

REFERENCE: P/17/554/RLX

APPLICANT: Ward Jones (Bridgend) Ltd
c/o John Matthews Planning & Development Consultant,
47 Anglesey House, Anglesey Way, Nottage CF36 3QP

LOCATION: Land at Moor Lane, Porthcawl CF36 3EJ

PROPOSAL: Variation of condition 2 of P/16/497/FUL relating to occupancy of chalets

RECEIVED: 28 June 2017

This application was to be considered by Committee on 28 September 2017 on the basis of the report and recommendation reproduced below. On the amendment sheet it was suggested that proposed condition 2 should be amended and split into two conditions with the subsequent conditions re-numbered. The first of these proposed additional conditions limited the use of the chalets to holiday accommodation only and permitted occupation for holiday purposes but not as a person's place of residence with the units not to be occupied by the same person or persons exceeding a period of 60 days in the period April to September and 60 days in the period October to March. The second required the Authority to be notified of any change of operator/ownership of either the site or any part thereof or of any individual chalet within one month of such change. In addition, an up to date register was required to be kept at the holiday accommodation containing the details of all of the occupiers of the accommodation including their home addresses and dates of arrival and departure. A statutory declaration in respect of each of the units confirming that they had not been used for permanent residential accommodation was also required to be submitted not later than 31 January annually. Consideration was deferred at the request of the applicant to allow them to assess the impact of the proposed amended conditions.

Since the original report to Committee there has been prolonged negotiation in respect of the proposed conditions, in particular with regard to the extent of the periods of occupation by any one person or group of persons. For the sake of clarity it is now proposed to further subdivide the proposed conditions to control the issues of use, periods of occupation, maintenance of a register, change of ownership and a requirement for a statutory declaration as separate conditions. Further consideration has been given to the extent of the period of occupation and it is considered reasonable to reduce this limit from the previously proposed 60 days to 42 days in the identified six month periods. 42 days will provide sufficient flexibility to allow extended occupation during 'peak' school holiday times. The original recommendation has therefore been amended to reflect these revisions to the proposed conditions.

APPLICATION/SITE DESCRIPTION

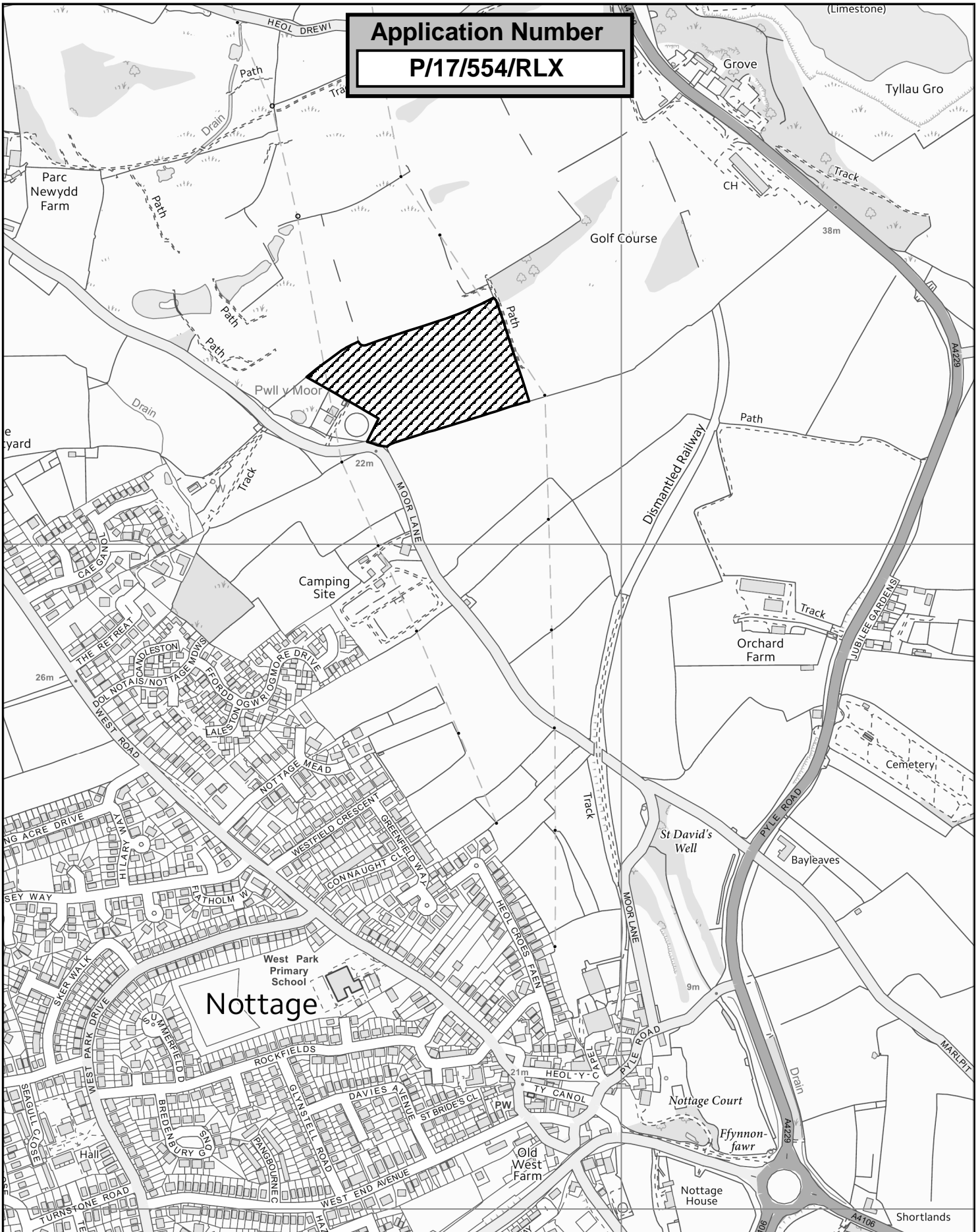
The application seeks to vary the wording of Condition 2 attached to the planning permission issued in respect of the change of use of land for the provision of high quality self catering mobile wooden chalet tourist accommodation units and supporting facilities under reference P/16/497/FUL.

The condition included in the decision notice stated:-

The timber chalet units shall be occupied for holiday purposes only and shall not be occupied as a person's or persons' place of residence. The holiday units can be used as holiday accommodation throughout the year but the units shall not be occupied by any person or persons for more than 28 days in any 12 month period.

Application Number

P/17/554/RLX



Scale 1:7,500

Date Issued:
08/03/2018

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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BRIDGEND
County Borough Council

The applicant seeks the following amendment to the condition:-

The timber chalet units shall be occupied for holiday purposes only and shall not be occupied as a person's or persons' place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and shall be made available for inspection by the Local Planning Authority on request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their dates of arrival at and departure from the accommodation. In addition, a statutory declaration shall be submitted annually to the Local Planning Authority not later than 31 January, in each successive year confirming that the timber chalets have not been used for permanent residential accommodation.



Illustration 1: Aerial Photograph of the Application Site

Members will recall that the application site is a roughly rectangular area of land on the northern side of Moor Lane adjoining the north eastern and eastern boundaries of the former Gas Holder Compound. The site extends to approximately 3.8 hectares of land, which is currently rough grassland. Footpath 12 runs diagonally from a point in the south eastern corner of the site, adjacent to the access point onto Moor Lane, to the north eastern corner before continuing in a north easterly direction until it meets the A4229. The Grove Golf Course adjoins the northern and eastern site boundaries with agricultural land laying to the south.



Illustration 2: Approved Layout Plan under P/16/497/FUL

When the application was considered by the Development Control Committee in April, 2017, it was resolved to grant planning permission subject to conditions which limited the development to 56 timber chalet accommodation units which are mobile, not fixed to the ground and meet the definition of a caravan under the provisions of the Caravan Sites and Control of Development Act, 1960 together with ancillary reception/service block facilities. As indicated above, the occupation of the timber chalet units approved by the consent was further limited in respect of the number of days any person or persons could stay there in any twelve month period.

RELEVANT HISTORY

6782/350/2280/71 - Light industrial purposes & Council Yard - Approved with conds July, 1972

75/400 - Industrial Estate - Deemed Consent - October, 1975

75/1301 - Transport Depot - Deemed Consent - January, 1976

99/628 - 2 Light Industrial Units - Approved with conds - 14/03/00

P/01/221/OUT - 10 residential units - Ref - 15/05/01 (Dismissed on Appeal 11/12/01)

P/02/186/FUL - Warehouse with integral office - Approved with conds - September, 2002

P/07/896/FUL - Healthcare complex - Ref - 21/12/07

P/07/897/FUL - Office/Commercial Dev't (5 offices & 8 commercial units) - Ref- 21/12/07

P/08/116 - B2/B8 Unit with access road - Ref - 13/03/09

ENF/154/09/C - Enforcement Notice relating to the unauthorised use of the land for storage of steel containers - 04/06/10 (Appeal Dismissed & Notice Upheld with variation 10/05/11)

P/12/450/FUL - Fencing & entrance gates to site boundary & diversion of Footpath 12 - Approved with conds - 19/10/12

P/13/573/FUL - Landscape Business (turf, soil & stone sorting & distribution) with 2 agricultural type sheds - Ref - 22/10/13

P/16/497/FUL - Change of use of land for the provision of high quality self-catering mobile wooden chalets, tourist accommodation & supporting facilities

PUBLICITY

No publicity has been undertaken

CONSULTATION RESPONSES

Councillor Norah Clarke - Having considered the application to alter the occupancy times, I still believe that there should be a strict limit that an occupier can stay. We have conditions set at other holiday accommodation in the County Borough and we should not deviate too much from those. As a suggestion perhaps 2 months in any six months would be appropriate. I am concerned that in such an isolated location, rules can be abused and the Authority will not be able to check occupancy due to lack of resources. I am happy to consider other suggestions made in respect of registration and check out.

Head of Street Scene (Highways) - There would be a concern if an unrestricted residential use of the site were to be approved in this countryside location, which is unsustainable with regards to access to local services, or schools or the wider transportation network. It is therefore considered that provided the Local Planning Authority is satisfied that any amended condition, which limits the use to holiday purposes and requires the maintenance of a register of all occupiers, is robust and enforceable to ensure that permanent residency at the site does not occur there is no objection to the relaxation/variation of the condition.

Porthcawl Town Council - Objects to the application for the following reason:-

Restrictions need to be imposed on the length of time visitors can occupy this holiday accommodation and suggest two months out of six months duration.

Members also queried whether this is a Conservation Area.

REPRESENTATIONS RECEIVED

Porthcawl Civic Trust Society - Strongly object to the application. In the Trust's opinion, the condition was correctly imposed by Officers to avoid chalets becoming permanent residences outside the settlement boundary.

If this condition is removed there is a very real danger of this site becoming a shanty town. This is reinforced by the agent's mention of the possibility of the sale of units to individuals.

COMMENTS ON REPRESENTATIONS RECEIVED

It is noted that concern has been expressed in responses, received in respect of this application, regarding the potential for the approved tourist chalets becoming permanent residences or alternatively being used at some date in the future as justification for residential development on the land. These concerns are addressed in the Appraisal Section of the Report.

APPRAISAL

The application is referred to Committee to consider the objections and concerns raised by the Ward Member, Town Council and Civic Trust Society in respect of the future controls over the occupation of these previously approved timber mobile wooden chalets as tourist accommodation only.

As indicated in the description of development, this submission seeks to vary the wording of the condition limiting occupation of the units to enable owners to extend the length and number of stays they are able to make to the units. In a supporting statement submitted by the applicant's agent, the need for a condition requiring the units to only be occupied for holiday purposes is fully acknowledged. It is highlighted, however, that allowing the condition to be varied in the suggested manner will enable visitors to undertake repeat visits and allow such visits to cover entire school holiday periods, thereby making the tourist accommodation site more appealing to investors/operators.

It is clarified that no final decision has been made with regard to whether the chalets will be available for purchase by individuals or whether they will all remain in the site operator's ownership for letting. In the event of sales, some owners may not wish to let their chalets or alternatively some owners may wish to control their own letting arrangements whilst others will leave such arrangements to the site operator on their behalf (as is the case in many other similar facilitators). The site operator will retain full control and responsibility for the registration of all holiday occupier visits and the imposition of a condition on any sale of the units will ensure maintenance of the register

and provide the Local Planning Authority with a contact for monitoring and inspection purposes.

Members will recall that in determining the original planning application, due regard was had to:-

National Policy

Planning Policy Wales (Paragraph 4.6.4) states that, "The Countryside is a dynamic and multi-purpose resource. In line with sustainability principles, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological and agricultural value and for its landscape and natural resources, balancing the need to conserve these attributes against economic, social and recreational needs of local communities and visitors."

In addition, paragraph 11.3.1 states that, "In determining planning applications for tourism developments, local planning authorities need to consider the impact of proposals on the environment and local community. They may seek to reduce the impact of development using arrangements for traffic and visitor management."

Local Policy

The site is located outside of any settlement boundary as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP) and is, therefore, located in the countryside where Policy ENV1 ensures that development is strictly controlled. ENV1 states that development may be acceptable where it is necessary for:-

1. Agriculture and/or forestry purposes;
2. The winning and working of minerals;
3. Appropriate rural enterprises where a countryside location is necessary for the development;
4. The implementation of an appropriate rural enterprise/farm diversification project;
5. Land reclamation purposes;
6. Transportation and/or utilities infrastructure;
7. The suitable conversion of, and limited extensions to, existing structurally sound rural buildings, where the development is modest in scale and clearly sub-ordinate to the original structure;
8. The direct replacement of an existing dwelling;
9. Outdoor recreational and sporting activities; or
10. The provision of gypsy traveller accommodation.

Where development is acceptable in principle, it should, where possible, utilise existing buildings and previously development land and/or have an appropriate scale, form and detail for its context.

Having regard to national policy and the criteria set out above, the proposed scheme would be considered as an appropriate rural enterprise in accord with criterion 3 of Policy ENV1 and thereby addressed the concerns raised by objectors in relation to the rural location.

Policy SP11 of the LDP states that tourism development will be promoted at the strategically important resort of Porthcawl. Whilst the site is located approximately 300m outside the settlement boundary of Porthcawl, the town centre is located approximately 1.3 miles to the south providing adequate services and facilities for holiday makers.

Policy REG12 of the LDP states that new tourist facilities in the countryside will only be permitted where the activity is compatible with and complimentary to the countryside, the development is part of a rural enterprise scheme and the proposal is considered

acceptable in principle. Due consideration was also given to the suitability of Moor Lane to serve the proposed development. On the basis of a Transport Assessment submitted with that application, it was accepted that Moor Lane would constitute a "Quiet Lane" suitable for shared use by vehicles, pedestrians, cyclists and equestrians and therefore that it would be suitable to serve the development.

In light of the above, it was concluded that, due to the development's location in the countryside where open market housing would be restricted, it was necessary for a condition preventing conventional all the year round occupation to be imposed to control the use of the site in order that the above national and local policies on development in the countryside would not be compromised, to avoid the creation of permanent households in such an unsustainable location in terms of schools, social and health services and to strengthen tourism to the area.

The current application to vary the wording of the condition has been accompanied by additional information to supplement the original Transport Assessment in order to quantify whether the number of vehicle movements expected from the holiday chalets would change due to the proposed revisions to the occupation periods. Initially the Highways Department questioned whether the relaxation of the condition would lead to greater vehicle trip generation. The further evidence provided confirms that a number of the real life holiday chalet sites used in the original TRICS data already has some chalets that are privately owned and have an unrestricted use. Therefore the original data had already considered unrestricted use sites and formed part of the original calculation of potential vehicle movements along Moor Lane. The applicant's consultants therefore conclude that the relaxation of the condition will not result in any additional vehicle movements above and beyond that which has already been considered and agreed in respect of the planning consent already granted. There is no evidence to suggest that this will not be the case.

It should be noted that in addition to considering the vehicle movements from the holiday chalet site, the total vehicle movements along Moor Lane should not exceed 1000 per day in order to retain its "quiet lane" status. The total number of vehicle movements along Moor Lane including the holiday chalet site was calculated to be 909 using the originally supplied TRICS data. This figure was reached by agreeing that the proposed holiday chalet site would generate 140 vehicle trips per day in addition to the existing background traffic already using Moor Lane.

In order to seek further reassurances in respect of the number of vehicle movements along Moor Lane, a further TRICS analysis which included alternative holiday caravan and chalet sites from that previously used, in which the whole site was unrestricted and privately owned, was sought. The data was required to obtain a "worse case" scenario using vehicle movements from the busiest holiday month (August) and on a weekend. This would enable calculation of the potential increase in vehicle movements as a result of an unrestricted site. On the basis of this new data, a trip rate of 3.441 trips per day per chalet has been calculated, which multiplied by the number of chalets results in 193 vehicle movements per day potentially emanating from an unrestricted Moor Lane site. When combined with the existing background traffic already using Moor Lane, a total of 962 vehicles per day could be generated. The overall total therefore remains within the 1000 vehicle threshold and will not so significantly increase movements as to be detrimental to highway safety.

Notwithstanding this, there continues to be a concern that an unrestricted site at this location would amount to residential development in the countryside. Given the unsustainable nature of the site with regard to access to local services, schools, health services and the wider transport network, any unfettered residential use would be

unacceptable and maintaining the requirement for occupation to be for holiday purposes only is considered permanent from a highway safety viewpoint.

In planning terms there is also concern that completely removing an occupancy condition could result in longer stays at the site and would not provide the necessary high turnover of occupancy that is required to contribute to the local economy and meet the needs of the serviced accommodation demands.

There are also concerns that the site could evolve into a 'second home' park. However, it is also recognised that if a condition is too restrictive it could impact on future potential investment. It is considered, therefore, that the amendment of the condition to allow two periods of 42 day occupancy in any 12 month period will provide the necessary flexibility to a potential operator whilst also retaining effective control over the nature of the site. The imposition of additional conditions as suggested by the applicant will provide a further element of protection and prevent the establishment of a 'second home' site within this rural location.

CONCLUSION

The amended conditions are considered to be acceptable in providing a tourism related development and are sufficient to control the occupancy of the site. Furthermore the extended occupancy does not give rise to any issues of highway safety.

RECOMMENDATION

(R02) That permission be GRANTED subject to the following condition(s):-

1. The consent hereby approved shall be limited to the siting of 56 timber chalet accommodation units, which shall be mobile, not fixed to the ground and fall within the definition of a caravan under the Caravan Sites and Control of Development Act, 1960 (As Amended) with any individual unit not exceeding 20m in length, 6.8m in width and 3.05m in height together with ancillary reception/service block of the scale parameters indicated in the supplementary planning statement received on 9 March 2017 with yard, open space and children's play area as shown on the site layout plan received on 21 September 2016.

Reason: For the avoidance of doubt as to the extent of the development permitted and to protect the safety and free flow of traffic on the surrounding highway network

2. The timber chalet units shall be used for holiday accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

3. This consent permits the year round occupation of the timber chalet units but no unit shall be occupied as a person's or persons' place of residence nor shall any unit be occupied by the same person or persons for a period exceeding 42 days between April and September (inclusive) and 42 days between October and March (inclusive).

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

4. An up to date register shall be kept at the holiday accommodation hereby permitted from first beneficial occupation of the holiday accommodation and the register shall be made available for inspection by the Local Planning Authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their dates of arrival at and departure from the accommodation.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

5. Within one month of any change of operator/ownership of either the site (or any part thereof) or of any individual chalet unit on the site, the Local Planning Authority shall be advised by the operator or the owners of any individual chalet in writing of such a change including the name and home address of the new owner.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

6. A statutory declaration shall be submitted by each or any owner of the site (or any part thereof) or of any individual unit on the site to the Local Planning Authority not later than 31 January annually in each successive year stating that the timber chalets have not been used for permanent residential accommodation.

Reason: To ensure the Local Planning Authority retains effective control over the use of the chalets and to prevent the holiday accommodation being used as permanent residential accommodation.

7. The proposed convenience shop within the reception block shall be completed and open to guests prior to the first occupation of the site and shall be open each day the site is open to guests.

Reason: For the avoidance of doubt and to protect the safety and free flow of traffic

8. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Method Statement shall be adhered to throughout the site clearance and construction period. The Statement shall provide for:
 - I. the routing of HGV construction traffic to/from the site in order to avoid the village of Nottage
 - II. specify the type and number of vehicles used during construction;
 - III. the parking of vehicles of site operatives and visitors;
 - IV. loading and unloading of plant and materials;
 - V. storage of plant and materials used in constructing the development;
 - VI. details of how and where the assembly of the wooden chalets will take place and the programming of such works;
 - VII. wheel washing facilities;
 - VIII. measures to control the emission of dust and dirt during construction;
 - IX. the provision of temporary traffic and pedestrian management along the agreed construction route.

Reason: In the interests of highway safety.

9. No development shall commence until a scheme for the provision of a direct pedestrian access to the adjacent public right of way on the eastern site boundary has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the approved development being brought into beneficial use and the access to the public right of way shall thereafter be maintained in perpetuity.

Reason: In the interests of highway and pedestrian safety.

10. No development shall commence until a scheme for the provision of traffic signs warning of the presence of pedestrians along the Moor Lane to its termination at the A4229 and Pyle Road together with any necessary illumination has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the development being brought into beneficial use and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety

11. No development shall commence until a scheme for the provision of stepping off/refuge areas along Moor Lane from the site access to the A4229 and Pyle Road has been submitted to and agreed in writing by the Local Planning Authority. The stepping off/refuge areas shall thereafter be provided in accordance with the agreed scheme prior to the approved development being brought into beneficial use and shall thereafter be maintained in perpetuity..

Reason: In the interests of highway safety.

12. No development shall commence until a scheme for the provision of a pedestrian crossing refuge on the A4229 at the termination of the public footpath north-west of the Grove Golf Club has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall include a Stage 2 Safety Audit and be implemented in accordance with the agreed details prior to the development being brought into beneficial use and shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

13. No development shall commence until a scheme for the provision of tourist direction signs directing guests to the site has been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details prior to the approved development being brought into beneficial use.

Reason: In the interests of highway safety.

14. No development shall commence until a Traffic & Delivery Management Plan for the site has been submitted to and agreed in writing by the Local Planning Authority. All guest arrivals and departures and servicing and delivery vehicles movements to the site shall be made in accordance with the agreed Traffic & Delivery Plan once the development is brought into beneficial use.

Reason: In the interests of highway safety.

15. No development shall commence until a scheme for the provision of off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking areas shall be completed in permanent materials with the individual spaces

clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

16. The proposed means of access shall be no less than 5.5m wide 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 43m in both directions and surfaced in permanent materials for a distance of no less than 10m before the development is brought into beneficial use and shall thereafter be retained as such in perpetuity.

Reason: In the interests of highway safety.

17. 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.

18. Any entrance barrier/gates shall be set back not less than 12 metres from the nearside edge of carriageway.

Reason: In the interests of highway safety.

19. No development shall take place until details of the siting and design of the wooden chalets within each of the plots and plans of the siting, design and layout of the proposed Service Centre Block (to include a reception/office, a shop, a cycle hire facility and storage areas), including samples or detailed specifications of the materials to be used in the construction of the external surfaces of the chalets and buildings hereby permitted and for any replacement units, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure a satisfactory and sympathetic form of development so as to enhance and protect the visual amenities of the area and in the interests of highway safety.

20. 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.

21. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to and agreed by the Local Planning Authority prior to the occupation of any part of the development. The landscape management plan shall be carried out as agreed.

Reason: To maintain and improve the appearance of the area in the interests of visual

amenity, and to promote nature conservation.

22. 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.

23. All site clearance works shall be undertaken in accordance with the methods and measures contained within the Mitigation Method Statement - Great Crested Newt prepared by Soltys Brewster Ecology (dated 28 October 2016).

Reason: To ensure no detriment to the maintenance of the population of the Great Crested Newts at a favourable conservation status in their natural range.

24. No site clearance shall take place until further information has been submitted to and agreed in writing by the Local Planning Authority in respect of:-
*Appropriate pollution prevention to Moor Lane Pond SINC;
*Bat sensitive light design;
*Method Statement for vegetation clearance in respect of birds, reptiles and amphibians;
*Eradication strategy for Japanese Knotweed.

Reason: In the interests of the protection of biodiversity and Moor Lane Pond SINC

25. Foul sewage discharges shall be connected to the public sewerage system and no development shall commence on site until a scheme for the comprehensive and integrated drainage of the site showing how the foul sewage connection to the public sewerage system will be achieved and how road, roof and yard water will be dealt with, including future maintenance requirements has been submitted to and agreed in writing by the Local Planning Authority. The drainage system shall be implemented in accordance with the agreed scheme prior to the development being brought into beneficial use.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that floor risk is not increased.

26. Prior to the diversion of Footpath 12 along the eastern and northern boundaries of the site, a scheme for a catch ball fence a minimum of 3m in height shall be submitted to and agreed in writing with the Local Planning Authority. The agreed fencing shall thereafter be implemented prior to the diverted footpath being opened to public use and shall be retained and regularly maintained in perpetuity.

Reason: In the interests of the safety and wellbeing of users of the diverted Public Rights of way.

27. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *
- a. The application can be recommended for approval because the development is considered to comply with Government and Council policy and will not adversely impact on privacy nor so significantly harms highway safety, visual amenities or the amenities of neighbouring properties as to warrant refusal of the scheme.
- b. The site owner will require a Site Licence under the Caravan and Control of

Development Act 1960.

- c. Permission will be required to divert Footpath 12 Porthcawl.
- d. No surface water is allowed to discharge to the public highway.
- e. No land drainage run-off will be permitted to discharge, either directly or indirectly, into the public sewerage system.
- f. In order to satisfy the drainage condition the following supplementary information will be required:-
 - (i). Details of infiltration tests to confirm the acceptability of any proposed infiltration system;
 - (ii). Design calculations, storm period and intensity, the method employed to delay and control the surface water discharge from the site;
 - (iii). Details of measures to prevent any surface water discharge polluting any receiving ground water and/or surface water system;
 - (iv). Timetable for implementation;
 - (v). Maintenance and management plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- g. The Traffic and Delivery Management Plan required to address Condition 10 will need to contain sufficient information in respect of the following:-
 - (i). Guest arrival and departure arrangements (directions to the site and timing of those movements);
 - (ii). Guest arrival and departures of the adjacent Brodawel Caravan Park;
 - (iii). Proposed Delivery Schedules;
 - (iv). Proposed Delivery Vehicle/Service Vehicles sizes;
 - (v). Supporting swept path diagrams; and
 - (vi). The need to review the plan in the event that any of the above arrangements change or at the request of the Highway Authority.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None