

REFERENCE: P/18/564/OUT

APPLICANT: Mr D Williams
Broadlands House, Heol Blandy, Broadlands, Bridgend, CF32 0NS

LOCATION: Garden of Broadlands House, Heol Blandy, Broadlands CF32 0NS

PROPOSAL: Residential development for 3 new build dwellings

RECEIVED: 9 July 2018

SITE INSPECTED: 22 August 2018

APPLICATION/SITE DESCRIPTION

The application seeks Outline planning permission with all matters reserved for future approval for residential development on land at Broadlands House, Cwrt Newydd, Broadlands, Bridgend.

The scheme proposes the erection of three, new build, detached dwellings with associated access from Cwrt Newydd.

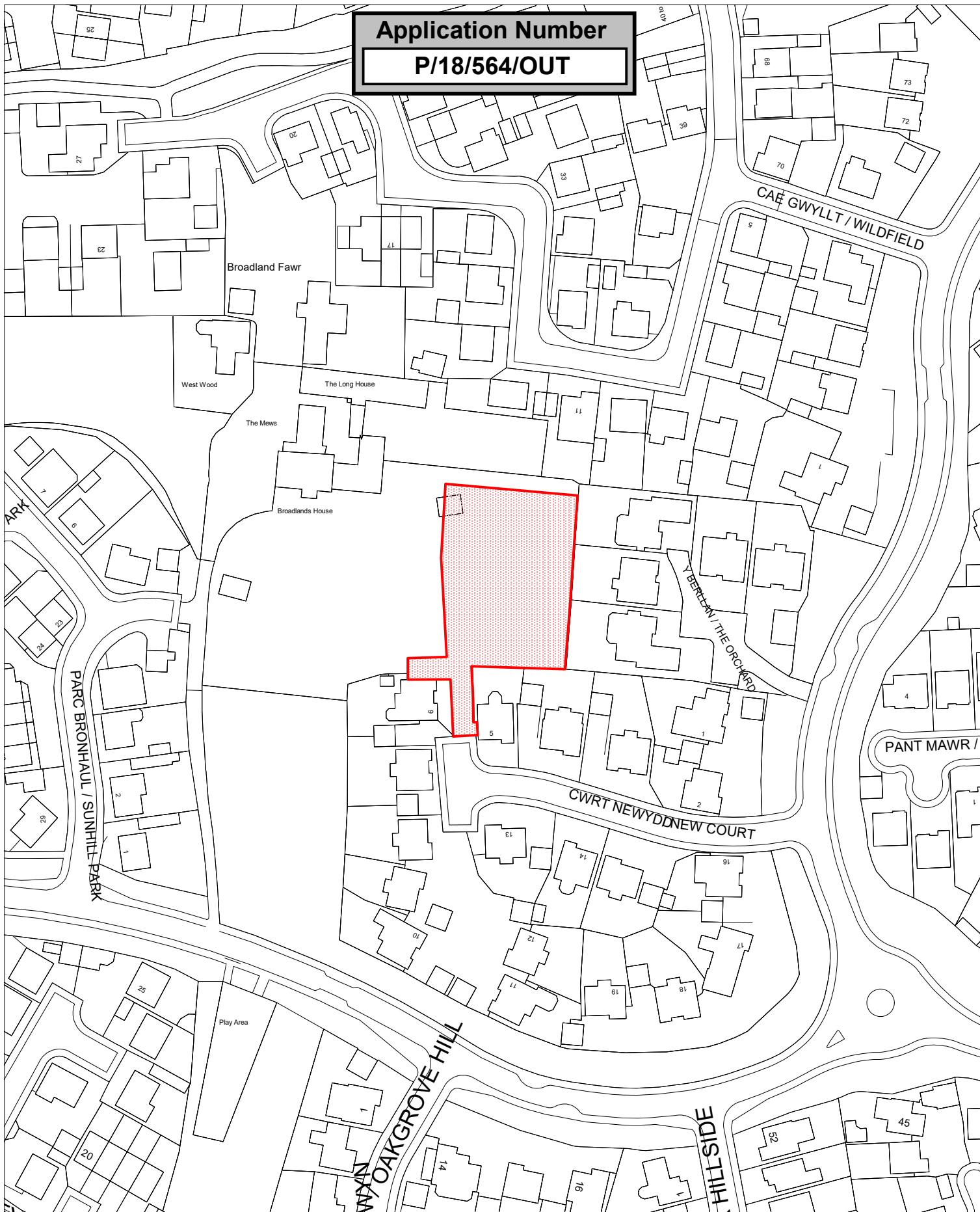
The application has been submitted in Outline with all matters reserved for future consideration (access, layout, landscaping, appearance and scale). An indicative layout plan and parameters of the development (maximum-minimum dimensions) accompanies the Planning application in accordance with the provisions of the Town and Country Planning (Development Management Procedure) Wales Order 2012 (as amended). The indicative plans and supporting information indicates the proposed dwellings would be sited broadly in a linear fashion along the eastern aspect of the existing garden space associated with Broadlands House (Grade II Listed Building).

The scale parameters of the proposed dwellings are two storey properties of a 9m height and 11m – 12m length by 10m – 12m depth. Three car parking spaces would be provided for each residential unit (a garage and two driveway spaces) and two visitor spaces would also be accommodated within the site. Rear and front garden areas would be created to serve the proposed new dwellings. As part of the proposal it is also detailed 4 car parking spaces would be retained for 6 Cwrt Newydd to the immediate north of this existing dwelling building.

The application site comprises a broadly rectangular parcel of land that covers an area of approximately 0.15 hectares. The site slopes gradually from the north west to the south east. It currently mainly comprises scrubland forming part of the garden amenity space of the adjoining Broadlands House. The site is vacant apart from a small summer house associated with the adjoining property located to the north west corner of the site. The site is bounded by existing residential development to the north, east and south (Broadlands Housing Estate). A tennis court serving Broadlands House is located directly towards the west of the application site. The application site is situated within the residential settlement boundary of Bridgend as defined by Policy PLA1 of the Local Development Plan (LDP) 2013.

Application Number

P/18/564/OUT



Scale 1:1,250

**Date Issued:
15/11/2018**

**Development-Mapping
Tel: 01656 643176**

Mark Shephard

Corporate Director-Communities

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

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Cyngor Bwrdeistref Siroi



Figure 1: Proposed indicative site layout



The Planning history of the site reveals permission was recently refused for the erection of a building to house supported living accommodation on the site (Planning applications P/16/423/FUL and P/17/698/OUT refer). Outline Planning permission was previously granted in January 2008, however, to erect two residential plots at the site (P/07/1031/OUT refers).

RELEVANT HISTORY

P/17/698/OUT - Construction of up to 12 assisted living units (providing care for persons with learning disabilities) and associated works – Refused 01 February 2018.

P/16/423/FUL - 12 x 1 bedroom units & 2 x 2 bedroom units (14 total) for supported living - Refused 28 November 2016.

P/15/644/FUL – Erection of building to house 14 Supported Living Units – Withdrawn 22 February 2016.

P/07/1031/OUT – 2 Plots off Cwrt Newydd, Broadlands, Bridgend – Granted 18 January 2008.

NEGOTIATIONS

The applicant was requested to submit an accurate red line boundary plan for the development site, including revised details for the access and a plan detailing off-street car parking provision for number 6 Cwrt Newydd. The applicant also submitted clarification/title deeds confirming ownership of the access route to the site.

PLANNING POLICY

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:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy PLA11	Parking Standards
Policy SP1	Regeneration-Led Development
Policy SP2	Design and Sustainable Place Making
Policy SP3	Strategic Transport Planning Principles
Policy SP4	Conservation and Enhancement of the Natural Environment
Policy SP5	Conservation of the Built and Historic Environment
Policy SP12	Housing
Policy COM3	Residential Re-Use of a Building or Land
Policy ENV6	Nature Conservation
Policy ENV7	Natural Resource Protection and Public Health
Policy ENV8	Heritage Assets and Regeneration
Policy ENV15	Waste Management in New Development

Supplementary Planning Guidance

- SPG 02** Householder Development
- SPG 08** Residential Development
- SPG 17** Parking Standards
- SPG 19** Biodiversity and 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...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 5 – Nature, Conservation and Planning (2009)
- Technical Advice Note 12 – Design (2016)
- Technical Advice Note 18 – Transport (2007)
- Technical Advice Note 24 – The Historic Environment (2017)

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.

PUBLICITY

The application has been advertised on site and by means of press notice.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 25 October 2018.

CONSULTATION RESPONSES

Welsh Water Developer Services - No objection subject to the imposition of standard advisory notes/condition.

Head of Street Scene (Waste & Recycling) - Comments that private access roads can limit accessibility by the Council's waste contractor. This may result in residents having to deposit waste and recyclables for collection beside the nearest adopted footpath. The developer should therefore consider provision of a suitable collection point to avoid inconveniencing other residents (such a matter would be more appropriately considered at the Reserved Matters stage should Outline Planning permission be granted for the proposal).

Head of Street Scene (Highways) - No objection subject to the imposition of conditions.

Head of Street Scene (Drainage) - No objection subject to the imposition of conditions regarding the drainage of the development.

Destination & Countryside Management - Advise the application site contains mature vegetation including trees. This is not however considered a reason to warrant the refusal of the application although an advisory note is recommended should Planning permission be granted for the development in relation to nesting birds.

Laleston Community Council - Consulted 20 July 2018, no comments received on the application.

Public Protection, Shared Regulatory Services - No objection subject to standard advisory notes/conditions.

Conservation & Design - No objections raised against the Planning application.

REPRESENTATIONS RECEIVED

Objections have been received from the occupiers of the following neighbouring properties:

- 3 Cwrt Newydd
- 4 Cwrt Newydd
- 5 Cwrt Newydd
- 7 Cwrt Newydd
- 8 Cwrt Newydd
- 12 Cwrt Newydd
- 13 Cwrt Newydd
- 15 Cwrt Newydd
- 19 Cwrt Newydd
- 1 Y Berllan
- 2 Y Berllan

The following is a summary of the objections/concerns received from local residents:

1. Plan Inaccuracy

The submitted plans do not accurately reflect the boundary lines between neighbouring properties in the area and the position of the access route is incorrect and misleading. For Outline approval to be granted, it should be accurate, clear and specific.

2. Highways

The submission does not include appropriate provision of adequate off street car parking for the existing property known as 6 Cwrt Newydd.

The access to the parking for 6 Cwrt Newydd appears too narrow to make it safe for use.

The driveway for no.6 is too narrow to become an access road, this was not the purpose of the original development and no.6 must retain parking facilities.

Parking provision is not satisfactory for the development and should be increased to 4 spaces for each house plus garage.

The proposal would result in the creation of a thorough-fare through to Broadlands House.

The parking provision for 6 Cwrt Newydd appears to fall outside the curtilage of this property and it should be ensured that any such arrangement should be permanent and give independence for no.6 whilst maintaining the integrity of no.6 as an individual property with full control of its required parking spaces.

Consideration should be given to the adequate provision of space within the site for parking, manoeuvring, loading and unloading, which from the amended site layout plan appear to be somewhat limited.

The proposed dwellings may not include ample parking, resulting in vehicles being parked on the existing Court to the detriment of safety.

Imposing a new development of 5 bedroom houses onto a small established cul-de-sac comprising of only 4 bedroom houses, accessed via a driveway constructed to service a single residence would be overwhelming and set a precedent for future inappropriate development within the Broadlands residential area.

The access to the site is not safe; its narrowness posing risks to existing and proposed residents and pedestrians using it.

Increased traffic flows and issues on the cul de sac, with likely further on street parking restricting the movement of large emergency vehicles.

3. Loss of Amenity

As the development backs on to garden areas it would dominate the outlook and privacy levels currently enjoyed in the area, and impact levels of daylight received.

4. Boundary Treatments

What are the intentions for the existing boundary treatments including the laurel hedge that exists to the eastern side of the development and abuts the boundary fence to the rear of Y Berllan although doesn't seem to feature in the application. Removing hedges/planting against the existing boundary fencing would undermine the fences which should be repaired/replaced by the developer.

5. Overdevelopment.

The scheme could result in overdevelopment to the detriment of the neighbourhood.

6. Archaeological interest of the site

The correspondence raised by Glamorgan-Gwent Archaeological Trust in December 2015 in response to application P/15/644/FUL is still relevant to this application.

7. Property Value

Negative impact on existing property values.

8. Planning History

Permission was previously granted for 2 dwellings on the site and we are now already witnessing an addition to the previously approved numbers. We could witness more applications for dwellings on the site and the development should be restricted to two houses as previously approved. Consent was previously restricted to two dwellings to protect the safety and free flow of traffic on the surrounding highway network and an additional large dwelling would likely compromise highway safety.

9. No consultation with residents by the applicant

The applicant has failed to consult with local residents who will be directly impacted by the proposal.

10. Design

Inappropriate design and use for residential area

11. Drainage

Negative impact on drainage

COMMENTS ON REPRESENTATIONS RECEIVED

1. Plan Inaccuracy

The Outline Planning application is accompanied by appropriate information and indicative drawings as required by The Town and Country Planning (Development Management Procedure) Wales Order 2012 (as amended) to allow the application to be appropriately assessed and determined. The characteristics and relationship of the development proposal to existing neighbouring plots has also been assessed during the Officer site inspection and the applicant has submitted revised red line boundary plans during the processing of the application. A title deed plan to clarify the ownership of the application site and the proposed means of access has also been provided. The application is accompanied by a signed Ownership Certificate A - detailing the applicants are the sole owners of the land and it is considered the submitted information is appropriately clear to determine this Outline Planning application.

2. Highways

The transportation and highway safety implications of the proposal have been fully considered by the Transportation Development Control Officer who raises no objections against the Planning application.

3. Loss of Amenity

The indicative drawings submitted with the Outline proposal highlight that, in principle, the development of three dwellings could be appropriately accommodated on the site without seriously compromising the outlook, levels of privacy and levels of daylight received within neighbouring properties. The rear garden spaces of the proposed dwellings (that generally measure 10.5m in length) would satisfactorily offset the new buildings from adjoining plots that back onto the site with such a proposal having no serious impact on levels of residential amenity currently enjoyed in the locality.

4. Boundary Treatments

The application is submitted in Outline at this stage and such matters as the landscaping and means of boundary treatment for the site would be appropriately controlled through condition at the Reserved Matters application stage should Outline Planning permission be granted in this instance. Damage and maintenance issues surrounding existing boundary fencing around the site are private matters that are not considered material to the determination of this application.

5. Overdevelopment.

On the basis of the submitted information and indicative plans presented, the site is considered capable of accommodating three residential plots that are in-keeping with the general character of neighbouring plots. Appropriate parking facilities and amenity space would be provided for each plot, with a spacious curtilage also being retained for the existing host dwelling and, therefore, the scheme would not result in the overdevelopment of the site.

6. Archaeological interest of the site

When commenting on the previous application on the site to erect assisted living units (P/17/698/OUT refers – comments raised October 2017), Glamorgan Gwent Archaeological Trust (GGAT) commented that:

the site of the proposed development was included in an archaeological desk-based assessment of a much larger area by GGAT which noted several potential archaeological interests but none within the application area. Subsequently, several archaeological evaluations and watching briefs have occurred within the surrounding vicinity of the proposed application, which have produced negative results... it is unlikely that significant features would be disturbed during the proposed development that would require mitigation. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently, as the archaeological advisors to your Members, we have no objections to the positive determination of this application.

7. Property Value

Decreased property value as a result of the development is not a material Planning consideration.

8. Planning History

Due regard has been given to the Planning history of the site although the current application should be judged on its own Planning merits as fully discussed in the Appraisal Section of this report with due regard to highway safety.

9. No consultation with residents by the applicant

Given the scale and nature of the development proposal (that is not a major Planning application as prescribed by The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended)) the applicant was under no requirement to consult with local residents prior to the submission of this application.

10. Design

Whilst noting the application submission is Outline in nature and the final design of the dwellings would be considered through the submission of a Reserved Matters application should Outline permission be granted, it is considered that the dwellings could be appropriately designed to reflect the character and design of neighbouring residential units. Residential use of the existing garden curtilage is also considered compatible and in-keeping with the residential uses that surround the application site.

11. Drainage

Following consultation with the relevant drainage bodies, no objections have been raised against the application subject to the imposition of conditions should permission be granted for the development.

APPRAISAL

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

The application seeks Outline consent for the erection of three detached dwellings within the front garden space of Broadlands House, Broadlands.

The key issues to consider in the determination of this application are the principle of the development, its impact on the character and appearance of the existing locality including the nearby Broadlands House (Listed Building), the impact on neighbouring properties, highway safety, land drainage and ecology.

The application site is located within the designated settlement boundary of Bridgend as defined by Policy PLA1 of the Bridgend Local Development Plan (LDP). Policy COM3 Residential Re-Use of a Building or Land supports the re-use of land within the urban area for small-scale residential development where no other LDP Policy protects the building or land for an existing or alternative use. There is no specific or restrictive LDP policy associated with the application site. Residential properties surround the site and the use of the existing garden space for residential purposes does represent a sustainable and compatible use of the plot. The Planning history of the site further reveals that residential development has previously been granted on the site (P/07/1031/OUT refers) and the proposed residential use of the site is therefore supported in principle.

Whilst noting the Outline nature of the application Policy SP2 of the BLDP establishes the criteria for acceptable design and sustainable place making. This is supported by guidelines set out in Design Guide 1: Dwellings and Domestic Scale Buildings and Supplementary Planning Guidance 2: Householder Development.

The new development in itself, given the somewhat screened and secluded nature of the site, whilst acknowledging the Outline nature of the proposal, is unlikely to give rise to any significant adverse visual impact. In line with the indicative drawings and scaled parameters submitted for the Outline proposal it is considered that residential buildings could be appropriately designed on the site that would not significantly harm the visual amenities of the existing locality.

Notwithstanding the above, the specific layout, design and architectural detailing of the proposed dwelling buildings would be subject to careful consideration at any subsequent Reserved Matters application should Outline Planning permission be granted, however, at this stage, the proposal in visual terms, is not likely to be so detrimental to the visual amenities of the area to warrant refusal of the application in this regard. It is also considered that the proposed site could accommodate three dwellings of the scale and dimensions indicated without leading to the overdevelopment of the site whilst also accommodating appropriate parking and amenity space for each dwelling. The proposed plots are comparable in scale to other neighbouring residential plots that have been developed in the area.

Section 66 of the Listed Buildings Act 1990 places a duty on Local Planning Authorities (LPAs) to have special regard to the setting of a Listed Building in the determination of a Planning application.

The development would be sited in close proximity to a Grade II Listed Building, Broadlands House, that is positioned towards the north west of the application site. Consequently it is important to consider the effect the proposed development may have on the Listed Building and its setting and, in this respect, Policy SP5 of the LDP is also relevant. This Policy states that development should conserve, preserve or enhance the built and historic environment of the County Borough and its setting. The submitted layout plans for the development indicate a minimum offset of approximately 30m could be achieved between the new residential buildings and the existing Listed Building, with the potential for landscaping at the site adding a further buffer between the plots. It is therefore considered Policy SP5 of the LDP will not be compromised by the proposal. The existing Listed Building also occupies a relatively secluded position that is not overly visible from public vantage points with the proposal not significantly disrupting any particular views or the setting of the Listed Building.

The Council's Conservation Officer has no objections to the proposal and in view of the above it is considered that there would not be any adverse impact on the Listed Building or its setting.

In terms of the impact on residential amenity, and whilst noting the Outline nature of the proposal, it is considered that the three detached dwellings would not have a significant adverse impact on the residential amenities of the existing neighbouring properties. With due regard to the submitted indicative drawing, the dwellings would be sited with an acceptable offset from the rear elevations and associated garden spaces of nearby properties. A distance of approximately 21m would be retained from the rear elevations of the new dwelling units and the existing rear elevations of properties along Y Berllan that abut the east of the application site. It is acknowledged that some of the proposed front windows within the new development would be afforded views over the front garden space and tennis court associated with Broadlands House, although this is a spacious curtilage that would also be separated from the proposed dwellings by the access road serving the new development. As such, Broadlands House would also not experience any significant loss of amenity or privacy as a result of the development proposal.

The scheme is unlikely to raise any adverse overlooking, overbearing or overshadowing concerns given the separation distances involved and the characteristics of the site. Furthermore, existing high boundary treatments add a further degree of screening to the development site. Careful regard would however need to be given to the detailed design and position of the habitable room windows within the dwellings at the Reserved Matters stage to ensure the privacy levels enjoyed by neighbouring properties are appropriately safeguarded. Overall, it is considered that, it would be possible to design a satisfactory arrangement for the dwellings so that they would comply with Council guidance in terms of amenity protection (SPG 02) and therefore, in principle, the proposed development could be compatible with neighbouring residential properties.

Given the size of the plot and the position and design of the access to the site it is unlikely that the intensified use of the site for residential purposes would give rise to a substantial or harmful increase in the general levels of noise and disturbance to neighbouring residents, particularly as a result of increased traffic movements.

The Council's Transportation Officer has assessed the submitted scheme and raises no objections against the proposal. It is noted that the application has been submitted in Outline with all matters reserved for future consideration. Therefore, the Highway Authority has considered the principle of constructing residential dwellings at this location as well as the proposed access point and has determined that the Outline proposal is acceptable. In addition it is considered that the traffic generated by 3 new dwellings can be accommodated on the local highway network.

It is acknowledged that the applicant has resubmitted the site layout, at the request of the Highway Authority, which now includes the replacement parking for 6 Cwrt Newydd. The inclusion of the off-street parking would ensure that the parking area for 6 Cwrt Newydd forms part of this application and is retained in perpetuity. It will also ensure that the parking area for number 6 is not used for any other purpose thereby preventing migration of cars to the surrounding streets to the detriment of highway safety. Overall and subject to the imposition of conditions to ensure the access drive is completed in permanent materials and the parking areas are also completed in permanent materials and retained in perpetuity, the Highway Authority raises no objection against the application.

On the basis of the comments received from the various drainage bodies in regard to the proposal, the scheme is considered acceptable subject to the use of standard drainage conditions.

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

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

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

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

Given the nature of the application site which comprises part of the residential curtilage of an existing property, it is considered that, overall, there will be no significant adverse residual impacts on biodiversity. 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.

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. In terms of affordable housing the application falls below the threshold of Policy COM5 in relation to affordable housing. As a scheme for the provision of three dwellings, the proposal also does not trigger the need for an education contribution. The proposed

development does not include the provision of open space on site. Policy COM 11 of the LDP requires the provision of satisfactory standards of open space from all residential developments at 2.4 ha per 1,000 people. BCBC's Outdoor Sport and 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, 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 £3,117.

CONCLUSION

Having regard to the above and in view of the Outline nature of the application, the proposal is recommended for approval because the development complies with Council policy and guidelines. It is considered that the scheme would not have an unacceptable impact on the visual amenities of the locality, including the setting of the nearby Listed Building, would not harm privacy or neighbours' amenities or highway safety and would not unduly compromise land drainage or ecology.

The issues raised by local residents 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, with the Outline proposal representing an appropriate and compatible form of infill residential development within settlement limits and an established residential area.

RECOMMENDATION

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

i) provide a financial contribution for the sum of £3,117 (index linked) towards the provision of children's play equipment and outdoor sport facilities.

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

1. The development shall be carried out broadly in accordance with the following approved plans and documents:

Site location plan scale 1:1250 received 10 October 2018

Illustrative site layout plan scale 1:500 received 10 October 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. 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.

5. 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 the 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.

6. 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 and these works shall be carried out as approved. 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.

7. 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.

8. The access drive shall be completed in permanent materials in accordance with the approved details prior to any part of the development being brought into beneficial use and retained in perpetuity for the purpose of access to the site.

Reason: In the interests of highway and pedestrian safety.

9. The parking areas shall be completed in permanent materials in accordance with the approved layout prior to the respective dwelling being brought into beneficial use and retained for the purpose of parking in perpetuity.

Reason: In the interests of highway safety.

10. Vehicular access to the site shall be provided solely from Cwrt Newydd.

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

* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy, highway safety or visual amenities nor so significantly harms neighbours' amenities 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 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.

f. 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.

g. 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.

h. 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, the responsibility for the safe development and secure occupancy of the site rests with the developer.

i. The applicant should be made aware that the site has the potential to provide habitat for nesting birds. The applicant is therefore referred to SPG 19 Biodiversity and Development as they may encounter nesting birds. This document is available via the

planning pages of the Council's website.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background papers

None.