

12. Social & Community Services & Facilities

12.1 PARAGRAPH 10.2.2 Introduction

Objection

DO/51192/1461 Llynfi Valley Forum

Issue

12.1.1 This is whether or not the Plan should cover community leadership and the provision of community boards or forums.

Conclusions

12.1.2 The objectors indicate that community leadership needs to be provided by the County Borough Council. Para 10.2.2 of the UDP gives only a broad factual outline of the structure of service provision. However, I agree with the Council that the way in which the services operate and the quality of interrelationships between service providers need not be detailed in this land use planning document. I consider that section 10.2, in particular para 10.2.5, provides an adequate explanation of the relevance of the UDP to the provision of social and community facilities. Conciseness is desirable in Plan writing. I see no need for expansion to explain the role and function of community boards in this Plan.

Recommendation

12.1.3 I recommend that no modification be made.

12.2 POLICY SC2 Protection of Existing Social & Community Facilities

Objection

DO/50783/1311 Porthcawl Town Council

Issue

12.2.1 This is whether or not the Plan should include a site for a community hospital for Porthcawl.

Conclusions

12.2.2 Policy SC2 of the Ogwr Borough Local Plan reserved a site for a community hospital near South Cornelly, to serve the south western part of Ogwr Borough. The Town Council wholly supports the need for a community hospital in Porthcawl. The Council explains that the Health Authority has changed since the Local Plan was adopted and that, prior to

publishing the deposit UDP, consultations were held with both the new Health Authority and the NHS Trust. There is judged to be satisfactory provision of health services and facilities in the County Borough. On this basis, I conclude that there is no need to include a site for a community hospital for Porthcawl.

Recommendation

12.2.3 I recommend that no modification be made.

12.3 POLICY SC3 Provision for Medical Related Developments

Objections

DO/50946/1033 Bro Morgannwg NHS Trust

Conditionally Withdrawn

DO/51229/2120 *National Assembly for Wales*

Issue

12.3.1 This is whether or not the policy should 'permit' rather than 'favour' new medical-related developments.

Conclusions

12.3.2 The NAW has withdrawn its objection to 'will be favoured' in this policy, on condition that it would be inadvisable to substitute the phrase 'will be permitted'. However, a similar objection to the terminology is sustained by the NHS Trust. I have taken account of the Council's position on the use of 'favoured' and 'permitted' as outlined in its General Proof 1, CD147. In this policy, the Council indicates that many hospitals are located in areas where development would normally be strictly controlled, for example the countryside. The Council recognises that there have been significant changes in recent years in patterns of care and associated building requirements. It expresses concern that some medical facilities may be declared redundant during the Pan period, and that potential redevelopment schemes will need to be thoroughly assessed if more sustainable patterns of development are to be secured.

12.3.3 The NHS Trust points out that a corresponding policy in the Ogwr Borough Local Plan used the word 'permitted' and this provided a firm basis for decision making. It argues that 'permitted' is used elsewhere in the UDP. I consider that 'permitted' should be used wherever possible in the UDP to provide greater certainty and clarity of purpose to users and developers.

12.3.4 This policy could usefully be re-written, in my view, to emphasise that development proposals which would benefit the provision of medical care will be permitted within existing sites. They should be required to demonstrate that there is a medical case for their proposals. The policy should enable the LPA to refuse permission for speculative developments on hospital sites, which would not be in accordance with other UDP policies, for example Policies EV1 or T1, or the thrust of the land use strategy, as described in Chapter 2. On this basis, I conclude that the policy should be re-drafted to 'permit' rather than 'favour' new developments.

Recommendation

12.3.5 I recommend that Policy SC3 be modified as follows: 'New medical-related development within existing hospital grounds will be permitted, provided the development would bring benefit to health care.'

12.3.6 I recommend that para 10.5.4 of the UDP be expanded to explain that the LPA will scrutinise closely all proposals for development within existing hospital grounds.

12.4 POLICY SC4 Provision of New Health Clinics

Objection

Conditionally Withdrawn

DO/51229/2128 National Assembly for Wales

Issue

12.4.1 This is whether or not the term 'will be reserved' should be replaced with 'will be allocated'.

Conclusions

12.4.2 The NAW argues that the word 'reserved' is unclear, though it withdraws the objection subject to adequate clarification in the proposed 'Glossary of Terms'. The Council advises that the Health Authority intends to provide new health clinics at two locations but the specific land-take was not known when the deposit UDP was drafted. However, the Council advises that sites may be specified by the time the Plan is finalised. If this is the case, I consider that the policy should state that sites 'are allocated'.

12.4.3 If this is not the case, I agree with the objector that the term 'will be reserved' is unclear and could be confused with 'allocated'. However, the word 'reserved' is not so technical that readers would automatically refer to a glossary of terms to interpret it. The policy is expressed in the future tense, and I see no reason why it should not read 'will be found'. The reasoned justification should be extended to clarify that the exact land take and site boundaries have not yet been defined.

Recommendation

12.4.4 I recommend that the policy be modified to read:

EITHER 'Sites are allocated for new health clinics at

OR 'Sites will be found for new health clinics at

12.4.5 If the second alternative is selected to reflect slow progress on site identification, I recommend that the reasoned justification be extended to clarify that the exact land take and site boundaries have not yet been confirmed.

12.5 POLICY SC5 General Provision of Educational Facilities

Objection

Conditionally Withdrawn

DO/51229/2129 *National Assembly for Wales*

Issue

12.5.1 This is whether or not the term 'reserved' should be replaced with 'allocated'.

Conclusions

12.5.2 The NAW argues that the word 'reserved' is unclear, though it withdraws the objection subject to adequate clarification in the proposed 'Glossary of Terms'. The Council relies on its General Proof 1 (CD147) which, at para 7.4, advises that where there is a realistic prospect of a change of use but the precise siting and/or extent are not currently known, the policy will use the word 'reserve'.

12.5.3 However, I agree with the objector that the term 'will be reserved' is unclear and could be confused with 'allocated'. The word 'reserved' is not so technical that readers would automatically refer to a glossary of terms to interpret it. The policy could be re-worded in my view without any loss of meaning to avoid the word 'reserved'. The reasoned justification should explain that the exact land take and site boundaries have not yet been specified but the locations are shown indicatively on the Proposals Map.

Recommendation

12.5.4 I recommend that the policy be modified so as to read: 'Education facilities will be permitted at'.

12.5.5 I recommend that the reasoned justification be extended to clarify that the exact land take and site boundaries have not yet been confirmed but the Proposals Map shows the general locations.

12.6 POLICY SC5.7 General Provision of Educational Facilities Land off Maesteg Road, Neuadd Domos, Maesteg

Objection

DO/51228/1818 Mrs C M Roberts

Issue

12.6.1 This is whether or not it is appropriate to identify this site for educational purposes.

Conclusions

12.6.2 The objector argues that no progress has been made on using this land as an extension to or replacement of the existing school, since its identification for educational purposes in the 1991 draft for consultation version of the Ogwr Borough Local Plan. The objector contends that it is unreasonable to sustain the allocation of this land in the absence of any realistic prospect of the scheme proceeding. Therefore, it should be deleted from the UDP and allocated for new housing development.

12.6.3 For the reasons given in Chapter 6, I consider that the site should not be allocated for new housing development. The Council consulted the Director of Education on the need for this site for future educational use prior to the publication of the deposit UDP. It also referred me to the shortage of level, cleared sites in this valley settlement capable of accommodating school development. The site is well located to cater for future expansion of the existing Primary School and I conclude that it should be identified for educational purposes in the UDP.

Recommendation

12.6.4 I recommend that no modification be made.

12.7 POLICY SC6 General Provision of Community Centres

Objection

Conditionally Withdrawn

DO/51229/2130 National Assembly for Wales

Issue

12.7.1 This is whether or not the term 'will be reserved' should be replaced with 'will be allocated'.

Conclusions

12.7.2 An identical objection has been made to Policy SC5 by the NAW. For the reasons given above, I conclude that 'Community centres will be permitted in the following settlements:-' would be appropriate in Policy SC6. The broad location of SC6 sites is shown on the Proposals Map and this could usefully be explained in the reasoned justification.

Recommendation

12.7.3 I recommend that the policy be modified so as to read: 'Community centres will be permitted in the following settlements:-'

12.7.4 I recommend that the reasoned justification be extended to clarify that the exact land take and site boundaries have not yet been confirmed, but broad locations are indicated on the Proposals Map.

12.8 POLICY SC7 Provision for Library Services

Objection

Conditionally Withdrawn

DO/51229/2121 *National Assembly for Wales*

Issue

12.8.1 This is whether or not the policy should use the term 'will be permitted' rather than 'will be favoured'.

Conclusions

12.8.2 The NAW has withdrawn its objection to this policy, on condition that it would be inadvisable to use the word 'permitted'. The Council refers to its approach to policy writing in General Proof 1, CD147. It advises that its priorities for the library service are for replacement of some existing libraries on town centre sites, making the most of potential for dual use provision (presumably with other cultural or information services). I am concerned that this policy, which does not specify sites, is merely aspirational. I consider that Policies SC1 and TM1 among other UDP policies could be used to assess the merits of any proposals for library development. The text in section 10.8 could be retained for information purposes. However, I conclude that the policy is imprecise and should be deleted.

Recommendation

12.8.3 I recommend that the policy be deleted.

12.9 PARAGRAPH 10.12.2 Burial Grounds Land adjacent to Maesteg Cemetery

Objections

DO/50896/966

Butterfly Conservation

DO/51209/1674

Countryside Council for Wales

Issue

12.9.1 This is whether or not the Plan should be amended to take account of the presence of the marsh fritillary butterfly on land adjacent to Maesteg Cemetery.

Conclusions

12.9.2 Butterfly Conservation and the Council agree that the land adjacent to this cemetery is part of a wider habitat for the marsh fritillary butterfly, which is a European and UK protected species. The Local Biodiversity Action Plan indicates that sites affording a habitat for this butterfly should be designated SINC. Where development is proposed, experience has shown that 'translocation' is not a viable mitigation measure for protecting the butterfly.

Butterfly Conservation suggests that 3 fields adjacent to the cemetery, which are not suitable for the butterfly, should be excluded from the SINC and used for expansion of the cemetery. However, the Council replies that two of these (fields 16 and 17) are not in its ownership and fields 16 and 18 have ground conditions rendering them unsuitable for burial.

12.9.3 I agree with the CCW that, prior to any expansion of the cemetery, account should be taken of any biodiversity interest. The LPA proposes to add the words 'and biodiversity assessment' to the end of the second sentence in para 10.12.2. I consider that this would give appropriate recognition to the nature conservation interest of this site. Policy EV19 would be applied in the event that a planning application for extensions to the Maesteg cemetery was submitted. The LPA would then weigh up the merits of the proposal, any harm to the nature conservation resource and likely effectiveness of any mitigation measures. This would be a reasonable approach, in my opinion, and enable the interests of the butterfly to be fully considered. However, I conclude that the UDP need not be amended any further.

Recommendation

12.9.4 I recommend that para 10.12.2 be amended so that the second sentence ends 'ground condition investigations and biodiversity assessments.'

**12.10 POLICY SC8
Protection of Existing Social & Community Facilities**

Objection
Conditionally Withdrawn
DO/51229/2122 National Assembly for Wales

Issue

12.10.1 This is whether or not the term 'will be favoured' should be replaced with 'will be permitted'.

Conclusions

12.10.2 The objector has withdrawn the objection, on condition that 'favoured' is only used where 'permitted' would be inadvisable. The Council has explained its use of the word 'favoured' in the General Proof 1, CD147. In this case, as a criteria-based policy has been devised, I see no reason why development which meets the criteria should not be 'permitted'. The reasoned justification would alert interested persons to the need to overcome any ground condition and biodiversity constraints.

Recommendation

12.10.3 I recommend that the policy be modified to read: '..... extensions to existing cemeteries will be permitted, provided that'.

