

REFERENCE: P/20/642/OUT

APPLICANT: Mr D Jeal: Woodlands, 36 Abergarw Road, Brynmenyn, CF32 9LF

LOCATION: Carville Scaffolding, Station Road, Maesteg CF34 9TF

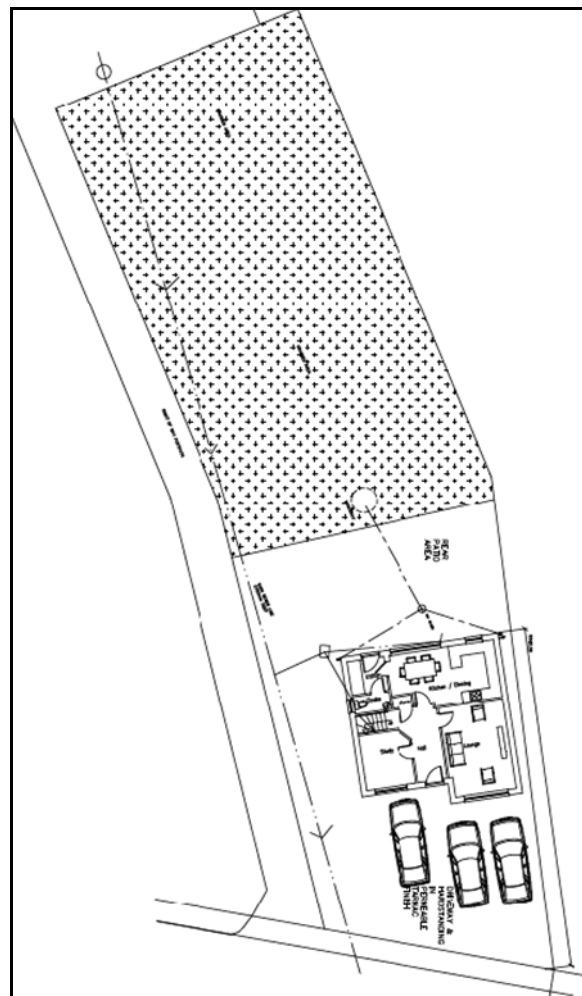
PROPOSAL: Outline application for demolition of existing scaffolding premises and development of one 3 bedroom house.

RECEIVED: 24 August 2020

DESCRIPTION OF PROPOSED DEVELOPMENT

This application seeks Outline planning permission for the demolition of the existing scaffolding premises and the erection of one 3 bed dwelling at Carville Scaffolding, Station Road, Maesteg. The application seeks to establish the principle of development with all matters reserved. Thus, all other matters including access, appearance, landscaping, layout and scale will be assessed at the subsequent Reserved Matters stage.

The Site Layout Plans as Proposed (drawing number 1ASR/4/21 Jan 2021) received on 11 January 2021 illustrates the dwelling as being positioned in the southern area of the proposed residential plot with the principal elevation facing southwards and secondary fenestrations and openings on the northern and western elevations. The drawing submitted in support of the application is shown below:



Proposed Site Plan

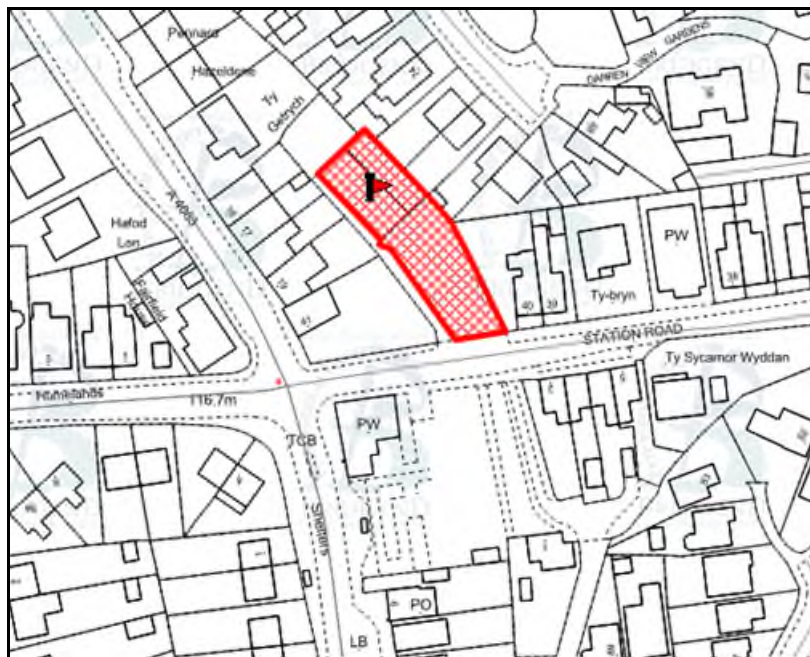
The property is proposed to measure 8.65 metres in width, 8.8 metres in depth and 8.6 metres in maximum height. Indicatively, it will comprise a hallway, lounge, kitchen/dining room, utility room, cloakroom and study at ground floor level with four bedrooms, one with

ensuite bathroom, and a family bathroom at first floor level. Indicatively the dwelling is also shown to have red facing-brick elevations, a plain grey/black tiled roof with white uPVC windows, external doors, fascia/barge boards and soffits with black rainwater goods.

The dwelling will sit in the relatively large residential plot and will benefit from a large amenity space at the rear. It will be accessible from the existing access point on the southern boundary of the site adjacent to Station Road.

SITE DESCRIPTION

The application site lies within the Local Settlement of Pont Rhyd y Cyff as defined by Policy PLA1 of the adopted Local Development Plan (2013):



Application Site Identified in Red

It lies on the northern side of Station Road and was occupied by a scaffolding storage yard and premises (vacated on 1 November 2019) to the north western/rear part of the application site. The existing access point lies along the southern boundary of the site off Station Road which runs eastwards off Maesteg Road (A4063). The scaffolding premises is set back from the highway by around 30 metres and is positioned to face the south east on land which is level. Whilst the site itself is relatively flat, there is a difference in land levels within the vicinity of the site as the land slopes downwards from Maesteg Road towards the east. The site is therefore slightly elevated above the residential properties to the east along Darren View and is set below the properties to the west on Maesteg Road.



Google Street View Image (2011)

The surrounding area is residential in nature and is characterised by properties of a traditional appearance. The site is wholly within the Low Risk Development Area as defined by The Coal Authority.

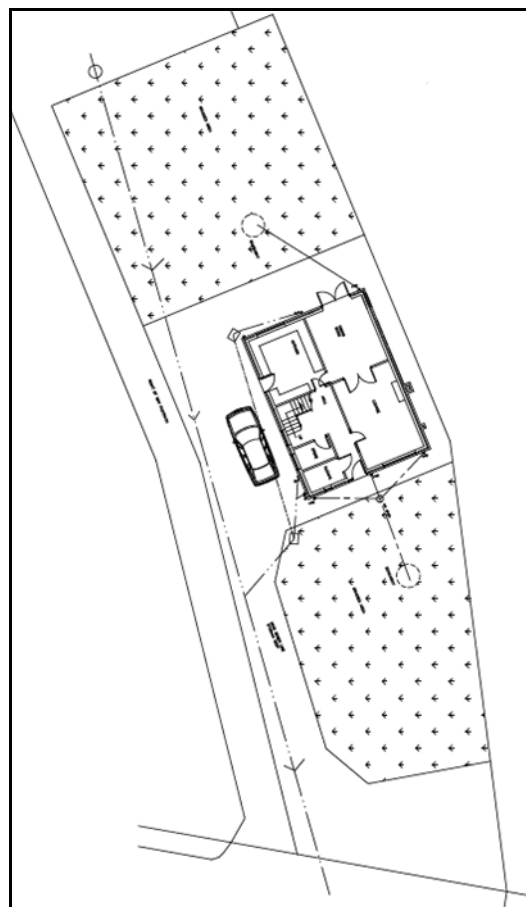
RELEVANT HISTORY

No relevant planning history.

INITIAL REPRESENTATIONS RECEIVED

This application has been advertised through the erection of a site notice dated 22 October 2020 and direct notification to fourteen of the closest properties to the application site. The initial period for consultation expired on 10 November 2020.

When the application was initially submitted, the proposed two-storey dwelling was positioned centrally within the application site, as demonstrated below:



Initially Proposed Site Plan

Five replies were received from residents of Darren View, Maesteg in response to the consultation undertaken, generally objecting to the proposed development for the following reasons:

- The existing building is single storey and the introduction of a two storey building would overlook and overbear properties on Darren View which will be exacerbated by the difference in land levels;
- The two storey property will overshadow properties on Darren View;
- Concerns are raised about the safe demolition of the existing building and maintenance of the existing retaining structure which forms the eastern boundary of the application site, shared with some properties located on Darren View;
- The development will detrimentally impact the levels of privacy and amenity currently afforded to the residents of Darren View;
- The shared Party Wall which forms the eastern boundary of the application site and

the western boundary of properties along Darren View will be damaged through the demolition of the existing building;

- The positioning of the proposed soakaway at the rear of the property could cause flooding and water damage to the properties in Darren View due to the difference in ground levels

Several of the letters of objection stated that a bungalow or single storey property would be preferred by the residents and would alleviate some of the concerns raised which relate to overlooking, overbearing and overshadowing.

In order to address some of the objections received, amended drawings were received on 11 January 2021 and the proposed dwelling was repositioned towards the southern boundary of the application site to be in keeping with the established building line of Station Road.

Since receiving amended plans, a second consultation was undertaken and all properties initially consulted were sent a follow up letter requesting further views on the proposed changes. Five further responses were received from residents of Darren View and Maesteg Road who raised the same concerns as those mentioned above. Whilst some of the responses referred to the change in the position of the proposed dwelling and stated that the objections relating to overbearing were addressed. However, the concerns raised which related to the instability of the existing Party Wall and demolition of the existing building still remained.

COMMENTS ON REPRESENTATIONS RECEIVED

Factors to be taken into account in making Planning decisions must be Planning matters that is, they must be relevant to the proposed development and use of land in the public interest. The matters raised in the objections received are addressed below:

- *Overlooking, Overbearing and Overshadowing*
The impact of the development on the amenities of neighbouring properties and occupiers will be considered in the Appraisal Section of the report.
- *Demolition of Existing Building*
Concerns are raised about the safe demolition of the existing building and maintenance of the existing retaining structure which forms the eastern boundary of the application site which is shared with some properties located to the west of the application site in Darren View. To address the concerns of local residents, it is considered reasonable to request the submission of a demolition method statement through the use of a Planning condition prior to the commencement of development.
- *Privacy and Amenity*
The impact of the development on the levels of privacy currently afforded to neighbouring occupier(s) will be considered in the Appraisal Section of the report.
- *Party Wall*
Although the objections received express concern about the impact of the development on the shared boundary between the application site and properties on Darren View, this is considered to be a private matter. Whilst the concerns of local residents are noted, the Planning system should not be used to secure objectives which are more appropriately achieved under other legislation such as The Party Wall Act 1996. It is therefore considered that the Local Planning Authority has addressed the concerns raised from a Planning perspective and any subsequent need to obtain consent that may be necessary is the responsibility of

the developer and/or land owner. An informative note will be imposed to remind the developer and/or land owner of their responsibility to ensure development is safe and secure.

- *Use of Soakaways*

The drainage impact of the scheme is addressed in the Appraisal Section of the report.

RESPONSE TO INITIAL CONSULTATION UNDERTAKEN

CONSULTEE

COMMENTS

Public Protection:
Environment
28 October 2020

No objection subject to the inclusion of the recommended planning conditions and informative notes.

Land Drainage
28 October 2020

Recommends the inclusion of planning conditions and informative notes.

Dwr Cymru Welsh Water
2 November 2020

No objection.

Cllr M James
3 November 2020

Having met with the residents of Darren View, Cllr James reiterates their concerns that the house proposed is too high and will intrude on their property in terms of privacy. Cllr James also raises concern about the soakaways, as the land has previously been used as a Bus Depot and Workshop.

Llangynwyd Middle
Community Council
12 November 2020

No objection subject to the windows being installed suitably to avoid overlooking and to maintain the privacy for neighbouring properties.

RESPONSE TO SECOND CONSULTATION UNDERTAKEN FOLLOWING RECEIPT OF AMENDED PLANS

CONSULTEE

COMMENTS

Public Protection:
Environment
20 January 2021

Comments as per previous memo dated 28 October 2020.

Land Drainage
18 January 2021

No objection subject to the inclusion of the recommended planning conditions and informative notes.

Dwr Cymru Welsh Water
26 January 2021

No objection subject to the inclusion of the recommended informative notes.

Cllr M James
27 November 2020

Acknowledges that the property has been relocated to have less of an impact on the residents in Darren View, but notes that the house will still cause overlooking to some of the properties.

Llangynwyd Middle
Community Council
12 February 2021

The house would be built on raised ground and the windows would overlook other properties on three sides. This should be taken into consideration when deliberating.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1 Settlement Hierarchy and Urban Management

Policy SP2	Design and Sustainable Place Making
Policy SP3	Strategic Transport Planning Principles
Policy PLA11	Parking Standards
Policy SP12	Housing
Policy COM3	Residential Re-Use of a Building or Land

Supplementary Planning Guidance 02	Householder Development
Supplementary Planning Guidance 17	Parking Standards

In the determination of a planning application regard should also be given to the local requirements of National Planning Policy which are not duplicated in the Local Development Plan.

The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Future Wales – the National Plan 2040 (Feb. 2021)	
Planning Policy Wales (Ed 11, Feb. 2021)	
Planning Policy Wales TAN 12 -	Design

APPRAISAL

This application is referred to the Development Control Committee due to the number of objections received from local residents.

PRINCIPLE OF DEVELOPMENT

The application site lies within the Small Settlement of Pont Rhyd y Cyff as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013).

Policy COM3 of the Local Development Plan (2013) 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 LDP policy protects the building or land for an existing or alternative use."

The proposal is considered to be compliant with Policies PLA1 and COM3 of the Local Development Plan (2013) and is therefore considered to be acceptable in principle however, whilst the area of land is accepted as an area which is capable of redevelopment in principle in accordance with Policy COM3 of the Local Development Plan (2013), consideration must be given to the importance of placemaking and detailed design considerations in decision making.

Placemaking considers the context, function and relationships between a development site and its wider surroundings. It adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions.

Therefore, whilst it is acknowledged that the application is in Outline, due regard must be given to Policy SP2 of the Local Development Plan (2013) as it incorporates the concept of placemaking and considers the development and its associated benefits as a whole rather than as a physical boundary.

SITE LAYOUT & DESIGN

Policy SP2 of the Local Development Plan (2013) stipulates "all development should contribute to creating high quality, attractive, sustainable places which enhance the

community in which they are located, whilst having full regard to the natural, historic and built environment". "Design should be of the highest quality possible, and should be appropriate in scale, size and prominence".

The application site is occupied by a vacant scaffolding premises which comprises a single storey building positioned centrally within the application site, shown below:



Google Street View Image

The proposal to demolish the existing building and re-use the application site for residential purposes is welcomed. In general terms, the surrounding area is residential in nature and the removal of the existing commercial building and associated infrastructure will enhance the visual amenities of the area. Therefore, the proposed development is considered to be in keeping with the predominant land uses within the vicinity of the site and is considered to be a visual improvement when compared to a vacant scaffolding premises.

The proposed dwelling will be readily visible from the streetscene and public vantage points. Whilst visible, it is considered that the scaled parameters of the dwelling proposed are modest and of a scale which is proportionate and complimentary to the surrounding residential area. The proposed dwelling will not appear as an overly prominent addition to the streetscene and is not considered to be overly excessive in terms of its size.

The developer is seeking to maximise the potential of the land by increasing the density of the wider site and it is considered that the addition of one dwelling is appropriate within the site's wider context. The proposal is not considered to result in the overdevelopment of the existing plot and the proposed positioning of the dwelling is considered to be acceptable.

Indicatively, the dwelling is shown to have red facing-brick elevations with a plain grey/black tiled roof. In reviewing the pallet of materials in the surrounding area, it is considered that these may be less in keeping with other residential properties than the use of render, stone or yellow facing-brick elevations. As the application is in Outline, it is considered reasonable in this instance to impose a Planning condition which requires the submission of a detailed specification of the materials to be used in the construction of the dwelling.

Overall, the dwelling is considered to be an addition which respects the character of the surrounding area and will not result in the addition of an incongruous feature within the streetscene. It is compliant with criterion (3) of Policy SP2 of the Local Development Plan (2013) and is therefore considered to be an appropriate addition.

NEIGHBOUR AMENITY

Criterion (12) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that the viability and amenity of neighbouring uses and their users/occupiers is not adversely affected by development proposals and, in addition, seeks to ensure that an appropriate level of amenity is afforded to future occupiers of a development.

Although Supplementary Planning Guidance Note 02 Householder Development (SPG02) relates to household development, it is considered that the principles are applicable in this instance. Note 1 of SPG02 states that no development should “unreasonably dominate the outlook of an adjoining property”. The application site and its relationship to residential dwellings bordering the site is shown below:



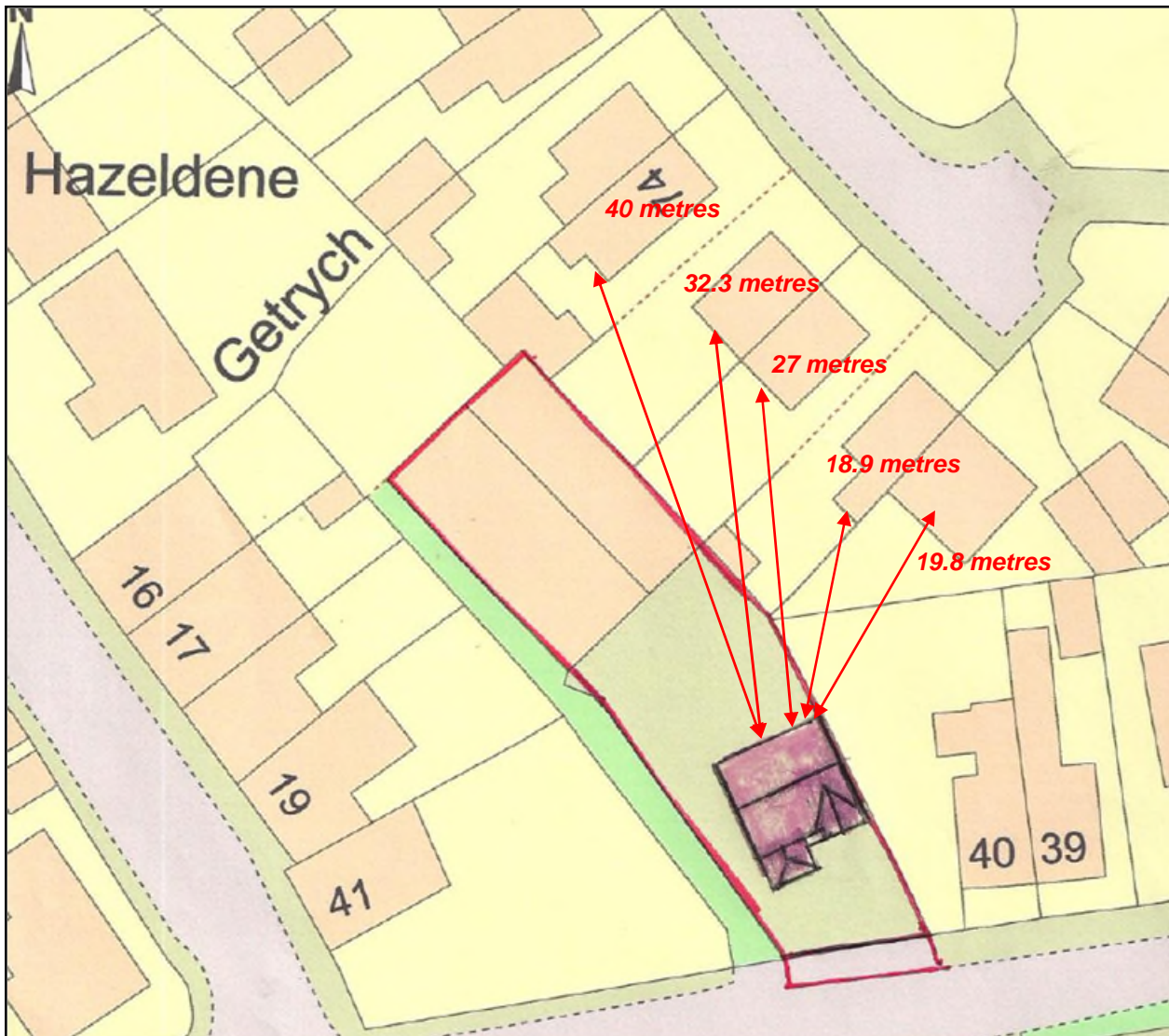
Application Site OS Map

Whilst few gardens are entirely private, some features can cause unacceptable levels of over dominance. Whilst the objections initially raised by local residents referred to overbearing, the repositioning of the dwelling within the application site has alleviated these concerns. The position of the proposed dwelling in the southern area of the site ensures that it is set back from the northern boundary of the site by 35 metres which satisfies guidance contained within Note 1 of SPG02. The Local Planning Authority does not consider that the position of the dwelling will result in any overbearing impact on neighbouring properties in Darren View and it is therefore considered to be acceptable in this regard.

The dwelling has been designed so that no windows are proposed in the eastern elevation which will protect the amenities of neighbouring occupiers in 40 Station Road, Maesteg. It is considered that this alleviates any concerns in respect of overlooking into the property to the immediate east of the application site in accordance with Note 6 of SPG02.

The objections received from local residents who reside in the properties to the north east of the application site also referred specifically to overlooking. Note 6 states that development “should respect the privacy of neighbouring houses” and a sense of privacy within the house and a freedom from overlooking in at least part of the garden area can be expected by neighbouring occupiers.

It is acknowledged that whilst the application site itself is relatively flat, the topography of the area is such that land slopes from west to east and therefore the site is elevated above the residential properties to the east along Darren View and is set below the properties to the west on Maesteg Road. In terms of the impact of overlooking on properties to the north east, namely 70 to 75 Darren View, the distance between the proposed dwelling and rear elevations of the properties is demonstrated below:



Distance Provided between Proposed Dwelling and Properties on Darren View

Paragraph 4.6.2 of SPG02 stipulates “the minimum distance between directly facing habitable room windows...should normally be 21 metres” however, reductions may be acceptable. As shown above, the distance provided between the rear elevation of the proposed dwelling and the rear elevations of properties 72-74 Darren View exceeds the 21 metres recommended and therefore the dwelling will not overlook the rear garden areas of the properties in accord with Note 6 of SPG02.

The distance provided between the rear elevation of the proposed dwelling and the properties known as 70 and 71 Darren View is 19.8 metres and 18.9 metres respectively. Whilst the distance provided does not strictly meet the guidance, given the orientation of the proposed dwelling, it is considered that its introduction would not be so harmful to the levels of privacy currently afforded to the occupiers of the properties to warrant a refusal on such grounds. The introduction of a dwelling would not worsen overlooking into the properties to the north east to the extent that would warrant a refusal on such grounds, and its proposed introduction is therefore considered to be acceptable.

Whilst the proposed dwelling is not considered to overlook the properties to the north east, regard must also be given to properties positioned to the west of the application site along Maesteg Road. Owing to the topography of the land, the properties known as 16 to 19 Maesteg Road will be set above the application site and at their closest will be set 11.9 metres away from the western boundary of the application site.

Paragraph 4.6.3 of SPG02 states that “the rear of houses can affect privacy if first floor habitable room windows overlook the back of adjacent properties” and to reduce the loss of privacy the minimum distance to the boundary should be 10.5 metres. It is considered that the minimum distance between the properties to the west of the site and the western boundary of the application site is sufficient to respect the privacy of the future occupiers of the proposed dwelling. Owing to the position of the proposed dwelling, it is considered that properties to the west will not unreasonably overlook the rear garden area of the future dwelling to warrant a refusal on such grounds and, for this reason, the development is considered to be compliant with Note 6 of SPG02.

Given the above, the proposal is considered acceptable from an amenity perspective. Whilst the comments from the occupiers of the neighbouring properties to the north-east are noted, it is not considered that the dwelling would be so detrimental to the levels of privacy and amenity currently afforded to the properties to an extent which would warrant a refusal of the Planning application on such grounds. Therefore and on balance, the proposed development is considered to be acceptable in accord with criterion (12) of Policy SP2 of the Local Development Plan (2013) and guidance contained within SPG02.

RESIDENTIAL AMENITY SPACE

Note 8 of SPG02 refers to amenity. It states at paragraph 5.1.1 “while an individual may accept a window box as sufficient garden space, the County Borough Council believes that generally there should be a reasonable private outdoor area for enjoyment of the present and future households”.

In this instance, the position of the proposed dwelling in the southern area of the application site provides a significant private amenity space for future occupier(s) at the rear of the dwelling. The proposed development is therefore considered to be compliant with Note 8 of SPG02 and is acceptable in this regard.

DRAINAGE

Whilst this proposal is in Outline and only seeks to establish the principle of development with access, it is important to note that the Land Drainage Section and Dŵr Cymru Welsh Water have provided comments in support of the application.

The Land Drainage Section has recommended the inclusion of the following condition:

No development shall commence 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 hereby approved, in accordance with the details agreed and shall be retained in perpetuity.

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

Dŵr Cymru Welsh Water has recommended the inclusion of informative notes provided that no surface water and/or land drainage connects directly or indirectly with the public

sewer network.

Subject to the imposition of the recommended Planning conditions the scheme is considered to be acceptable from a land drainage perspective.

PUBLIC PROTECTION

Again, whilst it is noted that this proposal is in Outline, the Public Protection section have raised no objection subject to the inclusion of the recommended conditions and informative notes. The proposal is considered to be acceptable from a contaminated land perspective.

HIGHWAYS

Whilst the highway implications of the scheme are not the subject of this Outline application, Policy PLA11 is still considered to be relevant and it must be demonstrated that appropriate levels of parking and safe access are capable of being achieved at the development site.

Policy PLA11 of the Local Development Plan states “all development will be required to provide appropriate levels of parking. This should be in accordance with the adopted parking standards”. Supplementary Planning Guidance Note 17 Parking Standards denotes that off-street car parking spaces should measure 4.8 metres in depth and 2.6 metres in width at a minimum. It also states that 1 off-street car parking space per bedroom should be provided (up to a maximum requirement of 3 spaces).

The Highway Authority raised a number of concerns with the original layout which related to access and parking provision. As a result, the applicant has submitted further revisions (received on 11 January 2021) which are now considered to provide suitable access without impacting the off-street parking provision.

It is considered that a residential dwelling on Station Road is acceptable from both a highway network capacity and sustainability viewpoint as it is close to public transportation and local services. In addition, the change of use from a scaffolding business to a residential dwelling will significantly reduce the number of vehicular trips from the site onto Station Road which is a highway betterment. The proposal is therefore acceptable in terms of traffic generation and highway safety terms.

In order to encourage walking and cycling from the proposed dwelling, it is considered that the footway which stops adjacent to 40 Station Road to the east should be re-instated to a full height kerb (with dropped kerb for the new driveway) and constructed to meet the footway at the point where it commences in the west in place of the commercial vehicle access that is currently on site. This is a requirement which can be achieved through the imposition of a Planning condition.

The Highway Authority considers that the proposal is compliant with Policy PLA11 of the Local Development Plan (2013) and subject to the imposition of the recommended planning conditions and informative notes, considers that the proposal is acceptable from a highway safety perspective.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations Act 2015 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 comprising 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 well-being goals/objectives as a result of the proposed development.

CONCLUSION

Having regard to the above, and after weighing up the merits of the revised scheme against the reiterated objections and concerns of neighbouring occupiers, it is considered that, on balance, the scheme is acceptable from a highway safety perspective, represents an appropriate form of development in this residential location, will replace a potentially unneighbourly form of development close to residential properties and can be designed (at the subsequent Reserved Matters stage) to ensure that there the dwelling will not have a detrimental impact on the residential amenities of neighbouring occupiers.

Therefore, the application is recommended for approval as it complies with Council policy and guidelines, will improve the visual amenities of the residential area and will not have a significantly detrimental impact on the privacy of neighbours' amenities to warrant a refusal on such grounds.

RECOMMENDATION

(R05) That permission be GRANTED subject to the following conditions in addition to the standard Outline conditions:-

1. The consent hereby granted shall be limited to the construction of a single two storey dwelling with a maximum ridge height of 8.6 metres and shall be carried out in accordance with the Site Location Plan received on 12 January 2021 and drawing numbers 1ASR/4/21 Jan 2021, 1ASR/1/20A Jan 2021 and 1ASR/2/21a Jan 2021 received on 11 January 2021.

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

2. Notwithstanding the requirements of Condition 1 above, 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 commence until details of the method of demolition have been submitted to and approved in writing by the Local Planning Authority. The demolition of the existing scaffolding building shall be carried out in accordance with the approved details prior to the erection of the dwelling hereby approved.

Reason: To ensure the existing building is removed safely and in the interests of

residential amenity.

4. No development shall commence until a scheme for reinstating the commercial vehicular crossing as footway with dropped kerb to join with the existing footway to the east and west of the site has been submitted to and approved 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.

5. The access drive shall be completed in permanent materials in accordance with the approved details prior to the development being brought into beneficial use and retained thereafter in perpetuity.

Reason: In the interests of highway safety.

6. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas of the site frontage and 1m either side at any time.

Reason: In the interests of highway and pedestrian safety.

7. No development shall take place until details of the proposed floor levels of the dwelling 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.

8. 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.

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

9. 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 shall be implemented prior to beneficial use.

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

10. Construction works shall not take place outside the following hours:

08:00 hours to 18:00 hours Mondays to Fridays
08:30 hours to 13:00 hours on Saturdays
and not at any time on Sundays and Bank Holidays.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (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, C and E) of Schedule 2 of this Order.

Reason: To enable the Local Planning Authority future control over the scale of development in the interests of the residential amenities of adjacent properties and to protect the amenity space provided within the property.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop and no further development shall take place until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *
- The application is recommended for approval because it complies with Council policy and guidelines, will improve the visual amenities of the residential area and will not have a significantly detrimental impact on the privacy of neighbours' amenities to warrant a refusal on such grounds. The scheme is considered to be acceptable from a highway safety perspective and is considered overall, to be an appropriate form of development in this location.

To satisfy Condition 8, the applicant must:

- Provide an agreement in principle from DCWW for foul water and surface water (if required) disposal to the public sewer;
- Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk)

To satisfy Condition 9, the following supplementary information is required:

- 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 discharged 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.

No surface water is allowed to discharge to the public highway.

No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

As of 7 January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the Local Authority as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a Statutory Consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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

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 on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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.

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.

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.

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.

Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. You should contact the

Highway Maintenance Inspector for the area, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

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.

The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials for the parking area although compacted chippings would not be considered acceptable as they are likely to be dragged onto the highway to the detriment of highway and pedestrian safety. As a result of the above, impermeable surfacing such as concrete or tarmac extending across the full width of the parking area should not be considered as a first option.

Janine Nightingale
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None