

DEVELOPMENT CONTROL COMMITTEE

29 SEPTEMBER 2016

**AMENDMENT SHEET (AS) - circulated by email 28 September 2016
Incorporating matters arising from
Pre-Development Control Committee Meeting
(Item number preceded by ASA)**

The Chairperson accepts the amendment sheet in order to allow for Committee to consider necessary modifications to the Committee report to be made so as to take account of late representations and corrections and for any necessary revisions to be accommodated.

ITEM NO.	PAGE NO.	APP. NO.
(AS) 8a	11	P/16/578/BCB

A full Development Control Committee site visit was undertaken on Wednesday 28 September 2016.

The Local Ward Member, who is also a DC Committee Member, and three local residents attended the site visit.

RECOMMENDATION

Condition 1 should be re-worded as follows:

1. The development shall be carried out in accordance with the following approved plans and documents: plan numbers 900003, 010001, 010002, 020001, 900004, 1214-01 Rev D and the conclusions and recommendations included within Jubb's Transport Assessment.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of the safety and free flow of traffic.

Amend condition 14 to read:

14. Prior to the commencement of development, a comprehensive scheme of traffic calming measures shall be submitted to and agreed in writing by the Local Planning Authority which shall restrict 85%ile traffic speeds to 20mph on the school access road from its junction with Heol yr Ysgol and the school access. The approved scheme shall be implemented prior to the development being brought into beneficial use.

Add Condition 19 as follows:

19. The approved school shall not be brought into beneficial occupation until the improvement works to the following junctions have been implemented:

Heol yr Ysgol/Bryn Road
Heol Cwrddy/Heol Canola

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

Change the numbering for the “* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS” section of the recommendation from 19 to 20.

Add informative notes:

The approved traffic calming scheme shall incorporate pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit.

The development shall include for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix C of the submitted Transport Assessment.

(ASA)

Amend additional Condition 19 as follows:

19. No development shall commence until details of extended access road into the school site from the junction with the access to Coleg Cymunedol y Dderwen and improvements to the Heol yr Ysgol/Bryn Road and Heol Cwrdy/Heol Canola junctions have been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details and the approved school shall not be brought into beneficial occupation until the improvement works have been implemented:

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

Add informative note:

The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain target, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.

(AS) 8b

23

P/16/603/BCB

The application was subject to a Committee Site Visit which took place on Wednesday 28 September 2016.

The Ward Members, Councillors J McCarthy and R Williams, Pencoed Town Councillors Mrs McCarthy and Mr D John and one local resident, Mr H Butler, were also in attendance.

Having reviewed the recommended conditions, conditions 2-5 need to be combined to form one condition, conditions 10-12, 15 and 19 need to be amended, conditions 16 and 17 are not considered to satisfy the tests laid down by Section 3 of the Welsh Government Circular on the Use of Conditions for Development Management 2014 and should be removed and an additional note is required.

RECOMMENDATION

Combine conditions 2-5, amend conditions 10-12, 15 and 19, remove conditions 16 and 17 and add a note. For ease of reference the revised conditions and notes are as follows:-

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

ARCHITECTURAL DRAWINGS

A001 - Site Location Plan
A002 - Existing Site Layout / Topographical Survey
A100 - Proposed Site Layout Overall
A101 - Proposed Site Layout Area 1
A102 - Proposed Site Layout Area 2
A103 - Proposed General Arrangement Ground Floor Plan
A104 - Proposed General Arrangement First Floor Plan
A105 - Proposed General Arrangement Elevations
A119 - Site Layout Contractors Constraints
A120 - Hoarding Details / Temporary Works / Site Sign Board
A123 - Proposed 3D Model
A600 - External Signage
A909 - Fencing Details (Sheet 1)
A910 - Fencing Details (Sheet 2)
A911 - External Works – Sections (Sheet 1)
A912 - External Works – Sections (Sheet 2)
A913 - External Works – Sections (Sheet 3)
A916 - External Works – Play Area (Sheet 1)
A917 - External Works – Play Area (Sheet 2)
A918 - External Works – Planting (Sheet 1)
A919 - External Works – Planting (Sheet 2)
A920 - Nursery Store / PE Store

DRAINAGE ENGINEERING DRAWINGS

PCD-CAP-00-00-DR-P-506 Rev P00 - Proposed Surface Water Drainage Layout
PCD-CAP-00-000-DR-P-507 Rev P01 - Proposed Foul Drainage Layout

HIGHWAYS ENGINEERING DRAWINGS

GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning
GC2347-CAP-61-XX-DR-C-002 - Contours & Detailed Sections
GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming
GC2347-CAP-61-XX-DR-E-001 - Proposed Lighting Arrangements

OTHER DOCUMENTS

Ecological Appraisal & Summary of BREEAM Ecology Credits
Ecology BREEAM Summary Report
BREEAM Pre-Assessment Report
Drainage Strategy Report
Traffic Impact Assessment
Site Investigation Report

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

2. No development shall take place, including any works of site clearance until a Construction Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement shall provide for:-
 - I. The routing of HGV construction traffic to/from the site
 - II. The parking of vehicles of site operatives and visitors;

- III. A scheme for the provision of a compound and car park for construction vehicles
- IV. Loading and unloading of plant and materials;
- V. Storage of plant and materials used in constructing the development;
- VI. Mechanical, automatically operated, self-contained wheel washing facilities
- VII. A temporary/permanent access road/hardstanding
- VIII. Measures to control the emission of dust and dirt during construction;
- IX. The provision of temporary traffic management during the construction period;
- X. No construction vehicles entering or leaving the site during the periods of half hour either side of the times school commencing and ending.
- XI.

The construction works and site clearance shall thereafter be undertaken in accordance with the agreed Construction Method Statement and shall be retained for the duration of the site clearance and construction works.

Reason : In the interests of highway safety.

- 3. The proposed school access onto Penprysg Road shall be laid out with vision splays of 2.4m x 25m before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

- 5. The submitted scheme of bus/parent drop off and staff parking to the south of the school building shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

- 6. The submitted scheme of off street parking to the rear of numbers 40-50 (evens) Penprysg Road shall be completed in permanent, permeable materials as approved by the Local Planning Authority prior to beneficial use of the site commencing, with all individual spaces clearly marked out as shown (drawing no GC2347-CAP-61-XX-DR-C-001 revision P02).

Reason: In the interests of highway safety.

- 7. The school shall not operate until such time as the school access road, from its junction with Penprysg Road to the school gates, has been completed.

Reason: To ensure safe vehicular and pedestrian access to the site in the interests of highway safety.

- 8. No development shall take place until a comprehensive scheme for traffic calming restricting 85% tile traffic speeds to 20 mph on Penprysg Road, between its junction

with Minffrwd Road to the north and its junction with Wimborne Road to the south has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented prior to the school being brought into beneficial use.

Reason: In the interests of highway safety.

9. No development shall take place until a scheme for the provision of waiting restrictions, School Keep Clear road markings and traffic signage shall be submitted to and agreed in writing by the Local Planning Authority. The road markings shall be clearly demarcated in permanent materials and signage erected in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

10. The school shall be limited to no more than 611 pupils.

Reason: In the interests of highway safety.

11. Notwithstanding condition 1 no works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of a pedestrian and cycle links from the school to Cae'r Efail and Cae Talcen. The links shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

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

12. No development shall commence until a until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road, land and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the disposal of foul, surface, roof/yard and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

13. No development shall commence until a site clearance method statement providing details for avoidance of harm to reptiles on site, has been submitted to and agreed by the Local Planning Authority. The measures shall be carried out in accordance with the agreed scheme.

Reason: In order to protect habitats for reptiles.

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

- a. The development should seek to employ current best practice and the most current advice and guidance. With specific reference to ecological matters, Section 6 of the Environment (Wales) Act 2016 places a duty on public authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, public authorities must also seek to 'promote the resilience of ecosystems'. Attention is drawn to the Biodiversity and Development Supplementary Planning Guidance (SPG): A Green Infrastructure Approach:-

<http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf>

This Guidance seeks to inform schemes and provide practical advice in respect of ecological enhancements and the resilience of ecosystems.

- b. The applicant/developer is advised that all wild birds are protected under the Wildlife and Countryside Act 1981 (as amended), whilst they are actively nesting or roosting. Protection should be given to all nesting birds during any works and to proceed with caution, especially during the bird nesting season (early March to late July). Section 1 of the Wildlife and Countryside Act 1981 (as amended) makes it an offence to kill, injure or take any wild bird, and to intentionally take, damage or destroy the nest of any wild bird while that nest is in use or being built. It is also an offence to take or destroy any wild bird eggs.
- c. Trees and hedgerows provide habitat to a number of protected species, including bats and birds. British bats, their breeding sites and resting places are protected by law under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an offence to damage or destroy a bat breeding site or resting place (sometimes referred to as a roost) whether the animal is present at the time or not, intentionally or recklessly obstruct access to a place used for shelter and protection or deliberately capture, injure, kill, or disturb a bat/bats.
- d. With respect to condition 7, the scheme should incorporate relocated bus stop facilities, carriageway and footway realignment, pedestrian crossing facilities and vertical displacements, plateaux and include full engineering details including longitudinal and cross sections, construction details, lighting, surface water drainage, carriageway markings, signing, traffic calming features and Stage 2 Safety Audit.
- e. The developer is advised that a scheme for the provision of suitable improvements to establish learner travel routes along the routes identified in Appendix O of the submitted Transport Assessment will be required and the improved routes should be provided before the development is brought into beneficial use and retained in perpetuity.
- f. The developer is advised that a school travel plan will be required to be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the school. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the school.

- g. The proposed development site is crossed by a public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. The position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- h. The applicant may need to apply to Dwr Cymru/Welsh Water (DCWW) for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (ie a drain which extends beyond the connecting property boundary) or via a new sewer (ie serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
- i. The applicant is also advised that some public sewers and lateral drains may not be recorded on the DCWW maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- j. A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.
- k. No surface water is allowed to discharge to the public highway.
- l. No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.
- m. In order to satisfy condition 12 the following advisory notes should be followed:-
- Submit Flood Defence Consent applications for both proposed discharge points
 - Provide details of locations at risk of flooding as identified by Microdrainage and provide flood prevention measures for these areas if proposed.
 - Provide further details regarding the location, sizing and discharge point of the existing piped spring.
 - Provide an updated drainage strategy showing the position of the existing ditch and watercourse as previously discussed.
 - Provide confirmation of undertaking of cleansing of the NR culvert and letter of acceptance of connecting to the culvert from NR

- n. Prior to any works commencing on the highway the developer will be required to enter into a legally binding agreement to secure the proper implementation of the proposed highway works including an appropriate bond. The details supporting the agreement shall include all necessary engineering details including a Stage 2 Safety Audit.
- o. Your attention is drawn to the attached comments of the Designing out Crime Officer.

(ASA)

Conditions 1, 2 and 7 and Note d require further amendments.

RECOMMENDATION

Amend condition 1 by adding Rev P02 to GC2347-CAP-61-XX-DR-C-001 - General Arrangement Planning to and removing GC2488-CAP-61-XX-DR-C-001 - General Arrangement Traffic Calming from the list of Highways Engineering Drawings.

Amend condition 2 by removing XI. As this is a continuation of X.

Amend condition 7 by adding 'in permanent materials' at the end of the condition.

Amend Note d. to read 'With respect to condition 8,.....'

(AS) 8c 43 P/16/547/FUL

The applicant's agent has requested deferral of this application for discussions with Highways.

(AS) 8d 53 P/16/373/FUL

A full Development Control Committee site visit was undertaken on Wednesday 28 September 2016.

The applicant(s) and agent attended the site visit.

The first sentence of the fifth paragraph on page 53 should read "...building will be sited along the north-western length of the site..."

Add the following to the final sentence of the first paragraph at the top of page 59: "... and it is considered that the scheme will enhance the character and appearance of this part of the Porthcawl Conservation Area."

(ASA) 8e 69 P/15/876/FUL

Add the following advice at the end of paragraph 3 on page 72 "... and it is considered that the scheme will enhance the character and appearance of this part of the extended Porthcawl Conservation Area in compliance with Strategic Policy SP5 of the Local Development Plan and advice contained within Planning Policy Wales."

The applicant has provided additional information in respect of the packaging of the pet and equine cadavers. It does not, however, obviate the need for an operation management statement as required by Condition 14.

(ASA)

For the avoidance of doubt, whilst the description of development refers to “.. in addition to the current use” the application site is a vacant industrial unit on the Brynmenyn Industrial Estate.

**MARK SHEPHARD
CORPORATE DIRECTOR – COMMUNITIES
29 SEPTEMBER 2016**