

**REFERENCE:** P/16/286/RLX

**APPLICANT:** Taylor Wimpey South Wales C/O LRM Planning Ltd, Sophia House, 28 Cathedral Road, Cardiff, CF11 9LJ

**LOCATION:** Land at Brackla Industrial Estate Bridgend CF31 2AN

**PROPOSAL:** Relaxation of Condition 2 (limit of units) & 15 (Single Aspect Apartments) of P/13/246/OUT

**RECEIVED:** 11 April 2016

**SITE INSPECTED:** 18 April 2016

#### **APPLICATION/SITE DESCRIPTION**

Outline planning consent was granted for a development comprising 230 dwellings and small mixed use centre on land to the east of Brackla Industrial Estate on 7 November 2014 (P/13/246/OUT refers). Conditions 2 and 15 of the consent stated:

*2. The consent hereby granted shall be limited to the construction of 230 dwellings and a 0.3 hectare 'Mixed Use Centre'.*

*Reason: To ensure the effective control of the development in the interests of safeguarding the amenities of existing and new residents and in the interests of highway safety.*

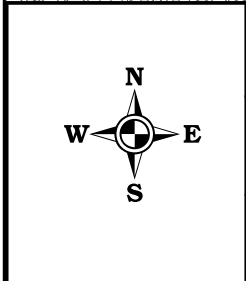
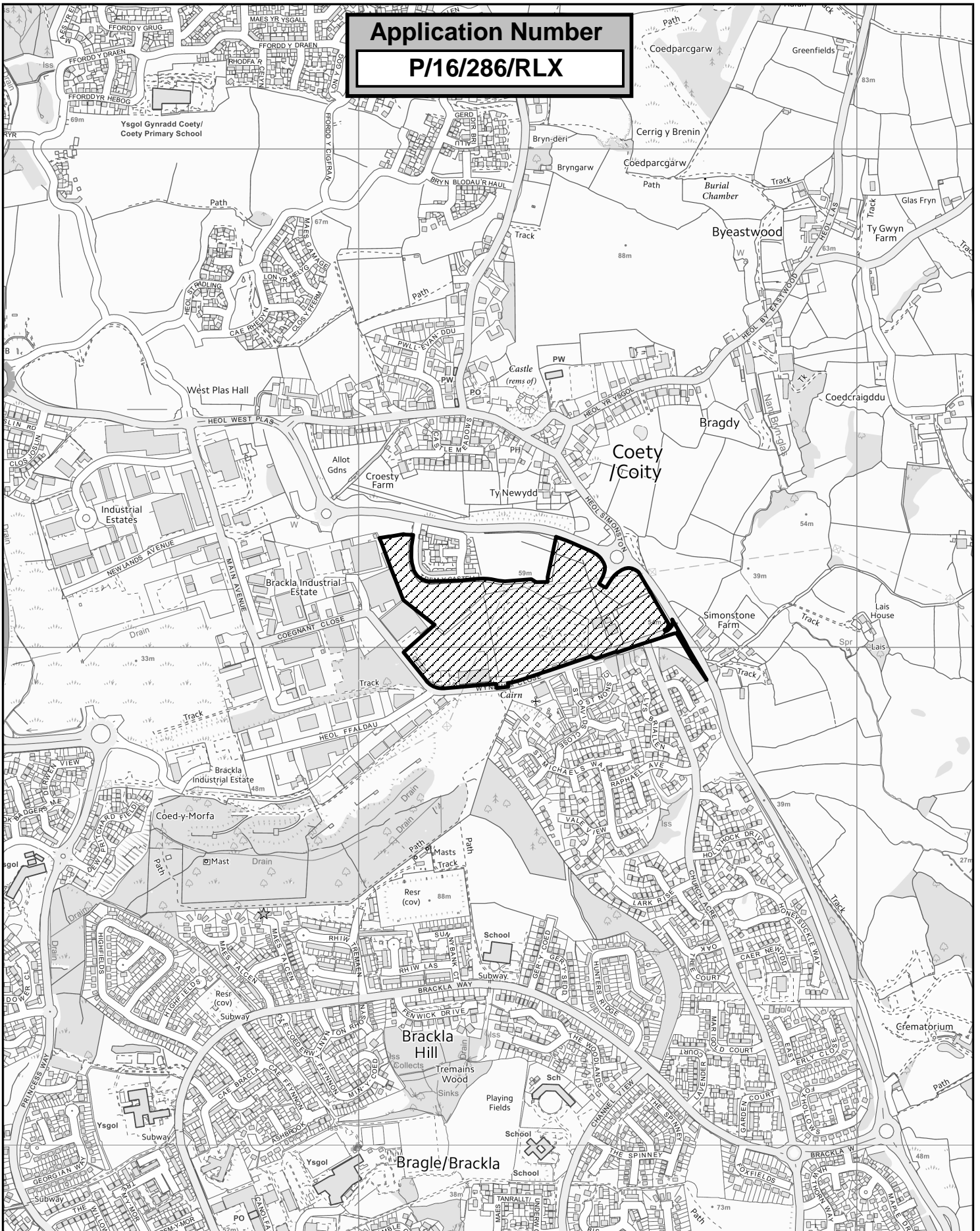
*15. The single aspect block of flats indicated on Drawing No. 1187/MP01 Master Plan Revision D shall be designed so that there are no habitable rooms facing Brackla Industrial Estate. This includes bedrooms, living rooms and dining rooms. The flats shall be designed to ensure that the internal noise level in a habitable room with windows open shall not exceed 30dB (measured as a 15min LAeq) between 23.00 and 07.00 hours. Garden areas shall also be designed to ensure that the noise level from Cabinet developments does not exceed 45dBA when measured as a 1 hour LAeq.*

*Reason: In the interests of the amenities of the future occupiers of the approved development.*

On 12 April 2016, LRM Planning Limited submitted an application under Section 73 of the planning act to vary the above conditions, in advance of a reserved matters application for the housing. The reserved matters application that followed (P/16/337/RES) initially proposed a development of 252 units with dual aspect flats with mechanical ventilation/acoustic glazing for units on the western edge of the development closest to Brackla Industrial Estate. Through negotiations, the layout was amended and the number of units reduced to 230 units, although part of the site was omitted and this is currently the subject of a reserved matters application for nine dwellings and associated works (P/16/912/RES). The consented scheme included conditions which required the installation of acoustic glazing and mechanical installation to the affected units.

This revised S73 application seeks to vary condition 2 of P/13/246/OUT to increase the housing numbers to 239 reconciling the approved and current reserved matters applications. A Transport Technical Note has accompanied this S73 application which considers the impact of the additional housing numbers on the highway network.

**Application Number**  
**P/16/286/RLX**



**Scale 1:10,000**

**Date Issued:**  
**09/02/2017**

**Development-Mapping**  
**Tel: 01656 643176**

**Mark Shephard**  
Corporate Director-Communities

Communities Directorate,  
Bridgend County Borough  
Council, Civic Offices,  
Angel Street,  
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/  
Committee DC Plan

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The relaxation of condition 15 is to allow dual aspect development, with the noise mitigation measures that have been identified in the updated noise report that also accompanies this application and which has been agreed as part of the previously approved reserved matters application.

## **RELEVANT HISTORY**

P/13/246/OUT - Development of up to 230 dwellings & 0.3 hectares of mixed use centre (Use Classes A1, A3 and C3) - Land at Brackla Industrial estate - Conditional Consent - 7/11/2014

P/14/808/NMA - Non Material Amendment to Vary Conditions 16, 17, 18, & 19 of P/13/246/OUT - Land at Brackla Industrial Estate Brackla Bridgend

P/16/337/RES - Erection of 230 units, public open space, landscaping, pedestrian & cycle link and associated works - Land at Brackla Industrial Estate Off Wyndham Close - Conditional Consent - 13/10/2016

P/16/798/NMA - Non material amendment to P/13/246/OUT - Variation of condition 17 of outline consent which relates to noise attenuation to allow for a limited number of plots to exceed the 55dBA level - Land at Brackla Industrial Estate Brackla Bridgend

P/16/912/RES - Erection of 9 Dwellings - Plots 49-57 - Land at Brackla Industrial Estate - Application undetermined.

## **PUBLICITY**

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

## **CONSULTATION RESPONSES**

Coity Higher Community Council Members would like to make the following observations:

- They would like to state that the extra housing is not acceptable given that the original application would have been based on an assessment done on a lower number of housing.
- They request the play area is provided sooner than planned.
- They request that there is a reassessment of traffic on the site entrance given the increased number of dwellings planned.
- They request that a footpath and calming measures are put in place on Heol Simonston.

Head of Street Scene (Highways)            No objection.

## **REPRESENTATIONS RECEIVED**

Mr & Mrs Major      6 Heol Penderyn      Comment: I object to the development for the following reasons:

The road from Coity to Coychurch has not been improved despite all the surrounding housing development. The increase in traffic has caused accidents due to the narrow

width of the road and tight bends. The road is dangerous.

Royston D White Tudor House Comment: I object to the development for the following reasons:

The Council is fully aware of the large flows of traffic along Heol Simonstone. Developments have taken place without any consideration to road safety and access to Heol Simonstone. There must be a requirement by the Council to require developers to contribute to road safety improvements on this road.

## **COMMENTS ON REPRESENTATIONS RECEIVED**

1. The inadequacies of the road infrastructure to cope with the additional traffic generated by the development were highlighted by almost all the objectors on the original application and have been addressed again by residents in connection with the application for the additional nine units. The 2013 Transport Assessment (TA) and 2016 Transport Note consider the existing road conditions, the proposed development (and additional units) and the development traffic impact.

The TA seeks to demonstrate that the proposed development will result in a modest increase in traffic on the surrounding road network, with no material change in the operation of most junctions within the study area. The TA acknowledges that the Coychurch Road/Heol Simonston junction is currently operating at capacity and experiences congestion. Its ability to accept additional traffic is limited and it has been demonstrated that the introduction of a roundabout junction in place of the current priority junction will significantly ease congestion at this location. The TA confirms that the development will make an appropriate financial contribution towards improvements along the Heol Simonston corridor in accordance with plan policy and the North East Brackla Development Brief.

The TA was audited by the Council's external transport consultants, Capita, as part of the original application for the 230 units - they accepted the conclusions of the developer's assessment.

Technical Advice Note 18: Transport recognises that developers will be required to pay the cost of any highway improvements where the need is directly created by their development. In this case there is an existing deficiency on the network, namely the capacity of the Coychurch Road/ Heol Simonston junction which is not caused by the development's traffic. The percentage increase of traffic through this junction created by the proposed development and the housing to the west outside the application is between 3-4% which is not material. On the basis of Welsh Government advice any attempt to require the developer to pay for the complete junction improvement at Coychurch Road/ Heol Simonston junction would not be reasonable.

Notwithstanding the concerns expressed by residents, the evidence (Transport Assessment) suggested that capacity exists within the road network to accommodate the scale of development that was proposed as part of the original application and the additional nine units that would be permitted by varying condition 2 of P/13/246/OUT. The S106 Planning Obligation that relates to the aforementioned permission includes a contribution of £317,000 that is to be paid on the commencement of development and to be used toward the provision of enhanced highway, pedestrian and cyclist traffic calming facilities...on the highway network including Heol Simonston, Coychurch Road, Wyndham Close and Church Acre.

It is considered that an additional nine units will not materially change the impact of the development's traffic on the surrounding network and that the level of contribution secured through the original S106 obligation should not be increased.

2. Coity Community Council has requested that the play area is provided sooner than planned. The housing layout approved as part of the reserved matters permission incorporates an extensive area of open space on the western part of the development, incorporating a Local Equipped Area of Play. The site owner has however covenanted with the Council to pay a sum toward the provision of a Neighbourhood Equipped Area of Play, calculated on the sum of £470 per unit. On the basis of the nine additional units an increased contribution (by £4,230) will need to be secured either by a deed of variation to the existing S106 obligation or a supplemental agreement. The delivery of the scheme will be a matter that will need to be determined by the Park's Manager. The monies will however have to be spent by this Council within 5 years of the commencement of development.

## **APPRAISAL**

The application is referred to the Development Control Committee for determination given the number of objections that have been received to the development.

Section 73 of the Act provides for applications to be made for planning permission to develop land without complying with conditions previously imposed on a planning permission. The circular on planning conditions confirms that the local planning authority can grant such permission unconditionally or subject to different conditions. The Council can however refuse the application if they decide the original condition(s) should continue. Where a Section 73 application is granted, it does not simply vary the condition or conditions to which it relates, it takes effect as a new planning permission.

Planning Policy Wales states that, in line with the presumption in favour of sustainable development, applications for planning permission should be determined in accordance with the adopted development plan for the area, unless material considerations indicate otherwise.

The Bridgend Local Development Plan is the adopted plan for the area and seeks to promote the mixed use regeneration of the application site and the area defined as 'North East Brackla' to deliver a high quality employment area, alongside other uses including housing (including a significant proportion of affordable homes), leisure, retail and public open space for the period up to 2021. In December 2010, the Council adopted the North East Brackla Development Brief to set parameters for the future development in this area. Applications are required to comply with the overall guidance but the brief did not wish to hinder innovative solutions and alternative approaches provided they did not depart from the principles of the brief. It was acknowledged that some flexibility would have to be built into the policy framework for the development of this area.

The site being developed for housing accords with the Bridgend Local Development Plan and North East Brackla Development Brief.

On a matter of principle, the key consideration in the assessment of this application is whether the infrastructure is sufficient to serve the additional nine units proposed. Consultation responses indicate it is and, whilst the development will increase traffic on the Coity/Coychurch Transport Corridor, monies (£317,000) will be secured through the

existing obligation for improvements. Site drainage is being considered by the Council's Land Drainage Section in the developer's submissions to discharge the related outline planning conditions and those imposed on the reserved matters submission. Whilst those details have not been agreed, there has been no indication that offsite systems cannot accommodate the discharge from nine additional housing units. Contribution to education and open space provision were secured through the original obligation, based on the formula in the Council's supplementary planning guidance and current standards. Additional contributions will be sought through this application, based on the additional units that would be permitted by the variation of the condition.

Those conditions that were imposed on the outline planning permission that sought to control the design of the development in terms of safeguarding amenities, highway safety and nature conservation will be imposed again to control any reserved matters application that may be submitted on this site in the future.

On the basis of the revised noise report and the noise mitigation measures that have been secured as part of the agreed reserved matters submission, condition 15 can be varied.

## **CONCLUSION**

This Section 73 application proposes revisions to conditions 2 and 15 which are considered acceptable and in accordance with the Council's policies and guidelines. As this is a Section 73 application all relevant conditions attached to the approved P/13/246/OUT will be repeated as amended through earlier 'non-material' amendment submissions and by this application.

## **RECOMMENDATION**

(A) The applicant enters into a Deed of Variation or supplemental S106 Planning Obligation to confirm that all the obligations in the existing Section 106 Agreement apply to the Section 73 consent and:

(i) Provide an additional financial contribution in accordance with the Educational Facilities SPG formula towards the provision of additional nursery and primary school places in the schools serving the development; this figure will be based on the additional nine units that are permitted by this application.

(ii) Provide an additional financial contribution on the commencement of development of £4,230 towards the provision of a Neighbourhood Equipped Area of Play, public open space and associated facilities to serve the proposed residential development in the North East Brackla Development Area

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 agreement and subject to the standard conditions and the following additional conditions:

1. The development shall be carried out in conformity with Drawing No. 1187/MP01 Master Plan Revision D received on 20th March 2014.

Reason: In the interests of highway safety and to ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

2. The consent hereby granted shall be limited to the construction of 239 dwellings and a 0.3 hectare 'Mixed Use Centre'.

Reason: To ensure the effective control of the development in the interests of safeguarding the amenities of existing and new residents and in the interests of highway safety.

3. The development hereby permitted shall be carried out in accordance with the Design Guidance set out on pages 58-61 of the North East Brackla Development Brief.

Reason: To ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

4. The Class A1 and A3 development hereby permitted shall be located in the position indicated on the Drawing No. 1187/MP01 Master Plan Revision D and restricted to:

a) Small scale local needs food and general convenience and comparison goods shopping.

b) Food and drink outlets.

Reason: For the avoidance of doubt as to the extent of the permission granted and to ensure that the Local Planning Authority retains effective control over the future development of the site.

5. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, roof/yard water highway drainage and land drainage will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented through the various phases of the development and prior to any building/dwelling being occupied.

Reason: To ensure effective drainage facilities are provided for the proposed development.

6. Prior to the submission of the comprehensive drainage scheme, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system (SUDS) in accordance with the principles of sustainable drainage set out in Appendix 4 of TAN 15, and the results of the assessment shall be provided to the Local Planning Authority. Where a SUDS scheme is to be implemented, the submitted details shall:

a) provide 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;

b) specify the responsibilities of each party for implementation of the SUDS scheme, together with a timetable for that implementation; and

c) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority

or statutory undertaker, and/or any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details.

Reason: to ensure that effective satisfactory management and disposal of surface water is provided for the proposed development.

7. A written scheme of contamination investigation for the site shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, in accordance with the approved scheme, no development or any infrastructure scheme or landscaping area shall be commenced until:

a) that part of the site has been subjected to a detailed scheme for the investigation and recording of contamination and a report has been submitted to and agreed in writing by the Local Planning Authority;

b) detailed proposals in line with current best practice for the removal, containment or otherwise rendering harmless such contamination (the Contamination Proposals") have been submitted to and agreed in writing by the Local Planning Authority;

c) for any part of the development, contamination remediation proposals relevant to that part (or any part that would be affected by the development) shall be carried out either before or during such development as appropriate;

d) if during development works any contamination is encountered which has not been previously identified and is derived from a different source and/or of a different type to those included in the "Contamination Proposals", revised "Contamination Proposals" shall be submitted to and approved in writing by the Local Planning Authority before they are implemented;

e) if during development work site contaminants are found in areas previously expected to be clean, their remediation shall be carried out in line with the "Contamination Proposals" approved under paragraph (b) or (d), as appropriate, above.

Reason: To determine the contamination of the ground and to identify any remedial measures required to deal with contamination.

8. The plans and particulars submitted in accordance with the reserved matters shall include a Method Statement detailing all necessary pollution prevention measures for the construction phase of the development. The scheme which shall be agreed in writing by the Local Planning Authority shall be adhered to throughout the construction period.

Reason: To prevent pollution.

9. No development shall take place until full details of both hard and soft landscape works have been submitted to and agreed in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting



etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant. The agreed landscaping works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed by the Local Planning Authority prior to any development commencing on site.

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

10. The plans and particulars submitted in accordance with the reserved matter in respect of landscaping above shall include:-

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75mm, showing which trees are to be retained and crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs(c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

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

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

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

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

11. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund.

Reason: To prevent pollution.

12. The plans and particulars submitted in accordance with the reserved matters for this development should broadly accord with the recommendations set out in Section 6 "Opportunities for ecological enhancement" of the Ecology Survey for Land at Brackla Industrial Estate, Bridgend, prepared by Sturgess Ecology, dated June 2012 and submitted with this application.

Reason: To promote nature conservation.

13. Where any species listed within the Schedules of the Conservation of Habitats and Species Regulations 2010 is found to be present on the site, no works of site clearance, demolition or construction shall take place in pursuance of this permission until a licence to disturb any species has been granted in accordance with the aforementioned Regulations and a copy thereof has been provided to the Local Planning Authority.

Reason: To promote nature conservation.

14. The plans and particulars submitted in accordance with the reserved matters for this development shall make provision for public open space in accordance with the North East Brackla Development Brief and in the general locations illustrated in Drawing 1187/MP01 Revision D and shall be laid out, landscaped, and completed in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority prior to any commencement of works on site.

Reason: In the interests of the residential amenities of future occupants

15. All habitable room windows on the facades of the dwellings highlighted on Noise Map 4036/NM3 in Section 3.2 'Environmental Noise Assessment 4036/ENS1-R1 shall be fitted with acoustic glazing and mechanical ventilation, details of which shall accord the specifications stated in section 5.3 of 'Environmental Noise Assessment 4036/ENS1-R4 20th July 2016' and shall be retained, thereafter, in perpetuity.

Reason: In the interests of the amenities of the future occupiers of the approved development.

16. No development shall commence on properties on the north-east corner and east boundary overlooking Heol Simonston/Coity Bypass and to the south fronting onto Wyndham Close until a scheme has been submitted to and agreed in writing by the Local Planning Authority to ensure that internal noise levels (LAeq, 1 hour) to the front facades of the properties on the north-east corner and east boundary overlooking Heol Simonston/Coity Bypass and to the south fronting onto Wyndham Close do not exceed 30dB in bedrooms and 35dB in living rooms with windows closed. The scheme shall include details of the acoustic glazing and details of the mechanical/passive ventilation to be installed to achieve these internal noise levels. The agreed scheme shall be implemented prior to any dwelling within this scheme being occupied.

Reason: In the interests of the amenities of the future occupiers of the approved development.

17. No development shall commence on properties on the north-east corner and east boundary overlooking Heol Simonston/Coity Bypass and to the south fronting onto Wyndham Close until a scheme has been submitted to and agreed in writing by the Local Planning Authority to demonstrate that rear gardens subject to traffic noise in excess of 55dBA LAeq 16hour [free field] (as identified in noise map 2902/NM 1 on

page 7 of the noise report) have been designed to provide an area where the maximum day time noise levels do not exceed 55dBA over 50% of the garden area. The agreed scheme shall be implemented prior to any dwelling within this scheme being occupied.

Reason: In the interests of the amenities of the future occupiers of the approved development.

18. The plans and particulars submitted in accordance with the reserved matters for the commercial/employment element of the development hereby approved shall include a review of noise emissions from the commercial/employment operations. This shall include:

(a) A noise assessment which shall include a review of the type of operations at the site and the noise levels/noise impact likely to be generated from these operations;

(b) Details of fixed plant, including the location and noise levels to be emitted from the plant such as coolers/condensers/refrigeration plant extraction units;

(c) hours of operation;

(d) Details of deliveries;

The noise report shall include details of any mitigation measures relating to the commercial/employment element and shall be agreed in writing by the Local Planning Authority and implemented prior to the occupation of the commercial/employment element.

Reason: In the interests of the amenities of the future occupiers of the approved development.

19. No development shall commence on dwellings adjacent to the boundary with BEI Lighting until a scheme showing the scale, design, specification and precise location of the required acoustic barrier to be erected on the boundary of the application site adjacent to BEI Lighting has been submitted to and agreed in writing by the Local Planning Authority. The acoustic barrier shall be erected in accordance with the agreed scheme and prior to the occupation of any dwelling and/or flat adjacent to the boundary and, thereafter, retained in perpetuity.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities.

20. No individual property shall be served by an individual vehicular or pedestrian access onto Wyndham Close, Heol Simonstone or the Coity Bypass.

Reason: To ensure the effective control of the development in the interests of highway safety.

21. Excluding the parcel identified on Drawing No.1187/MP01 Master Plan Revision D for 3 storey flats, the development hereby approved shall be served by a single means of vehicular access from Coity By Pass roundabout (at the north eastern corner of the site) with an additional vehicular access link from the adjacent residential development immediately abutting the northern site boundary.

Reason: In the interests of highway safety.

22. The parcel identified on Drawing No.1187/MP01 Master Plan Revision D for 3 storey flats hereby approved shall be served off the internal estate road of the adjacent residential development immediately abutting the northern site boundary.

Reason: In the interests of highway safety.

23. The main spine route access off the Coity bypass roundabout shall be laid out to provide a circular route suitable for future public transport to permeate into the site and serve the development. The vehicular access link from the adjacent residential development immediately abutting the northern site boundary shall also be designed to accommodate public transport provision.

Reason: In the interests of promoting sustainable travel patterns.

24. Unless otherwise agreed in writing with the Local Planning Authority the main spine road off the Coity By Pass roundabout shall be at a gradient not steeper than 5% (1 in 20) for the first 30 metres and thereafter not steeper than 8% (1 in 12).

Reason: In the interests of highway safety.

25. The carriageway of the proposed new circular access road shall be not less than 6.5 metres wide, with appropriate lane widening on bends to serve the proposed development with one 3.5 metre cycleway/footway and one 2.0 metre footway.

Reason: In the interests of highway safety.

26. The southern site frontage shall be set back and a 3.5 metre cycleway/footway provided along the Northern side of Wyndham Close.

Reason: In the interests of highway safety and promoting sustainable travel patterns.

27. A 3.5 metre cycleway/footway link shall be provided in the north eastern corner of the site to link to the adjacent residential development immediately abutting the northern site boundary.

Reason: In the interests of promoting sustainable travel patterns.

28. The development shall be served by no less than three individual 3.5 metre cycleway/footway links along the southern site boundary onto Wyndham Close.

Reason: In the interests of promoting sustainable travel patterns.

29. No works whatsoever shall commence on site until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a raised plateau at the junction of Wyndham Close with Church Acre incorporating a pedestrian / cycle crossing on Wyndham Close. Such a scheme shall be implemented, as approved, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of highway safety.

30. No works whatsoever shall commence on site until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a 3.5 metre cycleway/footway on the north western side of the Coity By Pass roundabout (at the north eastern corner of the site) to link to Heol Simonstone. Such a scheme shall be implemented, as approved, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of highway safety.

31. No works whatsoever shall commence on site until such time as a scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of bus stops, shelters and associated raised kerbing, signing, lining and timetable information on the new spine road/bus route. Such a scheme shall be implemented, as approved, in permanent materials before the development is brought into beneficial use.

Reason: In the interests of highway safety.

32. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This Section 73 application proposes revisions to conditions 2 and 15 which are considered acceptable and in accordance with the Council's policies and guidelines. As this is a Section 73 application all relevant conditions attached to the approved P/13/246/OUT will be repeated as amended through earlier 'non-material' amendment submissions and by this application.

b. Off street parking, both operational and non-operational must be provided to the satisfaction of the Local Planning Authority and your attention is drawn to Supplementary Planning Guidance 17: Parking Standards.

c. Dwr Cymru Welsh Water has provided the following advisory notes:

\* Foul water and surface water discharges shall be drained from the site

\* No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by Dwr Cymru Welsh Water.

\* Land drainage run off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

d. The proposed development site is crossed by a public sewer and strategic water main. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer. It may be possible for this water main to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer.

e. The comprehensive and integrated drainage scheme to be submitted for condition 5 shall achieve Greenfield discharge rates of 10 litres per second per hectare.

f. The Method Statement for Pollution required for condition 8 shall identify as a minimum:

\* any sources of pollution (including silt), potential pathways for that pollution to enter

any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.

- \* storage facilities for all fuels, oils and chemicals
- \* construction compounds, car parks, offices etc.
- \* details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off
- \* details of measures to ensure no polluting discharge from haul roads/disturbed areas
- \* details of the nature, type and quantity of materials to be imported on to the site
- \* measures for dealing with any contaminated material (demolition waste or excavated waste)
- \* identification of any buried services, such as foul sewers, so that they are protected
- \* details of emergency contacts, for example the National Resources Wales Pollution hotline 0800 807 060.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

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

**Background Papers**  
None