

REFERENCE: P/19/464/FUL

APPLICANT: Mr P Kinsella c/o John Matthews, Planning & Development Consultant, 47 Anglesey Way, Porthcawl CF36 3QP

LOCATION: Land adjacent former Three Horse Shoes Public House, Lamb Row, South Cornelly CF33 4RL

PROPOSAL: Erection of one detached dwelling

RECEIVED: 25 June 2019

EOT AGREED: 27 July 2020

APPLICATION/SITE DESCRIPTION

The application seeks full planning permission for the erection of one detached residential dwelling on land adjacent to the Former Three Horseshoes Public House, Lamb Row, South Cornelly.

Figure 1 - Site Location Plan:

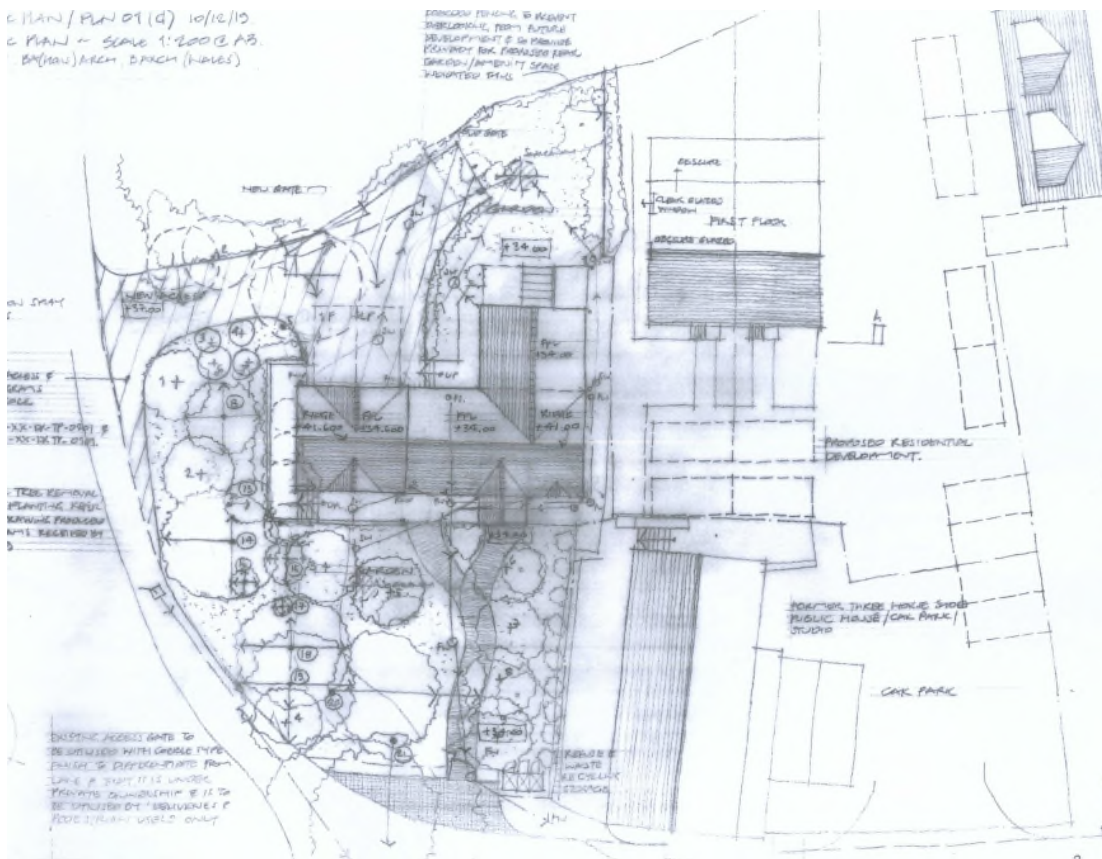


The application site currently benefits from full planning permission (P/17/260/FUL refers) for the erection of one detached dwelling which was granted on 7 July 2017. The application proposes to re-configure the overall site layout by re-siting the dwelling and proposing a new access off the eastern boundary of the site. The applicant's agent has stated in the submitted planning statement that the proposed changes are considered beneficial for the following reasons:

- Provide a safer vehicular access point with improved vision splay away from the existing bend adjacent to the northern eastern end of the site;
- The proposed re-alignment from a north/south to a greater west/east configuration will provide more sunlight/daylight for the dwelling's internal space and for the external garden/amenity space which will be more extensive and practicable;
- The removal, retention and replacement of a number of trees located along the boundary of the site.

The proposed works will also facilitate the implementation of a comprehensive tree removal and replanting programme which will include the removal of poor quality and dangerous trees along the embanked eastern section of the site, retain a number of the better quality trees within the embanked eastern section of the site which will receive beneficial crown reduction management and replacement planting of appropriate native tree species at an appropriate density within the embanked eastern section of the site and the northern (front garden) part of the site.

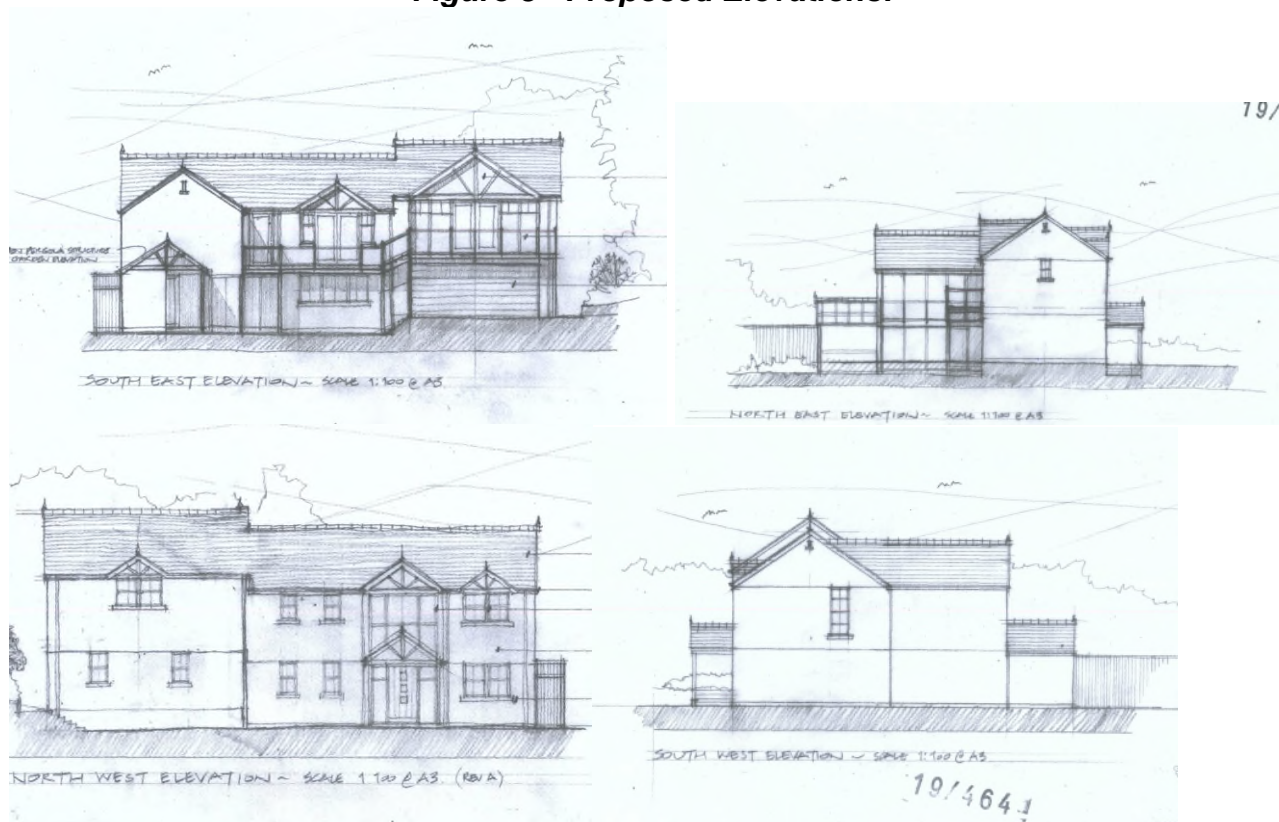
Figure 2 - Proposed Tree Planting Scheme and Site Layout:



Access to the site will be via Lamb Row and a driveway with a turning head is proposed within the site.

The proposed dwelling will be sited in an L shaped position and will measure approximately 13m x 17m with a pitched roof reaching an approximate maximum height of 7.3m. The front elevation of the property will be positioned to the south east with a new, steep vehicle access created from the eastern boundary of the site due to the current site levels. The rear elevation of the dwelling (north west) will have a forward projecting gable measuring approximately 1.5m x3m and to height of approximately 5.9m with a large, floor to ceiling glazed window to serve a landing area at first floor level and a gallery/hallway on the ground floor with a front porch. A first floor balcony is also proposed to the front of the property with an internal garage on the ground floor and a pergola type structure located to the side of the front elevation of the property. The property will be served by a large turning/parking area located to the front of the site and amenity space to the rear. The proposed ground floor will comprise of a living room, kitchen, study, hall, utility room, WC and garage. The first floor will comprise three bedrooms with an en-suite and family bathroom.

Figure 3 - Proposed Elevations:



The site is located within the settlement boundary of South Cornelly as defined by Policy PLA1 of the Bridgend Local Development Plan 2013. Part of the site comprises a former railway line and is located within a mineral safeguarding area and therefore Policies PLA10 and ENV9 of the Bridgend Local Development Plan 2013 apply. There are also a number of protected trees located on the north eastern boundary of the site and the site is surrounded by similar residential dwellings.

Amended plans were received on 12 December 2019 and 14 February 2020 addressing concerns regarding the proposed tree planting scheme and the gradient of the proposed access.

RELEVANT HISTORY

P/17/260/FUL – Approved (with conditions) 07/07/2017.
Erection of one detached dwelling

Land adjacent to the site:

P/10/699/FUL - Approved (with conditions) 19/11/2010

Pair of semi-detached 2 bed houses & detached 2 bed bungalow on site of former Public House

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 26 July 2019.

CONSULTATION RESPONSES

Highways Officer - no objection subject to a number of conditions regarding visibility splays and parking.

Drainage Officer - No objection subject to a condition regarding details of a drainage scheme to be submitted prior to the works commencing on site and advising that a SAB application will be required along with the submission of a geotechnical report regarding limestone cavity formations.

Destination and Countryside Manager – no objection subject to conditions regarding tree protection and the submission of a clearance methodology relating to invasive species located on the site.

Glamorgan Gwent Archaeological Trust (GGAT) – identifies that the proposal will require archaeological mitigation and therefore requests that a condition is attached for the submission of a detailed written investigation for a programme of archaeological work to protect the archaeological resource at the site.

Welsh Water Developer Services - no objection subject to standard conditions and advisory notes.

Group Manager (Public Protection) - no objection subject to a number of advisory notes

REPRESENTATIONS RECEIVED

Four letters of objection have been received from:

Crossing Cottage, Lamb Row, South Cornelly

2 Rock Cottages, South Cornelly

17 Wordsworth Avenue, Roath

The following concerns have been raised:

- The application site is located within the quarry line;
- Concerns over the capacity of the sewerage system to cope with an additional dwelling;
- Loss of TPO trees;
- Impact on wildlife including bats and voles;
- Proposed building - out of character and too large and high for the plot;
- Increase in parking and lack of parking for visitors;
- Increase in traffic on already congested roads;
- Concern over how surface water will be disposed of - risk of flooding;
- Block off sea view and adverse effect on value of property;

COMMENTS ON REPRESENTATIONS RECEIVED

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

A loss of view and impact on property values are not a material planning consideration.

It is also worth noting that planning permission was previously granted (P/17/260/FUL refers) for the erection of a dwelling on the land subject of this application and a number of the concerns raised were also addressed during the determination of this application.

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, and within which the following policies are of relevance:

- Strategic Policy SP2 – Design and Sustainable Place Making
- Strategic Policy SP3 – Strategic Transport Planning Principles
- Policy PLA1 – Settlement Hierarchy and Urban Management
- Policy PLA10 – Safeguarding of Disused Railway Infrastructure
- Policy PLA11 – Parking Standards
- Policy ENV6 – Nature Conservation
- Policy ENV9 – Development in Mineral Safeguarding Areas

Supplementary Planning Guidance

SPG02 - Householder Development

SPG07 – Trees and Development

SPG17 – Parking Standards

SPG19 – Biodiversity and Development

National Planning Policy and Guidance

National planning guidance in the form of Planning Policy Wales (Edition 10, December 2018) (PPW) is of relevance to the determination of this application.

Technical Advice Notes:

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. Technical Advice Note 12 – Design (2016) and Technical Advice Note 18 – Transport (2007) are relevant to the determination of this application.

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.

APPRAISAL

The application is referred to Committee to enable consideration of the objections received from local residents.

The main issues to consider in this application are the principle of the development, its impact on the character of the area, impact on the neighbouring amenities, protected trees, drainage and highway safety.

Principle of the Development

The application site lies within the settlement boundary for South Cornelly as designated by Policy PLA1 of the Bridgend Local Development Plan. Policy COM3 of the Local Development Plan (LDP) 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 development plan policy protects the building or land for an existing or alternative use. In view of the above, the proposed dwellings are considered to comply with Policy COM3.

Also, part of the application site comprises a former railway line and therefore, Policy PLA10 of the LDP is of relevance. Whilst Policy PLA10 seeks to safeguard the use of the disused railway infrastructure, from a further assessment of the site it was evident that the wider stretch of the former railway line along the eastern side of South Cornelly is no longer realistically available or suitable for any transport related development due to the location of the new road and other developments, both residential and employment, that have taken place in the vicinity since the closure of the railway line in the mid 1960s. In view of the above, the proposed dwelling is considered to comply with Policy PLA10.



It is considered therefore that, in principle, the residential use of the site is acceptable subject to satisfying the requirements of LDP Policy SP2.

Impact on the character and appearance of the area

The site is currently overgrown with vegetation and is bounded to the north east by a cluster of protected trees. The site is also surrounded by a number of large detached

residential dwellings and therefore the scale of the proposed dwelling is considered to be in keeping with the character of the immediate area. It is also considered that the re-siting of the proposed dwelling, will not have an adverse impact on the character of the area, due to its set back position within the site.

Consequently, the proposed development is considered acceptable in terms of visual amenities however, in order to ensure that the materials used in the external surfaces of the proposed dwelling are suitable, it is considered necessary to attach a condition to any permission granted requiring details of the materials to be submitted to and agreed in writing by the Local Planning Authority. It is also considered that the proposed development would not have a significant adverse impact on Lamb Row or on the surrounding area due to its set back position and nature within the site and set back position from the main highway.

It is also considered that whilst the re-location of the access to the eastern boundary of the site will have an impact on the appearance of the area, due to its concealed position and the location of the trees along this boundary, it will not have a significant adverse impact on the character and appearance of the area.

Figure 4 - Proposed Amenity Space Layout:



Furthermore, following an assessment of the proposed tree replacement scheme, it is considered that the visual impact on the area will be minimal and the majority of the trees

will be retained and replanted to retain the existing character and appearance of the area.

With regard to the amenity space to serve the proposed dwelling, the front elevation of the dwelling will remain as previously approved under P/17/260/FUL with the front garden area and pedestrian access located to the front of the site (outlined in purple) and the private amenity space located to the side and rear of the site (outlined in green) as defined on the plan above. From assessing the submitted plan, the proposed rear private amenity space will be located to the south of the site and will be screened by a number of existing trees and shrubs. Also, due to its location to the rear of the site, there are not considered to be any overlooking issues with any neighbouring properties as a result of the proposed scheme.

Accordingly, it is considered that the proposed development accords with Policy SP2(2) and SP2 (3) of the Bridgend Local Development Plan 2013 and Supplementary Planning Guidance SPG02: Householder Development.

Impact on neighbouring amenities

From assessing the submitted plans, there is a vertical line of eight pane windows proposed on the south west elevation of the proposed dwelling, which serves an open staircase and is not considered to have a significant detrimental impact on the neighbouring properties or on the former Three Horseshoes Public House as they do not serve a habitable room. However, in order to protect privacy, it is considered necessary to attach a condition to any consent granted to remove permitted development rights to prevent the insertion of any further windows into the south west elevation of the proposed property.

The impact of the proposed development on the dwellings approved under planning reference P/16/313/FUL (4 new dwellings - a pair of semi-detached 2 bed houses and 2 detached 2 bed bungalows on the site of the former Public House) has been considered as part of this report although they have yet to be constructed. Due to the change in levels and the position of the proposed dwelling which is located much further forward into the plot than the approved dwellings, it is considered that the proposed development will have no adverse impact on the privacy of these properties.

The impact of the proposed development has also been assessed in relation to the residential amenities of the properties known as Clos yr Hen Eglwys and, due to the separation distance between the properties of approximately 30m and the orientation of the existing properties, the proposed development is not considered to have a significant adverse impact on the privacy and residential amenities of these neighbouring properties. The proposed development is also not considered to have an adverse impact on the occupiers of the former Three Horseshoes Public House due to the setback nature of the property within the site.

Accordingly, the proposed development is not considered to affect the current levels of privacy and residential amenities that the existing neighbouring properties currently enjoy and therefore the development accords with Policy SP2 (12) of the Bridgend Local Development Plan (2013) and SPG02: Householder Development Notes 1,2 and 6.

Access and Parking

The Council's Transportation Officer has noted that the site benefits from a previously consented scheme (P17/260/FUL refers) however, the proposed vehicular entrance has been relocated from the north of the site to the east of the site.

Figure 5 - Photograph of access location:



The previously consented access was from an existing dropped kerb gated entrance arrangement and is therefore considered an historic existing access with an accepted level of extant vehicular movements. However, this most recent submission proposes a new vehicular entrance out onto a very narrow section of lane (see photograph above).

As a result, the Highway Authority had two material concerns with the proposed new access and raised an objection to this application on the grounds that the narrow lane leading to the site is not suitable to serve as the principal means of vehicular access. In addition, it was considered that the proposed development would create traffic hazards to the detriment of highway safety out onto Railway Terrace.

As a result of that objection, the applicant has sought to overcome the concerns through extended negotiations with the Highway Authority. The applicant has now provided a revised access plan with an appropriate swept path analysis to show that delivery and emergency vehicles can access the site using the redesigned access. In addition, the applicant has provided a turning area within the site to ensure that all vehicles can access and egress the site in a forward gear.

The applicant has also shaped the access to ensure that vehicles leaving the site can only turn left into a splayed refuge area. The introduction of a vision splay and refuge area will not only assist in providing a satisfactory access from the site it will also create a passing place for existing highway users of Railway Terrace and Lamb Row. The new vision splay and refuge area should reduce the instances of vehicles having to reverse back towards Lamb Row or towards Crossing Cottages as the narrow lane will be able to accommodate two passing vehicles at the proposed new access location.

In addition, the removal of extensive vegetation and trees around the curtilage of the site will improve the forward vision for vehicles, cyclists and pedestrians using the lane and is

also considered a highway benefit. Although the existing access will no longer be used for vehicular access it will remain as the primary pedestrian access which will ensure that pedestrians from the proposed dwelling will be able to access the footway on Lamb Row. Notwithstanding the above, the removal of the current vehicular access and introduction of a new surface on the adopted highway is considered to result in calling vehicles associated with the development parking in this area to the detriment of highway and pedestrian safety. As a result, it is considered necessary to attach a condition requesting a scheme which will require the removal of the dropped kerb arrangement and re-instate the footway to promote and encourage walking as per the Active Travel Act.

It is acknowledged that the applicant has provided a plan detailing the access splay however, there was no indication of the vegetation which will be removed in order to provide a vision splay for the proposed entrance. Therefore, it is considered necessary to attach a condition for the length of vision splay to be provided.

Accordingly and subject to the imposition of appropriate conditions, the proposed development accords with Policy SP2 (6) and SP3 of the Bridgend Local Development Plan 2013 and Supplementary Planning Guidance SPG17: Parking Standards.

Drainage

The Council's Drainage Officer has assessed the submitted drainage details which include infiltration details and these are considered acceptable subject to the imposition of a condition to any granted consent regarding a comprehensive drainage scheme to be submitted and agreed by the Local Planning Authority prior to any works commencing on the site which accords with Policy SP2 (13) of the LDP. The proposed development will also require a separate SuDS application and SAB approval.

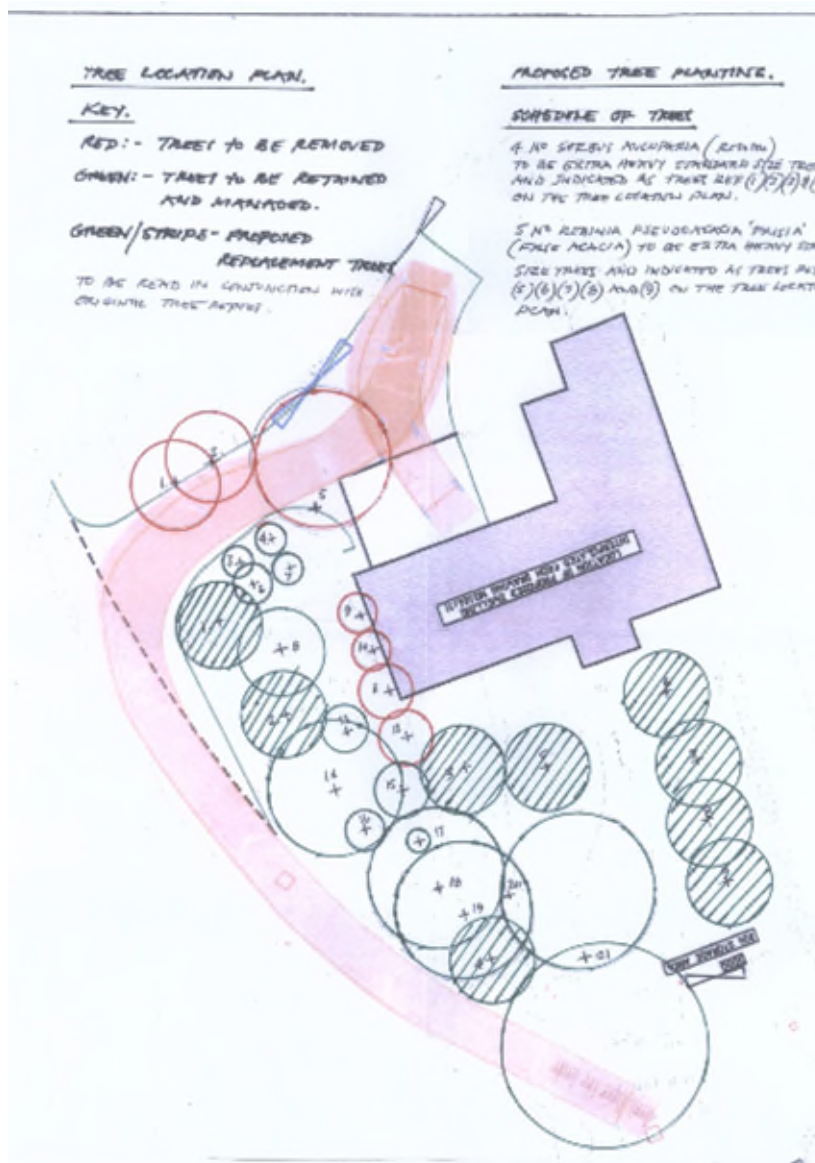
Protected Trees

The application site comprises a cluster of protected trees that are located on the north eastern boundary of the site. The proposed works will also facilitate the implementation of comprehensive tree removal and a replanting programme which will include the removal of poor quality and dangerous trees along the embanked eastern section of the site and the retention of a number of the better quality trees within the embanked eastern section of the site. The retained trees will receive beneficial crown reduction management and replacement planting of appropriate native tree species at an appropriate density is proposed within the embanked eastern section of the site and within the northern (front garden) part of the site.

The proposed tree-planting scheme (see below) proposes the removal of 7 existing trees, the retention and management of 10 trees and the replacement of 9 trees on the site and will be subject to good management practices including:

- 1) Regular removal of ivy from trees and inspection for decay;
- 2) The removal of dead or decayed limbs as and when appropriate;
- 3) The removal of any potentially dangerous overhanging limbs as and when appropriate;
- 4) The removal of dead, decayed and/or dangerous trees and the planting of replacement trees as and when appropriate; and,
- 5) Points 2), 3) and 4) above to all be subject to first obtaining the necessary consents if and as required.

Figure 5 - Proposed Tree Planting Scheme



The Council's ecologist initially assessed the submitted information and requested additional information regarding the management of the trees. It was also noted that Japanese Knotweed is growing at the site and in view of this, it is recommended that a condition is attached requesting the submission of a clearance methodology for the site.

The methodology should include how the works will mitigate for the invasive species at the site, monitoring to ensure that the invasive species do not spread and recolonise at the site and what remedial works will be undertaken if these species are found to be spreading. It was also recommended that a root protection condition is attached to any consent granted in order to protect the roots of the other trees located on the boundary of the site whilst construction works are being undertaken on site.

Accordingly, it is considered that the proposed development accords with Policy SP2 (10) and ENV6 of the LDP and SPG19: Biodiversity and Development: A Green Infrastructure Approach.

Mineral Safeguarding Area

The application site is located within a Mineral Safeguarding Area and therefore Policy ENV9 of the LDP applies.

Policy ENV9 states:

Development proposals within mineral safeguarding areas, either permanent or temporary, will need to demonstrate that:

- 1) If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and*
- 2) In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and*
- 3) In the case of temporary development, it can be implemented and the site restored within the timescale the mineral is likely to be required.*

The purpose of safeguarding areas is to preserve mineral resource for future generations. The application site lies within close proximity to Cornelly Quarry which is currently active although it lies within the settlement surrounded by existing housing. There is limited prospect of extending the quarry towards the settlement. The Council's Public Protection section has been consulted and has raised no objections to the proposed development but has included a number of notes regarding site contamination to the applicant. In view of this, it is considered that the proposed development would have no significant impact on the possible working of the resource and will have no significant adverse impact on the occupiers of the proposed development. The proposal therefore accords with Policy ENV9 of the LDP. Quarry activities are monitored under separate conditions.

Archaeological Mitigation

Information in the Historic Environment Record, curated by The Glamorgan-Gwent Archaeological Trust, shows that a manorial chapel and burial ground are located in this area of South Cornelly. The application area is situated less than 50m from these remains and it is a possibility that medieval remains may be sited within the development area. It is considered that whilst the ground has been disturbed by the railway and previous dwellings, it is still likely that archaeological finds and features, especially earlier foundations associated with the dwellings, may exist within the proposed application site. Furthermore, GGAT have previously recommended archaeological mitigation for other developments located within the immediate vicinity due to the potential in particular to medieval remains.

Accordingly, it is recommended that a condition is imposed upon any consent granted to require a written scheme of investigation for a programme of archaeological work to be submitted to the Local Planning Authority prior to the commencement of development and on this basis, the Glamorgan-Gwent Archaeological Trust considers that the application is acceptable from an archaeological perspective.

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 and the proposed mitigation measures, 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.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, ecology, protected trees, privacy or visual amenities nor so significantly harm neighbours' amenities. The concerns raised by the neighbours are acknowledged however, in this case and on balance they are not considered to outweigh the other material issues connected to the development such as to warrant refusal on those grounds.

RECOMMENDATION

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

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

Site Location Plan;

Proposed Elevations and Floor Plans;

Surface and foul waste drainage details and surface water soakaway test results and design;

Bat Tree Survey prepared by Sylvan Ecology received on 25 June 2019;

Tree Location Plan prepared by Clay Williams Associates received on 22 November 2019;

Amended Site/Block Plan and Tree Plan Drawing No. PLN 01 (d), Proposed swept path analysis for a fire tender and 7.5 panel van plans received on 12 December 2019.

Amended Proposed Site Access Drawing No. LAM-HYD-XX-XX-DR-C-2500 Rev P01 received on 17 February 2020.

Amenity Space Layout Plan received on the 22 June 2020.

Additional information submitted on 17 January 2020.

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 dwelling 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 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 the 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 the dwelling commencing.

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

5. No development shall take place until full details of both hard and soft landscape works have been submitted 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.

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

6. 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 building 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

7. The access/drive/turning facility shall be completed in permanent materials in accordance with details to be submitted and agreed by the Local Planning Authority prior to the development being brought into beneficial use and thereafter retained as access/drive/turning facility in perpetuity.

Reason: In the interests of highway safety.

8. No development shall commence until a scheme for permanently stopping up the existing access and reinstating the vehicular crossing as footway has been submitted to and

agreed in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use.

Reason: In the interests of highway and pedestrian safety.

9. The proposed means of access shall be laid out with vision splays of 2.4m x 28m to the north west and 2.4m x the entire red line site boundary to the south east before the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

10. No structure, erection or planting exceeding 0.6 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 and pedestrian safety.

11. Any entrance gates on the proposed vehicular access shall be set back not less than 5 metres from the nearside edge of the carriageway.

Reason: In the interests of highway safety

12. No development shall take place until a scheme for the provision of temporary traffic and pedestrian management along Railway Terrace/Lamb Row during the creation of the new access and re-instatement of the existing access has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented before commencement of works and shall be retained for the duration of those works.

Reason: In the interests of highway and pedestrian safety.

13. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and shown on plan number PLN 01 (d) Site/Block Plan.

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

14. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and shown on plan number PLN 01 (d) Site/Block Plan.

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

15. Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no windows other than those as hereby approved shall be inserted into the south west elevation of the dwelling other than those expressly authorised by this permission and shown on the proposed south western elevation plan submitted on 25 June 219.

Reason: To safeguard the privacy and residential amenities of adjoining neighbouring occupiers.

16. No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority for tree and root protection measures including barrier fencing for all existing trees and hedgerows on and adjacent to the site. The agreed scheme shall be implemented prior to and for the duration of the development of the site.

Reason: In the interests of biodiversity and to preserve the character and appearance open countryside.

17. No development shall take place until an invasive species management plan which includes full details of a scheme for its eradication and/or control has been submitted to and agreed by the Local Planning Authority. Works shall be carried out in accordance with the agreed details.

Reason: In the interests of controlling invasive species and safeguarding general amenities.

18. No development shall take place until the applicant or their agents or successors in title, have prepared a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

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

- a) This application is recommended for approval because the development complies with Council policy and guidelines and would not adversely affect the character of the existing property, street scene or wider area, prejudice highway safety, ecology, protected trees, privacy or visual amenities nor so significantly harm neighbours' amenities. The concerns raised by the neighbours are acknowledged, however, in this case and on balance they are not considered to outweigh the other material issues connected to the development such as to warrant refusal on those grounds.
- b) 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.
- c) 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,

- d) The applicant should be advised that any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.
- e) The applicant may need to apply to Dwr Cymru Welsh Water 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
- f) 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 Dwr Cymru Welsh Water 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.
- g) 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.
- h) 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.
- i) 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.
- j) 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.
- k) 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 material should be reused.
- l) 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.

- m) It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;
- Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed.
- n) The applicant is advised that the archaeological work must be undertaken to the appropriate standard and guidance set by the Chartered Institute for Archaeologists and it is recommended and that it is carried out either by a CIFA registered organisation or a MCIFA level accredited member.
- o) The applicant is advised that any works to be undertaken to trees protected by a Tree Preservation Order will require a formal application to be submitted to and approved by the Local Planning Authority.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background Papers

None