

REFERENCE: P/24/696/FUL

APPLICANT : Mr & Mrs V Hughes c/o Plan R Ltd, 39 Merthyr Mawr Rd, Bridgend, CF31 3NN

LOCATION: Bryngarw Mill, 4 Abergarw Drive, New Road, Brynmenyn CF32 9LH

PROPOSAL: Change of use from use class C3 (dwelling house) to use class C2 (Residential accommodation for people in need of care) for one person

RECEIVED: 7 November 2024

DESCRIPTION OF PROPOSED DEVELOPMENT

Full planning permission is sought for the change of use of this single detached dwelling (Class C3 use), and land around it, to a care home for a single supervised person (Use Class C2: Residential Institution Small Care Home).

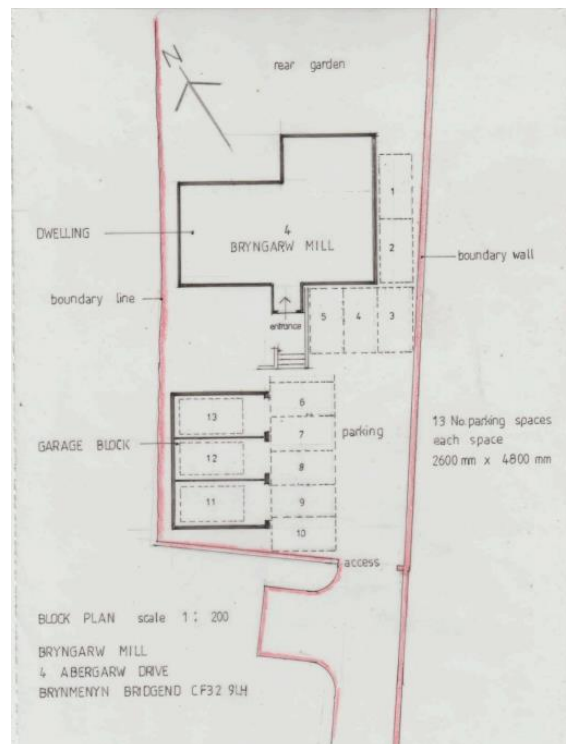
The Application is for retrospective consent as the property has been used as a care home since 1 January 2023.

No alterations have been undertaken or are proposed to the existing dwelling either in floor plan or elevation. External access, parking and amenity areas will remain as existing.

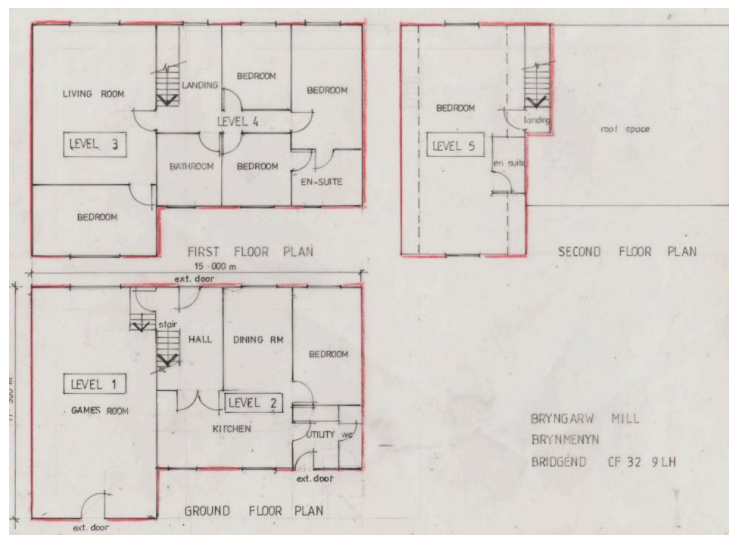
The Application states that there is a 3:1 ratio between care staff and the cared for person. However, with visiting care professionals, there can sometimes be five people present in the property. The carers are present on twelve hour shifts, seven days a week. It is indicated that staff stay over in the evenings.

The property is privately owned and leased to a nursing agency.

The Application was supported by a Planning Statement and a Green Infrastructure Statement together with floor plans.



SITE PLAN



FLOOR PLANS

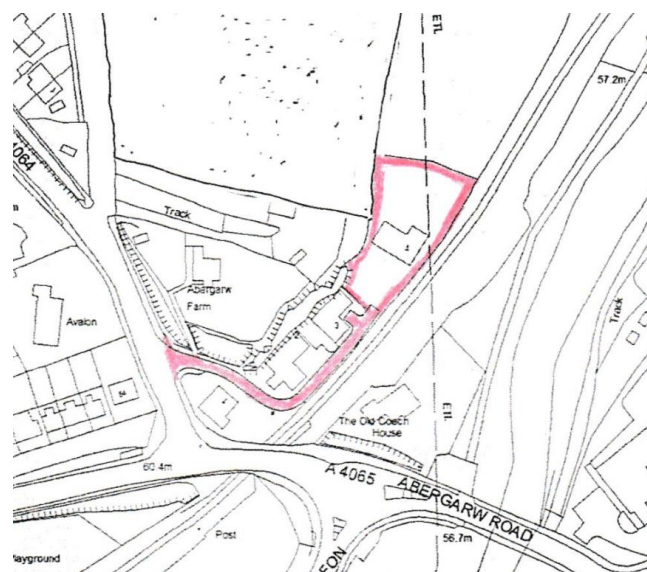
SITE DESCRIPTION

The Application site is located in Brynmenyn, within the defined Main Settlement boundary of the Valleys Gateway, as defined by **Policy SF1** of the Bridgend Replacement Local Development Plan (2018-2033).

Bryngarw Mill, 4 Abergarw Drive is a detached three-storey dwelling located at the end of a private drive which serves four dwellings including the Application site. The dwelling was constructed in 2003 and the adjoining detached garage/workshop was developed following the grant of planning permission in 2005.

The property is located on a large site adjoining the Ogmere Valley walkway and cycleway. The site sits at the bottom of a rock wall which has the appearance of an old quarry face. New dwellings have recently been developed on land on top of this bank.

The site contains a large courtyard to the front of the house with extensive parking. Additional vehicle parking is available within the detached triple garage. Land to the rear of the dwelling is utilised as private amenity space with patio areas and grassed garden beyond.



SITE LOCATION PLAN



APPLICATION PROPERTY (23/01/2025)



PRIVATE ACCESS LOOKING TOWARDS APPLICATION PROPERTY (23/01/2025)



VIEW FROM PROPERTY LOOKING DOWN PRIVATE ACCESS (23/01/2025)



PRIVATE AMENITY AREA AT REAR

RELEVANT HISTORY

P/99/461/OUT – Residential development up to 5 dwellings. Granted 03/08/1999

P/00/660/OUT – Extension of land for residential use in connection with consent 99/461. Granted 22/12/2000

P/01/635/FUL – Approval of site access. Granted 10/09/2001

P/02/0772/FUL – Erection of two detached dwellings. Granted 30/10/2002

P/02/486/OUT – Re-site house (Application in outline). Granted 26/07/2002

P/02/857/FUL – Discharge of planning conditions 1 and 7. Granted 04/10/2004

P/05/395/FUL – Triple detached garage and workshop/store. Granted 02/06/2005

P/11/701/FUL – Block of 4no. stables. Granted 09/11/2011

PUBLICITY

The Application has been advertised on site. Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 16/12/2024.

CONSULTATION RESPONSES

Shared Regulatory Services - Environmental Health - No observations made.

Highways - No objection subject to the imposition of conditions.

REPRESENTATIONS RECEIVED

Councillor Tim Thomas – Strongly objects to the proposal as the Applicant has failed to obtain the necessary planning permissions. Care home has resulted in increased crime and anti-social behaviour including vandalism. Impact on community cohesion and amenity of neighbours. Obstruction of private drive by parked vehicles.

In addition, objections have been lodged by two neighbouring properties.

In summary, the matters raised in the representations received from neighbours are:

- Disturbance and anti-social behaviour
- Parking on private driveway area and shared access
- Excessive speed of vehicles using shared access
- Unsuitable use for a residential property
- Inaccuracies contained in the Application including:
 - i. Alleged that use commenced prior to January 2023
 - ii. Stated that foul sewerage is discharged into private system not the mains sewer. Additional persons at property have resulted in a failure of the private foul system which has incurred additional cost on all residents
 - iii. Understood that one of the Applicant s was employed by the BCBC when the use commenced
 - iv. Inaccuracies contained in the application. No hours of operation provided
 - v. Despite site plan details, the site unable to accommodate parking for 13 vehicles
 - vi. 3:1 ratio between care staff/cared for person untrue. Alleged that the ratio has never been less than 5:1 and in January 2025 it was 7:1.
- Increase in noise and traffic especially when staffing shift changeovers and increased delivery vehicles including food delivery during evening hours
- Inconsiderate parking on access way and private property
- Access for emergency vehicles blocked
- Vehicles cannot use turning head located within Application property
- Increased vehicle use and impact on condition of shared access
- Damage to private property and the gate which provides access from the shared access to the cycle path and walkway
- Impacts on personal safety
- Effects of re-occurring police, fire brigade and ambulance visits to property
- Considered that legislation states that a person 18 years and older should reside in a secure unit and not within a domestic setting

- Impact on mental health caused by stress and anxiety
- Impact on property values

COMMENTS ON REPRESENTATIONS RECEIVED

In response to the comments/objections raised by local residents, it is stressed that factors to be considered in making planning decisions must be planning matters, that is they must be relevant to the proposed development and the use of land in the public interest. The matters raised which are considered to be material to the determination of this Application are addressed in the appraisal section of this report. Other matters, such as the impact of a development on property values, are not material planning considerations and will not be addressed further.

Issues in respect of anti-social behaviour are ultimately matters for the police and the proposal, which is a residential use, is unlikely to result in such serious levels of anti-social behaviour as to warrant or justify the refusal of the planning Application.

There is no compelling evidence to suggest that a care home use of the scale being proposed would result in increased levels of crime or fear of crime within the locality of the Application site. The causes of anti-social behaviour and criminal activity are recognised to be diverse and cannot be attributed to any housing type alone, and it is considered that an appropriately managed and supervised, small scale care home, for a maximum of one person, would not cause such anti-social behaviour or the perception of anti-social behaviour to consider recommending that the planning Application be refused in this case.

PLANNING POLICY

National Planning Policy and Guidance

National planning guidance takes the form of **Future Wales – the National Plan 2040 (February 2021)** and **Planning Policy Wales (Edition 12, February 2024) (PPW12)**. The following elements of these documents are relevant to the determination of this application.

Paragraph 1.30 of **PPW12** confirms that... *‘Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications.’*

Paragraph 2.2 of PPW12 states *“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.”* Para 2.3 continues *“The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”*

Paragraph 2.7 of PPW12 states *“Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

PPW12 states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart”* and recognises the *“pivotal role that planners play in shaping our society for the future”* prioritising *“placemaking, decarbonisation and well-being.”*

Paragraph 3.9, **PPW12** states *“The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning*

considerations.” In paragraph 3.10 it continues: *“In areas recognised for their particular landscape, townscape, cultural or historic character and value it can be appropriate to seek to promote or reinforce local distinctiveness. In those areas, the impact of development on the existing character, the scale and siting of new development, and the use of appropriate building materials (including where possible sustainably produced materials from local sources), will be particularly important.”*

Paragraph 4.1.34 of **PPW12** states *“In determining planning applications, planning authorities must ensure development proposals, through their design and supporting infrastructure, prioritise provision for access and movement by walking and cycling...”*

Paragraph 4.1.35 continues *“New development must provide appropriate levels of secure, integrated, convenient and accessible cycle parking...”* and *“consideration must also be given to where people will leave their bike at home.”*

Paragraph 6.4.4 of PPW12 states: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* It further states *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on biodiversity and ecosystem resilience cannot be avoided, minimised or mitigated/restored, and as a last resort compensated for, it will be necessary to refuse planning permission.”*

PPW12 states at paragraph 6.6.5 that *“The planning system should...ensure sustainable drainage systems are an integral part of design approaches for new development...”* and at 6.6.16 *“Planning authorities should secure better management of drainage and surface water ... by ... ensuring sustainable drainage systems are incorporated into development enabling surface water to be managed close to or at source.”*

Technical Advice Notes

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009).
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 18 – Transport (2007).

The Well-being Duty on Public Bodies

Sections 2, 3, 4 and 5 of the Well-being of Future Generations (Wales) Act 2015 together impose a duty on public bodies to carry out sustainable development, aimed at achieving the well-being goals, in accordance with the sustainable development principle. The public body must act in a manner which seeks to ensure that the needs of the present are met without comprising the ability of future generations to meet their own needs.

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 assessment of this Application has been carried out in accordance with this duty.

The Socio Economic Duty

Part 1, Section 1 of the Equality Act 2010, which came in to force on 31 March 2021, requires that a county borough council in Wales (among other authorities) “*must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.*”

Whilst the determination of this Application is not itself a strategic decision, the assessment of this Application has been carried out in accordance with this duty.

The Biodiversity and Resilience of Ecosystems Duty

Section 6 of the Environment (Wales) Act 2016 requires 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.*”

The assessment of this Application has been carried out in accordance with this duty.

Local Planning Policy and Guidance

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

Strategic Policy

- Policy SP1: Regeneration and Sustainable Growth Strategy
- Policy SP3: Good Design and Sustainable Placemaking
- Policy SP4: Mitigating the Impact of Climate Change
- Policy SP5: Sustainable Transport and Accessibility
- Policy SP6: Sustainable Housing Strategy
- Policy SP17: Conservation and Enhancement of the Natural Environment

Topic Based Policy

- Policy SF1: Settlement Hierarchy and Urban Management
- Policy PLA11: Parking Standards
- Policy DNP6: Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP8: Green Infrastructure.

Supplementary Planning Guidance

- SPG17 - Parking Standards
- SPG19 - Biodiversity

APPRAISAL

This Application is referred to the Development Control Committee at the request of a local Member who has raised material planning reasons why the Application should be considered by the Development Control Committee.

Having regard to the above, the main issues to consider in this Application relate to the principle of development, the character and appearance of the locality, the amenities of the residents of neighbouring dwellings, traffic and highway/pedestrian safety, biodiversity and the resilience of ecosystems.

Principle Of Development

RLDP **Policy SF1** states that “*Development will be permitted within settlement boundaries*

at a scale commensurate with the role and function of settlements ...” The policy goes on to identify settlements within the Borough according to a hierarchy as Primary Key, Main or Local.

Supporting text within the RLDP at paragraph 4.3.6 states: *“All settlements have boundaries, which have been reviewed and amended where appropriate to accurately demarcate the urban area from the countryside, assist with the prevention of the coalescence of settlements and provide certainty in terms of where appropriate development will be permitted. Indeed, the LDP will prioritise the re-use and redevelopment of previously developed land whenever and wherever possible.”*

The property forms one of a cluster of four dwelling accessed by a narrow private accessway Abergawr Drive. The detached dwellings are of differing sizes and designs. Bryngarw Mill is a substantial property containing six bedrooms and ancillary accommodation within its curtilage. It could therefore provide for a large family or group of people living together as a single household (including, for example, a multi-generation family group with adult offspring or elderly members, or a foster parent with foster children) in accordance with its existing defined C3 Use classification.

The proposal is to use the property to provide one supervised person in a setting akin to a family home. However, as the staff would not be living at the house but would be there on a rota basis (including overnight) the use could not be considered to form a single household and a change of use of the building to a C2 (Residential Institution) Use is necessary. This Use Class C2 is defined as

*“Use for the provision of residential accommodation and care to people in need of care ...
Use as a hospital or nursing home.
Use as a residential school, college or training centre.”*

If confined to the proposed purpose stated in the application, i.e. residential accommodation for people in need of care for one person, the change of use of the site to this Class C2 Use would align with the existing character of the property and the locality in terms of its land use pattern. A recommended condition would re-enforce the precise description of the development, and preclude the site from being used for a different use, such as a hospital or training centre, which would fall within the same Use Class (and so ordinarily not require planning permission to be obtained before operation).

With this safeguard it is considered that, in principle, the proposed development would accord with the terms of **Policy SF1**, subject to meeting the expectations of further national and local policy and guidance criteria set out below.

RLDP **Policy SP3** requires that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment by:

- 1) Demonstrating alignment with the principles of Good Design; and
- 2) Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

Planning proposals are expected to demonstrate compliance with criteria a) – o) set out in this policy, as referenced in the following main issues sections.

Character and appearance

Advice in paragraph 2.1 of **TAN 12** is that *“The design of our villages, towns, cities and the*

urban and rural landscape is important in articulating our nation and our culture. Design is important to our quality of life, and the quality of Wales' varied landscape and townscapes..." Paragraph 2.8 introduces the objectives of Good Design, which include, "Sustaining or enhancing local character" and "Promoting a successful relationship between public and private space"

RLDP **Policy SP3** requires that all development should meet the following criteria (among others):

- a) Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;
- b) Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;

The development comprises a change of use of the buildings and land, with no alterations to the appearance of the site.

Council-adopted policy and guidance relating to visual amenity is therefore not relevant to the application. As addressed in the "Principle of Development" section above, the use of the property as a small-scale care home would not alter the character of the locality, and would therefore accord with RLDP **Policy SP3**, and advice in **TAN 12**.

Residential Amenity

Criterion k) of RLDP **Policy SP3** requires that all development must "Ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;" The following notes in **SPG 02** are also useful (being indirectly related) to this scheme:

Privacy

Bryngarw Mill is a detached property set within a generous site. The separation distances between existing upper floor bedroom windows in the house and the curtilage of neighbouring property is over 25 metres to the southwest.

Land to the north east of the site is in garden with stables and the open countryside beyond. The existing lawned and paved areas to the rear of the dwelling provide plenty of space for sitting out and gardening and would not overlook any neighbouring properties. No alterations to the building, nor any landscaping works are proposed that would increase the opportunity for overlooking from the site to neighbouring properties.

Traffic

Neighbours have expressed concerns that vehicle movements associated with the proposed development (staff, deliveries, emergency services) causes disturbance to residents of Abergarw Drive day and night.

The Applicant has stated that on average there is a 3:1 ratio between care staff/cared for person. However, on occasions, with visiting care professionals, there can be up to 5 people present in the house. Staffing shifts changeover at 7am and 7pm meaning that peak movements would generally occur around those times. It is considered that the nature, timings and the volume of vehicular traffic that is generated by and attracted to this proposed use of the site would not differ significantly from that which would be associated with a C3 use.

Other movements such as deliveries could occur throughout the day and possibly evening in the manner of a typical C3 use. On that basis, and in this way, it is considered therefore

that no harm to the amenity of nearby residents would likely be caused by the change of use, in terms of traffic disturbance, or limitation of access to their property.

Noise

The care home may result in a noise impact on neighbouring residences. Other than traffic disturbance (as above) the occupant of the home could potentially generate noise of a higher level, greater frequency or different nature than would persons living in a Class C3 dwelling.

In previous applications for C2 uses such as this, it has been established that children and young people in particular are classed as being vulnerable as they come from difficult home circumstances, hence they need to be looked after in settings that can provide them with appropriate care and attention.

In some cases, care may be required for identified physical or mental health support needs but the principal trigger for their accommodation need arises from their necessary removal from less advantageous situations.

It is not appropriate therefore to assume that the potential residents would by default be the cause of any greater disturbance to neighbouring occupiers than would a parented family, or any other household occupying a C3 dwelling.

The Applicant has clarified that Bryngarw Mill has previously been occupied by individual children for durations ranging from 3 weeks to 13 months. The current resident is over 18 years old and therefore falls outside the definition of a child or young person and for this reason the Application has been made for a person with no age limitation.

It is acknowledged that some of the past residents accommodated at the site may have displayed challenging behaviour. The operating procedures for a care home would include a pre-placement assessment for residents and an assessment of the suitability of the property and putting in place management arrangements for challenging behaviours.

Residents are cared for by specialist supervising staff and care workers trained to deal with any situations that might arise. Although not a requirement, in order to grant planning permission, under separate legislation residential homes must be registered with the Care Inspectorate for Wales. As part of this registration regime the operator must demonstrate that they meet and maintain certain legal requirements set out within The Care Standards Act 2000 (Notification) (Wales) Regulations 2011, and The Regulation and Inspection of Social Care (Wales) Act 2016. The management and operation of a home, including supervision of the residents' behaviour, would be assessed, monitored and regulated under this other legislation and therefore it should not be a matter for the planning system to control.

Given the small-scale nature of the proposed care home, the staff ratio indicated and the absence of any alteration to the exterior of the building, it is considered that the proposed development would not cause harm to the amenities of nearby residents in terms of privacy, ease of access or noise disturbance. The proposed change of use would not conflict with RLDP Policy **SP3**, nor with advice in PPW12 in relation to the amenity of nearby residents.

Highway Safety

Policy **SP5** of the RLDP requires, at **point 2)**, that proposals will be required to “*Be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks;*” and at **point 9)**, to “*Ensure that developments are served by appropriate parking provision, in accordance with the*

Council's parking guidance.... The policy SP5 continues: "Development that would have a negative impact on the safe and efficient operation of the transport network will not be permitted."

More specifically, Policy **PLA11** stipulates "All development must be served by appropriate levels of parking in accordance with the adopted SPG on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles." **Paragraph 5.2.77** of the plan's supporting text explains: "On-street car parking can cause problems by reducing road width, thereby affecting the free flow of traffic and adding to hazards for pedestrians, cyclists and other road users. Therefore, applications will be refused where the likelihood of on-street parking occurring will give rise to these concerns."

Car parking requirements are set out in **SPG 17 Parking Standards: (Volume 1)**, including for residential homes. The requirement is for 1 space per resident member of staff, 1 space per 3 non-resident staff, and 1 space per 4 beds.

The Council's Highways Officer has reviewed the proposal and details submitted. It is noted that:

'The site is served by a private drive arrangement, and the proposed use is not considered to materially increase vehicle movements to / from the site compared to the extant residential use.

The existing 6 bedroom property generates a requirement for 3 off-street parking spaces which can be accommodated within the confines of the property. The proposed conversion to a children's home for 1 child would generate a requirement for 2 off street spaces (based on 5 staff suggested with none being considered "resident"). In addition, a visitor parking requirement of ¼ space (at a ratio of 1 space per 4 beds) increases the total requirement to 3 spaces. The property has sufficient space to accommodate these 3 spaces as it benefits from a large driveway and ancillary 3 bay garage with storage above. It is noted that a plan has been submitted which identifies up to 13 spaces can be accommodated on site. As this is not quantum is not necessary for the proposed use and is in breach of the maximum parking quantum it is considered that a scheme for 3 spaces should be sought for the avoidance of doubt in respect of what is being approved.

Given the presence of the garages secure cycle parking is provided.'

The Highways Officer advises that the Highway Authority offers no objection subject to the imposition of a condition requiring the provision of a scheme of parking.

Neighbour comment on the proposed development has raised concerns with vehicle movements and manoeuvring on the private access. A review of the Planning history for the property and neighbouring developments at Nos. 2 and 3 Abergarw Drive indicates that a turning bay was required as per the approved plans on P/02/0772/FUL. This bay is located between the two residential properties and provides a beneficial turning area for all vehicles using Abergarw Drive.

Given the above, the proposal is considered to be acceptable in terms of its impact on the nature and volume of traffic flow to and from Bryngarw Mill, and consequently on the safety and convenience of all users of the highway network in the vicinity of the site. The development would accord with the objectives of Policies **SP5** and **PLA11** of the RLDP, with the guidance relating to car parking set out in **SPG 17**, and with advice contained in **PPW12**.

Biodiversity

TAN 5 states: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Criterion i) of Policy SP3 of the RLDP requires development to safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy SP4 part 5) requires development proposals to make a positive contribution towards adapting to the impacts of climate change by (among other things) *“Having a design, layout and landscape which: (i) helps wildlife and habitats to adapt to the changing climate; ...”*

Policy SP17 of the RLDP states that *“Development which will maintain and, wherever possible, enhance the natural environment of the County Borough will be favoured. Development proposals will not be permitted where they will have an adverse impact upon [among others] 3) Its biodiversity and habitats; “*

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created where ever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.”*

Policy DNP8 requires new development proposals *“to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.” “All developments must seek to maximise, as far as practicable, the amount of green infrastructure on the site as well as the interconnectedness of green infrastructure within and around the site to the wider green infrastructure network.”*

The advice contained in **SPG 19**, in particular relating to bats, birds and other protected species and habitats in guidance sheets **B1**, **B2**, and **B4**, is pertinent to the assessment of this scheme.

The site comprises an established residential curtilage which contains hardstanding, outbuildings, the dwelling itself and extensive lawned areas, with little tree or other plant cover, so provides very little in the way of ecologically valuable vegetation.

However, the plot lies on the northern edge of a built-up enclave which is bordered by open grassland to the north east and mature mixed woodland beyond. These surrounding areas provide very good habitat for wildlife. Furthermore, the location and design of this house (which has multiple gable ends and a slate roof) represents a good host candidate for nesting birds and roosting bats. No alterations to the property are proposed, so no survey work has been requested to establish whether bats or birds are already using the building.

Notwithstanding that no physical works to the building are proposed that would affect wildlife on the site, Policy **DNP6** is clear that all developments should make a positive benefit in biodiversity terms.

The Application includes a green infrastructure statement that proposes the installation of a bird box to the rear of the building, which is welcomed. The specification for these features is accepted. Compliance with the measures proposed and a guidance informative would secure appropriate biodiversity enhancement and would ensure that the proposed development would accord with the objectives of **PPW12** and **TAN5**, Policies **SP3**, **SP4**, **SP17**, **DNP6** and **DNP8** of the RLDP, and guidance contained in **SPG 19**.

CONCLUSION

The decision to recommend that planning permission should be granted has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises **Future Wales - the National Plan 2040** and the adopted **Bridgend County Borough Replacement Local Development Plan (2018 - 2033)**.

On balance, and having regard to the objections raised, it is considered that, subject to compliance with the limitations set out in the recommended conditions, the proposal would comprise a form of sustainable development that would have an acceptable impact on the character of this edge of settlement setting, and would respect the amenities of neighbouring residents whilst providing appropriate amenity to the occupiers of the Application site.

The development would not cause danger or inconvenience to users of the highway network, and would provide facilities to enable residents, staff and visitors to adopt active travel modes. The scheme would not harm but would enhance biodiversity and the resilience of ecosystems. Accordingly, the proposed development is considered to comply with Policies SF1, SP3, SP4, SP5, SP17, PLA11, PLA12, DNP6 and DNP8 of the Bridgend County Borough Replacement Local Development Plan (2018 - 2033), with advice contained within the Council's adopted Supplementary Planning Guidance SPG 17 and SPG 19, and with National Policy and guidance set out in Future Wales - the National Plan 2040, Planning Policy Wales Edition 12 (2024) and Technical Advice Notes 5, 12, and 18.

It is further considered that the decision complies with the sustainable development principle and well-being objectives in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

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

PLANNING STATEMENT
GREEN INFRASTRUCTURE STATEMENT
BLOCK PLAN
GROUND, FIRST AND SECOND FLOOR PLANS

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

2. The site shall be used as a Care Home only and for no other purpose within Class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). No more than one cared for person shall be resident on the site at any one time.

Reason: To prevent the use of the site for other purposes within Use Class C2 that would be incompatible with the residential character of the locality, in accordance with local and national planning policy and guidance set out in Policies SF1 and SP3 of the adopted Bridgend County Borough Replacement Local Development Plan (2018 - 2033), and in Planning Policy Wales Edition 12 (2024).

3. Within three months of the date of this decision, a scheme for the provision of 3 off street parking spaces shall be submitted to the Local Planning Authority for approval. The approved parking area shall thereafter be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety and to accord with Policy SP5 of the Bridgend Replacement Local Development Plan (2024).

4. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

Section 38 Planning and Compulsory Purchase Act 2004

The decision to recommend that planning permission should be granted has been taken in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the adopted Bridgend County Borough Local Development Plan (2018 - 2033).

Compliance with local and national planning policy

On balance it is considered that, subject to compliance with the limitations set out in the recommended conditions, the proposal would comprise sustainable development that would have an acceptable impact on the character of its edge of settlement setting and would respect the amenities of neighbouring residents while providing appropriate amenity to the occupiers of the Application site. The development would not cause danger or inconvenience to users of the highway network, and would provide facilities to enable residents, staff and visitors to adopt active travel modes. The scheme would not harm but would enhance biodiversity and the resilience of ecosystems. No damage to the quality or function of the water environment in the locality would result from the change of use. Accordingly, the proposed development is considered to comply with Policies SF1, SP3, SP4, SP5, SP17, PLA11, PLA12, DNP6 and DNP8 of the Bridgend County Borough Local Development Plan (2018 - 2033), with advice in the Council's adopted Supplementary Planning Guidance SPG 17 and SPG 19, and with national policy and guidance set out in Future Wales - the National Plan 2040, Planning Policy Wales Edition 12 (2024) and Technical Advice Notes 5, 12, and 18.

Well-being of Future Generations (Wales) Act 2015

It is considered that the decision complies with the sustainable development principle and well-being objectives in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None.