

REFERENCE: P/15/244/OUT

APPLICANT: Dwr Cymru Welsh Water C/O Geraint John Planning Ltd, Sophia House, 28 Cathedral Road, Cardiff, CF11 9LJ

LOCATION: Land at Cefn Road Cefn Cribbwr CF32 0BE

PROPOSAL: Residential development (14No. units) and associated works

RECEIVED: 27 April 2015

APPLICATION/SITE DESCRIPTION

Dwr Cymru Welsh Water are seeking outline planning permission for residential development on the site of a disused (covered) reservoir which is located at the western end of the village of Cefn Cribbwr on the northern side of Cefn Road, (B4281:Aberkenfig – Kenfig Hill).

The site measures approximately 0.4 hectares and is occupied by a large covered reservoir which is to be removed and a telecommunication mast which is to be retained. The site comprises an area of natural grassland, with scrub, scattered coniferous trees, deciduous shrubs/trees and hardstanding. An existing post and wire fence surrounds much of the site with existing tracks and the public highway adjoining the southern, western and northern boundaries. The track appears to serve a number of agricultural/commercial buildings and domestic garages. The eastern boundary is shared with the rear garden of 11 Cefn Road.

All matters of detail are reserved for future consideration but an illustrative site layout plan has accompanied the application.

The plan proposes a new access off the classified road, leading to a turning head and private drive which will serve 7 dwellings (Plots 1 and 9-13). Plots 1-8 will front Cefn Road with all but two of those units having direct access to the classified route. Plots 9-13 will front the new internal private drive with the rear elevations of Plots 9-12 overlooking the open countryside to the north. The rear elevations of Plots 13 and 14 will face the rear garden of 11 Cefn Road at a distance of 10m based on the illustrative layout plan. The Design and Access Statement confirms that the dwellings would have a ridge height of between 8-9m i.e. two storey dwellings. Although no details are required to be submitted in terms of their appearance, the submission indicates that the palette of materials and design of the dwellings will be selected to ensure that they complement (enhance) the character of the surrounding area – an indicative elevation has been included in the Design and Access Statement.

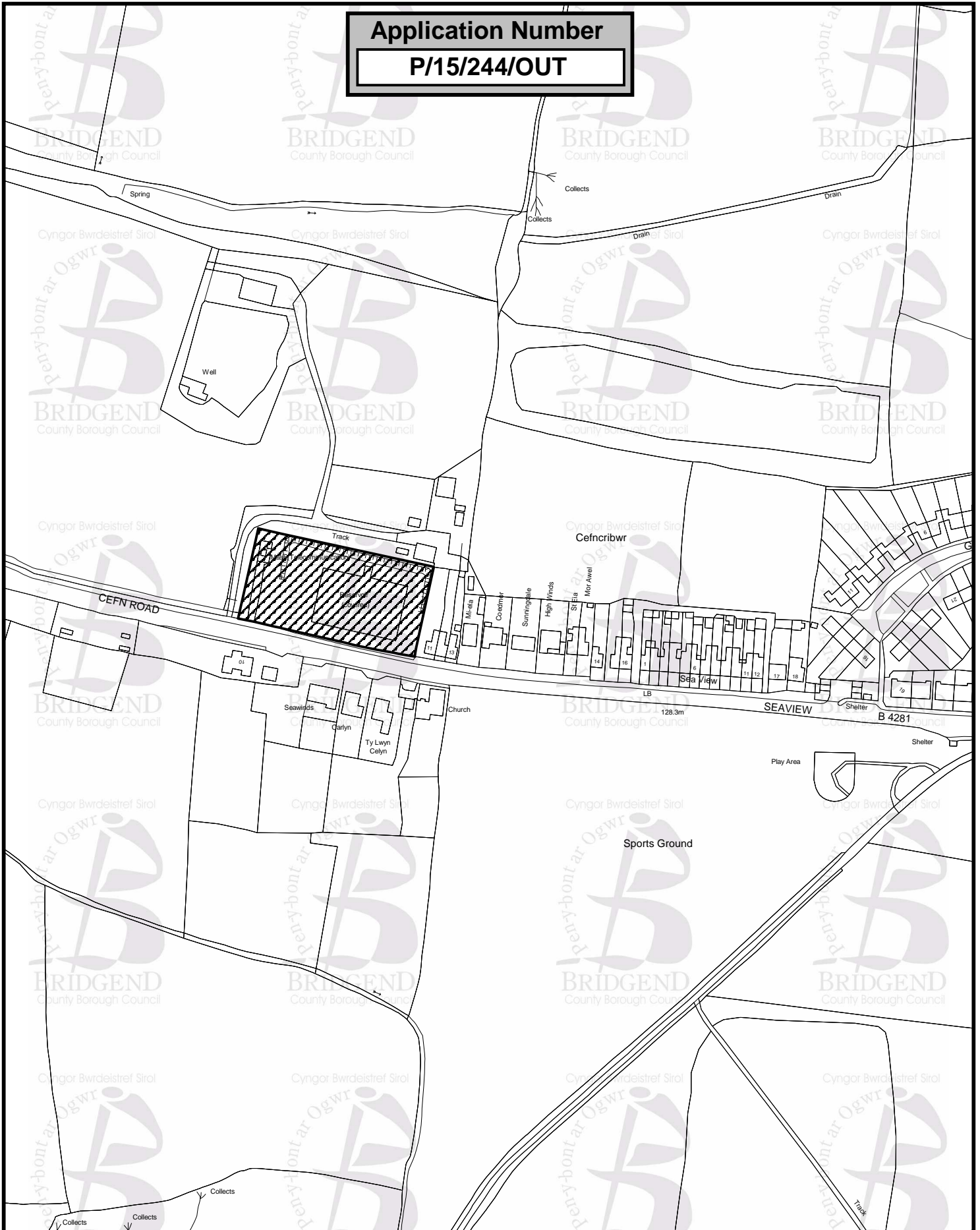
Biodiversity and Tree Surveys have accompanied the application. The tree survey identifies that the majority of the trees are positioned on the boundaries of the site and they are mainly coniferous evergreens. The report indicates that, at best, the condition of the trees are 'Fair to Poor' which suggests none are worthy of formal protection. A number will be felled to accommodate the development but there is an opportunity for a number of trees along the northern boundary to be retained as part of the future landscaping proposals for the site. Opportunities to improve the wider habitat resource for wildlife are recommended by the ecologist.

RELEVANT HISTORY

P/00/853/OUT – Former Reservoir outline consent for residential development – Conditional Consent – 27/12/2000

Application Number

P/15/244/OUT



Scale 1:2,500

Date Issued:
17/11/2016

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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P/96/969/TPN – 15m Aerial Support Tower – No objection – 6/11/1996

P/96/899/FUL – Formation of new access road to proposed radio station – Conditional Consent – 5/11/1996

P/96/308/TPN – Telecom Prior Notification – No objection – 15/4/1996

PUBLICITY

The application has been advertised on site and in the local press. Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity has expired

CONSULTATION RESPONSES

Cefn Cribwr Community Council object and request to speak at Committee. The objections are as follows:

- 1) Overdevelopment of the site
- 2) Properties on the eastern boundary are too close to the existing properties and the removal of trees will be to the detriment of the amenities of the area and those enjoyed by the neighbours
- 3) Individual access routes on to the road are not necessary
- 4) If the internal estate roads are not adopted in the long term, it will leave residents, the Community Council and County Borough Council with a long term liability.
- 5) Mast should not be retained close to housing

Destination & Countryside Management : No objection subject to conditions

Head of Street Scene (Drainage) : No objection subject to conditions (foul connection available but surface water may need to go to ground or developer will need to negotiate connection to system).

Natural Resources Wales : No objection.

Welsh Water Developer Services : No objection subject to the imposition of conditions and advisory notes to ensure no detriment to existing residents, the environment or to Dwr Cymru Welsh Water's Assets

Group Manager Public Protection : In view that the historical maps indicate the presence of an infilled reservoir on the proposed site, a ground investigation survey and risk assessment must be carried out to determine the suitability for the proposed end use. Should the survey and risk assessment identify unacceptable levels of contamination, a suitable remediation scheme shall be designed and implemented prior to the land being developed.

Head of Street Scene (Highways) : No objection subject to conditions.

REPRESENTATIONS RECEIVED

Letters of objection have been received from the occupiers of 11 and 12 Cefn Road.

The following is a summary of the objections received:

- 1) Privacy will be compromised- removal of trees will exacerbate situation
- 2) Development will severely affect the birds and wildlife that are attracted to the site
- 3) Noise and air pollution during construction and from future occupation
- 4) Site levels may create problems with drainage run-off
- 5) Direct access to Cefn Road may be a hazard to highway users
- 6) Devaluation of property

Cllr Huw David has provided the following comments:

1. The family living in No. 11 Cefn Road could have three new additional two storey properties overlooking their garden which would impact significantly on their current levels of privacy and amenity. I believe the number of properties given consent to share a boundary with 11 Cefn Road should be reduced to lessen the impact on the neighbours. I understand that any developer would seek to maximise development of the site however in my view this can be achieved without reducing the total number of properties.

2. Plots 13 &14 are shown facing east-west not north-south, the main windows in the properties would be facing a wall and a neighbour's garden at the back and parking spaces and a neighbour's house at the front. Given the very attractive views from the site when facing northwards, the re-orientation of the properties would be to the benefit of the existing and future residents.

3. Plots 9&10 would face the telecommunications mast – more attractive views to the north

4. The proposal is for individual drives accessing the B4281 – my understanding was that policy and/or practice was to limit individual vehicular access points onto busy main roads (especially key transport corridors like Pyle-Aberkenfig) and instead where practical use one shared access point where there is space available.

5. The Cefn Cribwr Grasslands Special Area of Conservation although not adjacent is located close to the north of the site. I am assuming that in terms of drainage etc. that there will be no significant impact on the site of international importance because of the amount of drainage but I would like that confirmed

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised by local residents, the Community Council and local Member:-

Overdevelopment of the site;

The application only seeks to agree the principle of the development and therefore the Council are not approving the illustrative plan that accompanies the application. An opportunity does exist to impose conditions to manage the future development and there is an expectation that any subsequent layout will accord with the Council's policies and guidelines for new development. Policy COM4 of the Bridgend Local Development Plan does require that new residential development will be built at a density of at least 35 dwelling per hectare and that will be achieved on this site (14 units/0.4 hectares = 35 dph).

Impact on the amenity of the adjoining neighbours;

This is a matter that has been raised by the Community Council, the local Member and the adjoining neighbour directly. Again, the layout plan submitted is illustrative but does show how the site could be developed. The former use of the site will have little impact on the living conditions of the occupiers of 11 Cefn Road and, inevitably, developing the land for housing will change the character of the site. The property is, however, an end of terrace and there is a degree of overlooking from the windows in the rear elevation of the neighbouring units. It is acknowledged however that this is a longstanding situation and that the development of the units on Plots 1, 13 and 14 are likely to have some impact on privacy. On a site that is acceptable, in principle, for new housing, the Council has a duty to ensure that the living conditions for the neighbour are reasonably safeguarded. Imposing planning conditions requiring a minimum set back of the new development from the shared boundary with No 11 and the provision of additional screening/planting should ensure that any new development achieves the objectives of the Council's policies and guidelines. Any trees that are to be removed on the recommendation of the arborist could be replaced as part of a new planting scheme along this sensitive boundary. At the detailed full or reserved matters stage, careful consideration will also be given to the finished site levels and scale of the dwelling to ensure that they do not dominate the adjoining garden area.

Whilst consideration has been given to re-positioning units 13/14, if they were sited on a north/south orientation, the front facing windows would look not only into the garden but possibly toward the rear facing windows of 11, Cefn Road. The illustrative arrangement ensures that the 21m privacy standard will be achieved for direct facing windows with only a slight compromise between Plot 8 and 10 Cefn Road but here the properties are separated by the main road and a reduction to 20m would be acceptable.

On the basis of the information currently before the Council and the site circumstances, it is considered that the site could be developed in a manner that would reasonably safeguard the living conditions and well-being of the adjoining neighbours.

Mast should not be retained close to housing;

The mast is a less than attractive feature but is still operational. The latest revision to the indicative layout re-orientates Plots 9/10 such that they do not directly overlook this 15m high tower. Whilst the structure will still dominate the outlook from the rear of Plot 8, its existence will be known to any potential developers and future purchasers. With regard to the health implications of the new housing to this apparatus, it is the Welsh Government's view that, if the development meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines as expressed in the EU Council Recommendation of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (as recommended by the report of the Independent Expert Group on Mobile Phones (the Stewart Report) on a precautionary basis), it should not be necessary for a local planning authority to consider further the health aspects. Furthermore, local planning authorities should not implement their own precautionary policies, such as imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between telecommunications development and existing (and presumably) new development. The applicant's agent has confirmed that the existing mast meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines.

Individual drives accessing the B4281 – non adoption of estate roads;

Policy PLA5 of the Bridgend Local Development Plan (2013) identifies the B4281 as one of the Council's main transport corridors and the illustrative plan confirms that eight of the

proposed dwellings will be served from a new highway junction and private drive / internal access road arrangement with the remaining units (6) having direct access off the B4281. The Head of Street Scene (Highways) has considered the revised layout in the context of the aforementioned policy and all others that are relevant (SP2, SP3 and PLA11 refers). It is considered that, subject to the imposition of conditions, the access arrangements should not affect the safe and efficient movement along this transport corridor and will not create or exacerbate harm to the environment. Furthermore, there is an opportunity, through a Section 106 obligation, to enhance public transport facilities.

The Council cannot force the developer to offer the roads for adoption. If they are to remain private roads/drives then maintenance may be the responsibility of the developer and/or a future management company and/or the future residents of the estate.

Development will severely affect the birds and wildlife that are attracted to the site; potential impact on the Cefn Cribwr Grasslands Special Area of Conservation;
Acer Ecology have not identified any significant ecological constraints to development although there will be a need to undertake further work prior to development commencing. A number of mitigation and compensation measures are recommended which will be included as conditions on any planning consent that Members may be minded to grant and this includes strict adherence to the NRW's 'Pollution Prevention Guidelines' to prevent any pollution affecting the Waun Cimla SSSI and Cefn Cribwr Grasslands Special Area of Conservation.

Noise and air pollution during construction and from future occupation
In order to minimise disruption for local residents, a condition requiring a Construction Method Statement would address this issue, however, pollution controls exist under separate legislation.

Site levels may create problems with drainage run-off
A site section drawing submitted with the revised layout plan suggests that ground levels will be reduced over much of the site thereby reducing the gradient at the rear. Although it will be necessary for any future application to be accompanied by a comprehensive and integrated drainage scheme, the changes to site levels may assist in reducing site run-off.

Devaluation of property
Devaluation of property is not a material planning consideration.

APPRAISAL

The application is referred to Committee to consider the objections raised by local residents, the Community Council and local Member.

Dwr Cymru Welsh Water are seeking outline planning permission for residential development on the site of a disused (covered) reservoir which is located at the western end of the village of Cefn Cribbwr on the northern side of Cefn Road, (B4281:Aberkenfig – Kenfig Hill).

The application site is located within the settlement of Cefn Cribbwr, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan - (LDP) (2013). Policy COM3 of the LDP promotes the re-use of vacant or underutilised land within settlement boundaries for small scale residential development where no other policy protects the land for an alternative use. The land is not protected for such use and as such its development for housing should be regarded as acceptable in principle as a 'windfall' site in accordance with COM3.

In accordance with Policy SP14 of the LDP, new development often creates the need for planning obligations to be provided to offset any negative impacts of development. The proposal for 14 dwellings triggers Policy COM5 of the LDP which requires 30% affordable housing in the 'Rural and Porthcawl housing market area. As such 4 of the dwellings should be provided as affordable housing to be transferred to the RSL with an appropriate tenure to be agreed between the applicant and the Housing Strategy Department. The Housing Strategy Manager may, at their discretion, indicate that a financial contribution of equivalent value is deemed a more suitable alternative to on-site provision at this location.

Policy COM11 of the LDP requires the provision of a satisfactory standard of outdoor recreation space which is defined as 2.4 hectares per 1000 people. For a proposal of 14 dwellings, this amounts to approximately 800 square metres to consist of a combination of outdoor sport, children's play space and allotment provision. The Council's open space audit reveals a surplus of children's play space and allotment provision in Cefn Cribbwr, but a deficit of outdoor sport facilities. Given the location and constraints of the site, a commuted sum is more appropriate than on-site provision, with a contribution to be spent on the improvement of facilities within close proximity to the proposed development. Based on current costs for provision, the contribution required would equate to £470 per dwelling.

Existing open space and playing facilities are located in close proximity to the site.

With regards to education, the scheme meets the threshold of 5 or more residential units identified in SPG 16 as being large enough to place increased pressure on local educational facilities. The Children's Directorate have confirmed that there is sufficient capacity in the local secondary schools but there are no surplus places in the local primary school (Cefn Cribbwr Primary School). Given the lack of capacity, a contribution will be required to facilitate extra space to be created to accommodate the likely demand arising from the development. According to the formula contained in the SPG and the number of units, the proposal will generate 3 pupils requiring a contribution of £48,939.

Improvements to the existing bus stop facilities to encourage the use of public transport by new residents will also be sought with the contribution totalling £12,000.

The aforementioned infrastructure improvements can be secured by way of a planning obligation.

Policy SP2 of the LDP requires all development to 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 will be assessed. As indicated in the earlier sections of this Report, the application is in outline with all matters reserved for future consideration. Whilst the submitted illustrative layout and supporting documents indicate the points of access and parameters of the development, they do not constitute the details. The design, appearance and landscaping details do not form part of this application and, as such, it is not possible to fully assess the proposals against the aforementioned policy. Such an assessment will be undertaken following the submission of a reserved matters or full planning application. There are constraints to the development of this site which will need to be assessed for any future scheme to properly address the policies and guidelines of the Council. The relationship of the new houses to existing and the internal arrangements will need to respect the Council's privacy standards to ensure that the living conditions of the adjoining neighbours and future occupiers will not be adversely affected; conditions will be imposed to guide the future development and this may result in less than 14 units being accommodated on site. The scale and design of

the new housing will have to respect the character of the area, the site's proximity to a busy road (noise attenuation measures) and the immediate context of existing housing. The site benefits from good public transport and road connections which will be enhanced and, subject to compliance with the recommended conditions, safe access could be provided to the new housing.

The biodiversity interests of the site have been identified in the Ecology Report and the required mitigation works will be the subject of planning conditions. This requirement reflects Section 40 of the Natural Environment and Rural Communities Act 2006 which 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 and the proposed safeguarding, mitigation measures, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity. The retention of trees along the northern boundary will assist in this regard but it should be noted that their condition does not warrant formal protection. Opportunities do however exist to provide new planting along the sensitive boundaries of the site as part of a comprehensive landscaping scheme.

Appropriate arrangements for the disposal of foul sewage, waste and water will also be secured by planning conditions.

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

The duty has been considered in the assessment of this application. 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 rather the proposed development will contribute to a more cohesive community and incorporates in the design features which demonstrate that it is seeking to contribute to global responsibilities in relation to climate change

Notwithstanding the local objections, the application site is capable of accommodating dwellings to meet the policy requirements.

During the processing of the application Policies PLA1, COM3, COM4, COM5 and SP2 of the Bridgend Local Development Plan were considered

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway/pedestrian safety, ecology/biodiversity, drainage, visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

The development can contribute to creating a high quality, attractive, sustainable place compatible with the surrounding area and Policy SP2 of the Local Development Plan. Legislation and National planning 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 no material reasons why planning permission should be refused.

RECOMMENDATION

(A) The applicant enters into a Section 106 Agreement to:

(i) Provide 30% of the units as affordable housing units in accordance with the Affordable Housing Supplementary Planning Guidance (SPG). The Section 106 Agreement will provide for these units to be transferred to a Registered Social Landlord, with the type of units, location within the site, affordable tenure, transfer price and timescale for delivery to be agreed by the Council.

(ii) Provide a financial contribution in accordance with the Educational Facilities Supplementary Planning Guidance (SPG) formula towards the provision of additional primary school places in the school serving the development; this figure being dependent on the final development mix and numbers with contributions provided on a pro-rata basis.

(iii) Provide a financial contribution of £7,980 on the commencement of development towards the upgrading of existing outdoor recreation facilities in the vicinity of the application site

(iii) Provide a financial contribution of £12,000 on the commencement of development to facilitate improved bus stop facilities on Cefn Road in the vicinity of the site.

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

1. Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall generally accord with the following plans and documents but subject to the requirements of all other planning conditions:

Proposed Site Layout Job No DCWW.CC Drawing No.03 Revision A received on 26/09/2016

Design and Access Statement – Geraint John Planning – April 2015

Extended Phase 1 Habitat Survey – Acer Ecology – April 2015

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

2. The consent hereby granted shall be limited to the construction of no more than 14 dwellings and details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall accord with the following requirements:

- A distance of 21m between directly facing habitable room windows, both in relation to proposed and existing properties;
- A minimum distance of 10.5m from any new habitable room window to the property boundary, in relation to existing adjacent properties;
- Car parking provision in accordance with SPG 17 – Parking Standards;

Reason: In the interests of safeguarding the living conditions of existing and future residents and highway safety.

3. Any submission for approval of reserved matters or full application 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

4. Any submission for approval of reserved matters or full application shall include a 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. The development shall thereafter proceed in accordance with the agreed comprehensive and integrated drainage scheme prior to any dwelling being brought into beneficial occupation.

Reason: To ensure safe drainage of the site

5. The proposed means of access shall be laid out with 6.0 metre radius kerbing on both sides of the entrance constructed and retained in permanent materials as approved in writing by the Local Planning Authority with vision splays of 2.4m x 90m in both

directions before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

6. Any individual means of access shall be laid out with vision splays of 2.4m x 90m in both directions before the development is brought into beneficial use and retained as such thereafter in perpetuity.

Reason: In the interests of highway safety.

7. No structure, erection or planting exceeding 0.9 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.

8. No development shall commence until a scheme for permanently stopping up the existing access and reinstating the vehicular crossing as footway has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use and shall be retained as such thereafter.

Reason: In the interests of highway safety.

9. Any submission for approval of reserved matters or full application shall include a Construction Management Plan. The Construction Management Plan shall include: -

- Provision of a temporary compound for construction materials and plant and parking for contractor's vehicles;
- Details of a wheel washing scheme to prevent mud and debris from the construction traffic being carried out onto the existing maintainable highway.

Any construction works at the site shall thereafter be undertaken in accordance with the Construction Management Plan.

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

10. Any submission for approval of reserved matters or full application shall include a Construction Environment Management Plan (CEMP: Biodiversity). This shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification "biodiversity protection zones".
- c) Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The CEMP - Biodiversity approved as part of the reserved matters or any other consent shall be adhered to and implemented throughout the construction period strictly in accordance with the agreed details.

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

11. Any submission for approval of reserved matters or full application shall include a Landscape and Ecological Management Plan (LEMP). The LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.

The agreed plan shall be implemented in accordance with the agreed details.

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

12. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures before any dwelling is occupied.

Reason: in the interests of safety.

13. * THE FOLLOWING ARE ADVISORY NOTES AND NOT CONDITIONS

This application is recommended for approval because the development complies with Council policy and guidelines and does not adversely affect privacy, highway/pedestrian safety, ecology/biodiversity, drainage, visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

The development can contribute to creating a high quality, attractive, sustainable place compatible with the surrounding area and Policy SP2 of the Local Development Plan. Legislation and National planning 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 no material reasons why planning permission should be refused.

The Head of Regulatory Services (Public Protection) recommends that, in view of the close proximity of the busy main road (Cefn Road), the properties that front onto the road are installed with standard thermal double glazing with trickle vents.

The Head of Street Scene (Highways) has confirmed that the level of parking will need to be assessed alongside detailed proposals for the dwelling sizes. Further the turning area on the private drive element (adjacent to Plot 13) will need to be amended to provide a longer stub to the East.

In order to address condition 4, the applicant shall provide confirmation that permission has been granted by Dwr Cymru Welsh Water for all drainage to enter into their system and this has been submitted to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall include the following:

- (i) information about the design 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 waters;
- (ii) a period for its implementation; and
- (iii) a management and maintenance plan for the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None