

REFERENCE: P/20/263/FUL

APPLICANT: Taylor Wimpey UK Ltd
c/o LRM Planning, 22 Cathedral Road, Cardiff CF11 9LJ

LOCATION: Land at former St John's School, Newton, Porthcawl CF36 5SJ

PROPOSAL: Demolition of the existing buildings and construction of 57 dwellings, including 8 affordable apartments, landscaping, public open space, SUDS and associated works

RECEIVED: 2 April 2020

APPLICATION/SITE DESCRIPTION

The application seeks full Planning permission for the demolition of the existing buildings and construction of 57 dwellings, including 8 affordable apartments (together with a contribution towards off-site affordable housing provision), landscaping, public open space, sustainable drainage systems and associated works at the former St John's School, Newton, Porthcawl.

The application site extends to approximately 2.5 ha and comprises the former St John's School. The site is situated centrally within the village of Newton with the coastal town of Porthcawl located directly to the west of the application site. The site currently comprises a number of vacant buildings and playing fields that were formerly part of St John's School.

The site is located within Newton Conservation Area and has vehicular access off Church Street with pedestrian access from Birch Walk. A Public Right of Way runs along the southern boundary of the site. There are a number of protected trees on the site and the site is surrounded by a number of detached and semi-detached residential dwellings with St Clare's School located to the north of the site.



Fig. 1 - Site Location Plan

Background

The original application for the site (submitted in April 2020) sought full Planning

permission for the demolition of the existing former school buildings and ancillary structures and the construction of 74 residential units (including 13 affordable dwellings), landscaping, open space and associated works.

Significant concerns were raised by the Local Planning Authority (LPA) after consideration of the original scheme and the comments received from the local community. As a result of a number of collaborative and constructive meetings undertaken between the LPA and the developer, a number of significant changes have been proposed with amended plans submitted on 9 November 2020 proposing the following changes:-

Amended Development Proposals

- **Reduced Unit Numbers/Density**
Significant reduction in density from 74 to 57 dwellings now proposed representing a reduction of over 20% compared to the original scheme. The reduction in density, coupled with changes to the house types and inclusion of landscape drainage strips has resulted in the reduction in the number of and the prominence of vehicle parking through the development.
- **Enhanced Gateway Entrance**
A key feature of the revised design is the enhanced entrance which is formed around a block paved shared surface courtyard area and bound by reused stone walling leading to a new central green/public open space.
- **Improved Streetscape**
A shared surface runs through the site connecting the main land parcels with landscaped strips included along the highway edge that seek to soften the built form but also act as sustainable drainage features. In addition there are changes in surfacing materials together with the introduction of street trees.
- **Additional Connectivity**
The green corridor through the site is maintained and improved through the introduction of a new central green/public open space and protected pedestrian link which provides a dedicated pedestrian route through the middle of the site (east to west). Furthermore, additional pedestrian links have been included to assist with pedestrian movement through the site and into the wider footpath network with routes directly overlooked by proposed dwellings to provide natural surveillance.
- **New Rectory**
A new bespoke 'Rectory' house type has been introduced at the site entrance that attempts to reflect the form, design and features of the original school building.
- **New Apartment Building.**
A revised apartment building is now proposed which has been reduced in height and incorporates a simple palette of materials and design features more in keeping with the Conservation Area.
- **Improved Materials & Detailing.**
The materials palette has been amended and refined to provide a simple mix of facing materials which are considered to better reflect the character and appearance of the Conservation Area, including render and recon stone and slate. Roof designs/pitches have been revised with bay windows, simplified cill and header details and chimneys included on key buildings to align with the detailing found within the Conservation Area.

The revised scheme now proposes the demolition of the old school buildings on the site

including the existing Rectory building located to the east of the site and the proposed erection of 57 residential dwellings on the site.

The proposed dwellings will comprise 9 x 3 bedroom houses, 40 x 4 bedroom houses and 8 affordable residential dwellings comprising of 1 bedroom flats. The affordable flatted development will comprise a pair of two storey apartment blocks located at the north-eastern part of the site. The proposed layout will comprise a vehicle entrance from Birch Walk and a centrally positioned tree lined avenue within the site that will be used as a pedestrian/cyclist route through to Church Road.

The tree lined avenue will effectively divide the upper and lower parts of the development with an area of public open space proposed at the entrance to the site. There is also a vehicle entrance proposed off Church Street to serve three dwellings located at the south-western corner of the site. Car parking will be provided through a combination of detached garages and off-street parking spaces. The proposed layout also comprises an enhanced gateway entrance which is formed around a block paved shared surface courtyard area and is bound by reused stone walling leading to a new central green/public open space. The inclusion of a green public open space area links in with the tree lined pedestrian and cyclist route and is overlooked by a number of dwellings on the site. The internal road layout has been amended to include a more inclusive road design with changes in surfacing materials together with the introduction of street trees.

Two additional pedestrian accesses are proposed, one at the southern part of the site with access from the tree lined avenue to the proposed three dwellings off Bryneglwys Avenue and the other to the north of the site in front of the apartment blocks which will link onto Birch Walk.



Fig. 2 - Proposed Revised Site Layout

The proposed dwellings will be two storeys in height, comprising of detached and semi-detached designs with detached garages. There are 9 house types proposed for the private dwellings and these will all be constructed in a mixture of materials such as concrete grey roof tiles, reconstructed stone cladding in silver and white render with bay windows, chimneys, porch canopies, UPVC windows/doors and aluminium up and over garage doors.

House Types Easedale and Gosford comprise a kitchen, dining room, lounge, WC and hallway on the ground floor with three bedrooms (1 en-suite) on the first floor.



Fig. 3 - Example of a Gosford (Stone) House Type

House Types Wortham, Dunham, Trusdale, Midford, Manford and Manford Special will comprise a dining room, kitchen, lounge, hall, utility room with 4 bedrooms, en-suites and bathroom on the first floor and the Ransford has an extra study room with four bedrooms (2 en-suite), bathroom and landing area at first floor.



Fig. 4 - Example of a Manford (Render) and Ransford House Type



Fig. 5 – View of Street Scene

The application also proposes the erection of a pair of two storey apartment buildings located to the north of the site which will comprise 8 x 1 bedroom apartments (4 apartments per block). Each flat will comprise a kitchen, lounge, bedroom and bathroom with two flats located on the ground floor and two flats located on the first floor. Both apartment buildings will include a gable roof design with a single storey, front projecting pitched roof extension providing the entrance to the first floor flats, side elevation windows and will be finished in white render with sash style windows and chimneys with each flat being served by a front entrance door. Both apartment buildings will be slightly elevated due to the existing site levels of the site and will be served by 8 parking spaces and shared amenity space to the rear.



Fig. 6 - Proposed Elevations and Floor Plans of Apartment Buildings

The application also proposes the demolition of the old school buildings located on the site which comprise a number of two storey rendered buildings and portacabin style buildings with particular reference to the large two storey double bayed window building known as the Rectory which is currently located at the existing pedestrian entrance of the site.



Fig. 7 - Photograph of Existing Rectory Building

The proposal comprises the demolition of these buildings and the relocation and replacement of the existing Rectory building. The proposed Rectory building will be placed further forward than its current position within the site and will be located at the entrance to the site. The proposed replacement building is of a similar design to the current Rectory building and will be occupied by a 4 bed detached dwelling.

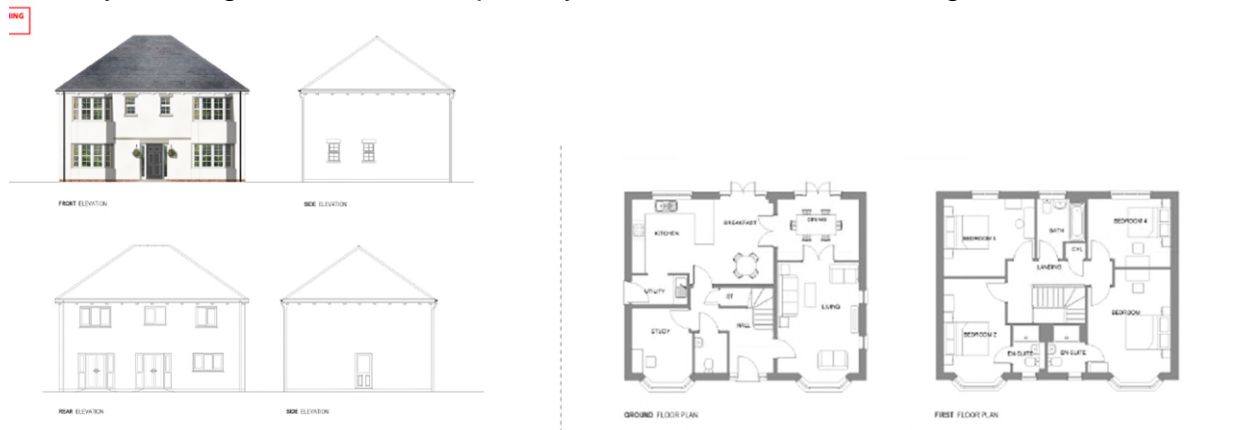


Fig. 8 – Proposed Elevations and Floor Plans of the Replacement Rectory House Type

As the old school buildings are located within Newton Conservation Area, the proposal to demolish them will require Conservation Area Consent (P/20/266/CAC refers).

The proposed scheme will also facilitate the implementation of a comprehensive tree removal and retention programme which will include the removal of poor quality and dangerous trees throughout the site, the retention of a number of the better quality trees within the site and the retention of the trees along the tree lined avenue. The proposed scheme will also include landscaping, planting and ecological mitigation.

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

- Planning Statement
- Design and Access Statement
- Heritage Impact Assessment
- Transport Statement
- Ecology Report
- Tree Survey/Tree Constraints Plan/Tree Protection Plan/Tree Retention and Removal Plan
- Archaeology Appraisal
- Site Investigation Report
- Drainage Strategy
- Landscaping Scheme
- Air Quality Assessment
- Noise Report
- Lighting Assessment
- Pre Application Consultation Report

RELEVANT HISTORY

P/97/568/FUL – Increase height of old boundary wall fence and gate
Approved (with conditions) – 15/07/1997.

PUBLICITY

The application was advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity was extended and expired on 28 May 2020. Amended plans were received and a re-consultation was undertaken which expired on 23 November 2020.

CONSULTATION RESPONSES

Cllr Ken Watts (Local Member) – raises concerns regarding the footpath opposite the allotments and what is to be put in place to prevent people parking on the verge and obstructing the entrance to the proposed three dwellings off Church Road and also regarding the parking on the bend of Birch Walk, parking restrictions and traffic calming required to slow vehicles down.

Porthcawl Town Council - advise that there is a footpath linking the driveway from Plot 1 to the main east west footpath across the site but there is not one from Plot 53 to the main footpath, this is highly likely to become a preference route for anyone in Plots 47 to 57- can a footpath be added there?. Bat mitigation strategy to follow Sections 5.44 and 5.45 of the Ecological appraisal report with Planning pre-start conditions to ensure that bat boxes are sited on mature trees within the site prior to demolition of existing buildings. Is it possible for more of the properties to the south of the site to exit the development via Church Road rather than Birch Walk? bearing in mind the fact that Church Street formed the main entrance for the school when it was open.

Transportation Officer (Highways) – No objection subject to a number of conditions and a S106 agreement for a Road Traffic Order.

Land Drainage – No objection subject to two conditions requesting the submission of a comprehensive drainage scheme and infiltration tests prior to works commencing on site. The SAB officer has been involved with the Planning meetings and has provided feedback regarding a sustainable drainage application. The applicant shall submit a sustainable drainage application once the infiltration test results have been completed and once a revised Geotechnical Report has been received supporting the use of partial infiltration at the site.

Head of Public Protection (Noise) – No objection to the revised scheme and amended noise report subject to conditions requesting details of an acoustic fence to be erected along the northern elevation of the site.

Glamorgan Gwent Archaeological Trust (GGAT) – No objection subject to conditions

Welsh Water Developer Services – advise that the proposed development is located within 3m of a public sewer. The developer has indicated that they wish to divert the public sewer and is advised to contact Dwr Cymru Welsh Water to apply to undertake the works.

Designing Out Crime Officer – Supports the proposed scheme.

Destination and Countryside Manager – No objection subject to a condition regarding the findings and recommendations of the submitted Ecological and Tree reports.

REPRESENTATIONS RECEIVED

On submission of the amended plans (received by the Local Planning Authority on 9 November 2020), all neighbouring properties were re-consulted. This provided an extended time-period for further comments to be submitted for consideration by the Local Planning Authority on the proposed changes to the scheme.

Two letters of support for the proposed development were received from neighbouring residents.

A large number of objections have been received from neighbouring residents with regard to the proposed development including responses from Suzy Davies (MS), Dr Jamie Wallis (MP) and the Porthcawl Civic Trust Society. The main issues have been summarised as follows:

- Proposed dwellings are now larger and the significant footprint has not significantly decreased;
- Increased traffic along Birch Walk and Danygraig Avenue;
- Increased traffic problems and congestion at junction of Manor Grove and Bridgend Road especially at school drop off and pick up times;
- Submitted traffic survey is inaccurate and flawed as survey was undertaken on the weekend not showing congestion experiences on Danygraig Avenue during school times;
- Increase in on-street parking due to insufficient parking within the site;
- Reduction in the number of vehicles using this site has not been reduced because the proposed four bed dwellings has increased significantly hence additional vehicles over the reduced three bed dwellings;
- The proposed single site access/exit for all entry and exit points on Birch Walk will again cause heavy traffic concerns in and out of the site both during construction and after construction;
- Impact on ecology/wildlife;
- Increase in pollution as a result of the proposed development;
- Privacy/overlooking/overshadowing/overbearing;
- Loss of light and views;
- Proposed dwellings are unsustainable;
- Concerns over security of properties and location of proposed walkway;
- Noise and disturbance as a result of the development;
- Surface water concerns due to loss of trees and vegetation;
- Land ownership and boundary concerns;
- Effects of proposed buildings on the natural environment;
- Lack of parking;
- Loss of ancient footpath;
- Loss of trees/wildlife/plants;
- No provision of new social facilities;
- Impact on surrounding highways;
- Concerns of flooding and impact on sewerage system and water table;
- No public transport serving the area any longer;
- Non-compliance with government guidance regarding motor vehicle electrification;
- Concerns over timing of submission of application due to the Covid 19 restrictions;
- Loss of outdoor recreation space as stated in BCBC outdoor sport and Children's play space audit;
- Inclusion of a tree for removal located in a neighbour's property;
- Disruption during demolition and construction phase;
- Increase in anti-social behaviour;
- Re-use of site for a more appropriate use such as allotments;
- Concerns over the loss of the existing historic property – should be restored and offered for sale as a main residence;
- Proposal off Church Street will affect the parking for the allotment holders at St John's church site;

- Concerns of traffic and safety along Church Street due to lack of footpath and blind bend;
- Detrimental impact on the existing area and ambience of a quiet residential area;
- Design of proposed dwellings are out of character with the Conservation Area and will set a precedent for other developments in the area;
- Proposal does not seek to preserve or enhance the Conservation Area;
- Decrease in dwellings on this site will be negated by the proposed residential development at Cypress Gardens (P/20/729/OUT refers).

COMMENTS ON REPRESENTATIONS RECEIVED

- The majority of the concerns raised have been addressed within the appraisal section of this report.
- Land ownership, boundary disputes and loss of views are not material Planning considerations.
- The Highway Authority is not aware of any ancient footpath that crosses the application site.
- Inevitably, a development so close to existing properties is going to result in some noise and disturbance during the construction period. If the Council were minded to grant Planning permission, a Planning condition could be imposed controlling the hours of work to preserve the residential amenities of the area.
- During the Covid-19 pandemic, BCBC Planning Department decided to maintain as normal a service as possible and to continue to process Planning applications. All reasonable steps have been taken to allow people to comment on the application and initially the Local Planning Authority extended the consultation period for people to view the plans and comment on the application. Those people who were unable to view plans were advised to contact the Case Officer directly.
- With regard to the inclusion of a tree for felling being in an adjacent neighbour's garden as a result of the proposed development, further investigation has resulted in an allegation that the tree has been included into the neighbour's land as a result of encroachment. This matter has been referred to the Council's Enforcement Officer for further investigation.
- Planning application P/20/729/OUT was submitted to the Local Planning Authority on the 25 September 2020 for Outline consent with all matters reserved except access for a proposed residential development of 20 dwellings on land to the north and east of Cypress Gardens, Porthcawl. This application is currently being considered by the Local Planning Authority and it is expected to be determined in December 2020.

RELEVANT PLANNING POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan 2006-2021 (LDP) which was formally adopted by the Council in September 2013 and within which the following Policies are of relevance:-

- Strategic Policy SP2 – Design and Sustainable Place Making
- Strategic Policy SP3 – Strategic Transport Planning Principles
- Strategic Policy SP5– Conservation of the Historic and Built Environment
- Policy SP14 - Infrastructure
- Policy PLA1 – Settlement Hierarchy and Urban Management

- Policy PLA11 – Parking Standards
- Policy COM3 – Residential Re-use of a Building or Land
- Policy COM4 – Residential Density
- Policy COM5 – Affordable Housing
- Policy COM11 – Provision of Outdoor Recreation Facilities
- Policy ENV6 – Nature Conservation
- Policy ENV8 – Heritage Assets and Regeneration

Supplementary Planning Guidance:

SPG02: Householder Development

SPG07: Trees and Development

SPG13: Affordable Housing

SPG16: Education Facilities' and Residential Development

SPG17: Parking Standards

SPG19: Biodiversity and Development

National Policies

Planning Policy Wales (PPW – Edition 10) November 2018.

The Place Making Charter Wales (2020) – Design Commission for Wales

TAN5: Nature Conservation

TAN10: Tree Preservation Orders

TAN11: Noise

TAN12: Design (2016)

TAN18: Transport

TAN24: Historic Environment

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act 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.

APPRAISAL

The application is referred to Committee to consider the objections raised.

The application seeks full Planning permission for the demolition of the existing buildings and construction of 57 dwellings, including 8 affordable apartments together with an off-site contribution, landscaping, public open space, SUDS and associated works.

The main issues to consider in the assessment of this application are the principle of development, justification for the loss of the existing Rectory building and impact on the

Newton Conservation Area, impact of proposed design, scale, layout and materials, impact on neighbouring properties, drainage, ecology, noise, air quality, archaeology and highway safety.

Principle of Development

The site is located within the main settlement of Porthcawl as defined by Policy PLA1 Settlement Hierarchy and Urban Management of the Bridgend Local Development Plan (LDP) adopted in 2013. The site is also located in the Porthcawl Strategic Regeneration Growth Area (SRGA) as defined by Policy SP1 Regeneration-Led Development which states that development will be permitted where it provides the maximum benefits to regeneration at a scale that reflects the role and function of settlements as set out in the settlement hierarchy. The spatial strategy of the LDP seeks to focus development within SRGAs and the settlements detailed in PLA1.

Policy COM3 Residential Re-use of a Building or Land states that residential developments within settlement boundaries defined in Policy PLA1 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. With a capacity in excess of 10 dwellings, the proposed site would classify as a windfall site under Policy COM3 capable of making an important contribution to the overall housing supply. The site is not allocated for a specific use and therefore, residential development would be acceptable in principle subject to other LDP Policies.

Policy COM7 Protection of Social and Community Facilities states that all proposals which result in the loss of existing or proposed social and community facilities will not be permitted unless justified on one of the following grounds:

- 1) A suitable alternative location is available and a facility of equivalent community benefit is provided by the developer on or off the site; or
- 2) In the view of the Local Planning Authority, the existing facility is no longer required for the current use or any other social and community uses or there is already an excess of such provision in the area.

The school ceased operating in 2014 and has remained vacant since and as such, the proposal complies with criterion 2 of LDP Policy COM7 as the existing facility is not considered to be required for the current use any longer.

It is also important to note that sections of the site are included as playing fields associated with the former school use in the Outdoor Sports & Children's Playing Space Audit 2017. PPW 10 paragraph 4.5.3 states *Formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes, not only enhancing the quality of life, but contributing to biodiversity, the conservation of nature and landscape, air quality and the protection of groundwater.*

Notwithstanding the above, TAN 16 Sport, Recreation and Open Space Annex A states *Areas which are privately owned may have amenity value, although access will not be possible without the agreement of the land owner.* The site is privately owned and has not been in use since 2014 and therefore, the playing field and playing area are considered to be inaccessible for public use. As such, the proposed loss of open space is unlikely to have a detrimental impact upon accessible open space in the immediate area. Furthermore, the proposal will provide and incorporate open space within the development scheme which will enable greater public accessibility.

Accordingly, the proposed development is considered to accord with Policy SP1, PLA1, COM3 and COM7 of the Bridgend Local Development Plan (LDP) (2013) subject to compliance with other policies set out in the LDP.

Justification for the loss of the existing and replacement of the Rectory building and impact on the Newton Conservation Area

The site is located within Newton Conservation Area as defined by Policy SP5(2) Conservation Areas and their settings. Policy SP5 states that development should conserve, preserve, or enhance the built and historic environment of the County Borough and its setting. Development proposals will only be permitted where it can be demonstrated that they will not have a significant adverse impact.

With regard to the proposed demolition of the existing school buildings including the existing Rectory building, this is being considered in detail under a separate Conservation Area Consent submission (P/20/266/CAC refers). Whilst the demolition of the existing school buildings on site is considered acceptable, concerns were raised initially at the loss of the existing Rectory Building.

Since the application was submitted, a fire has caused significant damage to the Rectory building and an updated condition report has been submitted for the purpose of the determination of the application for Conservation Area Consent. The proposal for a replacement “Rectory” House type which reflects the architectural features of the original building albeit in an adjusted location to accommodate a satisfactory access road into the site, creates a landmark building at the proposed entrance gateway.



Fig. 9 – Existing Rectory Building and Proposed Replacement Rectory House Type

This attractive gateway including an area of public open space, enhancement of the public realm and the use of appropriate materials and architectural details on the dwellings facing onto the gateway, has created an attractive focal point on entering the site and is considered to reflect the unique identity and distinctiveness of the area.

The replacement Rectory dwelling as part of an entrance feature to the site, along with the proposed improvements in design of the gateway and the uplifted design quality of the site as a whole, is considered acceptable on balance, justifies the loss of the existing building and will offset the impact caused by the demolition of the original Rectory building and the loss of historic fabric.

Accordingly and in view of the additional information submitted, the retention of the original features of the building and the overall contribution the proposed replacement Rectory building makes to the entrance to the site, the demolition of the existing buildings and Rectory building is considered acceptable as the proposed scheme is considered to preserve and enhance the character and appearance of the Newton Conservation Area which accords with Policy SP2, SP5 and ENV8 of the Bridgend Local Development Plan (2013) and the advice contained in Planning Policy Wales (Edition10, 2018).

With respect to the impact on the setting, character and appearance of Newton Conservation Area, the proposed development site is located to the eastern side of Newton Conservation Area. The Conservation Area was designated in August 1973 and its special character and appearance is described as *introspective groups of buildings contribute to the pleasant visual quality of its winding streets and lanes. Its original form and character and intimate scale have survived and this is perhaps its most attractive aspect. Stone boundary walls, enclosed gardens, some with rocky outcrops, and extensive tree belts to the east and north are intrinsic factors in the creation of the village scene. Buildings are of a variety of styles and materials, the older ones possessing stonewalls and slated roofs*". Particular architectural strengths that contribute to the special character of the area include *the widespread use of stone and white painted render on C19th and C20th buildings throughout the Conservation Area and the consistent use of the local pennant stone on boundary walls creating an integrated quality to the heritage environment*.

The draft Conservation Area appraisal for Newton Conservation Area (2014) states this part of the Conservation Area (character area 4) *has notable heritage qualities based on historic buildings and it will be important that any new development respects the heritage qualities of the buildings and retains the open spaces and protects the belts of trees*. It is considered that the land which forms part of the proposed development site and the former Rectory building make a positive contribution to the Conservation Area despite the subsequent fire damage to the Rectory building and its deterioration and regardless of the site being currently "secluded and inaccessible" which are factors that have been considered significant in the applicant's assessment of the site's contribution to the Conservation Area.

A Local Planning Authority has a statutory duty to give special consideration to the desirability of preserving or enhancing the character or appearance of a Conservation Area and Planning Policy Wales (2018) states *there is a strong presumption against the granting of planning permission for developments which damage the character or appearance of a conservation area or setting to an unacceptable level. Preservation or enhancement of a conservation area can be achieved by a development which either makes a positive contribution to an area's character or appearance or leaves them unharmed*.

The Council's Conservation Officer initially raised concerns regarding the proposed scheme which failed to address and reflect the character of the Conservation Area.

Following a number of meetings and discussions with the applicant and agent, the update to the Heritage Impact Assessment (HIA) received on 9 November 2020 reiterates that the Rectory building is "the only part of the remaining school complex that has heritage significance" which is limited to its "aesthetic and evidential values". It is concluded by the applicant that the site overall makes a "small" or "limited" contribution to the character or appearance of the Conservation Area in terms of the Rectory building and the open space. The original HIA also referred to the continued survival of the arrangement of space shown on historic maps and the mature trees that define the edges and sub-divide the internal space. The updated assessment submitted by the applicant concludes that the proposed development of the site will have a significant impact on the Conservation Area but suggests the character *would be left unchanged and therefore should be acceptable*.

As stated above, the proposed changes to the layout and the creation of an attractive gateway including the replacement Rectory building, an area of public space, enhancement of the public realm and the use of appropriate materials and architectural details on the dwellings facing onto the gateway are considered to enhance the character

and appearance of the Conservation Area. In addition, the uplift of materials and inclusion of key features such as chamfered bay windows, chimneys, porches, stone surrounds, hipped roofs, sash windows and the use of pennant stone throughout the entire site also seeks to enhance the existing features of the Conservation Area, making a positive contribution to the area.

The proposed redesign of the apartment blocks with the subsequent reduction in height and improved design features and materials, are also considered to reflect the character of the Conservation Area as well as making a positive visual contribution to the appearance of the site and wider area. The inclusion of high quality hard and soft landscaping and the enhancement of the road alignment to more closely reflect the “winding” nature of the lanes and streets in the Conservation Area closely reflects the special character of the Conservation Area.

Finally, the proposed design and materials of the three dwellings located off Bryneglwys Gardens and which form part of the street scene are also considered to reflect the character and appearance of the Conservation Area. The setback location of the dwellings coupled with the raised bank, landscaping and stone boundary wall are considered to soften the appearance of the dwellings within the Conservation Area hence seeking to protect the existing character and making a positive contribution to the visual appearance of the street scene and area.



Fig. 10 – Proposed dwellings off Bryneglwys Gardens

On balance, it is considered that the amended redevelopment proposals for the site submitted on 9 November 2020 are acceptable in the context of the special character and appearance of the Conservation Area and overall, it is considered that there is a neutral effect. Accordingly, the proposed development is considered acceptable and accords with Policy SP2, SP5 and ENV8 of the Bridgend Local Development Plan (2013) and the advice contained in Planning Policy Wales (Edition 10, 2018).

Design/Scale/Layout and Materials

As stated above, following an assessment of the originally submitted scheme and a review of the local community’s objections, the Local Planning Authority raised a number of concerns with the applicant regarding the proposed scheme.

The applicant was advised that the proposed residential scheme failed to respond to any of the place making principles set out in Planning Policy Wales (Edition 10, 2018) and The Place Making Charter Wales (2020) and therefore, did not represent a sustainable form of development or a desirable place to live. There were also concerns regarding the impact of the proposed scheme on the character and appearance of Newton Conservation Area.

In view of this, a number of meetings and discussions were undertaken with the applicant, their agent and the relevant consultees to address the concerns raised above.

Amended plans were received on 9 November 2020 which presented a revised scheme for the site as a whole and sought to address the issues raised by strengthening the focus and incorporating place making principles into the core of the proposed scheme.

Firstly, the number of dwelling units on the site has been reduced from 74 to 57 which allows more space to be created within the site for the inclusion of more open space and also a reduction in the number of car parking spaces. It is considered that this creates a much better living environment with more amenity space as well as reflecting the existing character and appearance of the Conservation Area. The reduction in units on the site has also resulted in a change in house types with 3 and 4 bedroom dwellings being included on the site as well as an uplift in the materials used and features including chimneys, bay windows and porches. This is not only considered to reflect the existing character of the Conservation Area but also relates to the housing estates located at Birch Walk and Danygraig Avenue which are characterised by detached dwellings with quite spacious gardens. The plans below demonstrate the changes in the revised scheme compared to the original submission with regard to the layout of the site:



A major change and key feature of the scheme is the creation of an enhanced gateway at the entrance to the site off Birch Walk.



Fig. 11 – View of Enhanced Entrance Gateway and POS

As discussed above, the existing Rectory building is to be demolished, re-located and rebuilt with the same character and architectural features to form the entrance to the site. The enhanced entrance is formed around a block paved shared surface courtyard, bound by reused stone walling leading to a new central green/open space. This entrance provides a key focal point and sense of place with key buildings orientated to provide a safe space as well as a communal area to share and enjoy. The re-use of existing stone on the site demonstrates the inclusion of and reference to the Conservation Area as well as the contribution to the overall visual appearance of the site and area.

The inclusion of the central area of public open space which links up to the tree line avenue which is the key active travel route through the site for pedestrians and cyclists, provides an important green area and space that serves both the upper and lower part of the site. This accessible area allows community events to take place as well as an open space for children to play and is vital to the health and well-being of the occupiers of the site. It is also worth noting that this area will include a focal point of public art that will resemble the previous use of the site as a school.



Fig. 12 – View of POS and link with tree lined avenue

The overall connectivity and active travel routes through the site have been improved with the retention of the pedestrian/cyclist tree lined avenue corridor connecting Birch Walk and Church Street, as well as the inclusion of two new pedestrian access points through the site, one at the southern part of the site with access from the tree lined avenue to the proposed three dwellings off Bryneglwys Avenue and one at the northern part of the site located in front of the apartment buildings and emerging out on to the top part of Birch Walk. This creates better permeability through the site and integration with the wider community as well as seeking to encourage people to walk than use the private motor vehicle.



Figure 46: Shared Surface - Section, adding Green Infrastructure at a local level

Fig. 13 – Example of Shared surface and inclusion of street trees

A further positive change to the scheme is the introduction of a shared surface that runs

through the site connecting the main land parcels with landscaped strips included along the highway verge, which soften the appearance of the scheme. The road alignment has also been altered on the northern section of the site to include a bend which improves the visual appearance as well as reflects the existing form within the Conservation Area. The change in surface materials and introduction of street trees will also help to slow traffic and create a more attractive pedestrian environment.

The overall palette of materials and finishes to the proposed dwellings has been revised, simplified and improved to reflect the character and appearance of the Conservation Area. The proposed dwellings will now be finished in a white render or bradstone sliver grey stone with a concrete Redland slate in charcoal and blue as all red brick has been removed from the site (albeit retained to be used as plinths) as this is not a material that is found within the existing Conservation Area. The overall quality of the dwellings has also been improved with the inclusion of features such as bay windows, chimneys and porches which again reflect the existing Conservation Area.



- Windows generally set within stone openings;
- Reconstituted stone cill; and
- Reconstituted stone lintel feature.

Fig. 14 – Examples of materials of proposed dwellings

The final amendment relates to the design of the proposed apartment blocks which are to include the affordable housing element of the site. The apartment blocks are located in the north eastern corner of the site and are slightly elevated. Originally the submission proposed 12 flats enclosed in a three storey building. Following further assessment, it was noted that there was no justification for a three storey building on this site as there was clearly no evidence of this type of building within the Conservation Area or surrounding area. In view of this and following very detailed discussion with the Conservation Officer, a revised two storey building with a gable roof design was submitted with a reduction to 8 flats, which is considered to be more in keeping with the character and appearance of the Conservation Area. The internal layout was also re-configured to allow for habitable rooms to face south and away from the MUGA located to the rear as well as a parking area for 8 spaces and a shared amenity area.



Original Design for Apartments

Revised Design for Apartments

The housing apartment blocks have also been reduced in scale and slightly reconfigured

externally and internally to maximise outdoor amenity space and improve natural daylight. This has been achieved through the increase in window opening sizes and the reconfiguration internally to create a more attractive living space. These amendments, along with improvements in hard and soft landscaping are considered to create a visual interest more closely reflecting the special character of the Conservation Area.

In view of the above changes, it is now considered that the revised residential housing scheme has been designed with place making principles as set out in PPW (Edition 10, 2018) at the centre of the scheme and also seeks to adhere to the six place making principles outlined in the Place Making Charter for Wales. The inclusion of the changes seeks to integrate the scheme into the local community and improve movement through the site as well as connect the Newton Conservation Area with Birch Walk and Danygraig Avenue, thus reducing the need to travel as well as promoting a healthy lifestyle by creating a pleasant environment and encouraging active travel. It is also considered that the proposed development now creates a defined, inclusive, welcoming, safe and distinct identity that relates both to the Conservation Area and the wider residential area. The proposal possesses distinctive qualities and values of the Conservation Area and surrounding area as well as respecting the heritage and culture of this unique site. The retention of the natural physical attributes of the site coupled with the proposal for more enhanced landscaping is considered to successfully and positively integrate the proposed scheme with the surrounding area. Overall, the proposed development is considered acceptable and accords with Policy SP2, SP5(2) and ENV8 of the BLDP(2013) and the advice contained in Planning Policy Wales (Edition 10, 2018).

Impact on neighbouring amenities

The application site is located within a predominantly residential area and is surrounded by a number of existing properties. A number of local objections have been received regarding the loss of privacy, security, overbearing and noise.

With regard to the impact of the development on the existing neighbouring residents of Birch Walk with particular reference to 29-41 and 18-19 Laburnum Drive, it is considered there would be no significant overlooking or privacy issues due to the separation of over 30m by the main highway from the site. It is also considered that due to the design of the apartment block, the topography of the site and proposed landscaping along the boundary of the site, there will be no adverse impact on the occupiers of these properties as a result of the proposed development.

With regard to the neighbouring properties located at 8, 10 and 12 Birch Walk, these properties will back directly onto an area designated as open space within the site however, it is not considered this will impact on the existing security these properties currently benefit from as the existing boundary treatment will remain in place and it will be an active residential housing estate with occupied properties located around and overlooking the area in question. The proposed dwellings are also not considered to have an impact on the light received or privacy these properties currently enjoy due to the 21m separation distance between habitable rooms which accords with the Council's Supplementary Planning Guidance SPG02: Householder Development.

It is also considered that the security of the pedestrian and cyclist route through the tree lined avenue will be improved with the design and orientation of Plots 53-56 which will overlook the tree lined avenue providing light and surveillance at all times.

With regard to the impact of Plot 53 on the property known as Hafod, the existing property is a single storey bungalow and is located approximately 10.25m away from the side elevation of the Plot 53 and whilst the proposed dwelling may have some impact on the property due to the current open nature of the site, the proposed dwelling is not

considered to have an unacceptable overbearing impact on the existing property. Furthermore, there are no windows proposed in the side elevation of this property so there will be no loss of privacy or overlooking as a result of siting of the proposed dwelling. It is noted however, that the rear garden area of Hafod is located within close proximity to the proposed parking area and driveway of Plot 53 and in order to protect the privacy of the neighbouring property, it is considered necessary to attach a condition requesting a form of boundary treatment to be erected along this boundary.

With regard to the issue of increase in noise as a result of the development, it is worth noting that the previous use of the site was as a school and the neighbouring properties have enjoyed the peace and quiet of this site since this use ceased in 2014. Furthermore, whilst the use of the site as a residential housing estate for 57 dwellings as opposed to a school may generate more noise, it is not considered to be so significant to have an adverse and significantly detrimental impact on the neighbouring properties especially due to the relatively secluded nature of the site.

Accordingly it is considered that the proposed development will not result in a significant adverse impact on the residents of Birch Walk, Bryneglwys Gardens and in particular the residential property known as Hafod, Church Street in terms of privacy, overbearing, noise or security and therefore, the development accords with Policy SP2 (12) of the Bridgend Local Development Plan (2013) and the Council's Supplementary Planning Guidance SPG02: Householder Development.

Access/Parking/Highway Safety

The Transportation Officer has assessed the submitted information and has noted that the proposal has been supported by a Transportation Assessment (TA) which has been amended each time to reflect the reduction in unit numbers from the original proposal. The TA concludes that the development would not generate additional vehicle movements on the local highway network to the detriment of the free flow of traffic or highway and pedestrian safety. It also indicates that the volume of development traffic generated in the peak hours is not considered to be a material intensification of existing traffic levels on Danygraig, Manor Grove or Bridgend Road.

In order to validate the TA conclusions, the Highway Authority analysed and audited the data and capacity analysis of the TA. In addition, the Highway Authority undertook basic traffic counts of its own in order to 'sense check' the previous traffic counts used in the TA. A number of points of concern were highlighted to the applicant's Transport Consultants and these were worked through and remedied. The points mainly consisted of the capacity of the junctions, active travel provision and public transport provision. It is noted that there are a number of objections raised relating to the TA and in particular the dates on which the traffic surveys were undertaken. The Highway Authority confirms that junction count traffic surveys were undertaken on Thursday 11 April 2019 and Tuesday 10 March 2020. These days and dates are considered acceptable and within traffic neutral months.

The Highway Authority is also aware that the March 2020 surveys were undertaken some 10 days before the UK was placed into a nationwide lockdown due to the Covid-19 pandemic however, comparisons with other surveys around the County Borough at that time show that the traffic levels were not affected by the impending lockdown and remained at normal levels. Notwithstanding this and as detailed above, the Highway Authority undertook manual traffic counts on 12 November 2020 to provide a sense check against the applicant's traffic counts. The applicant's traffic count for vehicles turning into Manor Grove from Bridgend Road in the AM peak hour was 218 vehicles and the Highway Authority's own count was 167 vehicles. For the same junction in the PM peak the applicant's traffic count was 210 vehicles and the Highway Authority's count was 170

vehicles. It is noted that the Highway Authority's traffic counts are slightly lower however, this is to be expected given the number of people now working from home but it does show that the applicant's data is comparable and is considered acceptable.

It is noted from the objections that the confusion with the traffic survey dates lies in the dates that the Automatic Traffic Counters (ATC) were deployed on Birch Walk which is a different data set collection from the junction counts detailed above. The ATC's were deployed for a whole week from Sunday 17 March 2019 through to Saturday 23 March 2019 (inclusive). The ATCs allowed the applicant's Transport Consultants to determine the 85th percentile speed of vehicles travelling along Birch Walk. The results show that vehicles travelling northbound are on average traveling at 27.6mph northbound and southbound vehicles are travelling at 25.7mph. These speeds equate to a 39m Stopping Sight Distance north (SSD) and 35m SSD south being required at the proposed new entrance to the site. These SSD's can be achieved within land under the applicant's control and are shown on a plan within the TA.

In addition to the above, the applicant's Transport Assessment has provided junction capacity analysis to determine the number of vehicles which can use the junctions (Birch Walk/Danygraig, Danygraig/Manor Grove and Manor Grove/Bridgend Road) affected by the proposed development. This analysis is undertaken by a computer modelling program Junctions 9, formally known as PICADY. The analysis shows that there is significant capacity available in all junctions to accommodate existing base flows and future traffic flows including those vehicles generated by this proposal. As can be seen from the above, the Transport Assessment (TA) is considered to be robust in its methodology and findings.

Notwithstanding the above, it should be noted that the Junctions 9 computer modelling programme is unable to consider and analyse the effects of inappropriate parking and other driver related issues which are often the cause of congestion at junctions. It was noted during the traffic counts by the Highway Authority that the Danygraig/Manor Grove/Bridgend Road junction suffers from indiscriminate parking at the school drop-off and pick-up times and this is also confirmed on Page 10 of the Transport Assessment. To address the above concerns detailed in the Transport Assessment and of the Highway Authority, the applicant will be required to enter into a Section 106 Agreement to fund a Traffic Regulation Order to implement parking restrictions in the form of no waiting and no parking double yellow lines around the junction of Bridgend Road, Manor Grove and Danygraig. This will ensure that indiscriminate parking associated with the school drop-off does not affect the operation of those junctions and those junctions can accommodate the development traffic. In addition, the Traffic Order is considered to assist in the through flow of traffic on the above junctions and is fundamental to the acceptability of this application to reduce the impact of the additional traffic on the local air quality.

It is noted that there are concerns and objections raised with regards to potential future indiscriminate parking associated with the development. The areas of concern are Birch Walk in close proximity to the site entrance and also on Church Street opposite the allotment gardens. As detailed above and to ensure parked vehicles associated with the development do not affect the free flow of traffic on those roads, the applicant will also be required to fund a Traffic Regulation Order to restrict parking on Church Street adjacent to the allotments and also on Birch Walk along the development site's western site frontage, the details of which are to be agreed with the Highway Authority's traffic management section.

The developer will be required to enter into a Section 106 Agreement to fund a financial contribution of £8,000.00 for Traffic Regulation Orders – Parking Restrictions and a 20mph Traffic Order for the internal estate roads of the development to cover the cost of publication of the Orders. The S106 Agreement will be agreed and signed prior to the

granting of any consent.

The proposal provides a quantum of off-street parking which meets the Council's adopted parking standards, SPG17, for new residential dwellings however, it should be noted that the parking standards are maximum standards and lower numbers of parking spaces can be acceptable in certain circumstances. As stated in Planning Policy Wales (PPW) Edition 10 *parking standards should be applied flexibly and allow for the provision of lower levels of parking and the creation of high quality places and local authorities should ensure that new developments provide lower levels of parking than have generally achieved in the past.* In addition, the applicant has provided evidence from the 2011 census data that car ownership in Bridgend County is of a rate which indicates that the proposed number of off-street parking spaces proposed will on average accommodate car ownership for this development. There is no evidence that an increase in bedroom numbers above 3 bedrooms increases car ownership or additional vehicular trips however, any overspill of vehicle parking will remain within the proposed development due to the parking restrictions that will be implemented on Birch Walk and Church Street to ensure that the existing highway network is not affected by parking emanating from this proposal.

Notwithstanding the above, it is noted that the Transport Assessment indicates that proposed visitor parking spaces can be accommodated on-street without providing any evidence on the layout plan. Therefore, to ensure that visitors parking is accommodated within the development a condition is requested for a scheme of indicative visitor parking spaces to be detailed on a plan to be submitted to and agreed by the Local Planning Authority. In order to achieve the lower levels of parking and meet the aims of Welsh Government legislation, the proposed development must prioritise walking and cycling and construct infrastructure accordingly. This will enable future residents to make a modal shift to more sustainable modes of transport for shorter journeys. It is noted that traffic free walking and cycling infrastructure has been provided from east to west within the site which has been designed to promote walking and cycling as detailed above. To further improve the connections it is considered that the private drive of 5 houses adjacent to the public open space would benefit from connecting to the main tree lined active travel shared use route that runs from east to west within the site and to deliver this enhancement a Planning condition is requested.

There is concern that the shared use road, from north to south, does not provide adequate protection for the visual and hearing impaired. Whilst the use of street trees within the shared surface to some extent delineates the carriageway from the pedestrian refuge area, there lacks the physical features for visually impaired to tap against and find an area in which to step aside from oncoming vehicles - the sporadic use of trees may further exacerbate the issue. It is agreed that a shared use surface promotes lower vehicle speeds and adds to the sense of place however, a development must be accessible by all and create a safe space for all users to be able to navigate.

Therefore, to address the above concerns, a condition for a scheme detailing a segregated pedestrian footway to be provided on the eastern side of the main access road to the north and south of the access is required. This will provide a raised area for visually impaired to understand which section of the road is safe for pedestrians and in addition, it will provide an area for the many services that are required such as power, water and telecoms and will also accommodate street lighting which has not been shown on any plans submitted with the application. To ensure that the benefits of a shared surface remain, a condition for a scheme of surface treatment for all internal roads should be submitted to further solidify the shared surface environment and avoid the use of tarmac surfacing usually associated with vehicle dominant roads.

External to the site the applicant has suggested a number of enhancements within the

Transport Assessment to promote walking and cycling to connect with local services and Porthcawl Town however, the suggested enhancements have not been detailed on the most recently submitted plans. In addition, it is considered that the existing footway along Birch Walk which terminates approximately 15m north of the proposed access to the site should be continued to meet the recommencement of that path further north. It is therefore considered necessary to attach a condition to secure the additional footway and to ensure the enhancements are provided before beneficial use of the site commences.

To meet the aims of the Active Travel Act and Wellbeing of Future Generations Act, the applicant has provided dedicated cycle parking for the block of flats and has suggested that 24 of the dwellings has a garage in which a cycle can be stored however, this leaves the remaining 25 dwellings without any suitable cycle storage to encourage cycling for shorter journeys and meet the transport hierarchy of TAN18. Whilst Bridgend CBC's parking standards have limited detail on cycle parking for new residential dwellings, the Active Travel Act design guide has superseded the parking standards in this respect. As such the design guide requires dedicated cycle parking for all dwellings and therefore in order to overcome the concern that 25 dwellings do not have cycle parking a Planning condition will be included for the provision of a storage sheds or similar in the gardens of the 25 houses without garages to ensure this proposal meets current legislation.

To further increase the sustainability credentials of the site and meet the requirements of PPW10, the installation of Electric Vehicle charging points will be required for each dwelling. It is clearly understood that EV charging point types and specifications vary between vehicle manufacturer and vehicle models, therefore a condition is required for an electrical connection point to be made available on all dwellings (except the flats) that is capable of being converted into a manufacturer specific charging point by future residents.

To protect the residential amenity of the existing residents and protect the free flow of traffic on the surrounding highway network the applicant will be required to provide a Construction Traffic Management Plan (CTMP) which will seek to restrict vehicle movements during peak periods and avoid heavy goods vehicles during school drop-off and collection times and outline the routes and access points that will be used during construction.

Accordingly, the proposed development is considered acceptable in highway safety terms and accords with Policy SP2, SP3 and PLA11 of the BLDP(2013), the Council's Supplementary Planning Guidance SPG17: Parking Standards and the advice contained in Planning Policy Wales (Edition 10, 2018).

Drainage

The application form states the proposed development is not located within a flood risk zone, is not located within 20m of a watercourse and does not propose to increase flood risk elsewhere. It also states that foul water will be disposed of via the main sewer. An indicative foul water drainage layout has been provided. The applicant will be required to contact DCWW to discuss the proposed connection to the public sewer.

The application form states surface water will be disposed of via SUDs. A surface water drainage layout has been provided. Soakaways must be designed in accordance with BRE-Digest 365 and a minimum of three infiltration tests for each trial hole must be provided. Soakaways must not be situated within 5m of buildings or boundaries. The applicant will be required to provide an agreement in principle from DCWW for surface water disposal to the public sewer.

The Design & Access Statement states:

Rain gardens, swales, and water attenuation areas forming an integrated SuDS strategy.

Surface water soakaways will be required on-site, as no watercourses are available to discharge into. The proposal consists of numerous gravity fed sewer systems which will collect the generated surface water flows from roofs, drives, highways and other hardstanding areas and dispose of this via rain gardens and other SuDS features. The rain gardens will encourage water to permeate near the surface allowing it to spread over a wide area, replacing the need for a single large basin. These drainage systems reduce the hydraulic and hydrological impact on the local area and downstream catchments. Using green spaces, the surface water strategy can be effectively implemented without negatively affecting the primary function of the development. For periods when the volume of water exceeds the infiltration capacity, the rain garden sub base has been designed to ensure containment for the 1:100-year storm event plus climatic changes. An additional overflow pipe will connect with the sewer system as a failsafe to prevent flooding on site.

The Geotechnical & Geoenvironmental Site Investigation Report prepared by the geotechnical contractor raises a number of concerns regarding infiltration proposals at the site. No soakaway tests have been undertaken in any areas associated with the proposed rain gardens utilised for infiltration.

Following the initial consultation, the applicant has taken on board the previous comments made by the land drainage team. The surface water scheme now incorporates a connection to the existing DCWW surface water sewer. The discharge rate to this sewer is 15l/s as agreed with DCWW. The highway drains to the sewer via rain gardens and surface water from residential properties will be disposed via infiltration. Additional infiltration tests are due to be undertaken by the applicant. A revised geotechnical report shall be provided including the revised infiltration test results and suitable note supporting infiltration with the underlying limestone bedrock. Hydraulic calculations have been provided however it is unclear which area these relate to as no manhole schedule has been provided. A revised hydraulic calculation with supporting plan will be required to be provided for the site wide drainage network to confirm the site does not flood during the 1 in 100yr + 30% CC event.

The proposed development consists of 57 dwellings and therefore a SAB application is required. The SAB officer has been involved with the Planning meetings and has provided feedback from a sustainable drainage perspective. The applicant is required to submit a sustainable drainage application once the infiltration test results have been completed and once a revised Geotechnical Report has been received supporting the use of partial infiltration at the site.

Accordingly, the proposed development is considered acceptable and accords with Policy SP2(13) of the BLDP(2013) subject to conditions and the submission and formal agreement of the SAB application.

Protected Trees and Landscaping

A number of trees will be removed to facilitate the development however, the tree loss in relation to the development primarily focuses on the clearance of low quality trees inside the site mainly to create the site access and internal roads as well as to create space to install Plots 14-16. The existing robust tree belts on all boundaries of the site as well as internally are retained thus minimising any wider landscape impacts. Extensive new tree planting within the site is proposed thus mitigating any tree loss and contributing to the visual enhancement of the Newton Conservation Area and wider area. Appropriate tree protection fencing will be put in place to protect the retained trees on the site during the construction phase which is set out in the submitted information and will be secured by condition.

The application has been accompanied by a tree report prepared by Treescene as well as a tree removal plan and tree protection plan.



Fig. 15 – Tree Retention/Removal Plan

The Council's Ecologist has assessed the submitted information and has raised no objection subject to conditioning of the report's findings and recommendations. The applicant has also confirmed that the tree survey has been made available to their ecologist and that all trees on site were subject to an assessment for their bat roosting and nesting bird potential as part of baseline investigations.

The applicant has also submitted a landscaping plan and strategy for the site. The strategy includes native planting and the use of trees and hedge planting within the development which seeks to provide adequate screening and mitigation for the existing residential properties and retain as much biodiversity at the site as possible to enhance the character and appearance of the area. In view of this, the tree removal, retention and landscaping proposals are considered acceptable and accord with Policies SP2 (10) and ENV6 of the LDP and the Council's Supplementary planning Guidance SPG19: Biodiversity and Development.

Other Matters

Biodiversity/Ecology

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

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions."

Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities 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

An ecological appraisal of the site has been prepared by EDP Ltd and has been assessed by the Council's Ecologist.

The Council's Ecologist has assessed the submitted information and notes the reference to demolition works being subject to a Natural Resources Wales derogation licence as the existing site provides bat day roost opportunities. The Ecologist has requested that the applicant supplies the Local Planning Authority with the related methodology once approved.

The accompanying ecological appraisal makes reference to a master plan that will include an ecological strategy that will provide the ecological mitigation concerning this scheme. A summary of this ecology strategy is included in the ecological appraisal which is considered acceptable. The accompanying documents also include an arboricultural impact assessment and method statement which is considered acceptable and recommended to be included within the conditions of approval.

In view of above, the Council's Ecologist has raised no objection to the development subject to the works being carried out in accordance with the submitted information. Overall, it is considered that there will be no significant adverse residual impacts on biodiversity. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

Public Open Space

With regards to Public Open Space provision, Policy COM11 Provision of Outdoor Recreation Facilities requires provision of 2.4ha per 1,000 people. BCBC have advised the applicant through the course of pre-application discussions that the amount of open space provided on site should be maximised given the current physical characteristics of the site. As such, the applicant proposes to retain and provide a total of 0.49ha of open space within the residential layout of the site for use by the local community in the form of an open/recreational space at the entrance to the site which links to the tree lined avenue. This meets the requirement of 0.47ha calculated in accordance with BCBC's draft Open Space SPG. It is also noted that the applicant has proactively engaged with the Town

Council to discuss improvements that could be made to the local children's play area by way of a financial contribution. The indicative cost of equipping a LEAP standard facility is given as £75,450 in the draft SPG and this should be secured by means of a Planning obligation. BCBC will liaise with the Town Council and local Members to determine how this should be spent.

Noise and Lighting

Initially concerns were raised by the Council's Noise Officer regarding the impact of the MUGA court noise on the potential occupiers of the application site located to the north of the development and the impact of the construction noise on the existing neighbouring residential amenities.

In this respect the Council's Noise Officer advised that with respect to the barrier height the consultant has submitted details on how the attenuation was calculated however, it is noted from the information supplied that the consultant has based the attenuation on a 2.2m barrier whilst it states 2m in the report. In addition, they have calculated the attenuation on a receiver height of 1.0m but this height is even too low for an adult sitting down on a chair. Furthermore, as the height of the fence surrounding the MUGA is 5m, there will be some noise from balls rebounding off the fence when it hits the metal fencing (something that is noted in the noise report) however, as the source height is calculated as being 1.5m it should be assumed that the ball is likely to at least hit half way up that fencing as a minimum and they have only calculated the noise source at 1.5m. Furthermore, there are basketball/netball hoops with back boards so it should be assumed that the balls will be hitting the boards at that height. Therefore, the Noise Officer believes the noise report has underestimated the noise levels at the proposed barrier height of 2m. The Noise Officer has therefore requested that the consultant determines what barrier height is required to achieve the necessary attenuation level based on the correct source, receiver and barrier heights rather than the 2m barrier which is proposed at the moment. The noise levels should be predicted at the closest residential receptor and allow for any appropriate distance attenuation. The noise report also seems to indicate that the noise levels at the façade will be higher than those at the measurement point at the bottom of the garden. Whilst 3dB is added for a façade correction, the noise levels would not be the same at the bottom of the garden compared with where the façade would be. The amended report should also specify the location of the barrier that can be referred to and the minimum mass that is required for the barrier.

In view of the above concerns, an amended noise report was submitted on 9 July 2020 and the Council's Public Protection Noise Officer was reconsulted. Following a further assessment of the amended noise report, it is advised that as a result of the height of the barrier being increased to 2.6m and further information being provided, the previous concerns raised have been addressed. The barrier can be a close boarded fence as detailed in Section 5.2.2 of the acoustic report or equivalent with a mass density of at least 10kg per m², forming a contiguous line with no gaps. Therefore, subject to conditions, the proposal is considered acceptable and accords with Policy SP2(8) of the BLDP(2013).

With respect to construction noise Section 4.5.7 of the report advises *the distance of the noise sensitive receptor to the Proposed Development, as detailed in Table 3, will vary depending on the phase of the Proposed Development under construction. Given the potentially small distances between the construction activities and residential dwellings, noise levels at the receptors may occur above those detailed in Table 11. The noise generated by the earthworks and construction phases of the Proposed Development may therefore exceed Category A in BS5228 at the existing sensitive receptors located in the immediate vicinity of the construction phases of the proposed development* however, there are no predicted levels to determine how loud this will be at the development phase.

The report states *it is possible that vibration due to the operation of various construction plant, and in particular a vibratory roller, may be above the threshold of complaint... It is possible that residential properties would therefore potentially experience some adverse impact. However, these would be transient only and for very limited periods during the works, i.e. when activities take place at the Proposed Development boundaries and goes on to suggest Once the precise building locations, ground conditions for each location and type(s) of piling are confirmed, vibration levels could be estimated and recommendations for control made as appropriate and as the construction programme and methodologies become more defined it is suggested that earthworks and construction vibration be reconsidered and that a detailed strategy for control be implemented.* It will therefore be necessary to include a condition for a Construction Management Plan to be submitted prior to any works being undertaken which adequately predicts both construction noise levels and vibration levels and proposes necessary mitigation works prior to the development in accordance with Policy SP2(8) of the BLDP(2013).

Air Quality

The Council's Air Quality Officer has assessed the submitted Air Quality Assessment Report and advises that for the construction phase of the proposed development, as depicted by Table 7, a medium-high risk has been identified with respect to dust soiling & negligible-low risk with respect to human health. With regards to the element of risk associated with the construction phase of the development, it is considered necessary to attach a condition requesting a suitable Construction Method Statement and Management Plan outlining a detailed Dust Management Plan with appropriate measures be submitted and approved by the Local Planning Authority (LPA) prior to the development proceeding to accord with Policy SP2(8) of the BLDP(2013).

Archaeological Mitigation

Glamorgan Gwent Archaeological Trust has identified that the site has an archaeological restraint. There have been several archaeological reports on the proposal including desk-based assessments by Archaeology Wales (Report no. 1783, dated April 2019) and EDP (Report no. edp5078_r006). Dan-y-Graig Roman Villa, a Scheduled Monument, is located to the north of the proposal and it is likely that the site is located within the associated agricultural land. Clevis House, first mentioned in 1543, is located immediately to the west of the application and St John's Church is to the south west, which was extant by c.1200 and may have been a pre-Norman foundation. It is likely early settlement extending to the south would have been lost to encroaching sand in the 13th and 14th centuries before being reclaimed in the 19th century.

The Rectory was constructed between 1912 and 1913 for Reverend Holmes-Morgan and formed the base for St Johns School which was first established in 1923. The previous construction activities are likely to have had an adverse effect on any below ground archaeological features or structures in the vicinity but there remains the potential to encounter archaeologically significant remains during the course of the proposed development.

As noted in the archaeological assessments such a general archaeological potential is not likely to be adequately addressed by a pre-determination evaluation. Accordingly, it is recommended that a condition is imposed upon any consent granted to require a written scheme of investigation for a programme of archaeological work to be submitted to the Local Planning Authority prior to the commencement of development and on this basis, the Glamorgan-Gwent Archaeological Trust considers that the application is acceptable from an archaeological perspective.

S106 Requirements

Turning to the Planning obligation requirements, the following observations concern the

need for the applicant to enter into a Section 106 Agreement in conformity with LDP Policy SP14:

The size of the site triggers Policy COM5 Affordable Housing which sets a target of 30% for the Porthcawl market area. A scheme of 57 dwellings would therefore need to provide 17 dwellings to achieve compliance with COM5. During the course of extensive pre-application and post submission discussions, the developer has agreed to the provision of 8 x 1-bed social rented apartments to be constructed on-site and transferred to a RSL. A financial contribution will be required in-lieu of the remaining nine affordable dwellings which will be of equivalent value to the provision of 4 social rented and 5 intermediate dwellings on site. This reflects the housing need of the area and has been reached in agreement with BCBC's Housing Strategy team. The off-site contribution will be calculated in accordance with SPG13 Affordable Housing as it will be subject to adjustment in line with market prices at the time of construction. The level of affordable housing proposed is compliant with the LDP.

With regards to Education, the size of the site meets the threshold of 5 or more residential units identified in SPG16 Educational Facilities & Residential Development as being large enough to place increased pressure on educational facilities within the catchment area. The site is located within the catchment of Newton Primary and Porthcawl Comprehensive Schools. The Education and Family Support Directorate has confirmed that sufficient capacity currently exists in both schools to accommodate the likely number of children generated by the proposed development. Therefore, a contribution to Education provision is not required at this time.

With regards to Public Open Space provision, this matter has been addressed in the report above and therefore the applicant will provide a financial contribution of £75,450 to improve provision off-site to the local children's play area to improve the existing LEAP facility.

Finally, given the status of the site within the context of the Conservation Area designation and to ensure the scheme achieves a standard of design befitting of its setting, it is considered that a public art feature based on and having relevance to the former use of the application site as a school should be secured. It is considered that this should ideally be located at a focal point within the proposal and should be integrated into the central area of open space. In order to secure this through the Planning process, an obligation will be included within the S106 requiring the submission of a Public Art Strategy/Plan. This will require details to be agreed with BCBC of:

- a costed scheme for the provision of public art, including detailed drawings;
- a schedule for implementation;
- a description of commission or selection process;
- evidence of consultation with local residents and Members; and
- details of future care and maintenance of the art work/s.

The applicant has confirmed that they will enter into a S106 agreement to secure the relevant obligations.

CONCLUSION

The application is recommended for approval because the development complies with Council policy and guidelines as sufficient justification has been submitted for the loss of the existing Rectory building and the proposed scheme does not have a significantly adverse effect on the character and appearance of the Newton Conservation Area, surrounding residential area or on the amenities of existing residential properties. All material considerations have been addressed and Officers have fully considered and responded to the concerns of local residents. Whilst it is inevitable that new development

will have some impact on existing residents, it is considered that the impact will not be unacceptable in Planning terms particularly having regard to the mitigation measures proposed. In addition, it is considered that the development will not have an adverse effect on the biodiversity of the site, drainage, noise, archaeology or highway safety in and around the site.

RECOMMENDATION

(R34)

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

- i. Provide 8 affordable housing units on site and an off-site contribution for 9 affordable housing units which will be of equivalent value to the provision of 4 Social Rented and 5 Intermediate dwellings on site. The off-site contribution will be calculated in accordance with SPG13 Affordable Housing as it will be subject to adjustment in line with market prices at the time of construction.
- ii. Provide a financial contribution of £75,450 to improve provision off-site to the local children's play area to improve the existing LEAP facility.
- iii. Provide a financial contribution of £8,000 to fund a Road Traffic Order to designate the development site as a 20mph zone.
- iv. Provide a Public Art Strategy/Plan to be agreed by BCBC to include details of:
 - a costed scheme for the provision of public art, including detailed drawings;
 - a schedule for implementation;
 - a description of commission or selection process;
 - evidence of consultation with local residents and Members; and
 - details of future care and maintenance of the art work/s.

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

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

Site Location Plan

Site Investigation Report prepared by Terra Firma - March 2019,

Lighting Impact Assessment prepared by Hydrock - February 2020,

Topographical Survey prepared by Think Urban

Archaeological Appraisal prepared by EDP

Tree Survey prepared by Treescene

Air Quality Assessment prepared by Air Quality Consultants - June 2019

Pre-Application Consultation Report prepared by LRM Planning Ltd - received 2 April 2020;

Site Layout Plan - edp5078_d005-AF - received 9 November 2020

Site Layout Plan (Colour) - edp5078_d024-K - received 9 November 2020

External Materials Plan - edp5078_d022-M - received 9 November 2020

Boundary Enclosures Plan - edp5078_d023-H - received 9 November 2020

External Finishes Plan - edp5078_d057-B - received 9 November 2020

Street Elevations/Sections- edp5078_d041-B - received 9 November 2020

House Type Plans & Elevations:

Midford (Stone) - edp5078_d025-D - received 9 November 2020

Midford (Render) - edp5078_d026-C - received 9 November 2020

Ransford (Stone) - edp5078_d010-A - received 9 November 2020
 Easedale (Render) - edp5078_d029-C - received 9 November 2020
 Gosford (Stone) - edp5078_d030-B - received 9 November 2020
 Gosford (Render) - edp5078_d031-C - received 9 November 2020
 Mansford (Stone) - edp5078_d032-E - received 9 November 2020
 Mansford (Render) - edp5078_d033-D - received 9 November 2020
 Mansford (Render Special) - edp5078_d050-B - received 9 November 2020
 Rectory - edp5078_d049-C - received 9 November 2020
 Trusdale (Stone) - edp5078_d052 - received 9 November 2020
 Dunham (Stone) - edp5078_d053 - received 9 November 2020
 Dunham (Render) - edp5078_d054-A - received 9 November 2020
 Wortham (Stone) - edp5078_d055 - received 9 November 2020
 Wortham (Render) - edp5078_d056-A - received 9 November 2020
 Double Garage - edp5078_d039-C - received 9 November 2020
 Single Garage- edp5078_d040-C - received 9 November 2020
 Soft Landscaping Plans Sheet 1 - Edp5078_d042e - received 9 November 2020
 Soft Landscaping Plans Sheet 2 - Edp5078_d042e - received 9 November 2020
 Soft Landscaping Plans Sheet 3 - Edp5078_d042e - received 9 November 2020
 Soft Landscaping Plans Sheet 4 - Edp5078_d042e - received 9 November 2020
 Drainage Strategy - 190902_TWC_D_001 B - received 9 November 2020
 General Arrangement (1 of 2) - 190902_TWC_GA_001 B - received 9 November 2020
 General Arrangement (2 of 2) - 190902_TWC_GA_001 B - received 9 November 2020
 Highway Longitudinal Sections - 190902_TWC_H_001 A - received 9 November 2020
 Adoption Plan - 190902_TWC_LA_001 B - received 9 November 2020
 Storm Water Calculations prepared by Think Urban Design – September 2020 - received 9 November 2020
 AIA & AMS Reports prepared by Treescene - November 2020 - received 9 November 2020
 AIA Plan prepared by Treescene - received 9 November 2020
 Tree Protection Plans prepared by Treescene - received 9 November 2020
 Tree Removal Plans prepared by Treescene - received 9 November 2020
 Design & Access Statement prepared by EDP - November 2020 - received 9 November 2020
 Heritage Impact Assessment - edp5078_r004e - received 9 November 2020
 Ecological Appraisal - edp5078_r005b - received 9 November 2020
 Noise & Vibration Assessment prepared by Wardell Armstrong dated November 2020 - received 9 November 2020
 Transport Statement prepared by Lime Transport - 19112.d1Rev G - received 9 November 2020
 Amended Apartments Floor Plans and Elevations – edp5078_d047 – F received 12 November 2020.

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

2. Notwithstanding the submitted details, prior to the construction of the residential units on site, a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development and to enhance and protect the visual amenity of the Newton Conservation Area.

3. Notwithstanding the submitted details, prior to the construction of the residential units on site, a detailed specification for, or samples of materials to be used in the construction of the boundary treatment to be erected on site and a timetable for its implementation shall be submitted and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and timetable.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development and to enhance and protect the visual amenity of the Newton Conservation Area.

4. No development 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 beneficial use commencing.

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

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

Reason: To ensure that effective satisfactory management and disposal of surface water is provided for the proposed development.

6. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and shown on plan number edp5078_d005AF - Site Layout Plan.

Reason: To enable the Local Planning Authority future control over the scale of development as well as the installation of new windows or dormers or the extension of the property to the rear, in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

7. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and shown on plan number edp5078_d005AF - Site Layout Plan.

Reason: To enable the Local Planning Authority to control the scale of development.

8. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no windows other than those as hereby approved shall be inserted into the side elevations of the dwellings other than those expressly authorised by this permission.

Reason: To safeguard the privacy and residential amenities of adjoining neighbouring occupiers.

9. Prior to the construction of the dwellings on site, details of existing ground levels within and adjacent to the site and the proposed finished ground and floor levels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

10. Prior to the construction of the dwelling on Plot 53, details of the implementation of a boundary treatment to be erected along the boundary with Plot 53 and the rear of the neighbouring property known as Hafod, Church Street, shall be submitted to and agreed in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of the dwelling and shall thereafter be retained in perpetuity.

Reason: To protect the privacy and residential amenities of the occupiers of Hafod, Church Street.

11. Prior to the occupation of the Plots 23-37, as indicated on site layout plan drawing edp5078_d005AF received on 9 November 2020, a 2.6m acoustic barrier shall be installed along the northern site boundary. The barrier shall have a minimum density of 10kg/m² mass per unit area and be imperforate, rot proof and vermin proof. The design details of the barrier shall be submitted to the Local Planning Authority for prior approval and shall be agreed in writing. The details shall include a location plan showing the exact position of the barrier, construction details and details confirming that the barrier has a minimum mass density of at least 10kg per m². The design shall be implemented as agreed and the barrier shall be maintained in that condition and retained in perpetuity.

Reason: To protect the residential amenities of the future occupiers of the residential units.

12. Prior to the construction of Plots 23-37 as indicated on site layout plan drawing edp5078_d005AF received on 9 November 2020, details of the glazing and trickle ventilation to be installed in Plots 23-37 shall be submitted to and agreed in writing with the Local Planning Authority to demonstrate compliance with the specifications in Sections 5.3.2 and 5.3.4 of the noise and vibration assessment report by Wardell-Armstrong dated July 2020. The approved details shall be implemented as agreed.

Reason: To protect the residential amenities of the future occupiers of the residential units.

13. No development shall take place, including any demolition and site clearance works, until a Construction Method Statement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period and shall include the following information:

- noise management plan identifying details of equipment to be employed, operations to be carried out, predicted noise and vibration levels (at the noise sensitive receptors identified in the noise and vibration assessment report by Wardell-Armstrong dated July 2020), in accordance with BS5228 Code of Practice for noise and vibration control on construction and open sites and any mitigation measures to reduce the noise where this is indicated to be necessary as a result of the assessment

- Approximate timescales of each operational phase
- Operational hours
- A scheme of noise and vibration monitoring for any operations that are identified as necessary in the noise management plan or upon request by the Local Planning Authority where a justified complaint of noise and/or vibration is received
- A scheme for implementing effective liaison with the local residents
- Storage of plant and materials used in demolition and constructing the development
- Wheel washing facilities
- Detailed dust management plan including measures to control the emission of dust and dirt during demolition and construction and the methods to monitor emissions of dust arising from the development.

Reason: To protect the residential amenities of the future occupiers of the residential units.

14. 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 approved programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

15. Site preparation or construction works shall not take place outside the hours of 0800 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays and not at all on Sundays or Public Holidays.

Reason: In the interests of neighbouring residential amenities.

16. Notwithstanding the submitted details, no development shall take place until full details of both hard and soft landscape works have 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 proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, street lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. The agreed landscaping works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed 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.

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

variation.

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

18. No development shall commence until a scheme for the provision of a 2 metre segregated footway on the eastern side of the main north/south shared surface route within the site has been submitted to and approved in writing by the Local Planning Authority. The approved segregated footway shall be constructed and implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

19. No development shall commence until a scheme for the provision of a continuation of the footway on Birch Walk adjacent to the site's eastern boundary with crossing points has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed and implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

20. No development shall commence until a scheme for the provision of an Active Travel route comprising of a 3metre wide, shared use path to link from the private drive of the 5 residential dwellings located adjacent to public open space to the east west tree lined shared use route, is submitted and agreed in writing by the Local Planning Authority. The approved scheme shall be constructed and implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety and to meet the requirements of the Active Travel Act 2013.

21. No development shall commence until a scheme for indicative visitor parking within the site, on-road or off-road, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

22. No development shall commence until a scheme for the surface treatment of the internal highway and footway network has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed and implemented in the agreed permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

23. No development shall commence until a scheme for a provision of a 2 metre footway with crossing points on the site's western boundary on Church Street linking the cycle and pedestrian shared use route to the Public Right of Way on Bryneglwys Gardens has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety and to meet the

requirements of the Active Travel Act.

24. No development shall commence until a scheme for the provision of 1 secure cycle parking space per bedroom per unit has been submitted to and approved in writing by the Local Planning Authority. The spaces shall be implemented as agreed before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site and in compliance with Table 8.1 of The Active Travel Act- Design Guide.

25. No development shall commence until a scheme for the provision of bollards or vehicle restraint on the main proposed cycle/pedestrian shared use route between running east to west has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

26. No development shall commence until a scheme for the provision of an external electrical point on each dwelling, capable of connecting to an EV charging point has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of meeting net zero carbon by 2030 targets set by Welsh Government.

27. No development shall commence on site until a Construction Traffic Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Construction Traffic Management Plan shall provide for and where necessary detail on a plan the following measures:

- the routeing of HGV construction traffic to/from the site in order to avoid Newton Village and the local school opening and closing times
- the proposed construction vehicle entrance into the site
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- wheel washing to prevent mud and debris from the construction traffic being carried out onto the existing local highway network.
- measures to control the emission of dust and dirt during construction
- the provision of temporary traffic and pedestrian management along the proposed new accesses into the site off Church Street and Birch Walk.

The construction works and traffic shall thereafter be undertaken in accordance with the agreed Construction Management Plan throughout the construction phase.

Reason: In the interests of highway and pedestrian safety.

28. No dwelling shall be occupied until the individual driveway and parking bays serving the dwelling have been laid out as approved and completed in permanent materials at gradients that do not exceed 8.33% (1 in 12) in accordance with the approved layout and shall be retained thereafter for parking purposes in perpetuity.

Reason: To ensure the provision and retention of sufficient off street parking in the interests of highway safety.

29. No dwelling shall be occupied until the internal access roads serving the dwellings and visitor parking bays have been laid out as approved and completed in permanent materials at gradients that do not exceed 8.33% (1 in 12) in accordance with the approved layout.

Reason: In the interests of highway safety.

30. Notwithstanding the approved layout plan, no development shall commence in respect of the apartments on Plots 23-30 inclusive until a scheme for the location of refuse and recycling collection points has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail refuse collection points located within a maximum of 5m of the adopted highway. The collection points shall thereafter be constructed in accordance with the agreed design prior to the dwellings which they serve being brought into beneficial occupation and retained in perpetuity.

Reason: In the interests of highway safety.

31. The garages hereby approved shall only be used as a private garage and at no time shall they be converted to a room or living accommodation.

Reason: To ensure that adequate parking facilities are provided within the curtilage of the site.

32. No individual vehicular access from this development onto Birch Walk or Church Street will be permitted.

Reason: In the interests of highway safety and free flow of traffic.

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

Reason: In the interests of highway and pedestrian safety.

34. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *

a. The application is recommended for approval because the development complies with Council policy and guidelines as sufficient justification has been submitted for the loss of the existing Rectory building and the proposed scheme does not have a significantly adverse effect on the character and appearance of the Newton Conservation Area, surrounding residential area or on the amenities of existing residential properties. All material considerations have been addressed and Officers have fully considered and responded to the concerns of local residents. Whilst it is inevitable that new development will have some impact on existing residents, it is considered that the impact will not be unacceptable in Planning terms particularly having regard to the mitigation measures proposed. In addition, it is considered that the development will not have an adverse effect on the biodiversity of the site, drainage, noise, archaeology or highway safety in and around the site.

b. To satisfy Condition 4, the applicant must:

- Provide an agreement in principle from DCWW for foul water and surface water disposal to the public sewers.
- Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).

- c. In order to satisfy Condition 5, the following supplementary information is required:
- Provide a revised geotechnical report supporting the use of partial infiltration at the site and supporting the use of infiltration within areas with limestone bedrock with the underlying limestone bedrock;
 - Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE 365;
 - Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
 - Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;
 - Provide a timetable for its implementation; and
 - Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- d. The applicant is advised that the archaeological work must be undertaken to the appropriate standard and guidance set by the Chartered Institute for Archaeologists and it is recommended and that it is carried out either by a CIFA registered organisation or a MCIFA level accredited member.
- e. Street nameplates reflecting the official street name allocated by the Council shall be erected by the developer at locations and to a specification to be agreed with the Council prior to beneficial occupation of the first dwelling house in the street that has been so allocated.
- f. An information pack containing public transport information including timetables shall be provided by the developer on occupation of each residential unit.
- g. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
- obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
 - indemnify the County Borough Council against any and all claims arising from such works;
 - give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.
- h. The applicant may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

- i. The applicant is also advised that some public sewers and lateral drains may not be recorded on the maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- j. The developer is advised that works can not proceed until a European Protected Species licence (EPSL) is granted from Natural Resources Wales
- k. The applicant is advised that British Bats and their breeding sites and resting places are protected by law through UK legislation under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an absolute offence to damage or destroy a breeding site or resting place (sometimes referred to as a roost, whether the animal is present at the time or not), intentionally or recklessly obstruct access to a place used for shelter and protection.
- l. Consideration should be given to the provision of nest boxes within the building development for bat and bird species. Suitable bird species include house sparrow, swift and house martin, species which are declining in number due to a reduction in suitable nest sites. Further information can be found on page 55 section 16.0 in the above SPG
- m. If feasible in the proposed scheme, the incorporation of bat bricks, bat tiles and bat boxes into the development, would provide summer roosting opportunities for bats and would contribute to the environmental sustainability of the development. Further information can be found on page 46 section 7.0 of the above SPG.
- n. Incorporation of biodiversity enhancements will help contribute to the environmental sustainability of the development. Such enhancements will demonstrate local authority compliance with Section 6 of the Environment (Wales) Act 2016 that places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background Papers

None