

REFERENCE: P/23/134/FUL

APPLICANT: Mr D Hopkins 8 Swn yr Adar, Penyfai, CF31 4GE

LOCATION: Plot adjacent to 8 Swn yr Adar Penyfai CF31 4GE

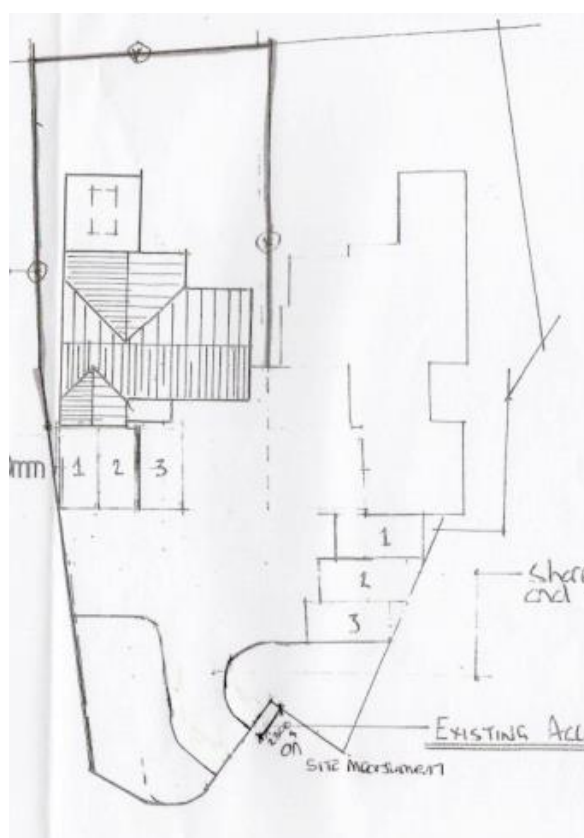
PROPOSAL: Proposed new 3 bed dwelling

RECEIVED: 23 February 2023

DESCRIPTION OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of a 3 bed detached dwelling and ancillary works on land adjacent to 8 Swn yr Adar, Penyfai.

The proposed layout comprises a 3 bed detached dwelling which is to be constructed within the garden space to the side (east) of 8 Swn Yr Adar. The proposed dwelling will be two-storeys in height and includes an area of garden space and a shared driveway to its front, which will be accessed using the existing driveway of the host property. The proposed dwelling will also benefit from garden space to its rear.



Proposed Site Layout Plan

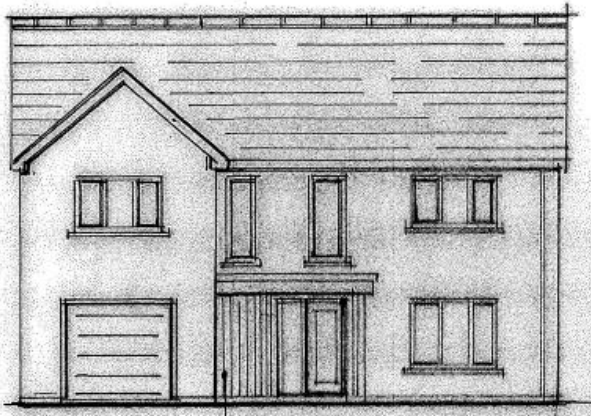
The dwelling is principally orientated to face the north, toward the public highway. It will be set further back than the building line of the host property, the garage of which projects further north. The building line of the proposed dwelling will be comparable with that of the neighbouring property to the east – no. 7 Swn Yr Adar.

The new dwelling is proposed to measure a maximum of 14.75m in depth and 11.25m in width. The new dwelling is to have a pitched roof which measures 8m in height to its ridge and 4.9m to its eaves. It will comprise a hallway, lounge, kitchen and dining area, sitting room and WC at ground floor level, and an integral garage. Three bedrooms and a family bathroom are proposed at first floor level, with one of the bedrooms to include an en-suite and a walk-in-wardrobe.

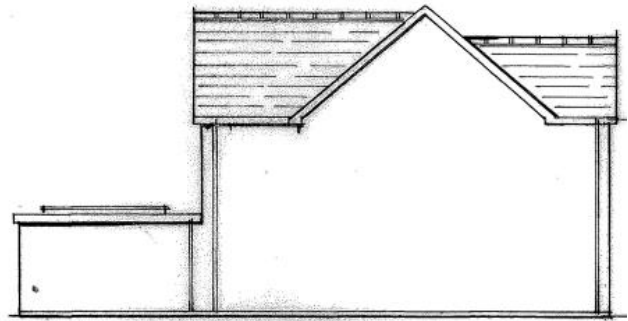
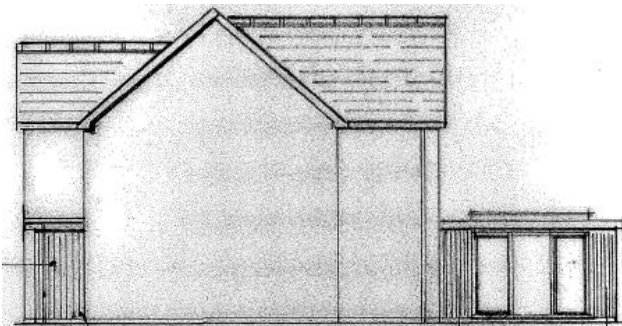


Image of the proposed development site

The building comprising of the new dwelling includes a two-storey gable projection to the front and the rear, with a further single-storey projection which includes a flat roof at the rear of the dwelling house. Windows are proposed within the front and the rear elevations of the new dwelling, with none proposed in its side elevations, except for the glazed bifold doors which will provide access to the garden of the new dwelling at ground floor level.



Proposed front and rear elevations



Proposed side elevations

The existing driveway serving no. 8 Swn Yr Adar is to be extended and will serve both properties, each of which will benefit from 3 off-road car parking spaces, as well as the respective garages of each of the dwelling houses.

A 1.8m tall timber fence will form the boundary of the new dwelling to the rear and the sides of the property. The fence will not project beyond the front elevation of the new house.

The new dwelling is proposed to be finished using brickwork to its elevations, along with some small elements of timber cladding. The roof is to be tiled, with grey coloured UPVC windows proposed.

SITE DESCRIPTION

The application site lies within the Small Settlement of Pen-y-Fai, as defined by Policy PLA1 of the adopted Local Development Plan (2013).



OS Map Extract of Application Site – host property indicated with marker

The application site consists of an area of residential curtilage associated with 8 Swn yr Adar, situated to the east of the existing dwelling on the property and currently consisting of front/rear garden space. 7 Swn yr Adar forms the eastern boundary of the application site.



Streetscene image of the proposed development site and neighbouring properties

The application site is situated within a residential estate made up of largely detached houses of varying sizes. The houses in the street are typically finished in red brick with brown roof tiles and white UPVC windows, doors and rainwater goods.

A group Tree Preservation Order covers a number of trees within the street including some trees in close proximity to the application site.

RELEVANT HISTORY

Application ref.	Description	Decision	Date
P/97/960/RLX	Vary condition 1 of 95/355 to extend period for submission of Reserved Matters for extra three years.	Conditional Consent	23/12/1997
P/97/1039/FUL	Substitution of house types on Plots 2, 5, 8, 9, 15, 16, 46, 43, 42, 38 and 22.	Conditional Consent	27/01/1998
P/98/632/RES	Reserved Matters application 95/355/OUT (Phase 2) 58 Dwellings.	Conditional Consent	03/11/1998
P/04/197/FUL	Two storey extension to southern elevation	Unconditional Consent	16/02/2004

CONSULTATION RESPONSES

Dwr Cymru Welsh Water – No objection subject to advisory notes.

Shared Regulatory Services: Environment Team – No objection subject to conditions and advisory notes.

Land Drainage – No objection subject to conditions and advisory notes.

Transportation Officer (Highways) – No objection subject to conditions.

Ecology – No objection subject to conditions.

REPRESENTATIONS RECEIVED

One letter of support for the application has been received from 26 Ysbryd Y Coed.

Letters of objection have been received from 6 separate properties, with letters received from 2, 3, 4, 7, 9 and 10 Swn Yr Adar. Comments have also been received from 5 Swn Yr Adar and 25 Ysbryd Y Coed. The following comments / reasons for objection have been noted within the letters received:

- Concerns regarding the impact of construction on the local environment; residential amenity; and highway safety;
- Environmental impact through loss of green space;
- Impact on trees protected by TPO;
- Impact on water pressure for the street;
- Dwelling not in keeping with surrounding properties.
- Concerns over surface water drainage;
- Impact of inappropriate access on highway safety;

- The site may be crossed by mains infrastructure for which an easement may be required;
- Loss of sunlight;
- Overdevelopment of the site;
- No sprinkler system shown on plans;
- The development could devalue neighbouring properties;
- Loss of privacy through overlooking;
- Impact on local biodiversity.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the comments / objections raised by local residents:-

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 the use of land in the public interest. The matters raised which are considered to be material to the determination of this application are addressed in the appraisal section of this report.

Other matters such as the impact of the development on the value of neighbouring properties and the lack of detail regarding sprinkler systems are not material Planning considerations and will not be addressed further. Some of these issues may be dealt with under separate legislation.

The responses received from statutory consultees (including DCWW) have not indicated that any mains infrastructure crosses the site. Notwithstanding this, it is the applicant's responsibility to carry out their due diligence with respect to ensuring that there are no covenants or easements in place (or required) that would restrict the development of this site.

The concerns relating to the visual impact of the development; its impact on amenity of neighbouring properties; the ecological impact of the development; its highways impact; and the impact of the development on the sewage system are addressed in further detail within the appraisal section below.

RELEVANT POLICIES

The relevant policies of the Local Development Plan and Supplementary Planning Guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA11	Parking Standards
Policy SP4	Conservation and Enhancement of the Natural Environment
Policy ENV6	Nature Conservation
Policy SP12	Housing
Policy COM3	Residential Re-Use of a Building or Land
Supplementary Planning Guidance 02	Householder Development
Supplementary Planning Guidance 07	Trees and Development
Supplementary Planning Guidance 08	Residential Development
Supplementary Planning Guidance 17	Parking Standards
Supplementary Planning Guidance 19	Biodiversity and Development

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

Planning Policy Wales Edition 11

Planning Policy Wales TAN 5

Planning Policy Wales TAN 10

Planning Policy Wales TAN 12

Nature Conservation and Planning

Tree Preservation Orders

Design

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.

THE SOCIO ECONOMIC DUTY

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this application.

APPRAISAL

This application is referred to the Development Control Committee to consider the objections raised by local residents. An appraisal of the development proposal in the context of the relevant material considerations is provided below.

The main issues for consideration in the determination of this application are the principle of development; impact of the proposal on the character and appearance of the existing dwelling and street scene; its impact on residential amenity; ecology (including trees); drainage; highway safety; and contaminated land.

PRINCIPLE OF DEVELOPMENT

The application site lies within the Small Settlement of Pen-y-Fai, 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. 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 in decision making.

Placemaking considers the context, function and relationships between a development site and its wider surroundings. It takes into account 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, due regard must be given to Policy SP2 of the Local Development Plan (2013) as it incorporates the concept of Placemaking.

SITE LAYOUT & DESIGN

The acceptability of the proposed development is assessed against Policy SP2 of the Local Development Plan (2013) which stipulates that “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.

PPW11 states at paragraph 3.9 that “the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important Planning considerations”.

The local streetscene is largely made up of detached properties, the majority of which are situated in close proximity to each other. The two exceptions to this are the spaces between 8 and 7 Swn yr Adar, as well as the space between 9 and 10 Swn yr Adar with these properties benefitting from large front/side gardens, unlike the majority of their neighbours' properties. The site plan suggests a gap of just under 2m will be retained between the new dwelling and the existing dwelling on the property at no. 8 with a gap of 1.4m to the boundary on the opposing side. This appears to be consistent with the spaces between other houses within the street and the wider estate.

The proposed dwelling will be set back from the public highway, with a large front garden / shared driveway to the north. This reflects the design and layout of the neighbouring properties within the street, many of which also utilise shared driveways and are set back from the public highway.

The local streetscene is largely made up of detached properties which share a number of design characteristics. The external materials of the dwellings within the street typically consist of red brick to the elevations with brown tiles at roof level and white UPVC windows, doors and rainwater goods. A number of the properties benefit from modest porches to their front, with both integral and detached garages also featuring.

The proposed dwelling reflects a number of these features, including an integral garage and a porch to the front, as well as a roof shape that complies with those found elsewhere within the street. The submitted plans suggest that the finishing materials will match the neighbouring dwellings, although grey UPVC is proposed to the windows, doors, fascia and soffits. Following dialogue with the agent, it has been agreed that white UPVC would be more appropriate. A condition for the submission of samples / specification of finish materials would be included on any consent granted.

In general terms, the surrounding area is residential in nature and the introduction of an additional dwelling on land to the east of 8 Swn Yr Adar is considered to be an appropriate

form of development. The proposed development plot allows ample space for the construction of a dwelling which will be set in from the site's boundaries and includes amenity space to the front and rear, alongside a driveway / parking area. The proposed dwelling sits comfortably within the plot.

In terms of its scale, the proposed dwelling will be comparable in terms of its footprint and its height to the detached dwellings on either side of the development site. The house measures approximately 8m in height, which will be comparable to the majority of the neighbouring properties within the immediate vicinity of the site.

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 local 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". Note 2 of the SPG states that "*No extension should unreasonably overshadow adjoining property*".

The proposed dwelling sits 1.4m from the shared boundary between the application site and the neighbouring property to the east, no. 7 Swn Yr Adar. The neighbouring property benefits from a spacious garden, with the dwelling at no. 7 sitting approximately 8m from this shared boundary between the two properties. With the garage of no. 7 located on its western side, and no side-facing windows in its western elevation, the proposed development will not impact on the outlook of the neighbouring property no. 7.



Image from the garden of 8 Swn Yr Adar, facing east

The development may result in some overshadowing of the western part of the garden of no. 7 in the late evening, however the majority of the garden of the property at no. 7 will not be impacted at all, including the patio area immediately to the south of the neighbouring

house. The dwelling will be set off the boundary with no. 7, while it is set well away from the dwelling itself, as well as the area of private amenity space immediately to the rear of the house at no. 7.

The introduction of a new dwelling in this position will not result in a substantial loss of sunlight to neighbouring properties and is therefore considered not to adversely affect the levels of outlook and sunlight currently afforded to no. 7 Swn Yr Adar, in accordance with Notes 1 and 2 of SPG02.

Note 6 of SPG02 states that '*An extension should respect the privacy of neighbouring houses*'. Paragraph 4.6.1 of the SPG notes that a sense of privacy within the house and a freedom from overlooking in at least a part of the garden are aspects of residential amenity. The Council believes that the minimum distance between directly facing habitable room windows in adjacent properties should normally be 21m. To reduce the loss of privacy within gardens, the minimum distance from a new habitable room window to the boundary of the property should be 10.5m.

The rear elevation of the two-storey element of the proposed dwelling is to be situated a minimum of 11.5m from the site's rear boundary, which is shared with 26 Ysbryd Y Coed, to the south of the application site. The neighbouring property at no. 26 to the south does not contain any windows within its northern elevation that faces toward the application site, albeit the rear-facing windows at first floor level of the proposed dwelling will be situated in excess of 21m away in any case.



Image from the garden of 8 Swn Yr Adar, facing south

Naturally, the introduction of a new dwelling will result in some level of overlooking of the gardens of adjoining properties, which is to be expected to an extent in the majority of residential developments. In this instance, the proposed dwelling does not include any side-facing windows at first floor level which would directly overlook neighbouring properties. Any overlooking of the gardens of neighbouring properties would be limited and would not warrant a refusal of the application.

Given the above, the proposal is considered to be acceptable in terms of its impact on neighbouring amenity. It is considered that the new dwelling would not be so detrimental to the levels of privacy and amenity currently afforded to neighbouring properties to such an extent which would warrant a refusal of the Planning application on such grounds. Therefore, on balance the proposed development is considered to be acceptable, in accordance 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 that “whilst 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”.

The host dwelling benefits from a large garden, which is proposed to be sub-divided with the application site. Due to the scale of the existing garden of the host property, sufficient amenity space is to be provided for the new dwelling, whilst retaining a sufficient area of garden space for 8 Swn Yr Adar. The proposed development is therefore considered to be compliant with Note 8 of SPG02 and is acceptable in this regard.

HIGHWAYS

Policy PLA11 of the adopted Local Development Plan (2013) stipulates that all development will be required to provide appropriate levels of parking in accordance with the adopted parking standards.

Note 9 of SPG02 states that *off-street parking should be available to meet the County Borough Council's guidelines for a dwelling of the size after extension* and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a maximum of 3 spaces. Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage. Supplementary Planning Guidance Note 17 Parking Standards (SPG17) stipulates that *garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m*.

A vehicular access and driveway already exist at this location, serving the host property, and the proposed development seeks to utilise this existing access and driveway to serve the new dwelling.

The proposed garage is considered suitable for the storage of bicycles and the driveway arrangement, which includes provision for 3 off-street parking spaces, is also acceptable. The parking provision for the host dwelling will not be compromised by the development, with the submitted block plan showing that 3 off-street parking spaces will be retained, alongside the existing garage of the host property.

With regards to the additional traffic generated by the proposal, it is considered that a new residential dwelling would generate up to 6 vehicle movements a day. The arrangement of the existing highway at Swn yr Adar can accommodate the limited quantum of additional traffic.

It is noted that there is the potential for vehicles associated with the construction of the development to park on street, within the turning head. In order to remove those concerns, the Highways Officer has suggested a condition requesting a construction traffic management plan to be submitted, to ensure that no vehicles block the turning head to the detriment of highway safety.

Given this, the development is considered to be compliant with the guidance contained within SPG17 and is in accord with Policy PLA11 of the Local Development Plan (2013).

The scheme is considered to be acceptable from a highway safety perspective subject to the imposition of a Planning condition which will provide control over the routing and parking of construction vehicles to the site, as well as the unloading and storage of plant and materials.

LAND DRAINAGE

Criterion (13) of Policy SP2 of the Local Development Plan (2013) seeks to ensure that development proposals incorporate appropriate arrangements for the disposal of foul sewage, waste and water.

In assessing this Planning application, the Land Drainage Section has recommended the inclusion of Planning conditions which require the submission of a comprehensive and integrated drainage scheme for the agreement of the Authority prior to the commencement of development.

The proposal indicates that foul flows are to be disposed of via the public sewerage system, which Dŵr Cymru Welsh Water (DCWW) confirm they have no objection to. Surface water is set to be drained via soakaways. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Subject to the inclusion of the recommended Planning conditions, the proposed development is considered to be acceptable in respect of drainage in compliance with criterion (13) of Policy SP2 of the Local Development Plan (2013). The applicant is reminded that the development requires separate approval of Sustainable Drainage System (SuDS) features by the SuDS Approval Body (SAB).

ECOLOGY

In assessing a planning application, the Local Planning 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, under the Environment (Wales) Act 2016.

Planning Policy Wales 11 (PPW11) states in Section 6.4.4: "It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals." It further goes on to state that: "All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission."

Technical Advice Note 5: Nature Conservation and Planning states that: "Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife."

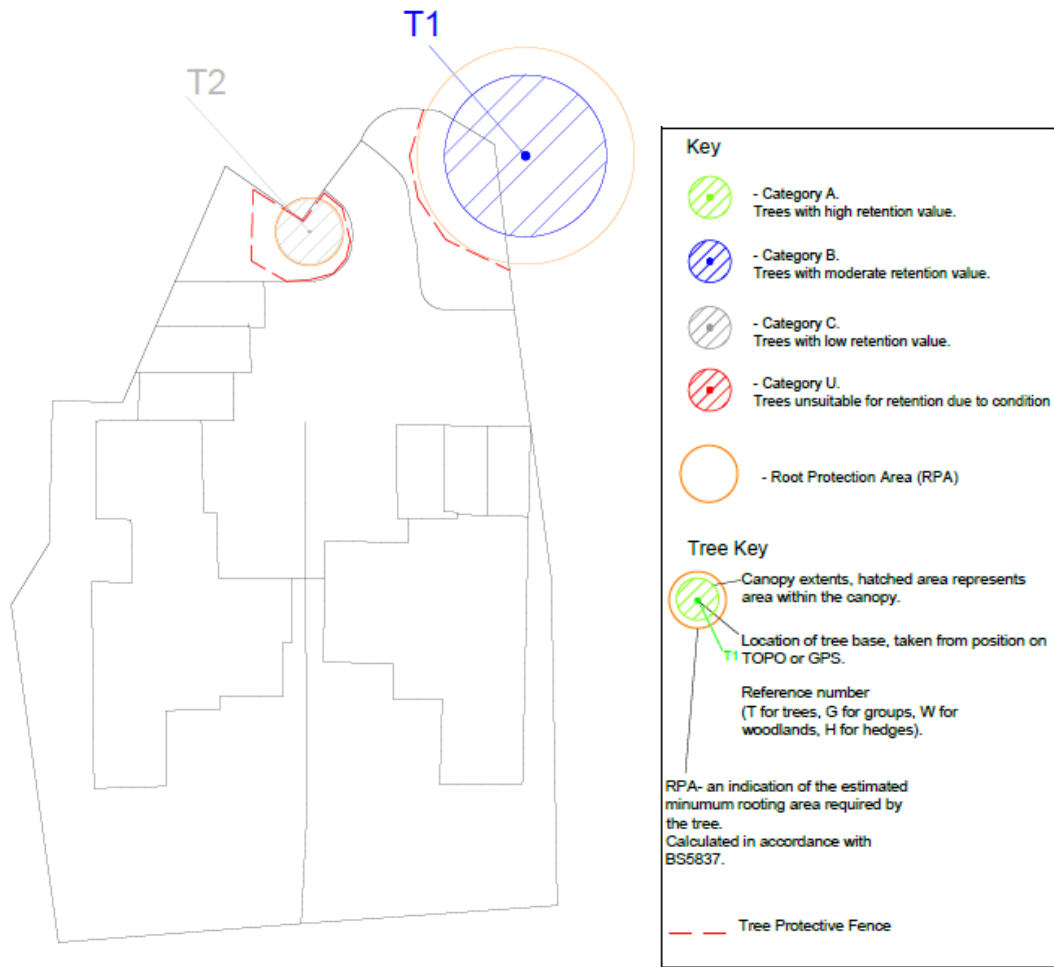
The application currently site forms an area of garden space which is largely comprised of a maintained lawn. There are a number of TPO trees in close proximity to the application site, with a protected Lime tree (T1) situated within the front garden of the neighbouring dwelling no. 7 to the east.



TPO Lime tree shown in the left of the above photograph

No trees are to be removed as part of the development proposal, albeit the driveway of the application site is to be extended within relatively close proximity to the above-referenced Lime tree. At its closest point, the extended driveway will be situated within 7.5 – 8m of the trunk of the Lime tree. As such, the Ecology Officer for the Council requested that an arboricultural survey of the Lime tree was undertaken, inclusive of a tree survey, arboricultural method statement and constraints plan.

The survey considered the impact of the proposed development on the Lime tree at no. 7, as well as a Manna Ash tree (T2) located within the application site, shown on the right of the above photograph. The survey confirms that there will be no conflict between the new building or the extended hardstanding which form part of the proposal and the Root Protection Areas (RPA) of the Lime (T1) and Manna Ash (T2) trees. The report makes a number of recommendations to ensure that these trees will be protected during the construction phase of any development of the application site, including the erection of protective fencing around the RPA of the trees.



Tree Protection Plan

The findings of the Arboricultural Report, as well as its recommendations have been confirmed as being acceptable to the Ecology Officer, with a request for the recommendations of the report to be included as a planning condition. Subject to this, the impact of the development on the TPO Trees T1 and T2 is considered to be acceptable.

It is also recommended that additional ecological enhancement features are provided on site, this could comprise the provision of integral bat roosting / bird box features on the new building or bat boxes to be located in retained trees on the site. The detail and requirement for this can be secured by planning condition.

Subject to the imposition of the recommended Planning conditions, the development is considered to be acceptable from a biodiversity perspective, in accord with criterion (10) of Policy SP2 of the Local Development Plan (2013).

PUBLIC PROTECTION: CONTAMINATED LAND

The Council's Public Protection Section has 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.

CONCLUSION

Having regard to the above and after weighing up the merits of the scheme against the 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 and is designed to ensure that the dwelling will integrate into the streetscene and will not have a detrimental impact on the residential amenities of neighbouring occupiers.

Subject to the inclusion of suitably worded conditions, the ecological impact of the development, as well as its impact on TPO trees in the vicinity of the site, are deemed to be acceptable.

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

(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:

- Proposed Block Plan (received 28th June 2023)
- Proposed Plans and Elevations (received 23rd February 2023)

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

2. No development shall take place, until a Construction Traffic Method Statement (CTM) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CTM Statement shall be adhered to throughout the construction period. The CTM Statement shall provide for:

- i. The routeing of HGV construction traffic to/from the site in order to avoid school opening times;
- ii. the parking of vehicles of site operatives and visitors;
- iii. the loading and unloading of plant and materials; and,
- iv. the storage of plant and materials used in constructing the development

Reason: In the interest of highway safety.

3. 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 unless otherwise agreed in writing 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 LPA 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.

4. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

5. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

6. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with. This must include future maintenance requirements to be submitted and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

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

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

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

8. The development shall be carried out in compliance with the recommendations as set out within Section 3 of the Tree Survey by Tree Check Arboriculture Ltd. (dated 10/10/23), as well as the Tree Protection Plan, which forms Appendix ii of the Arboricultural Impact Assessment and Tree Protection Plan document by the same consultant (dated 10/10/23).

Reason: In the interest of protecting local biodiversity.

9. No development shall commence until a scheme of ecological enhancements has been submitted to and approved in writing by the Local Planning Authority. The scheme should subsequently be implemented in accordance with the approved details prior to the beneficial occupation of the dwelling.

Reason: In order to protect and enhance the ecological value of the site.

10. 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 building 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.

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

- (a) Having regard to the above and after weighing up the merits of the scheme against the 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 and is designed to ensure that the dwelling will not have a detrimental impact on the residential amenities of neighbouring occupiers. Subject to the inclusion of suitably worded conditions, the ecological impact of the development, as well as its impact on TPO trees in the vicinity of the site, are deemed to be acceptable.

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.

- (b) 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

(i) determining the extent and effects of such constraints;

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. 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; and

(iii) the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it, but this does not mean that the land can be considered free from contamination.

- (c) In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water

supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

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 planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our 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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

(d) In order to satisfy Condition 6, the applicant must:

- Provide a foul and surface water drainage layout;
- Provide an agreement in principle from DCWW for foul disposal to the public sewer;
- Provide an agreement in principle from DCWW for build over sewer agreement, if required.
- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100 year + 30% CC event;
- Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).

(e) In order to satisfy Condition 7 the following supplementary information is required:

- Provide a surface water drainage layout including the location of a soakaway;
- Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE 365;
- Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
- Maintenance of any proposed sustainable drainage features serving individual properties is to be maintained by the landowner.

- 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.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None