

REFERENCE: P/15/856/FUL

APPLICANT: Valleys To Coast Housing C/O Asbri Planning Ltd, Unit 9, Oak Tree Court, Cardiff Gate Business Park, CF23 8RS

LOCATION: Land rear of 65-66 Ael-Y-Bryn North Cornelly CF33 4NT

PROPOSAL: Construction Of 23 Dwellings And Associated Works

RECEIVED: 23 December 2015

SITE INSPECTED: 22 January 2016

APPLICATION/SITE DESCRIPTION

The application proposes the erection of 23 dwellings together with associated works on land to the south (rear) of properties in Ael Y Bryn, North Cornelly. Access to the site will be obtained via a new roadway located approximately midway between 64 and 67 Ael Y Bryn and this will also provide access to the garages/parking facilities and rear gardens of 59-64 Ael Y Bryn. The access road will initially lead southwards before turning eastward into the development site with dwellings arranged either side together with a number of properties served from a private driveway leading southward from the turning head at the eastern end of the new access road. The submitted plans indicate a landscaped buffer zone varying between 8m to 15m in width between the proposed dwellings on the northern side of the access road and the existing properties at 67-80 Ael Y Bryn.

The 23 dwellings are all proposed to be affordable units and will comprise four different house types made up of eight 3 bed dwellings, eleven 2 bed dwellings and four 1 bed flats.

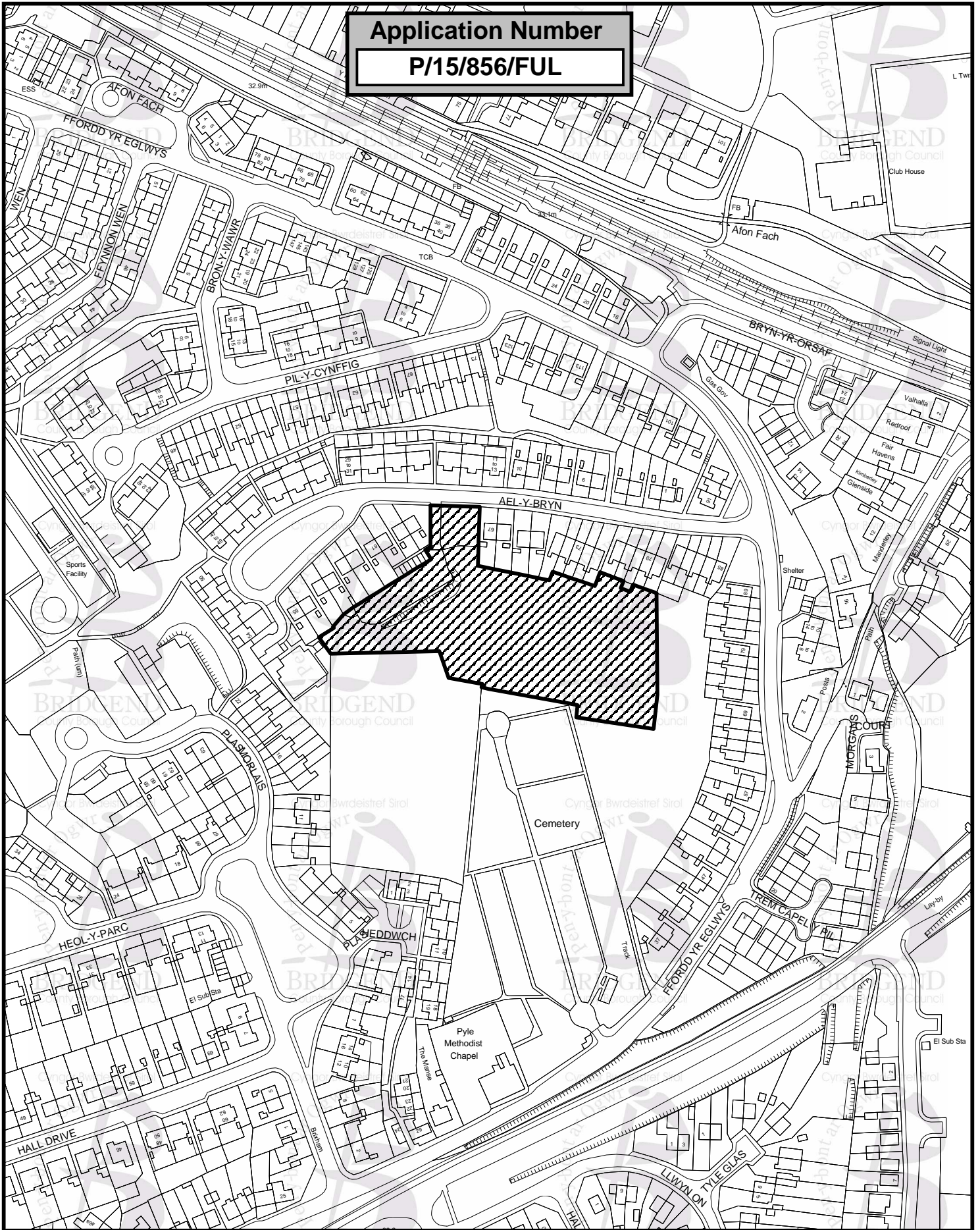
The application site is an irregularly shaped area of land to the south of the dwellings on the southern side of Ael Y Bryn and to the west of properties in Ffordd Yr Eglwys. Immediately to the south of the application site lies the cemetery. The site forms part of a larger area of grassed space forming a hillcrest so that the land rises behind the properties in Ael Y Bryn and even more sharply behind the dwellings in Ffordd Yr Eglwys on the eastern side of the site. This results in the centre of the application site being significantly elevated above these properties. Similarly the land levels rise from the garages/parking area and rear gardens of the properties lying on the western side of the site. From the central plateau area within the site, the land then slopes to the south so that it is also elevated above the cemetery. As previously indicated, the land is largely grassed although there are a number of trees close to the eastern site boundary, which partially screen the site from the properties in Ffordd Yr Eglwys. There are also two trees located on the southern boundary situated close to the cemetery. Part of the site comprises a former garage compound.

The application was supported by the following reports:

- A Planning Statement received 22/12/2015
- A Preliminary Ecological Appraisal Received 22/12/2016
- An Archaeological Assessment Received 9/5/2016
- Design and Access Statement Received 22/12/2015
- A Public Open Space Assessment received 8/6/2016
- Reptile Survey Report Received 8/6/2016

Application Number

P/15/856/FUL



Scale 1:2500

Date Issued:
20/10/2016

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
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O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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RELEVANT HISTORY

P/09/800/FUL - 5 Residential Houses - Approved with conditions 01/12/09

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 27 January 2016.

CONSULTATION RESPONSES

Head of Street Scene (Highways) - No objection subject to a S106 Agreement to secure funding for a Road Traffic Order and subject also to conditions.

Destination & Countryside Management - An initial site survey considered the site to be of moderate ecological value with potential habitat for species such as birds and reptiles. It could be assumed that reptiles are present and a condition controlling site clearance methodology and mitigation strategy has been suggested.

This area of Ael Y Bryn has been identified as a strategically important area for introducing natural features such as tree planting and allowing areas around the boundary of the site to develop naturally. In the event that the scheme is to be favourably recommended, it is suggested that the impact could be reduced by undertaking enhancements in nearby areas of open space, landscaping or smaller areas of high quality accessible open space as part of the development. In this regard the development is in a prominent location within Cornelly and the implementation of a landscaped buffer to compliment the existing trees along the southern boundaries would help to mitigate the visual impact of the development.

Head of Street Scene (Drainage) - No objection subject to condition.

Head of Street Scene (Engineers) - The site lies to the south of the South Wales Coal field therefore there will be no historic mining in this area. Similarly the site does not lie in an area identified as being prone to flooding. Geological records indicate that the site lies on Sandstone and Mudstone, which would be suitable for foundations although investigations are required to determine the depth to the rock and the exact make-up of the over-burden so that retaining walls and foundations can be effectively designed. Due to the sloping nature of the site, retaining walls will be required on the majority of the properties. These will need to be designed by a suitably qualified engineer.

Head of Parks & Playing Fields - It is noted that the proposed development would occupy open space land owned by the applicant. As the development is for more than 10 dwellings, it may be determined that a financial contribution for off site provision is appropriate.

Natural Resources Wales - No objection.

Welsh Water Developer Services - No objection subject to condition.

Crime Prevention Design S.Wales Police - Detailed advice on security issues has been provided for the developer's information and consideration.

Wales & West Utilities - An extract of records showing the location of apparatus is provided for the applicant's information and consideration.

Glamorgan Gwent Archaeological Trust - A potential archaeological issue has been identified. Although there is no known resource, records suggest that due to its elevation and the presence of prehistoric, Roman and medieval remains in the wider community area together with existing earthworks, there may be a prehistoric settlement. It is therefore suggested that an archaeological assessment is commissioned.

REPRESENTATIONS RECEIVED

Cllr Charles Smith expresses concern in respect of the application. He highlights that Section 2.4 of the Planning Statement says that this location is one of the highest points in the local area when in fact it is the highest point. It benefits from remarkably long views to and from all points of the compass. It is, therefore, pleasing to see that in Section 6.6, it is reported that materials and design are intended to enhance the street scene. There are, however, two concerns:-

1. The sight line to the Iron Age Hill Fort at Cefn Cribbwr and the nature of the earthworks at the site suggest the possibility of archaeological interest in this site.
2. This development represents further intensification of housing in an area that has moved from rural to urban in a generation. I would hope that V2C would include in its proposals clear pedestrian access routes to the remaining green spaces at and in the vicinity of this hill top site. Use of green spaces is an important priority for the health and well-being in the Council's Corporate Plan.

The Open Spaces Society - The Society considers that this is an opportunistic attempt to eliminate open spaces at North Cornelly and should be rejected.

One letter objecting to the development has been copied and signed by the occupiers of 28 dwellings in Ael Y Bryn. A petition signed by 33 residents of North Cornelly has also been received. The grounds of objection are as follows:-

1. Loss of local informal green space;
2. Development would be contrary to Welsh Government aims in respect of Health and Well-Being;
3. Intensification of the built up area;
4. Increase in traffic and greater demand for parking will be detrimental to pedestrian and highway safety.
5. Dominance and overlooking from the proposed new dwellings resulting in loss of privacy for existing residents;
6. Noise and disturbance.

Three residents of Ffordd Yr Eglwys have also objected for similar reasons to those identified above but also highlight that the cemetery to the south of the application site

is rapidly running out of space and therefore consider that some land should be allocated for its expansion. These objectors believe that there should be a suitable buffer between the development and the cemetery. One respondent believes that the proposed development will also increase the risk of flooding to their property. The third respondent has highlighted that they were not individually notified.

There has also been one letter in support of the proposal.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by local residents and others:-

Archaeology - Following the submission of an additional desk top study it is concluded that no scheduled ancient monument or listed building is directly affected by the proposed development. Research does, however, highlight the potential for a prehistoric defended enclosure or Iron Age Hill fort. As such a condition requiring an archaeological watching brief being undertaken during the construction/ground works phases is recommended.

Access to Open Space - The applicant's agent has provided an aerial photograph which highlights the proximity of alternative areas of open space in this part of North Cornelly. These areas have been examined and considered to be reasonably accessible to residents. This issue is further addressed in the appraisal section.

Loss of Open Space - It is highlighted that the proposed development does not occupy the entire site with significant areas to the south and east of the being retained that will remain publicly accessible. An area of open space will also be retained to the turning head of the west of the proposed houses.

Health and Well-Being - This is addressed in the appraisal.

Traffic - The Highway Officer considers that, subject to conditions, access to the site can be satisfactorily provided and the scheme includes adequate parking facilities to meet the Authority's adopted standards. The submitted layout also incorporates access to the existing garages/parking areas/rear gardens on the western side of the application site.

Dominance - In respect of the dwellings in Ael Y Bryn, it is noted that the proposed new properties are to be located a minimum of 21m away with some instances increasing to 28m. With regard to the dwellings in Ffordd Yr Eglwys, these will be even further away being a minimum of 35m from the application site boundary. Notwithstanding the elevated position of the proposed dwellings, they will not infringe the daylight protection zone of existing habitable room windows in the rear elevations of the existing adjoining properties as assessed in accordance with the guidance contained within the Authority's adopted Supplementary Planning Guidance 2 : Householder Development. The proposed development will be significantly further away from the ground floor windows in the rear elevations of these properties than the 10.5m referred to within the guide.

Overlooking & Privacy - It is considered that the proposed layout meets the Authority's privacy standard as there is more than 21m between habitable room windows. It is also noted that Nos 71-85 Ael Y Bryn are set at a slight angle to the application site so that overlooking is not entirely direct. In respect of the properties in Ffordd Yr Eglwys there

is a significant buffer zone between the development and the rear boundaries of these properties so that the distance between habitable room windows will exceed the privacy standard.

Prominence - It is considered that the proposed development reflects the general character of the surrounding residential area. Given the application site is located to the rear of existing properties, the proposed development in many respects would not be prominent when viewed at the corner of the existing residential area. However, the proposed development will occupy a hilltop which will be elevated above the dwellings in Ael Y Bryn with an approximate 4m difference in levels between the centre of the site and the rear boundaries. As indicated above, there is a significant buffer between the development site and the rear boundaries of these properties and it is considered that conditions requiring sensitive boundary treatments and landscaping will assist in softening the impact of the development proposals. In addition to the street level views of the site, any impact on longer distance views into the site will be alleviated by the topography of the area, the surrounding land uses (particularly the Cemetery to the south), the use of a uniform two storey design and materials that are generally in keeping with the area and the proposed hard and soft landscaping in and around the site, especially the landscaped buffer between the proposed dwellings and the properties along Ael-y-Bryn to the northern end of the site.

Future Expansion of Cemetery - It is highlighted that land allocated by Policy COM15 of the Bridgend Local Development Plan is safeguarded on the western side of the existing cemetery. The development proposals do not affect this allocation.

Flooding Potential - The Land Drainage Engineers consider that an appropriately worded condition will ensure that a comprehensive and integrated drainage system can be provided to serve the development.

Individual Consultation - One objector who resides in Ffordd Yr Eglwys and significantly to the south of the application site is disappointed at not being individually consulted. 73 residents living closest to the application site were individually notified of the receipt of the application and the application was advertised on site and in the local press. The publicity undertaken in respect of this application more than satisfies the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

APPRAISAL

The application is referred to Committee to consider the objections received from local residents and the Ward Member.

The application seeks consent for the construction of 23 dwellings with associated access and works on land to the south (rear) of Ael Y Bryn and west (rear) of Ffordd Yr Eglwys, North Cornelly.

The development site lies within the main settlement of Pyle/Kenfig Hill/North Cornelly as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP). Policy COM3 of the LDP states that residential developments within settlement boundaries on windfall and small scale sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land, will be permitted where no other policy protects the building or land for an existing or alternative use.

The site was identified as recreation space in the Council's Open Space Audit, 2010

and is therefore afforded protection by LDP Policies SP13 and COM7. Policy SP13 states that in order to maintain and improve the quality of life of residents, outdoor recreation space (inter alia) will be retained or enhanced. Policy COM 7 seeks to prevent the loss of existing social and community facilities which will not be permitted unless justified on one of the following grounds:-

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

Whilst, the Council's Open Space Audit 2010 identified that there is a surplus of children's play space and outdoor sport facilities in North Cornelly, there was initially concern that insufficient information had been provided to justify the loss of this open space. It is highlighted, however, that the proposed development will not occupy all of the existing informal open space. In addition, the applicant has provided an aerial photograph of this part of North Cornelly, which demonstrates that there are areas of open space and sporting facilities within easy walking distance from the application site and there are safe linkages to these other areas.

The proposal relates to a housing development. Policy COM11 requires provision of, or the equivalent value of a satisfactory standard of outdoor recreation space, for all new housing developments. The policy states that the provision is subject to negotiation, and, despite the fact that the Head of Parks & Playing Fields has only suggested that it may be determined that a financial contribution for off-site provision is appropriate, could take the form of a financial contribution to improve existing provision. In this instance where the site is relatively constrained and is in close proximity to existing outdoor recreation spaces, in order to comply with this policy it is considered that a contribution of the equivalent of £470 per unit should be sought to improve existing facilities.

It is also considered that, due to the sloping nature of the land, the application site does not provide high quality open space and therefore it would be more beneficial for the wider community to upgrade facilities on land adjacent to Gibbons Way and Heol Y Parc. The applicant has agreed to this approach. On this basis, it is considered that there are suitable alternatives in the surrounding area and given that the development retains a proportion of the informal open space and its accessibility by the public (approximately 40% of the site made up of open space to the east of the cemetery and land allocated and safeguarded for the provision of an extended cemetery under Policy COM15 to the west of the cemetery), the proposed development is compatible with the aims of COM7, COM11 and COM15 of the LDP subject to the applicant entering into a Section 106 Agreement to secure contributions to upgrade facilities on the public open space at Gibbons Way and Heol y Parc to the west of the site.

The total number of dwellings triggers Policy COM5 requiring 15% affordable housing in this location. It is noted that the development proposes 100% affordable housing but the provision of 3 of the units as affordable housing in perpetuity should be secured through a Section 106 Agreement.

In terms of design, Policy SP2 of the LDP requires that all development should contribute to creating high quality, attractive, sustainable places, which enhance the community in which they are located, whilst having full regard to the natural, historic

and built environment and establishes fifteen criteria against which development proposals should be assessed. In respect of this application, criteria 1, 2, 3, 4, 6, 7, 10, 12 & 13 are relevant.

In view of the foregoing, it is considered that the submitted proposals will respect the character and distinctiveness of the local area, be of an appropriate scale and prominence and will be an efficient use of the land in terms of maximising the potential of the land whilst respecting the surrounding development and therefore meet criteria 1,2,3 & 4 attached to the Policy. The Highways Officer considers that subject to appropriately worded conditions satisfactory access and linkages can be provided to meet the requirements of criterion 6. Similarly the implementation of the advice provided by the Designing Out Crime Officer can ensure that criterion 7 will be met. The development proposals will not result in any unreasonable domination, overshadowing or loss of privacy to existing neighbouring properties thereby satisfying criterion 12. Also, an appropriately worded condition requiring a comprehensive and integrated drainage scheme for the development can ensure that satisfactory drainage, water and waste facilities are provided.

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

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
2. That there is "no satisfactory alternative"
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range"

Given the nature of the application site, it is considered that the land has the potential to provide a habitat for birds and reptiles, which are protected species. A preliminary Ecological Appraisal recommended that further survey work be undertaken to ascertain the presence of reptiles on the land. The report also required any clearance works be

carried out outside the breeding season for birds. In the event that this were not possible, the Clerk of Works on Site would be responsible for searching the area immediately prior to the works being commenced. Subsequently, an ecological survey report for reptiles was received and this confirmed the presence of a population of slow worms. A relocation strategy together with avoidance measures have been recommended to mitigate potential adverse impact and a condition requiring adherence to these recommendation will be included to ensure compliance with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and Policy ENV6 of the LDP.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

Earlier in the appraisal, consideration has been given to the impact of the loss of the open space on the community. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development having regard to the informal nature of the space and the retention of some land for dog walking etc.

During the processing of the application, Policies PLA1, COM3, SP13, COM7, COM5, SP2, ENV6 and Notes 1,2 & 6 of Supplementary Planning Guidance 02 Householder Development and Supplementary Planning Guidance 17 : Parking Guidelines.

CONCLUSION

On balance, having regard to the above, it is considered that the loss of a local community facility in the form of an informal area of open space and hardstanding between existing housing and a cemetery is mitigated by the provision of affordable housing in an area that is well served by easily accessible formal and informal areas of public open space, the retention of part of the site for informal open space and a financial contribution towards improving existing formal areas of play in the immediate vicinity of the site. Therefore, this application is recommended for approval as it accords with the policies of the Bridgend Local Development Plan 2013, particularly policies COM7 (Protection of Social and Community Facilities) and COM11 (Provision of Outdoor Recreation Facilities), and will not adversely affect the residential amenities of existing and future occupiers, pedestrian and highway safety in and around the site or the visual amenities of the area as to warrant refusal.

RECOMMENDATION

(R34) (A) The applicant enter into a Section 106 Agreement to:-

Provide a minimum of (15%) 3 of the units as affordable housing units in accordance with Supplementary Planning Guidance 13 in perpetuity.

Provide a contribution of £10,810.00 to fund the upgrading of facilities on the public open space in Gibbons Way and Heol Y Parc, North Cornelly.

Provide £7,000.00 to fund the necessary Road Traffic Order and signage to achieve the 20mph speed restriction.

(B) 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: plan numbers 3464/PA/003 Rev A, 3464/PA/004, 3464/PA/005, 3464/PA/006, 3464/PA/007, 3464/PA/008, 3464/PA/009 and 3464/PA/010.

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

2. Notwithstanding condition 1, 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 including door and window frames, fascias, soffits and bargeboards and rainwater goods, 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.

3. No development shall commence on site until a comprehensive traffic calming scheme has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include traffic calming measures restricting 85% tile traffic speeds to 20mph. The traffic calming facilities shall be implemented in accordance with the agreed scheme prior to any of the dwellings being brought into beneficial use or in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason : In the interests of highway safety.

4. No development shall commence on site until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Construction Management Plan shall include:-

1. Provision of a temporary compound for construction materials and plant and parking for contractor's vehicles during the construction phase of the development;
2. Details of a wheel washing scheme to prevent mud and debris from the construction traffic being carried out onto the existing maintainable highways;
3. A scheme of temporary traffic management to facilitate the construction of the proposed junction onto Ael Y Bryn and any other element of the road construction where such traffic management is necessary;

The construction of the development shall be undertaken in accordance with the agreed Construction Management Plan.

Reason : In the interests of highway safety to ensure that the Local Planning Authority retains effective control over the development in the interests of general amenity.

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

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

6. No development shall commence on site until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall including those adjacent to any highway or access road will be designed and constructed so as to prevent subsequent ground movement. The retaining walls shall be constructed in accordance with the design and constructional details so certified.

Reason: In the interests of safety.

7. No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of an access road affording access to the existing highway surface water attenuation tank located to the south of the site. Thereafter the agreed scheme shall be implemented in permanent materials prior to any of the dwellings hereby approved being brought into beneficial occupation or in accordance with a timetable to be agreed in writing by the Local Planning Authority.

Reason : In the interests of highway safety.

8. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how foul drainage, road and roof/yard water will be dealt with, including any future maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. The drainage system shall thereafter be implemented in accordance with the agreed scheme prior to any of the dwellings being brought into beneficial use.

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

9. No development including any site clearance works shall be commenced until a detailed Ecological Method Statement and timeline conforming with the Section 9 Recommendations of Just Mammals Ecological Survey Report for Reptiles received on 8th June, 2016, for the relocation of the slow worms present on the site and including a reptile barrier to ensure the animals are not harmed during the construction phase of the development and identification of an Ecological Clerk of Works (ECW) to be responsible for the implementation of the agreed Method Statement, have been submitted to and agreed in writing by the Local Planning Authority. The site clearance works shall thereafter be managed by the ECW in accordance with the agreed Method Statement throughout the clearance and construction phases of the development.

Reason : in the interests of protecting a reptile species protected under Schedule 9 of the Natural Environment and Rural Communities Act, 2006 and the biodiversity of the

area.

10. Notwithstanding the approved layout plan, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

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

11. Notwithstanding Condition 1 no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme which shall include, proposals for surface treatment, indications of all existing trees and hedgerows on land, and details of any to be retained, together with measures for their protection in the course of development. 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 with 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.

12. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with 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.

13. No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years has been submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the agreed schedule.

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

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

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

15. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no buildings shall be erected other than those expressly authorised by this permission on Plots 1-12 inclusive.

Reason : In the interests of visual and residential amenities.

16. The developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief will be undertaken to the standards laid down by the Institute of Field Archaeologists. The Local Planning Authority shall be informed in writing, at least two weeks prior to the commencement of the development, of the name of the said archaeologist.

Reason: To ensure that any non replaceable archaeological assets are investigated and noted, as the site lies in an area of potential archaeological interest.

17. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

(a) This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

(b) In order to satisfy the drainage condition (9) the following supplementary information would be required:-

*Ground investigation report to confirm acceptability of any proposed infiltration system;

*Provide infiltration tests to confirm acceptability of any proposed infiltration system;

*Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface water system;

*Timetable for its implementations; and

*Management and maintenance plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.

(c) The observations received from Dwr Cymru/Welsh Water, the Designing Out Crime Officer and Wales & West Utilities are attached for the developer's information and consideration.

(d) Rainwater run off from driveways should not discharge into the highway surface water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act, 1980.

(e) It is a requirement of Section 153 of the Highways Act that any gates must be located and fitted so as not to open out over the highway.

(f) The Highway Authority will require the developer to enter into a Section 38 Road Agreement and a Section 104 Sewer Agreement, including appropriate bonds to secure the implementation of the proposed highway and sewer works.

(g) The Highway Authority reserves the right to invoke the powers contained in Section 59 of the Highways Act, 1980 to recover additional expenses incurred in maintaining certain lengths of the highway network.

(h) The development should be designed and constructed in accordance with the January, 1003 Mid Glamorgan County Council Design Guide for Residential and Industrial Estate Roads, which has been adopted by this Council. In accordance with the Design Guide, road gradients shall be such that a maximum gradient of 1:12 is not

exceeded. A 10m near level platform shall apply at junctions. Access roads shall have a minimum gradient of 1:125.

(j) The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively the developer may wish to explore the use of permeable materials for the access and parking areas although compacted chippings would not be acceptable. As a result of the above, surfaces such as concrete or tarmacadam should not be considered as a first option.

(k) Commuted sums to cover the extraordinary long term maintenance costs of any highway structures will be a prerequisite of the adoption of the road works as highways maintainable at public expense.

(l) Street nameplates reflecting the official street name allocated by the Council should be erected by the developer at locations and to a specified standard.

(m) There shall be no deposit or storage of building materials on the highway without the express prior consent of the Highway Authority.

(n) The developer is encouraged to provide an information pack containing public transport information including timetables to the occupiers of each residential unit.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None