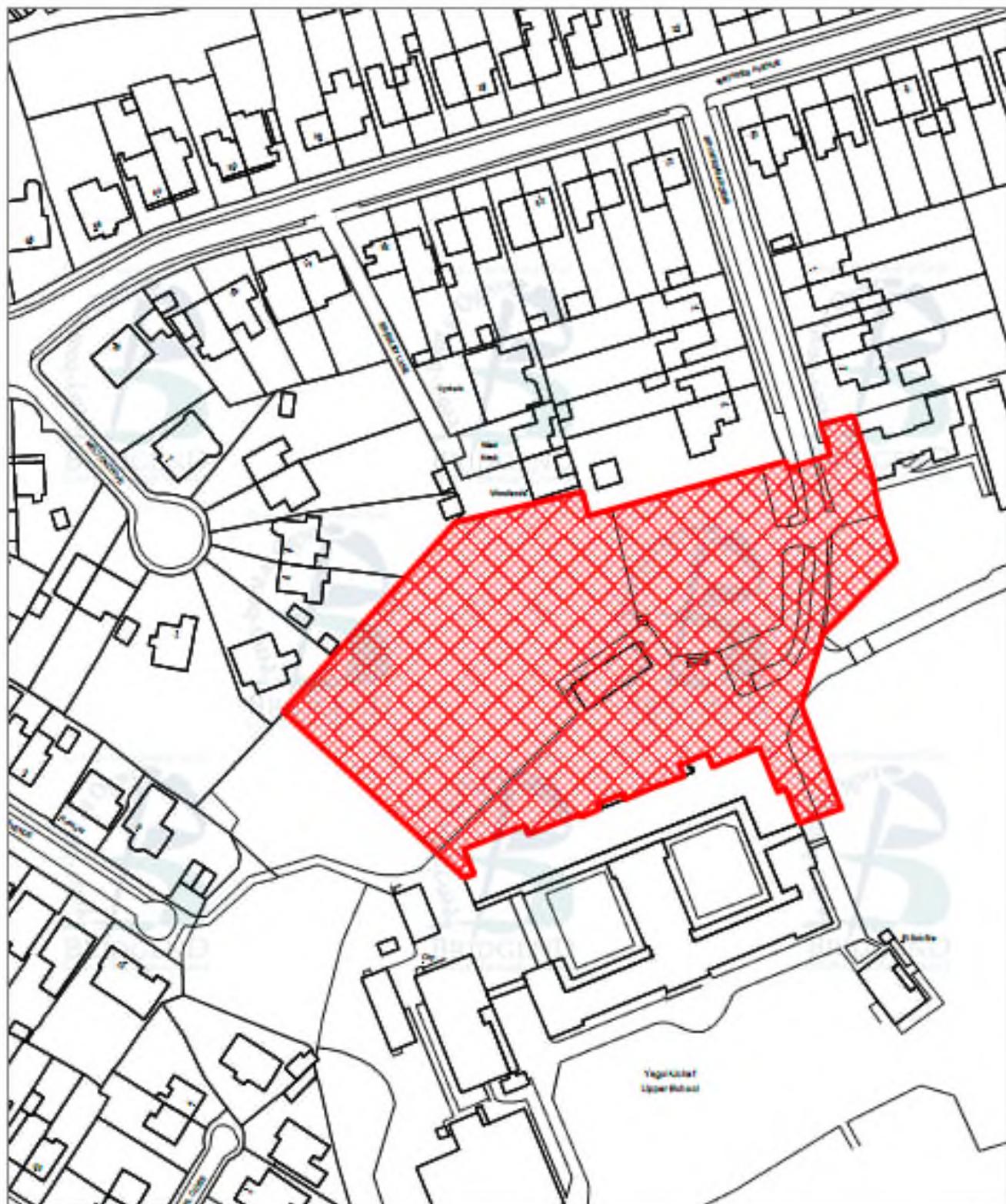
The Education and Family Support Section of the Council are seeking full planning permission to construct a new office and multi-agency hub in the grounds of Brynteg (Upper) Comprehensive School off Ewenny Road, Bridgend.

The application site is to the north of the main upper school building and currently accommodates a demountable classroom and grassed embankment with two large mature trees. Site clearance and excavations will result in the demolition of the classroom, the felling of the trees and the formation of a new development plateau on which the new building and associated access paths will be constructed. The excavated material will be deposited to form a bund to the west of the proposed building to be top soiled, seeded and landscaped. This single storey office building will have a generally rectangular form measuring 28.5m x 14m with a pitched roof reaching a maximum height of 6m from the new ground level. The external finishes of the building will match those used on the Science and Language Blocks in the school which comprise coloured render panels. It will be sited adjacent to a former sports court that has been used as a parking area for sixth form pupils.

### **Proposed elevations**



This car park which will be used solely by staff and visitors of the new office, will be re-surfaced and re-lined to provide 43 spaces. Access to the car park is from Brynteg Gardens which serves as a secondary pedestrian and vehicular access to Brynteg Upper School. This will be retained but modified to allow only access for staff and visitors to the multi-agency hub. As part of this development, fencing, gates and signage will be erected to prevent the access being used by the school, including staff and pupils except in emergencies. The proposed development coincides with a review and rationalisation of the site access and parking arrangements being undertaken by the Head Teacher and the application includes for a reconfiguration of the parking area around the upper school building. A total of 56 spaces will be provided for use by staff and sixth form students.



Cyngor Iawoddiwr Iorw



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**P/19/466/BCB**

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Date of Plot:  
15/10/2019

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Planning Department

The statement submitted in support of the application confirms that the proposed office accommodation will cater for up to 65 staff, some of whom will be peripatetic and not office based. The layout plans indicate an open plan arrangement similar to the Civic Offices layout is proposed incorporating meeting rooms along with a staff kitchen and WC facilities. Staff from the statutory Children's Safeguarding Social Services department will be re-located from Civic Offices to this new building. The hub replicates a similar facility located at Coleg Cymunedol y Dderwen which serves the north west of the County Borough. The applicant department suggests that co-location of Social Services staff and agencies in a single setting enables positive working relationships to develop and importantly, a quicker and holistic assessment of child and family needs. Re-locating this facility from the Civic Offices to the grounds of the school will provide a more normalised and less stigmatised setting for children and families.

### **Proposed site layout plan**



An ecological assessment has been undertaken to address the impact of the development on the site's bio-diversity interest, in particular the removal of mature trees. Additional tree planting is proposed as part of the development to compensate for the loss of the mature trees and to minimise the impact of the development when viewed from the residential properties to the north which are at a lower level to the application site. Planting beds and low level hedges are proposed for the grounds immediately surrounding the building.

### **RELEVANT HISTORY**

No previous applications are recorded.

### **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.

## **CONSULTATION RESPONSES**

**Bridgend Town Council Observations** – The committee do not object to the principle of the application but would like to request that BCBC consider:

- The implications of additional traffic throughout the day on the narrow roads of Brynteg Gardens and Brynteg Avenue
- The need for additional lighting in the car park area
- If there are additional footpath entrances to the hub, how will this impact security at the school

The Town Council would also like to be informed of any impact study that is carried out for this application and reserve the right to attend any site meeting/development control meeting as appropriate.

**Highway Officer-** No objection subject to conditions.

**Dwr Cymru/Welsh Water Developer Services** – We would request that if you are minded to grant planning permission for the above development that the recommended conditions and advisory notes are included within the consent to ensure no detriment to existing residents or the environment and to the Dwr Cymru Welsh Water's assets.

**Drainage Officer** - No objection subject to conditions. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before any construction works begins.

**Shared Regulatory Services – Land Contamination** - No objection subject to conditions.

**Councillors Matthew Voisey and Lyn Walters (Local Members):** have requested the application be considered by the Development Control Committee to allow the public examination of the development in view of its scale, the impacts on the local highway network and the loss of amenity to residents.

## **REPRESENTATIONS RECEIVED**

A letter of objection submitted on behalf of the following residents has been received:

1, 2, 3, 4, 5, 6, 7, 8 Brynteg Gardens;  
The Woodland, Brierly Lane;  
2, 7, 9, 11, 15, 17, 19, 22, 23, 27, 28, 30, 31, 32, 36, 37, 38, 40, 43, 45, 47, 48, 56, 76  
Brynteg Avenue;  
5 Melton Drive;

Additional individual letters of objection have been received from the occupiers of the following properties:

1 Brynteg Gardens;  
5, 7, 34, 48 Brynteg Avenue;

The following is a summary of the objections received:

### **Access Arrangements:**

- Traffic on Brynteg Avenue, which is the only access to Brynteg Gardens is already at an unacceptable and dangerous level – the plans for the development will exacerbate problems – traffic calming should be introduced not additional traffic;
- Additional volumes of traffic generated by staff and visitors of the office will not only increase congestion but it will also increase the risk of accidents involving pupils travelling to school on foot – traffic counts from a similar facility at Coleg y Dderwen should be afforded limited weight;
- Additional traffic will be generated through the substandard junctions of Brynteg Gardens/Brynteg Avenue/Ewenny Road;
- Brynteg Avenue and Brynteg Gardens are used by visitors to the local church for funerals, weddings and regular church services – on street parking affects the movement of vehicles and pedestrians – this will be made worse with the displacement of students from the sixth form car park which will be lost as part of the development – on street parking also effects refuse collection and access by emergency vehicles;

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

- The proposed office use will operate 52 weeks a year and will open from 7am to 7pm – different to the school use – currently some respite when the school is closed for holidays. A new working building will create all year-round disturbance;
- During the school holidays, Brynteg Gardens is used for children to play – this will be lost as a result of the development;
- The wooden fence and crash barrier (within the school grounds) along the boundary of number 8 Brynteg Gardens belong to that property – responsibility for maintenance should rest with the occupants of the new development.
- Lighting - the car park would need to be lit in the Autumn/Winter months – this could significantly impact given the close proximity of the housing and the higher levels of the development site
- Noise pollution would result from the movement of staff and vehicles to and from the development – a negative impact on residents' health.
- Direct view into the habitable room windows of 4, 6 and 8 Brynteg Gardens resulting in a loss of privacy

### **Site Drainage:**

- The current soakaway system floods in heavy rain and has caused problems of surface water run-off into the adjoining properties – site drainage needs to be addressed.

### **COMMENTS ON REPRESENTATIONS RECEIVED**

The following comments are provided in response to the objections received:

#### Access Arrangements:

Traffic generated by an office development accommodating up to 65 staff will not be insignificant and raw data based on the facility operating out of Coleg Cymunedol y

Dderwen in Ynysawdre has been supplied with the application. The immediate road network serving the development site was principally designed to serve the housing areas and the original schools. Carriageway widths are limited and junctions are tight which combined with on-street parking creates a difficult driving environment but also impacts on the living conditions of the residents. The residents of Brynteg Avenue and Brynteg Gardens are probably more affected than others. Traffic associated with the school will continue irrespective of this development but the critical planning issue would be whether the proposed development would exacerbate problems. Recognising the potential impact of additional traffic and conflict with children also accessing the school via Brynteg Gardens, the applicant department and Head Teacher have agreed to close this access to staff and pupils. It will remain open but only used in connection with the hub. A consequence of this closure will be the diversion of children to other points of access to the school at Heol Gam and along Ewenny Road. To ensure the continued safety of all users, the access on Ewenny Road (opposite Heronsbridge School) will be improved to include extended footways, a gated access for vehicles and pedestrians leading to a new footway to be constructed on the southern side of the existing driveway to connect to the upper school. The final design of the scheme will be agreed as part of the discharge of a planning condition with the works to be completed before the office use commences.

The travel characteristics of the school and proposed office development differ with the majority of trips being generated by pedestrians for the school and car journeys likely to be more predominant with the office use. The half hour before and after the start and finish constitute the peak travel times for the school when congestion and parking problems in the surrounding network are exaggerated. Traffic movements associated with the office development are likely to be at the higher level at the beginning and end of the working day but given the nature of the use and peripatetic staff, a steady number of trips throughout the working day is likely to occur. Overall, the closure of Brynteg Gardens and the removal of school traffic will compensate for the impact of the new office use in terms of traffic on the surrounding highway network.

The existing car park which is principally used by sixth form pupils will provide the car parking facilities for the new office development. Residents have expressed concern that the loss of school parking will displace vehicles onto the existing highway, exacerbating on street parking problems. The Council's Car Parking Guidelines indicates that for a new school, 1 space per 20 students of age 17 should be provided. Data obtained from the Council indicates that in 2018 there were 347 pupils in the sixth form of Brynteg. Of those pupils, it is estimated that approximately 50% would be over the age of 17. Applying the guidelines that would generate a requirement for 11 spaces to serve the current sixth form numbers. The application proposes a reconfiguration of the existing parking area around the upper school building that will provide additional spaces to accommodate sixth form pupils and staff.

#### Impact on the well-being and living conditions of residents

Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the existing noise environment. The proposed use is likely to generate noise associated with the movement of staff and vehicles (conversations, engine noise, opening and closing of doors etc.) during the daytime hours and slightly beyond the traditional school day. Current background noise levels are unlikely to be significantly less given the use and the movement of cars to and from the sixth form car park. Nevertheless, the proposed business hours of 07:00 to 19:00 hours is not in line with other Council buildings and given the residential character of the surrounding area is too early/late – a condition will be imposed requiring the office use to commence at 07:30 and close at 18:30 and for the use to be limited to Monday-Friday. Members should however note that although the school is generally open between 08:00 to 16:00, nothing under the planning legislation prevents the school operating earlier

and/or later in the day and for alternative community, educational and sporting uses.

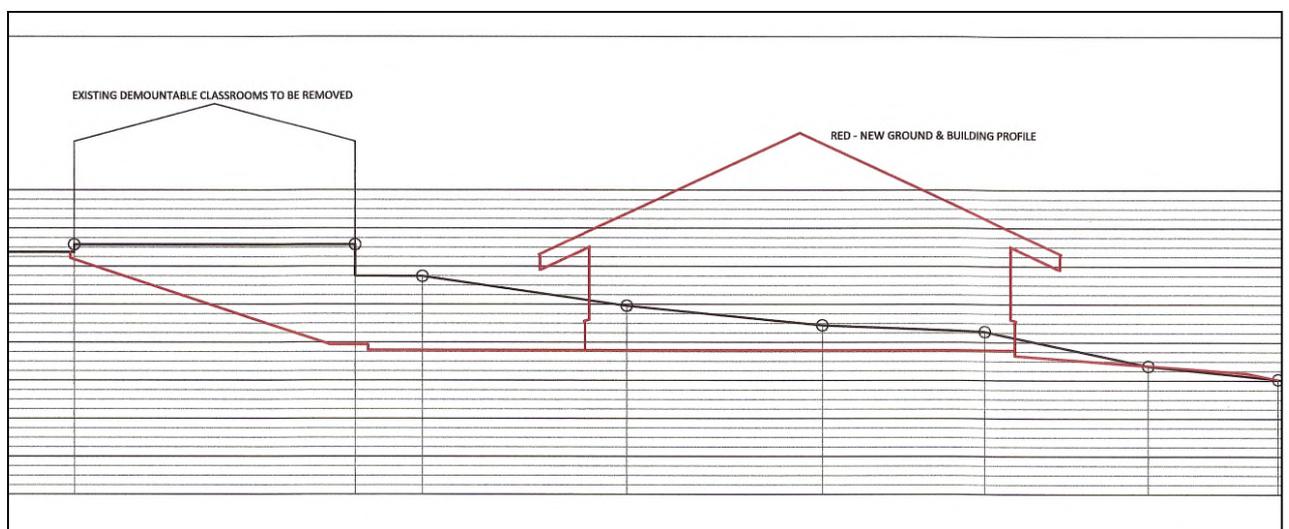
The use of the public highway as an informal play area during the school holiday is acknowledged but can be afforded little weight. Whilst legislation does exist to create 'home zones' through Orders which permit the use of a road for purposes other than passage, no such Order exists along this road.

The Council's Principal Architect and Officers from the Education and Family Support Team have sought to address the matter of the boundary fence and safety barrier as follows:

*Whilst the Car Park exists and we need not do anything in terms of its positioning, taking on board the concerns and request of Mr Morris and, in the interests of goodwill, we have moved the northern kerb-line away from the boundary. We have left sufficient space for future maintenance to take place and agreed that a Planting Specification can be prepared for the space and implemented prior to the Hub being brought into beneficial use. We have offered to remove the Armco Barrier (owned by the occupier of 8 Brynteg Gardens) as part of the Hub Works if he so wishes and await his advice in this regard.*

The applicant department in consultation with the immediate neighbours have agreed that any final Car Park Lighting Design will incorporate 'low Level Lighting' and not 'Street' type lighting standards. This will be the subject of the Council's agreement through the discharge of a planning condition that will be imposed on any consent granted. It has been confirmed that the car park lighting will be photocell activated and connected to a timing device to ensure that the lights are off soon after the building closes each day

Residents have suggested that the proposed building would be in direct view from habitable room windows in properties on Brynteg Gardens. Inspection of site confirms that the development would be directly viewed from a first floor window in the side elevation of 'Woodlands' in Brierley Lane and the windows in the rear of properties in Melton Drive. The separating distances range from between 25m and 50m. Angled views of the building will also be possible from ground and first floor windows in properties on Brynteg Gardens, in particular No.8 but again the separating distances should ensure that the development does not dominate outlook or result in any loss of light. In making that assessment, consideration has been given to the elevated position of the site relative to the neighbouring properties. Submitted site sections do however confirm that the slab level of the building will be between 0.4m to 1.0m below the existing ground levels but elevated (see extract from Site Section Drawing No: A004 below):



### Site Drainage:

Prior to any development commencing, details of the proposed surface water drainage will need to be agreed by the Council. The surface water drainage systems will need to be designed and built in accordance with standards for sustainable drainage with the intention that the system will be adopted and maintained by the Council. Such works should result in improvements to the existing system which should be to the benefit of residents who have experienced problems with surface water run-off.

### **POLICY CONTEXT**

The relevant policies relating to the proposed development from the adopted Bridgend County Borough Council Local Development Plan (LDP) (2013) are:

Strategic Policy SP2 – Design and Sustainable Place Making  
Strategic Policy SP3 – Strategic Transport Planning Principles  
Strategic Policy SP4 – Conservation and Enhancement of the Natural Environment  
Strategic Policy SP13 – Social and Community Facilities  
Policy PLA4 – Climate Change and Peak Oil  
Policy PLA11 – Parking Standards  
Policy ENV5 – Green Infrastructure  
Policy ENV6 – Nature Conservation  
Policy ENV7 – Natural Resource Protection and Public Health

Supplementary Planning Guidance Notes (SPG):

SPG07: Trees and Development  
SPG12: Sustainable Energy  
SPG17: Parking Standards  
SPG19: Biodiversity and Development

In the determination of a Planning application, regard should also be given to the requirements of National Planning Policy and the appropriate Technical Advice Notes

Local Development Plan Policy SP2 (Design and Sustainable Place Making) is the overarching policy which should be considered in the assessment of all planning applications. It 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 by:*

- 1) Complying with all relevant national policy and guidance where appropriate;*
- 2) Having a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;*
- 3) Being of an appropriate scale, size and prominence;*
- 4) Using land efficiently by:*
  - (i) Being of a density which maximises the development potential of the land whilst respecting that of the surrounding development; and*
  - (ii) Having a preference for development on previously developed land over Greenfield land;*
- 5) Providing for an appropriate mix of land uses;*
- 6) Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;*
- 7) Minimising opportunities for crime to be generated or increased;*
- 8) Avoiding or minimising noise, air, soil and water pollution;*
- 9) Incorporating methods to ensure the site is free from contamination (including invasive*

- 10) *Safeguarding and enhancing biodiversity and green infrastructure;*
- 11) *Ensuring equality of access by all;*
- 12) *Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;*
- 13) *Incorporating appropriate arrangements for the disposal of foul sewage, waste and water;*
- 14) *Make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change; and*
- 15) *Appropriately contributing towards local, physical, social and community infrastructure which is affected by the development.*

The supporting text to this Policy advises that Policy SP2 demands a high quality of design incorporating equality of access in all development proposals and seeks to ensure that new built development is sensitive to its surrounding environment.

## **APPRAISAL**

The application is being reported to Members due to the number of objections received and due to a call-in request by a local Ward Member.

The main issues in the assessment of this application are whether:

- The principle of developing part of the grounds of a school (D1) for an office and associated access and parking facilities accords with local and national planning policies;
- The proposed highway network serving the school can accommodate the additional traffic that will be generated by the new office development;
- The loss of the sixth form car park will result in additional on-street car parking in the streets surrounding the school and whether this would be detrimental to highway safety;
- The development will significantly impact on the living conditions and well-being of residents that live in close proximity to the school and the extent to which any impacts can be minimised by the imposition of planning conditions;
- The development adversely impacts on the site's biodiversity interests;

### **The Principle of the Development**

The site is located within the primary key settlement of Bridgend as defined by Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted in 2013. Policy PLA1 states that development in the County Borough will be permitted where it provides the maximum benefits to regeneration at a scale that reflects the role and function of the settlement.

As the land forms part of an education facility, the development is considered against Policy SP13 and COM 7 which seek to protect and enhance social and community facilities. Although the development will result in loss of part of the site used for education, the proposed office building will accommodate a multi-agency hub where statutory Children's Safeguarding Social Work services will be provided. Such a use would accord with Policy SP13 and COM7 with the loss in education land being compensated by the provision of this new health and well-being facility. To be policy compliant, it will however be necessary to limit the use of the building for its intended purpose and for no other office use. Should the proposed use cease in the future, the building will have to revert to an education use given the site's location.

Policies SP2 and SP3 require all development proposals to be of high quality which promote safe, sustainable and healthy forms of transport. The following sections of this report will consider the proposal against the relevant criteria. The principle of developing this site does accord with the policies of the Bridgend Local Development Plan (2013).

### **The impact of the development on highway safety**

Good walking, cycling, public transport and road connections are necessary for all development and the application site is reasonably well served in this respect. Footways connect the site to Ewenny Road along which a regular bus service runs. Opportunities therefore exist for the development site to be accessed other than by car. The site's location and the nature of the use will however result in many workers travelling to the office by car. For an office building with a floorspace of approximately 400 square metres, the car parking guidelines require the provision of 10 spaces. A total of 43 spaces is indicated on the submitted plans which more than exceeds the requirements. Over provision is not generally supported but giving the number of peripatetic staff and the potential for visitors to access the building, the number is acceptable on this occasion.

Congestion in the highway network surrounding the site has been highlighted by all objectors and this principally occurs at the beginning and end of the school day. This will continue irrespective of whether this development proceeds. It is critical that the existing situation is not made worse by introducing this new use into the grounds of the school. Through negotiations and to be delivered as part of this development, the Brynteg Gardens access to the school will be closed to pupils, staff and service vehicles. The access will be retained but secured to allow only access to the new office development. This arrangement should result in some reduction in congestion and parking in the immediate road network and consequently, compliance with the development plan policies. Alternative and more importantly, safe points of access are available at Heol Gam and on Ewenny Road and it is intended that as part of this development, the access on Ewenny Road will be improved to include a pedestrian gates and extended footways.

During the extended school holidays traffic associated with the school is removed from the surrounding highway network. This creates a quieter environment which, in the view of the residents, contributes significantly to their living conditions. From a planning perspective the levels of traffic that will be generated by the office use are not so significant as to be detrimental to highway safety or residential amenity and there is no justification to reject the use of Brynteg Gardens for the development. In seeking to address the residents' concerns, the applicant department and Head Teacher have however agreed to manage the access arrangements during the school holidays. It is intended that the existing access on Ewenny Road will be opened and this will be used by staff and visitors to the hub. The Brynteg Gardens access will be closed. This arrangement will be controlled outside the planning process but is considered acceptable from a highway safety perspective.

Parking provision for the proposed development more than exceeds the requirements of the parking guidelines but again it is critical that the loss of the sixth form car park does not result in a significant increase in on-street parking in the roads surrounding the school. The application does seek to address this matter by rationalising the parking arrangements around the upper school which should realise an additional 14 spaces which is sufficient to achieve compliance with the car parking standards.

Outside of the application, the Head Teacher is improving school security and the safeguarding of pupils by controlling access to the school during the day through the erection of automatic barriers at the school entrances. Sixth form pupils generally have a reduced timetable which results in more trips during the school day. Potentially, if access to the school parking facilities is controlled, there is the likelihood that some pupils will

park on-street in the roads surrounding the school. Agreeing a parking and management plan for the site which could include a controlled access for sixth form pupils will be agreed prior to the office development being brought into beneficial use. It should be noted that the Head Teacher can affect certain changes to the school access arrangements without the need for planning permission. In granting this planning permission, the Local Planning Authority are able to exercise a degree of control to mitigate the impacts on residents and in the interests of highway safety, however, overall management of the school access rests with the Head teacher.

### **The impact of the development on the living conditions and well-being of local residents**

One policy test for development is ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be affected. Earlier sections of the report have considered these matters in detail. The introduction of an office use with the associated movement of staff and visitors will generate a degree of noise but against the background of the school use, the impacts will be minimal. Controlling the hours of operation should assist in this regard. Noise from traffic will be off-set by the removal of school traffic along Brynteg Gardens. Noise and disturbance generated through construction of the building is unavoidable but this will be short term and managed through the agreement of a construction method statement.

Impact from the built development in terms of dominance, overshadowing and loss of privacy have been considered and are not deemed to be significant. Any increased use of the car park which lies very close to 8 Brynteg Gardens may have some impact but the retention of the boundary fencing should ensure that the living conditions of the residents are not adversely affected. The final design of the lighting will also need to consider the close proximity of the adjacent housing but it is envisaged that a scheme can provide a safe environment for users of the car park and also protect the amenities of residents. Overall and subject to the imposition of planning conditions, the development should not significantly affect the amenities of residents to warrant a refusal of planning permission. The development is compliant with Policy SP2 (10&12).

### **Ecology and Tree Loss**

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 21st 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); and, (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"

Paragraph 6.4.25 of PPW10 advises that planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality or perform a beneficial and identified green infrastructure function. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.

The Tree and Ecological Report considers the loss of the two mature trees and the consequential impact on biodiversity. The impact in terms of public amenity is limited given that the trees are located within the grounds of the school. They do however frame the foreground of the upper school building when viewed from existing properties to the north of the site and their loss will be apparent. Opportunities to provide a substantial landscaping scheme will compensate for the loss although the detail of the scheme will need to be agreed as part of the discharge of condition process. The trees do provide a potential bat habitat although the consultant ecologist considers the risk to be low for one tree and negligible for the other. A more detailed inspection of the tree (a climbing survey) is to be undertaken before the tree is felled. The Council's Ecologist recommends that the trees are sectioned felled by a suitably qualified tree surgeon who has had a toolbox talk from a relevantly qualified bat ecologist before works commence. Should bats be encountered in the felling it will be necessary for works to cease and for a licence to be sought from Natural Resources Wales. To demonstrate 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, bat boxes could be put up in neighbouring trees

Overall, there will be no significant adverse residual impacts on the natural environment and biodiversity provided that the suggested conditions are attached to the recommendation. The development therefore accords with Policies SP2, SP4, ENV5 and ENV6 of the LDP and advice contained within SPG07 and SPG19, Planning Policy Wales 10 (December 2018) and TAN5

## **CONCLUSION**

The principle of developing a multi-agency hub for the Council's Children's Safeguarding Social Services department at this location is broadly supported by national and local planning policy which promotes a mix of uses and community based facilities and services in the interests of the health and well-being of residents of the County Borough. Any future use would however have to revert to education use. All other matters of detail concerning the impact on highway safety and the amenities of residents are suitably addressed by the proposal and subject to the controls over the development that will be secured through the recommended planning conditions. The comments received from the adjacent residents have been taken into consideration during the determination of the application however, they do not outweigh the merits of the proposal and on balance the development is considered acceptable.

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.

## **RECOMMENDATION**

(R28) That for the purposes of Regulation 4 of the Town and Country Planning Regulations 1992 that permission be deemed to be GRANTED subject to the following conditions:-

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

- A001 – Site Location Plan
- A002 – Topographical Survey
- A003 – Demolition and Clearance
- A004 – Site Sections
- A101 – Proposed Site Layout – Revision A
- A104 – Proposed Plans and Elevations

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

2. The premises shall be used for a Multi-Agency Hub as outlined in the submitted Design and Access Statement and for no other purpose including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any Statutory Instrument revoking and re-enacting that Order.

Reason: For the avoidance of doubt as to the extent of the permission granted and to prevent the use as a stand-alone B1 office use which would be detrimental to highway safety and could detract from the amenities of the nearby residents.

3. The office use hereby permitted shall not be open to staff and visitors outside the following times:-

07:30 to 18:30 hours Monday to Friday  
and at no times on weekends or Bank Holidays.

Reason: In the interests of residential amenities.

4. Prior to the felling of any trees on site, an aerial inspection survey shall be undertaken by a suitably qualified bat surveyor to determine presence or absence of roosting or hibernating bats. No felling or site clearance works shall commence until details of the aerial inspection survey, the methodology for felling the trees and the appropriate mitigation measures should bats be found have been submitted to and agreed in writing by the Local Planning Authority. All works shall be carried out as agreed.

Reason: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development.

**5.** Notwithstanding the submitted drawing (BCB0073739 – A101 Rev A) no development shall commence until a scheme for the provision of 60 replacement off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated for staff (47 spaces) and 6th form pupil (13) use in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for the respective parking purposes in perpetuity.

Reason: In the interests of highway safety.

**6.** The proposed parking area for the Hub Facility shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

**7.** No development shall commence until a scheme for the provision of 2 cycle parking stands for the Hub facility 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 in perpetuity.

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

**8.** Notwithstanding the submitted drawing (BCB0073739 – A101 Rev A) No development shall commence until a scheme for the provision of a dedicated pedestrian footway along the existing vehicle access to Ewenny Road to the East of the proposed development has been submitted to and approved in writing by the Local Planning Authority. The pedestrian footway shall link to the existing footway on Ewenny Road and be implemented as agreed before the development is brought into beneficial use and retained for pedestrian use in perpetuity.

Reason: In the interests of highway safety.

**9.** Notwithstanding the submitted drawing (BCB0073739 – A101 Rev A) no development shall commence until a detailed scheme for the provision of fencing, vehicle and pedestrian gates to the Hub facility and Brynteg School off Brynteg Gardens has been submitted to and approved in writing by the Local Planning Authority. The fencing and gates shall be implemented as agreed before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety.

**10.** No development shall commence until a Management Plan for the vehicle and pedestrian gate arrangements to the Hub facility and Brynteg School off Brynteg Gardens has been submitted to and agreed in writing by the Local Planning Authority. The gates shall be opened and closed in accordance with approved gate management once the development is brought into beneficial use and retained thereafter in perpetuity.

Reason: In the interests of highway safety

**11.** No development, apart from site clearance and demolition, shall commence on site 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 future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the beneficial use of the new facility commencing and retained in perpetuity.

Reason: To ensure that effective drainage facilities are provided for the proposed development, to prevent hydraulic overloading of the public sewerage system and that flood risk is not increased.

**12.** No development shall take place, until a revised Construction Environmental and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the routing of HGV construction traffic to/from the site
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in demolition and construction of the development wheel washing facilities
- v. measures to control the emission of dust and dirt during demolition and construction
- vi. the provision of temporary traffic and pedestrian management at and in the vicinity of the site construction access
- vii. hours of construction (8am-6pm Monday- Friday, 8am-1pm Saturdays with no working Sundays or Bank Holidays and any piling operations from 9am only)

Reason: In the interests of highway and pedestrian safety in the vicinity of the site.

**13.** No development, apart from site clearance and demolition, shall commence on site until a landscaping scheme has been submitted to and agreed in writing by the local planning authority and these works shall be carried out as approved. These details shall include landscaping and means of enclosure on the boundary adjacent to 8 Brynteg Gardens. The agreed landscaping works shall be carried out prior to the occupation of the office development or in accordance with a programme agreed by 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.

**14.** There shall be no illumination of the external faces of the completed building and the car park other than in accordance with a scheme to be submitted and agreed in writing by the Local Planning Authority prior to the office use being brought into beneficial use. The submitted scheme shall show how light pollution is to be controlled, the position, height, type and power of each light and the circumstances in which the lighting shall be activated. Thereafter in perpetuity, the illumination of the site shall take place only in accordance with the approved lighting scheme.

Reason: In the interests of the amenity of the area.

**15.** 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.

**16.** 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

**17.** 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 Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

**18.** 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.

**\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS\***

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

To demonstrate 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, bat boxes should be put up in neighbouring trees

A European Protected Species (EPS) Licence may be 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>.

**JONATHAN PARSONS**  
**GROUP MANAGER PLANNING & DEVELOPMENT SERVICES**

**Background Papers**  
None