

REFERENCE: P/18/583/OUT

APPLICANT: Mr & Mrs Miller Broadlands Cottage, Broadlands, Bridgend, CF32 0NS

LOCATION: Land at Broadlands Cottage, Broadlands, Bridgend CF32 0NS

PROPOSAL: Residential development for 4 new build detached dwellings with associated new access

RECEIVED: 18 July 2018

SITE INSPECTED: 7 August 2018

EOT AGREED: 15 October 2018

APPLICATION/SITE DESCRIPTION

The application seeks Outline planning permission with all matters reserved for future approval. The scheme proposes the erection of four, new build, detached dwellings with associated access on land at Broadlands Cottage, Broadlands, Bridgend.

The application site currently forms part of the residential garden of the existing dwelling known as Broadlands Cottage. Access to the dwelling is currently via a Public Right of Way which is also used by pedestrians and cyclists and is located to the north of the site.



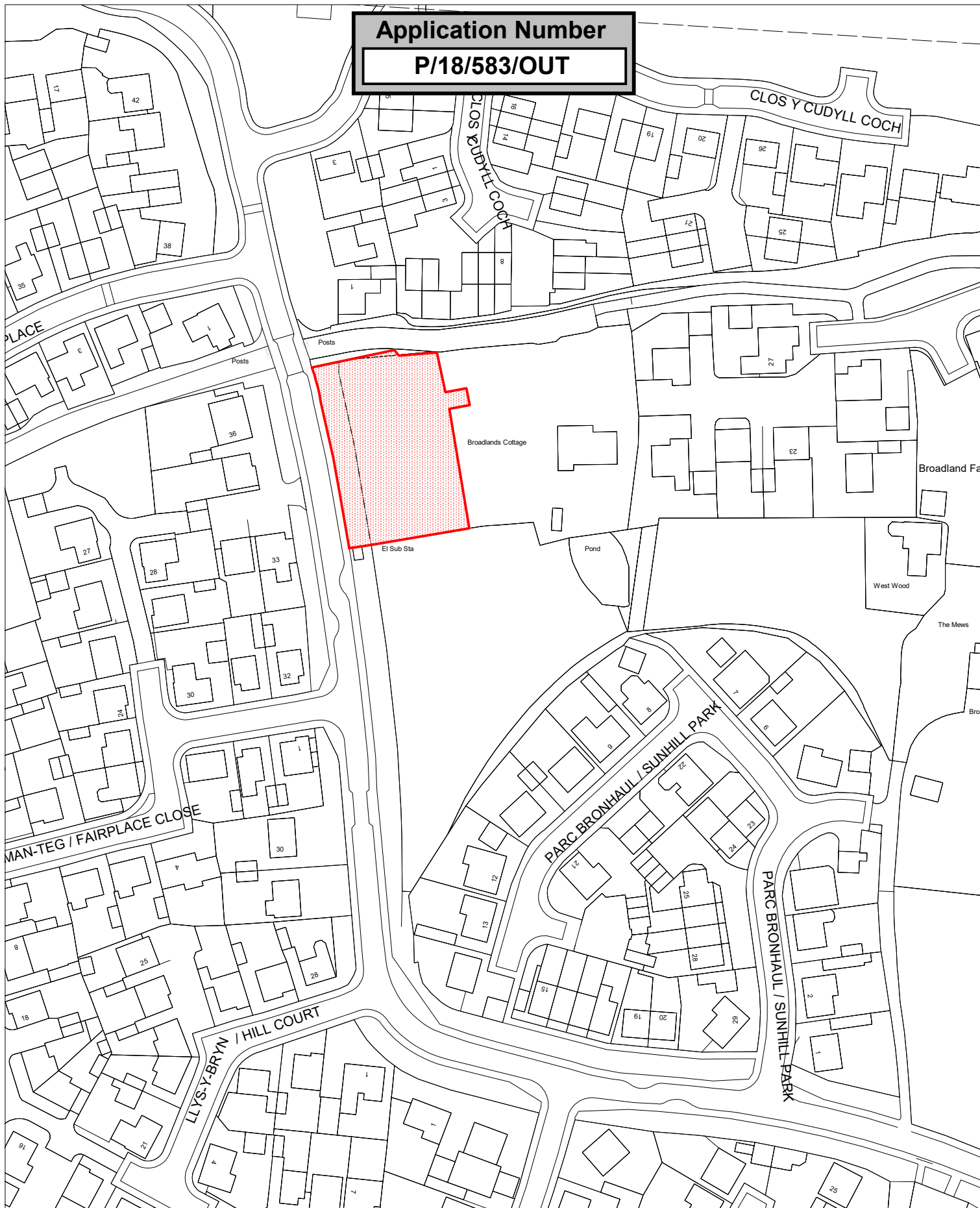
Fig 1: Site Location Plan:

The application seeks to develop part of the site for the erection of four detached dwellings with associated garages and driveways and the creation of a new access off the main peripheral road serving the residential estate. The application also seeks to extinguish the existing access to Broadlands Cottage along the Public Right of Way and create a new access through the application site to access the existing dwelling. As the application is in Outline, all matters have been reserved for future consideration.

The scale parameters of the proposed dwellings are two storey properties of 9m in height and 7m x 13m (including garages) in footprint with three car parking spaces to be provided for each residential unit (a garage and two driveway spaces) and two visitor spaces to be

Application Number

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Scale 1:1,250

Date Issued:
03/10/2018

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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accommodated within the site. The proposed layout includes one dwelling located to the north of the site with a detached garage and three dwellings with attached garages located to the south.



Fig 2: Proposed Site Layout:

The application is located within the residential settlement boundary of Bridgend as defined by Policy PLA1 of the Local Development Plan (LDP) 2013, within the existing residential estate known as Broadlands and is surrounded by a number of similar designed, two storey, relatively new build, modern residential properties.

RELEVANT HISTORY

None

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 16 August 2018.

PLANNING POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan (LDP) 2006-2021, which was formally adopted by the Council in September 2013, within which the following Policies are of relevance:

- Strategic Policy SP2 – Design and Sustainable Place Making
- Policy PLA1 – Settlement Hierarchy and Urban Management
- Policy PLA11 – Parking Standards

Supplementary Planning Guidance

SPG02 - Householder Development

SPG08 – Residential Development

National Planning Policy and Guidance

National planning guidance in the form of Planning Policy Wales (Edition 9, November

2016) (PPW) is of relevance to the determination of this application.

Chapter 9 of PPW is of relevance in terms of the advice it provides regarding new housing. Whilst the bulk of Chapter 9 is of relevance to housing proposals in general, the following is considered to be of specific reference to this proposal:

9.3.2 Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, in particular for affordable housing to meet local need, may be acceptable, though much will depend upon the character of the surroundings and the number of such groups in the area.

9.3.3 the cumulative effects of development or redevelopment.... should not be allowed to damage an area's character or amenity.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

Technical Advice Note 12 – Design (2016)

Technical Advice Note 18 – Transport (2007)

Wellbeing of Future Generations (Wales) Act 2015

Section 3 of the Act 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.

CONSULTATION RESPONSES

Head of Street Scene (Highways) – No objection subject to the developer entering into a Section 106 Agreement to relinquish the access rights along the cycle path and Public Right of Way and the imposition of a number of conditions including the permanent stopping up of the vehicular access onto the cycle path and Public Right of Way.

Head of Street Scene (Drainage) – No objection subject to the imposition of two conditions requesting a drainage scheme and infiltration test results.

Welsh Water Developer Services – No objection subject to standard advisory notes.

Head of Public Protection - No objection subject to standard advisory notes.

Rights of Way Section – No objection subject to the applicant keeping the footpath clear of any materials whilst works are being carried out.

REPRESENTATIONS RECEIVED

A petition objecting to the proposed development has been received from 33 Clos Manteg, Broadlands. The petition has been signed by three other properties namely 34, 35 and 36 Clos Manteg and raises the following concerns:

- Proposed access is onto Heol Blandy which is an un-adopted road and subject to a lengthy dispute between BCBC and Permission Homes;
- Proposed access will result in the removal of an established hedgerow which will have a detrimental environmental effect;
- Some of the mature trees should be subject to a tree protection order;
- Introduction of the proposed access could have a road safety impact not only for children but other vehicles using Heol Blandy; and
- Inadequate visitor parking could result in on street parking on Heol Blandy causing disruption to both pedestrians and traffic flow;

An objection has also been received from 6 Clos y Cudyll Coch raising the following concerns:

- Application site is a pleasant piece of land both visually and as a natural habitat and would result in the loss of green space on the residential estate;
- Concerns that houses will be built on the remaining parcel of land which is located directly behind the property which will detract from the pleasant outlook and privacy the property currently benefits from;
- Proposed development would result in considerable disruption (noise, pollution from large vehicles to the site) to the residents of the area during the building process.

COMMENTS ON REPRESENTATIONS RECEIVED

The majority of the concerns raised above are addressed within the appraisal section of this report.

The status of the un-adopted road is not a material planning consideration.

Details regarding landscaping and hedgerows is a Reserved Matter and not a consideration at this stage as the application is in Outline only. A landscaping condition will be attached to ensure these details are submitted with any Reserved Matters submission, however, the indicative layout suggests that this hedgerow will be retained.

Concerns regarding the impact of any future development of the remaining parcel of land, (land outlined in blue) does not form part of the assessment of this application and any future proposals for that site will be considered on their own merits.

Inevitably a development so close to existing properties is going to result in some noise and disturbance during the construction period. If the Council were minded to grant planning permission, a planning condition could be imposed controlling the hours of work, to preserve the residential amenities of the area.

APPRAISAL

The application is referred to the Development Control Committee to consider the objections raised by local residents.

The main issues to consider in the determination of this application are the principle of the development, its impact on the character and appearance of the on the existing

property (Broadlands Cottage), the street scene and wider area and its impact on neighbouring properties, drainage and highway safety.

Principle of Development

The application site lies within the residential settlement boundary of Bridgend as defined by Policy PLA1 of the LDP 2013. Policy COM3 *Residential Re-Use of a Building or Land* states that residential developments within settlement boundaries defined in Policy PLA1 on windfall and small scale sites for the conversion of existing buildings, or the re-use of vacant or under-utilised land, will be permitted where no other policy protects the building or land for an existing or alternative use. The proposed site would be classed as a vacant site under Policy COM3. The site is not allocated for a specific use therefore, a residential re-development of the site would be acceptable in principle subject to other LDP policies and detailed design criteria.

In conclusion, the principle of residential development accords with Policies PLA1 and COM3 of the LDP and is therefore considered acceptable.

Impact on existing property, street scene and wider area

The application proposes the erection of four, detached, two storey properties on land that currently forms part of the domestic garden of the property known as Broadlands Cottage. The proposed scale and layout parameters of the dwellings on the submitted plans are considered to be in keeping with the area, including garages and driveways, with adequate amenity space which reflects the design and size of the existing dwellings that currently surround the site. Whilst the application site currently comprises a domestic garden, it is considered that the introduction of four dwellings will not have a significant adverse impact on the proposed street scene or the wider area.

Whilst all matters are reserved for future appraisal, the access into the site has been proposed off the main un-adopted road through the Broadlands estate. Details such as landscaping and retention of the existing hedgerow on the site are not for consideration at this stage, however, it is considered necessary to attach a condition to the consent requesting a landscaping scheme to be submitted and agreed by the Local Planning Authority (LPA) prior to development commencing on site.

In respect of design, as the application is in Outline, there are no design details submitted however, these would be considered and agreed at the Reserved Matters stage where the local context can be taken into account.

Accordingly, it is considered that the proposed development accords with Policy SP2 (2) and SP2 (3) of the Bridgend LDP (2013).

Impact on neighbouring properties

From assessing the submitted plans, it is considered that the proposed three detached dwellings located to the south of the site will not have a significant adverse impact on the residential amenities of the existing neighbouring properties as they back onto a landscaped area which contains many trees, shrubs and a pond. They are also considered to be located an adequate distance from existing properties to preserve existing privacy levels.

With regard to the proposed detached dwelling located to the north of the site, whilst the details of design and position of the proposed windows is a Reserved Matter, the proximity of the proposed dwelling in relation to the property to the rear, 1 Clos y Cudyll Coch, between habitable windows, is 14m and it is considered to fall below the Council's suggested standard of 21m as stated within the Council's Supplementary Planning Guidance SPG02: Householder Development. The proposed dwelling is not however

directly in line with 1 Clos y Cudyll Coch (as noted following an inspection of the application site and area) and it was noted that the two properties are separated by an existing Public Right of Way and established landscaping, such as large shrubs and trees along the boundary of the above mentioned property, which significantly reduces the impact on any overlooking or privacy issues as a result of the proposed dwelling. These landscape features on the application site will be retained as part of any future landscaping scheme.

It is also considered that the proposed dwelling will not have a significant adverse impact on the properties in on Clos Manteg due to the separation distance and the intervening main highway.

Accordingly, it is considered that the proposed development will not have a significant adverse impact on the residential amenities of existing neighbouring properties, particularly as the exact layout is yet to be agreed, and accords with Policy SP2 (12) of the LDP (2013) and the Council's Supplementary Planning Guidance SPG02: Householder Development.

Access and Parking

The Transportation Officer has assessed the submitted scheme and it is noted that the application has reserved all matters for later consideration and agreement. As a result of the above, all matters relating to off-street car parking provision and internal private road layout have been assessed only in terms of whether the principle of providing adequate parking and turning can be achieved. Accordingly, it is considered by the Highway Authority that adequate parking and turning can be provided within the site.

With regard to the proposed access, it is considered that it could meet the standards of a new access in terms of vision splays and location. It should be noted that, currently, Broadlands Cottage gains vehicular access via the cycle route therefore, the provision of a new access off Heol Blandy and closure of the existing access is considered to provide betterment in highway and pedestrian safety terms by the removal of the vehicles from using the cycle route. In view of this, it is considered necessary to attach a condition requesting that a scheme be submitted to show that the existing access will be permanently stopped up and shall only be used as a cycle route and pedestrian footway.

In addition, it is considered that to ensure that the future occupiers of the proposed development are not provided with access rights along the cycle path and Public Right of Way, the developer is required to enter into a Section 106 Agreement to relinquish the access rights along the whole of the cycle path and Public Right of Way.

Accordingly, it is considered that the proposed development accords with Policy SP2 (6) of the LDP (2013) and the Council's Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

The Council's Drainage Officer has raised no objection to the proposed development subject to the imposition of a condition to any granted consent requiring a comprehensive and integrated drainage scheme to be submitted and agreed by the LPA prior to any works commencing on the site, which accords with Policy SP2 (13) of the LDP.

Public Right of Way

The Rights of Way Officer has checked the Definitive Map and has confirmed that Footpath 2 - Laleston is affected on the red line application boundary of the proposed development. On closer inspection of the Definitive Map and associated plans it has come to the attention of the Rights of Way Section that there is currently an anomaly

associated with this footpath and it would appear that the current alignment of the footpath on the Definitive Map is incorrect as it should follow the access track. As this anomaly appears to be a mapping error, the Rights of Way Section has confirmed that when resources are available to enable the Definitive Map to be updated, the alignment will be corrected.

Having taken into account all the points outlined above, the Rights of Way Section would raise no objection to the proposed development, subject to the applicant keeping the footpath clear of any materials whilst works are being carried out.

Other Matters

Biodiversity/Ecology

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

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

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

The three tests that must be satisfied are:

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

Given the nature of the development site as a domestic garden, it is considered that there will be no significant impact and on biodiversity interest. Furthermore, protected species are subject to separate laws and any future developer must take this into account. This does not however preclude the need to carry out necessary survey work as part of any further reserved matter application. Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

S106 Contributions

Policy SP14 of the LDP requires applicants to provide planning obligations or contributions

if they are deemed necessary to offset any negative consequence of development. The most relevant issues to be considered in this regard are:-

Affordable Housing

The application falls below the trigger point of Policy COM5 in relation to affordable housing. It is also noted that the location plan indicates that the applicant owns the land immediately adjacent to the application site and if this is subject to a future planning application, then 'SPG13 Affordable Housing' enables the Council to consider the entire site as a whole.

Outdoor Sport

The proposed development does not include provision of open space on-site. Policy COM11 of the LDP requires the provision of satisfactory standards of open space from all residential developments at 2.4ha per 1,000 people. BCBC's Outdoor Sport & Childrens Play Space Audit (2017) indicates a deficit of equipped play space in the Bryntirion, Laleston & Merthyr Mawr ward and a deficit of Outdoor Sport provision in Bridgend. In order to comply with the policy, a financial contribution will be sought towards children's play equipment and Outdoor Sport facilities and secured through a Section 106 Agreement. The Equipped Play contribution will equate to £470 per dwelling and the Outdoor Sport contribution will be £569 per dwelling. This equates to a total contribution of £4,156.

Highways

To ensure that the future occupiers of the proposed development are not provided with access rights along the cycle path and Public Right of Way, it is recommended that the developer is required to enter into a Section 106 Agreement to relinquish the access rights along the whole of the cycle path and Public Right of Way to Gypsy Lane.

The applicant has confirmed that they will enter into a S106 agreement to secure the relevant obligations.

CONCLUSION

Having regard to the above and in view of the Outline nature of the application, the proposed is recommended for approval because the development complies with Council policy and guidelines and it is considered that the scheme would not have an unacceptable impact on the character of the existing property, street scene or wider area, and will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities or highway safety as to warrant refusal.

The issues raised in the objections have been taken into account during the determination of the application however it is considered that on balance they do not outweigh the other material considerations in favour of the development.

RECOMMENDATION

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

- i. provide a financial contribution for the sum of £4,156 (index linked) towards the provision of Children's Play Equipment and Outdoor Sport facilities;
- ii. to relinquish the access rights along the whole of the cycle path and Public Right of Way from Broadlands Cottage to Gypsy Lane;

(B) The Corporate Director Communities be given plenary 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, subject to the standard Outline conditions and the following conditions:-

1. The consent hereby granted shall be limited to the construction of 4 detached dwellings with a maximum ridge height of 9m and shall be carried out in accordance with the following approved plans and documents, Drawing Nos. 15250 PL 01 001, PL 01 002, PL 01 003 and PL 01 105 and the Design Statement received on 18 July 2018.

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

2. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out which comes within Parts 1 (Classes A, B and C) of Schedule 2 of this Order.

Reason: To enable the Local Planning Authority future control over the scale of development as well as the installation of new windows or dormers or the extension of the property to the rear, in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected, or placed within the curtilage of the dwelling.

Reason: To enable the Local Planning Authority to control the scale of development.

6. No development shall take place until details of the proposed floor levels of the dwellings in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

7. Notwithstanding the requirements of condition 1, no development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance

requirements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to beneficial use of any of the dwellings commencing.

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

8. No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented prior to beneficial use of any of the dwellings commencing.

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

9. No development shall take place until full details of both hard and soft landscaping works have been submitted to and agreed in writing by the Local Planning Authority. These details shall include all proposed planting and landscaping such as schedule of plants/trees, species and number/densities, hard surfacing materials and implementation programme. Thereafter, all landscaping works shall be implemented in accordance with the approved details

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

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

11. The development site hereby approved shall be served by a single means of access from Western Loop Road/Heol Blandy, serving the 4 new dwellings and Broadlands Cottage.

Reason: In the interests of highway safety

12. There shall be no vehicular access from the site to the adjacent cycle route/footway at any time.

Reason: In the interests of highway and pedestrian safety.

13. No development shall commence until a scheme for permanently stopping up the existing access from Broadlands Cottage onto the adjacent cycle route/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 beneficial use of the development commencing and retained thereafter in perpetuity.

Reason: In the interests of highway and pedestrian safety.

14. No development shall take place, including any works of demolition/site clearance, until a Construction Traffic Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the routing of HGV construction traffic to/from the site avoiding the cycle route.
 - ii. the parking of vehicles of site operatives and visitors
 - iii. loading and unloading of plant and materials
 - iv. storage of plant and materials used in constructing the development
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. access into the site by Construction Vehicles.
 - viii. hours of operation

Reason: In the interests of highway and pedestrian safety.

**** THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS ****

- a. The application is recommended for approval because the development complies with Council policy and guidelines and is not considered to have an unacceptable impact on the character of the existing property, street scene or wider area and will not adversely affect privacy, highway safety or visual amenities nor so significantly harm neighbours' amenities or highway safety as to warrant refusal.
- b. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- c. The applicant may need to apply to Dwr Cymru/Welsh Water (DCWW) for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
- d. The applicant is also advised that some public sewers and lateral drains may not be recorded on the maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DCWW in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
- e. In order to satisfy Conditions 7 and 8, the following supplementary information is required:
 - Provide a surface water drainage layout (including the location of the soakaway);
 - Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE 365;
 - Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
 - Provide information about the design calculations, storm period and

intensity, the method employed to delay and control the surface water discharge from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;

- Provide a timetable for its implementation; and
 - Provide a management and maintenance plan for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- f. The Public Protection Section draws your attention to the possibility of gases (landfill gases, vapours from contaminated land sites and naturally occurring methane and carbon dioxide, but not radon gas) being generated at the site or land adjoining thereto and recommend investigation and monitoring of the area.
- g. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing within 2 days to the Public Protection Section, all associated works should stop and no further development should take place until a scheme to deal with the contamination found has been approved.
- h. Any topsoil [natural or manufactured] or subsoil to be imported, should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- i. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be imported.
- j. Any site won material including soils, aggregates, recycled materials should be assessed for chemical or other potential contaminants and only chemical or other potential contaminants free material should be reused.
- k. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for the safe development and secure occupancy of the site rests with the developer.
- l. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
- i. obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
 - ii. indemnify the County Borough Council against any and all claims arising from such works;
 - iii. give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.
- m. Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under section 163 of the Highways Act 1980.

**MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES**

Background Papers
None