

**RECOMMENDATION : SECTION 106**

**REFERENCE:** P/15/648/OUT

**APPLICANT:** SISTERS OF POOR CLARE  
C/O GERAINT JOHN PLANNING LTD SOPHIA HOUSE 28 CATHEDRAL  
ROAD CARDIFF

**LOCATION:** ST CLARES CONVENT CLEVIS LANE PORTHCAWL

**PROPOSAL:** DEMOLITION OF ST CLARES CONVENT & REDEVELOP SITE FOR  
RESIDENTIAL USE

**RECEIVED:** 30th September 2015

**SITE INSPECTED:** 19th October 2015

**APPLICATION/SITE DESCRIPTION**

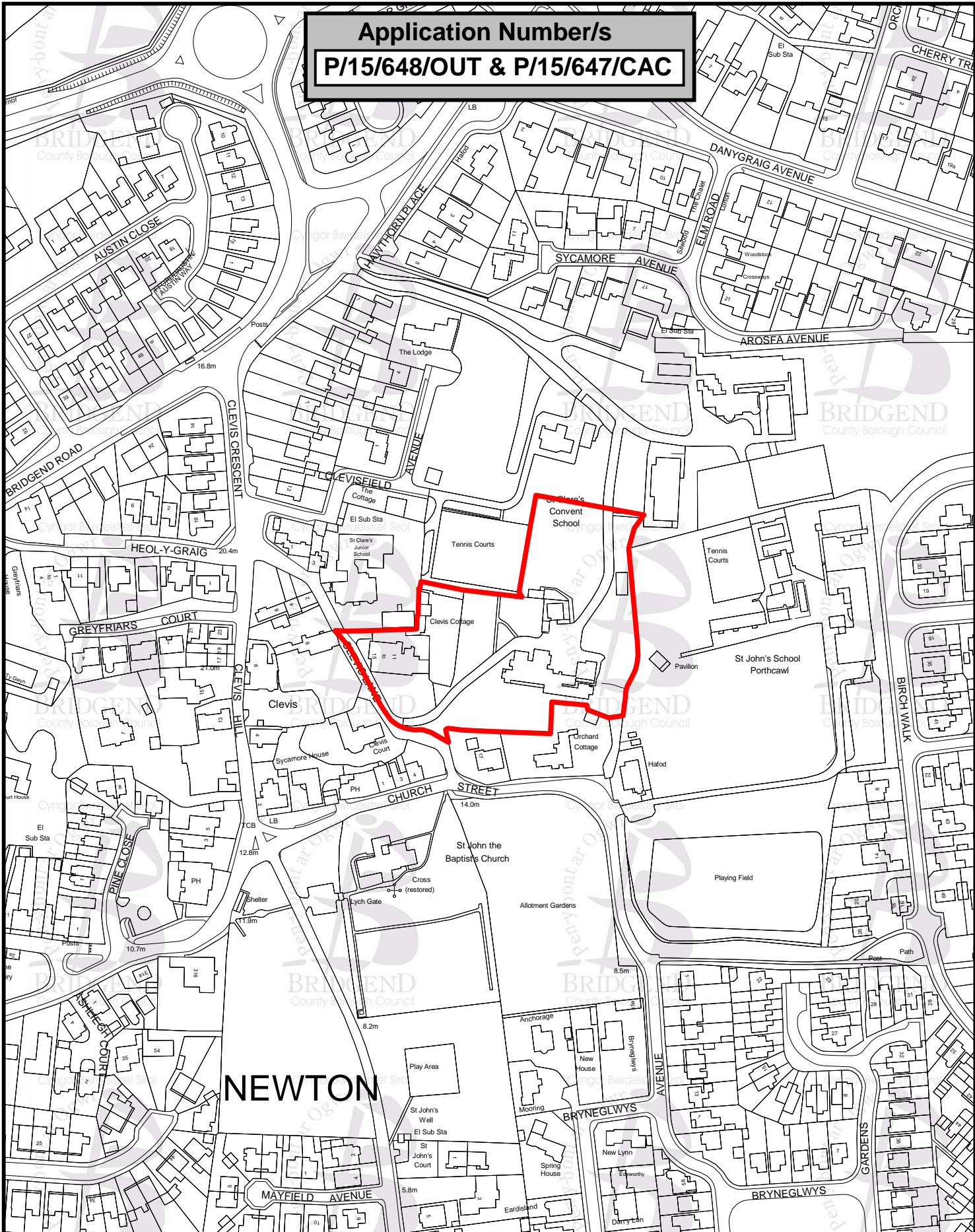
The application proposes the demolition of buildings at St Clare's Convent including the partial demolition of the Prayer Centre Building to allow for the redevelopment of the site for residential purposes. The application is in Outline with all matters apart from access reserved for future consideration.

An indicative layout, which accompanies the submission, shows the existing vehicular access to the Convent building closed up and a new access created to the south of the Prayer Centre building. The separate vehicular access to the Prayer Centre building is to be retained leading to a detached garage to be constructed at the rear of the plot. An internal road leads eastwards into the site with a turning head created almost immediately south of the multi use games area existing within the adjoining St. Clare's School. A private drive serving three properties leads north from the turning head with a separate private drive serving a further three properties leads eastwards from the turning head and a further private driveway serving 2 dwellings leads southwards for the turning head. Four additional properties are arranged either side of the internal road amounting to a total of 12 dwellings within the proposed development. Each of the properties appears to be individually designed, are provided with garages and parking spaces and are set within reasonably generous plots. The indicative layout also appears to include a central open space area, which allows for the retention of a number of existing mature trees, which are protected by a Tree Preservation Order.

The application site is located on the eastern side of Clevis Lane and to the south of the St Clare's School's Primary Section. The site adjoins the northern boundaries of 17 Clevis Lane and Orchard Cottage, which are two detached properties to the south of the existing Convent complex. Whilst the application site is reasonably flat within the site itself, there is a significant difference in land level to the detached properties adjoining the southern site boundary such that the garden level of the existing Convent is approximately level with first floor windows/eaves of these neighbouring dwellings with an almost sheer/vertical drop. Clevis Lane fronting the application site is a reasonably narrow highway which accommodates two way traffic along its northern section. The southern section, from the junction with Church Street as far as the existing access into the Convent, is only one way, tortuous with a sloping gradient from the Convent access down to Church Street and flanked by substantial stone boundary walls approximately 3m in height. Clevis Lane does not benefit from pavements although a narrow strip in which street lighting columns are located exists along the western side of the highway.

**RELEVANT HISTORY**

**Application Number/s**  
**P/15/648/OUT & P/15/647/CAC**



**NEWTON**

|  |  |  |   |  |
|--|--|--|---|--|
|  | <b>Scale 1:2,500</b>                                   | <b>Mark Shephard</b><br>Corporate Director-Communities<br><br>Communities Directorate,<br>Bridgend County Borough<br>Council, Civic Offices,<br>Angel Street,<br>Bridgend CF31 4WB.<br><br>O/Drive/Plandraw/new MI layouts/<br>Committee DC Plan | (c) Crown Copyright and database rights<br>(2016) Ordnance Survey (100023405)<br><br>(c) Hawlfraint a hawliau cronfa ddata'r Goron<br>(2016) Rhif Trwydded yr Arolwg Ordnans<br>(100023405)<br><br>(c) Cities Revealed Aerial Photography<br>copyright, The GeoInformation Group (2009) |  |
|  | <b>Date Issued:</b><br><b>04/05/2016</b>               |  |   |  |
|  | <b>Development-Mapping</b><br><b>Tel: 01656 643176</b> |  |   |  |

|  |                         |            |
|--|-------------------------|------------|
| <b>P/04/974/FUL</b>  | APPROVED                | 16-08-2004 |
| REPLACE 3 NO. CLASSROOMS   |                         |            |
| <b>P/10/582/FUL</b>  | Retro Uncond<br>Approv. | 21-09-2010 |
| THREE SIDED WASTE BIN COMPOUND   |                         |            |
| <b>P/11/229/FUL</b>  | APPROVED<br>+conditions | 17-05-2011 |
| ERECT DINING HALL BUILDING WITH FOOD TECHNOLOGY CLASSROOM  |                         |            |
| <b>P/12/264/FUL</b>  | APPROVED<br>+conditions | 24-05-2012 |
| ERECT BALL NET IN FRONT OF BUILDING  |                         |            |
| <b>P/12/486/FUL</b>  | APPROVED                | 15-08-2012 |
| INSTALLATION OF ARTIFICIAL PITCH WITH ASSOCIATED FENCING   |                         |            |
| <b>P/13/186/FUL</b>  | APPROVED<br>+conditions | 10-05-2013 |
| WIDEN EXISTING ENTRANCE AND PART DRIVEWAY  |                         |            |
| <b>P/15/647/CAC</b>  |                         |            |
| DEMOLITION OF BUILDINGS ON THE SITE INC. CONVENT BUILDING, PRAYER CENTRE & CLEVIS COTTS. & REMOVE PART OF WALL     |                         |            |
| <b>T/12/46/CON</b>   | Cons. trees<br>granted  | 01-08-2012 |
| REMOVAL OF LEYLANDII HEDGE   |                         |            |
| <b>T/13/10/TPO</b>   | Conditional TPO<br>Art5 | 27-03-2013 |
| PROGRAM OF WORKS TO VARIOUS TREES WITHIN SCHOOL GROUNDS  |                         |            |
| <b>T/14/26/TPO</b>   | TPO Grant (no<br>conds) | 07-07-2014 |
| NOTIFICATION OF FELLING OF DANGEROUS TREE  |                         |            |
| <b>T/15/32/TPO</b>   | TPO Grant (no<br>conds) | 24-07-2015 |
| WORKS TO 2 SYCAMORE TREES: REMOVE 3M OFF TOP, 2M OFF ANY LATERAL GROWTH INTO GARDEN, CROWN RAISE TO 2M ABOVE FENCE |                         |            |

## **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 18th November, 2015.

## **NEGOTIATIONS**

The applicant's agent was advised of concerns regarding the initially submitted Heritage Statement and the need to address the three tests set out in Welsh office Circular 61/96, which seeks to control demolition within Conservation Areas and was requested to revise the content of the statement. In a meeting convened with the applicant's agent, the quantum of demolition works originally proposed was discussed and the potential for retention of the Prayer Centre explored. It was explained, however, that, due to structural problems within the existing Prayer Centre Building and its impact on proposed access arrangements, the complete demolition of the structure was the only viable option but further consideration would be given to at least partial retention and revisions to the access arrangements. Subsequently amended plans were submitted, which amended the access and retained the most westerly section of the Prayer Centre and its existing vehicular driveway. An addendum to the Heritage Statement and a draft demolition method statement were also provided to support the application.

## **CONSULTATION RESPONSES**

### **Town/Community Council Observations**

Notified on 5th October 2015

Strongly object to the application on the following grounds:-

- \* Access and egress;
- \* Narrowness of lane and partial one way system;
- \* Clarification of whether the Prayer Centre is a Listed Building is necessary;
- \* The number of temporary lorry/vehicle movements;
- \* Size of the development as the application relates only to approximate numbers

### **Cllr Ken Watts**

There are a number of concerns in respect of the proposed development, which can be summarised as follows:-

- \* Prayer Centre is a listed building having a dated stone.
- \* Impact of traffic movement has been underestimated especially at peak times. Already very congested at school times.
- \* Opportunity should be taken to make Clevis Lane One Way.
- \* Concerned that statement gives 'circa' 12 properties. I think this should be an absolute maximum given egress/access issue.
- \* Lorry movements in the narrow Clevis Lane during development period.

### **Destination & Countryside Management**

No objection subject to conditions and advisory notes relating to tree protection, lifting scheme and nesting of birds and the issuing of an Derogation Licence from Natural Resources Wales prior to any demolition works.

### **Head Of Street Scene (Waste & Recycling)**

No objections. The developer should consider the provision of a suitable collection point to avoid inconvenience to existing residents.

### **Head Of Street Scene (Drainage)**

No objection subject to condition.

### **Natural Resources Wales**

No objection subject to conditions.

### **Welsh Water Developer Services**

No objection subject to condition.

**Crime Prevention Design S.Wales Police**

Advice on security issues has been provided and will be attached to the decision notice for the developer's information and consideration.

**Group Manager Public Protection**

No comments

**Glamorgan Gwent Archaeological Trust**

No objection subject to conditions

**Head Of Street Scene (Engineers)**

No objection provided that an asbestos survey is undertaken prior to commencement.

**REPRESENTATIONS RECEIVED****14 Objection Letters From Occupiers Of Local Properties, And Porthcawl Civic Trust Have Been Received**

The grounds of objection can be summarised as follows:-

1. One of the buildings to be demolished is listed and previously contained a date plaque stating 1696.
2. Clevis Lane is narrow and one way along the majority of its length.
3. There is no pavement along Clevis Lane therefore development would be hazardous to pedestrians.
4. Would exacerbate existing traffic problems particularly associated with the start and end of the school day at the adjoining St. Clare's School.
5. Development of modern housing would adversely affect the historical and architectural integrity of the village.
6. Other uses of the buildings should be considered prior to allowing demolition.
7. Demolition of the Prayer Centre should be refused due to its historic value.
8. Disruption during demolition and construction phase particularly noise.
9. Plans will diminish the character of the area, which is a Conservation Area.
10. Loss of trees.
- 11 Lack of neighbour consultation and publicity.
12. Overshadowing of properties adjoining southern site boundary exacerbated by significant difference in land levels.
13. Development will compromise accesses to neighbouring properties.
14. Transport Assessment is flawed in its estimation of car/traffic generation.
15. Nothing prevents the refurbishment of the existing buildings.
16. Invasion of privacy particularly the properties adjoining the southern site boundary.
17. Highway Safety due to potential vehicular/pedestrian conflict.
18. Development should be reduced to a maximum of 8 dwellings.
19. Adverse impact on the structural safety of the rock face along southern site boundary.
20. Damage/Repair/Compensation should be guaranteed by the developer.
21. Development more suitable for elsewhere in the County Borough and will not be aimed at local market.
22. Proposals cannot be said to preserve, conserve or enhance the Conservation Area.

**COMMENTS ON REPRESENTATIONS RECEIVED**

The following observations are provided in response to the issues raised by objectors:-

1. Listed Buildings - None of the buildings the subject of this application are listed.

2. Suitability of Clevis Lane - Notwithstanding the character of Clevis Lane, fronting the site, the Highways Department has considered the access appraisal, submitted with the application, and broadly accepts the traffic movement figures in terms of the extant Convent use and the proposed development.

3. Pavements - It is considered that the proposed development will not be significantly detrimental to pedestrian safety given the accepted traffic movement figures associated with the extant use.

4. Design Impact - As the application is in outline, it is not possible to assess the design quality of the proposed new dwellings at this stage. However, given that the majority of the new buildings are to be located within the site, screened from public view by the stone boundary walls, which are largely to be retained, it is considered that the proposals will not adversely impact on the character of the Conservation Area.

5. Traffic congestion - Problems generated by the adjoining School at opening and closing times are noted and these pre-existing problems would be a matter for future occupiers of the development to consider. During the demolition and construction phase, an appropriately worded condition to ensure that construction and works traffic do not take place at these times.

6. Alternative Uses - The Heritage Statement indicates that due to their size, structural and general condition, the existing buildings are not suitable for conversion to an alternative use.

7. Prayer Centre - Following negotiation, part of the existing building is to be retained with refurbishment and conversion works.

8. Disruption - The demolition and construction phases can be managed to minimise adverse impacts by the imposition of a condition requiring a method statement and thereafter adherence to the agreed method statement.

9. Conservation Area - Whilst objectors consider the proposals will be harmful to the character and appearance of the area, it is considered (for the reasons outlined in 4 above), this impact can be satisfactorily managed.

10 Trees - The application has been accompanied by a Tree survey and whilst a number of trees will be required to be removed to facilitate the proposed development, the indicative layout provides for the retention of significant existing specimens. Conditions requiring protection of these during the demolition and construction phases can further safeguard these trees.

11. Publicity - 23 individual neighbour consultation letters were dispatched to the properties immediately adjoining the application site and the applications were advertised on site and in the local press. These publicity arrangements satisfy the requirements of the Town and Country Planning (Development Management Procedure) Order.

12 Domination and overshadowing of adjoining properties - The significant difference in land level between the application site and the detached properties adjoining the southern site boundary has been noted. Whilst two of the proposed dwellings will be located closer to this boundary than the existing Convent building, it is not considered that the proposed dwellings will result in unreasonable domination or overshadowing.

13. Compromise existing accesses - The Highways Department are satisfied that, subject to conditions, the proposed access is acceptable.

14 Transport/Access Assessment is flawed - Residents note that the assessment submitted with the application refers to estimates of car generation rather than the actual limited use by the existing Order of Nuns. In this regard, it is noted the Assessment, which accompanies the submission, considers potential traffic generation were the Convent to be fully occupied or converted to another use within Class D1 of the Use Classes Order as notwithstanding the existing limited use, the considered options would be the fall back position.

15. Refurbishment Preferred - It has been clarified by the applicant's agent that structural issues within the existing buildings and their suitability for conversion result in this option not being viable.

16. Privacy - It is considered that the indicative layout demonstrates that the proposed dwellings will not infringe the Authority's privacy standards between directly facing habitable room windows. An appropriately worded condition requiring means of boundary enclosure to be agreed with the Local Planning Authority can ensure the privacy of the rear amenity areas of the adjoining properties to the south.

17. Highway Safety - Subject to the conditions, the Highways Department considers the

proposed development will not be detrimental to highway safety.

18. Reduction to development - Whilst one local resident has suggested that a reduced development of only 8 dwellings would be more acceptable, the Local Planning Authority is required to assess the as submitted scheme on its individual planning merits.

19. Impact on integrity of rock face along southern boundary - The indicative layout does not include buildings immediately adjacent to the southern site boundary and therefore it is not anticipated that there will be any significant impact.

20. Damage to neighbouring property - This would be a matter to be resolved between relevant parties and is not a material planning consideration.

21. Suitability of development - One objector considers that the proposed development of large detached individually design properties is not aimed at the local market but no evidence to support this contention has been provided. The Local Planning Authority considers that, given the character of the surrounding Conservation Area and the desire to retain significant protected trees, the indicative layout is a satisfactory redevelopment solution.

22. Compatibility with the Conservation Area - Policies SP5 and ENV8 of the Bridgend Local Development Plan require development proposals to conserve, preserve or enhance the built and historic environment of the County Borough and respect heritage assets. It is considered that the proposed development now retains part of the Prayer Centre and substantial sections of the stone boundary walls along Clevis Lane and in this regard will preserve the character and appearance of the area. The remainder of the development will be set within the site and therefore the proposed dwellings will not be readily publicly visible. At this outline planning stage details of the proposed houses are not available but indicative parameters and sketch plans for the proposed dwellings suggest that their design will be compatible with the conservation area.

## APPRAISAL

The application is referred to Committee to consider the objections raised by the Porthcawl Town Council and local residents in respect of the proposed development.

The application seeks to establish the principle of the demolition of almost all the existing buildings within the application site to allow for the redevelopment of the site for 12 detached dwellings. The application is in outline with all matters other than access reserved for future consideration. A full description of the development proposals and the nature of the application site have been provided at the start of this report.

The following national and local development plan policies are considered relevant to the determination of the application:-

National Policy:

Planning Policy Wales;  
TAN 12 Design;  
TAN 15 Development and Flood Risk  
TAN 18 Transport

Local Development Plan Policy

PLA1 - Settlement Hierarchy and Urban Management  
COM3 - Residential Re-use of a Building or Land  
COM4 - Residential Density  
SP2 - Design and Sustainable Place Making  
SP3 - Strategic Transport Planning Principles  
SP5 - Conservation of the Built and Historic Environment  
COM5 - Affordable Housing  
PLA4 - Climate Change and Peak Oil and

## ENV8 - Heritage Assets

The proposal is located within the settlement boundary for Porthcawl as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP). As such, the proposal represents an opportunity to develop under-utilised land within the urban area for residential development in accordance with Policy COM3 of the LDP.

Policy COM4 requires development schemes on sites exceeding 0.15ha in area to be built at a density of at least 35 dwellings per hectare, however, a lower density may be accepted as a requirement of design, physical or infrastructure constraints. In this instance, a development of 11 dwellings per hectare would be acceptable given the site's location within the Conservation Area and to reflect the surrounding pattern of development, which is characterised by lower density development.

The proposal will need to comply with Planning Policy Wales, TAN12 and criteria set out in Local Development Plan Policies SP2, SP5 and ENV8 to ensure the development can achieve a high quality design, maintains and enhances local character and conserves, preserves or enhances the built and historic environment. At this outline stage, it is not possible to fully assess development proposals but on the basis of the indicative layout, scale parameters and sketch plans, the proposals are considered to be capable of complying with these policies.

In relation to planning obligations, Policy COM10 and SPG16 Education is relevant. In accordance with the SPG, the scheme will generate 1 nursery, 3 primary and 2 secondary school age children. There is currently sufficient capacity in the local catchment schools to accommodate this number of additional pupils, so no contribution would be required.

In accordance with Policy COM5, the scheme generates a requirement of 30% of the units to be affordable i.e four dwellings. As stated in the pre-application discussions, it is unlikely that the scheme lends itself to providing affordable housing within the development itself. As an alternative, a financial contribution of equivalent value may be appropriate. The size and type of affordable units needed in this location will be confirmed with the Housing Strategy Manager but a financial contribution will be calculated in accordance with Welsh Government's Acceptable Cost Guidance. The contribution would equal 58% of the figure provided for the relevant units in Band 4 of the Table in Annex A of the guidance.

In accordance with Policy COM11, all residential schemes are subject to the open space standard of 2.4ha per 1000 population. In this case given the location, size and likely nature of the development, any on site requirements for amenity/open space are more likely to be driven by the need to satisfy Policy SP2 than to provide formal play facilities. Policy COM11 is more likely to be fulfilled by a financial contribution to improve a local facility and the current rates of provision would be £470 per dwelling amounting to £5,640.00.

The application has been accompanied by an Access Statement, Preliminary Bat Survey, Tree Survey, Heritage Statement, Planning Statement and Design and Access Statement. The Highways Department has confirmed that the access statement, which details the potential traffic movements for the extant use of the convent and the traffic movements for the proposed dwellings, is broadly acceptable in traffic movement figures. A condition limiting the maximum number of dwellings has been recommended to ensure that traffic generation is not significantly increased beyond its current potential use. With regard to the proposed access, the Highways Department appreciates that the high boundary walls either side of Clevis Lane form part of the character and appearance of the conservation area and has therefore suggested a condition requiring a set back of the site boundary in order to achieve the necessary vision splays. It has also been recommended that it will be necessary for the applicant to enter into a Section 106 agreement to contribute to the extension and amendment of the existing One Way Traffic Order to extend this to correspond with the new access point.



In terms of heritage and impact on the Conservation Area, it is highlighted that the proposal does not affect a listed building, the setting of a listed building, a local list building or setting, a scheduled ancient monument, an unscheduled monument or a landscape or garden of historic interest. The application site is acknowledged, however, to be located in the Newton Conservation Area.

Paragraph 6.5.23 of Planning Policy Wales (2016) states that it is generally preferable for applications for planning permission and conservation area consent to be considered concurrently and consideration of developments in a conservation area should be made on the basis of a full, rather than an outline consent. However, in this instance the applicant will not be the eventual developer of the site and they wish to secure an outline consent before seeking bids from interested house builders. The Conservation and Design Team and officers have sought and secured further information in relation to the retention of part of the Prayer Centre and the application provides sufficient detail to assess the potential impact of the development on the conservation area in the form of a sketch site layout and illustrative drawings, and officers are satisfied that the S106 Legal Agreement efficiently controls the demolition until after the detailed design of the dwellings is agreed at Reserved Matters stage.

Proposals have been assessed against Policies SP5 and ENV8 of the Bridgend Local Development Plan. The Conservation and Design Team raise no objection to the submitted proposals subject to the following comments and conditions:-

The Stone Boundary Walls/Revised Access - The issue raised was that the boundary changes should not result in a net loss of wall along Clevis Lane and that the original stone should be used to close off the existing access. Provided the height, materials and finish to the walls remain in keeping with the existing walls, this could be considered acceptable. The proposed partial retention of the prayer centre does result in a slightly revised access, which is considered, on balance, acceptable in the context of the protection of the special interest of the Newton Conservation Area. An appropriately worded condition requiring agreement of a scheme to reconcile achieving the necessary vision splays for the access with retention of the walls is therefore recommended.

The Prayer Centre - After initial consideration and further site visits, the building is seen to have some merit but in the context of the structure of the conservation area and pattern of lanes rather than the building itself. The position and aspect of the building as it sits, almost at right angles to Clevis Hill, offering a clear view of the extensive span of slate roof punctuated by chimneys, is considered to add to the character of the conservation area. The side gable of the centre offers a boundary marker and adds to the sense of enclosure on Clevis Lane. The orientation of any new building in the site should take reference from this.

The Convent buildings - Whilst not listed, the original Convent does have a little architectural merit. It has a decorative door case, mostly traditional timber sliding windows, a timber decorative porch, conservatory and French doors. These features in the original building in addition to the large later side extension addition and some rear extensions, result in a building of considerable scale. Even though the convent building's visual impact on the conservation area is considered as limited, there is a requirement to justify the need for demolition in accordance with the requirements of Welsh Office Circular 61/96. In this regard it is noted that an amended heritage statement has been provided to address the three tests contained in Paragraph 92 of the above mentioned circular.

The heritage statement advises as follows:-

(i) In terms of the condition of the building, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use it is clarified that the convent is uneconomic and that given the size of the order of nuns nationally and internationally it is unlikely to ever be sustainable again as a convent. The building is deteriorating in condition and if no

viable end use for the site can be agreed, the building would be closed and would be likely to fall into disrepair. This would be potentially detrimental to the character of the conservation area. Similarly the Prayer Centre has fallen into disuse and alternative uses have been explored but without success.

(ii) The prime issue preventing retention of all the Convent buildings is considered to be the extortionate costs of converting the existing large building into modern habitable space together with ongoing maintenance costs for the site. The rear annex of the Prayer Centre is in a poor state of repair but revised proposals will now retain the section of this building adjacent to Clevis Lane. As previously indicated the Prayer Centre is considered to more directly impact on the conservation area and the partial demolition allowing for adapted highway access is considered to be an acceptable compromise.

(iii) The addendum heritage statement is considered to have gone some way to address concerns over the impacts of the development on Clevis Lane specifically and the conservation area in general. The development at the centre of the site which involves the demolition of the Convent buildings will have less impact on the character of the conservation area than works to the Prayer Centre, which have now been revised to minimise the impact.

In light of the foregoing, subject to conditions requiring the agreement of materials to be used on the dwellings and the boundary treatments particularly along Clevis Lane, there is no objection to the revised proposals.

In conclusion, in policy and highway safety terms, the proposed development is considered acceptable. In relation to the impact on the Newton Conservation Area, the proposed development will, it is considered, preserve the character and appearance of the area.

## **CONCLUSION**

The application can be recommended for approval as a development that is compatible with National and local planning policies and guidelines and does not adversely affect privacy or visual amenities or highway safety nor so significantly harms neighbours' amenities as to warrant refusal. Notwithstanding that the application is in Outline with matters of appearance, landscaping, layout and scale reserved for future consideration, subject to conditions, the proposed development is compatible with the preservation of the character and appearance of the Newton Conservation Area.

Although the proposed development is not allocated within the Local Development Plan, it will contribute 12 dwellings towards the Authority's strategic aim of providing 2,888 dwellings for the period 2011-2016, and will include proportionate financial contributions towards affordable housing and public open space. Legislation and national policy dictates that planning applications must be determined in accordance with the approved development plan unless material circumstances suggest otherwise. In this case, notwithstanding the objections received, it is considered that there are not any material reasons why planning permission should be refused.

## **RECOMMENDATION**

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

1. Provide a financial contribution of £416,208.00 towards the provision of affordable housing;
2. Provide a financial contribution of £5,640.00 towards the upgrading of a local play facility.
3. Provide a financial contribution of £7,000.00 to cover the cost of a Road Traffic Order in

respect of amending and extending the existing One Way Traffic Order that applies to the southern section of Clevis Lane.

4. Agree that no demolition or site clearance works shall be commenced until a contract for carrying out development works has been made and submitted to the Local Planning Authority and a detailed scheme for the redevelopment of the site has been approved.

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

1 The development, hereby approved, shall be limited to no more than 12 dwellings, comprising 11 new build single units together a further single residential unit created from the partially retained Prayer Centre Building with the access located to the south of the retained section of the Prayer Centre Building and shall be undertaken in accordance with the 1:500 scale sketch site plan dated 24th February, 2016.

Reason : For the avoidance of doubt as to the extent of the permission granted in the interests of the free flow and safety of traffic and to maintain the operation capacity of the adjoining highway network.

2 No works to the Prayer Centre Building shall be commenced until a method statement detailing how the western section of the building, which is to be retained, will be adequately safeguarded during the demolition of the eastern section of the building has been submitted to and agreed in writing by the Local Planning Authority. Thereafter any works to the eastern section of the building shall be undertaken in accordance with the agreed scheme.

Reason : To ensure the Local Planning Authority retains effective control over the works to retain the western section of the Prayer Centre in the interests of visual amenity and to safeguard the character of the Newton Conservation Area.

3 No development whatsoever shall commence on site until a copy of the European Protected Species Licence issued by Natural Resources Wales or confirmation from Natural Resources that such a licence is not required has been submitted to the Local Planning Authority and acknowledged in writing to confirm that works on site may be commenced. The development works shall thereafter incorporate the mitigation and enhancement proposals identified in Section 5 of the Wildwood Ecology Bat Survey Report (8 September, 2015).

Reason : In the interests of biodiversity.

4 No development shall take place, including any works of demolition/site clearance until a Construction Traffic Management Plan and Demolition Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall detail the following:-

\* The routeing of HGC construction traffic/to/from the site in order to avoid school starting and leaving times;

\* The parking of vehicles of site operatives and visitors;

\* Loading and unloading of plant and materials;

\* Storage compound for plant and materials to be used in the construction phase and any retained from the demolition phase;

\* Wheel Washing facilities;

\* Measures to control the emission of dust and dirt from the demolition and construction phases;

- \* The provision of temporary traffic and pedestrian management along Clevis Lane;
- \* Methods of dealing with any controlled waste including removal to a registered site by a registered waste carrier.
- \* Details of fencing for the protection of retained trees protected by a Preservation Order before any equipment, machinery or materials are brought onto the site for the purposes of the development, which shall be maintained throughout the course of the development with mothering store or placed in any area fenced in accordance with this condition. The ground levels within the fenced areas shall not be altered nor shall any excavation be made.

The demolition and construction works shall thereafter be undertaken in accordance with agreed Method Statement and Traffic Management Plan.

Reason : In the interests of highway safety.

- 5** With the exception of the dwelling unit created from the retained section of the Prayer Centre Building, the remainder of the development shall be served by a single means of vehicular access, located to the south of the Prayer Centre Building as shown on the approved plans, which shall be a minimum of 5.5m wide for the first 9m with 6 metre radius kerbing on both sides of the entrance. The access shall be provided in permanent materials with vision splays of 2m by 20m to the south and 2m by 14m to the north and so retained in perpetuity.

Reason : In the interests of highway safety.

- 6** The access shall be at a gradient not steeper than 5% (1 in 20) for the first 30 metres and thereafter not steeper than 8% (1 in 12).

Reason : In the interests of highway safety.

- 7** No development shall commence until a comprehensive signing scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:-
- \* Amended and relocated No Entry Signs
  - \* Pedestrians in Carriageway Warning Signs
  - \* No Left Turn Sign

The signs shall thereafter be installed in accordance with the agreed scheme prior to the development being brought into beneficial use.

Reason : In the interests of highway safety.

- 8** The plans and particulars submitted in accordance with the reserved matter in respect of landscaping shall include:-
- i. a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and crown spread of each retained tree;
  - ii. details of the species, diameter (measured in accordance with paragraph i above) and the approximate height, together with an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs iii and iv below apply;
  - iii. details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

iv. details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree or of any tree on land adjacent to the site.

v. details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree from damage before or during the course of development;

vi. details of the approximate height and an assessment of the general state of health of any hedgerows forming the boundaries to the site which shall be retained;

vii. details of the specification and position of fencing and of any other measures to be taken for the protection of hedgerow from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in paragraph (a) above.

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

- 9** Any submission for approval of reserved matters shall include details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site. The development shall thereafter be carried out in accordance with the agreed details.

Reason : To ensure the development relates appropriately to the topography of the site and the surrounding area.

- 10** No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul drainage, highway, surface water, including the means to prevent run off from driveways and parking bays discharging onto the highway, roof and yard water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the agreed scheme prior to any dwelling being brought into beneficial occupation.

Reason : To ensure safe drainage of the site.

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

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

- 12** No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a scheme showing the means of enclosure/boundary treatment. The scheme shall detail the following:-

- \* Siting, materials and measures for closing up the existing Convent Access
- \* Siting, materials and boundary walls to be erected along the eastern side of Clevis Lane either side of the site access,
- \* Design, materials and type of boundary treatment to be erected between the plots and along the northern, eastern and southern site boundaries
- \* A timetable for its implementation.

Development shall be carried out in accordance with the agreed details.

Reason : To ensure that the general amenities of the area are protected.

- 13** Any application for approval of reserved matters shall include full details of both hard and soft landscape works for the written agreement of 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, 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.

- 14** No works shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation, which has been submitted to and agreed in writing by the Local Planning Authority.

Reason : To safeguard the historic environment as the building is of architectural and cultural significance the specified records will mitigate impact.

- 15** No development shall commence until a scheme of historic environment mitigation has been submitted to and agreed in writing by the Local Planning Authority. Thereafter, the programme of works shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use.

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.

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

(a) The application can be recommended for approval as a development that is compatible with National and local planning policies and guidelines and does not adversely affect privacy or visual amenities or highway safety nor so significantly harms neighbours' amenities as to warrant refusal. Notwithstanding that the application is in outline with matters of appearance, landscaping, layout and scale reserved for future consideration, subject to conditions, the proposed development is compatible with the preservation of the character and appearance of the Newton Conservation Area.

Although the proposed development is not allocated within the Local Development Plan, it will contribute 12 dwellings towards the Authority's strategic aim of providing 2,888 dwellings for the period 2011-2016, and will include proportionate financial contributions towards affordable housing and public open space. Legislation and national policy dictates that planning applications must be determined in accordance with the approved development plan unless material circumstances suggest otherwise. In this case, notwithstanding the objections received, it is considered that there are not any material reasons why planning permission should be refused.

(b) Off street parking both operational and non operational must be provided to the satisfaction of the Local Planning Authority and the developer's attention is drawn to SPG17 Parking Standards (2010).

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

(d) The observations received from Dwr Cymru/Welsh Water, Natural Resources Wales and South Wales Police Designing Out Crime Officer are attached for the developer's information and consideration.

(e) The archaeological works required by Conditions 14 & 15 must be undertaken to the appropriate standard and guidance set by the Chartered Institute for Archaeologists (CIFA) and it is recommended that it is carried out either by a CIFA Registered Organisation or an accredited Member.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None