

REFERENCE: P/22/508/FUL

APPLICANT: Valleys to Coast Housing Tremains Business Park, Tremains Road, Bridgend, CF31 1TZ

LOCATION: Land at Cefn Road (former reservoir) Cefn Cribwr CF32 0DA

PROPOSAL: Residential development of 16no. units and associated works

RECEIVED: 15 July 2022

APPLICATION/SITE DESCRIPTION

The application site is located within the settlement of Cefn Cribwr and forms a rectangular shaped parcel of land measuring approximately 0.4 hectares, which is occupied by a large covered concrete reservoir building (although this use has now ceased). A telecommunications mast is located within the north-western corner of the site, which is in the ownership of Western Power Distribution. Access to the site can be obtained via Cefn Road. Mature trees can be found on the site whilst the northern, eastern and western boundaries are lined by hedges. The approximate red line boundary of the site is provided below:



Figure 1 Site Location Plan

To the north, the site is bound by an unnamed access track whilst to the east, the site is bound by the existing residential garden and curtilage of 11 Cefn Road. To the south, the site is bound by mature trees and fronts onto Cefn Road/B4281. Finally, to the west, another unnamed access track borders the site. Existing housing in the area consists of two storey units in detached, semi-detached and terraced form.

Valleys to Coast (V2C) Housing Association have submitted this application that seeks to develop the former reservoir site off Cefn Road for a housing development comprising 16 units, all two-storey in scale and ranging from 1 bedroom 'walk-up' flats to 4-bedroom semi detached dwellings. A new vehicular access will be constructed toward the western end of the development that will serve an adopted turning area, private drives and parking areas to the rear and side of the proposed units.

Following the existing building lines on Cefn Road the proposed dwellings will be orientated to face south, with Plots 1-2 forming a 'corner unit' at the site entrance with the front garden space enclosed by a 2.1m high screen wall and soft landscaping, set back from Cefn Road. A private drive will connect to the parking spaces on the western side of Plot 1 and will also

provide access and parking to the 15m mast that will be retained in the north-western corner of the development. Plots 3-10 will have direct pedestrian access to the highway, with the units set back behind a modest turfed area and native hedgerow that will define the front boundary of the plots. Units 13-16 will occupy the rear part of the site and will benefit from rear garden area that will be defined by 1.8m high close boarded fencing, positioned at the top of an embankment. Retained, protected trees within the embankment will form the rear boundary of the site in an area that will be maintained by V2C. Parking spaces and planted areas will be provided alongside and in front of these units. On the western side of Plot 16 an area of public open space will be formed for the use of future residents but also to provide some separation between the nearest dwelling and the retained mast. A 5m wide drainage easement runs along the eastern boundary of the site and it is intended that the area will be planted with a Wildflower Mix. An extract of the submitted layout plan is reproduced as Figure 2 below:



Figure 2 Site Layout

The proposed house types are detailed in the following table including their overall dimensions:

House Type	Bedroom No	Units Numbers	Floor Area (sqm)	Dimensions
211PH	1 Bed	8	55.7	9m x 11m (inc. porch) x 9m high.
421PH & 422PH	2 Bed	2	83.4	9.5m 12.5m x 9.5m high.
531PH	3 Bed	4	93.5	6.5m x 10m x 9.5m high.
642PH	4 Bed	2	110.4	10.5m 7.5m x 9.0m high.

External finishes for the dwellings will comprise St Andrews Multi facing brickwork, Colour Render and Bradstone Masonry Block Cast Stone on external walls with UPVC windows & external doors with contrasting, raised render surround where indicated. Fibre Cement Roof Slates will be used on all the roofs.

Site Perspectives showing the proposed house types and finishes are re-produced below:



Figure 3 – Site Perspective from SE of Site Looking at Plots 3-9



Figure 4 – Site Perspective from SE of Site Looking at Plots 1-4



Figure 5 – Site Perspective from Looking from NE Corner of Site to the Rear of Plots 3-10



Figure 6 Site Perspective Looking West Along Internal Drive Towards Plot 2

The application has been accompanied by the following supporting documents:

- Design Vision Statement – Spring Design – July 2022
- Planning Statement – Geraint John Planning – July 2022
- Pre-Application Consultation Report – Geraint John Planning – July 2022
- Green Infrastructure Statement – Geraint John Planning – August 2024
- Energy Masterplan – Spring Design – August 2024
- Supplementary Site Investigation Report – Earth Science Partnership – September 2022
- Transport Technical Note – Lime Transport – August 2023

- Preliminary Ecological Appraisal – Acer Ecology – September 2021
- Reptile Survey – Acer Ecology – November 2021
- Landscape Specification & Management Plan – TDA – May 2022
- SuDS Strategy Plan (Revision E) – May 2024
- Engineering Appraisal (Revision D) – May 2024

The Planning & Design and Access Statement outlines the context within which the application is made and provides a detailed examination of the main planning considerations raised by the proposals, together with, in the applicant's view, reasoned justification in support of the proposed development. The document provides a description of the characteristics of the site and surrounding area, and details regarding the planning history associated with the site. It outlines the Pre-Application Advice received from the Local Planning Authority and seeks to demonstrate the credentials of the proposed design with reference to the relevant planning policy framework. The key planning considerations arising from the proposed development are identified. The statement concludes that the development is fundamentally sound in principle and represents an appropriate scheme, which makes effective use of a sustainably located site to deliver much-needed affordable housing. This coupled with the lack of technical constraints significant enough to restrict development on site, provides considerable support for the proposals.

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 ("The Order") introduced into Section 61Z of the Town and Country Planning Act 1990 (as amended) a statutory requirement that all proposals for major development in Wales are subject to formal pre-application consultation. This was carried out between 8th February 2022 to the 8th of March 2022. A summary of the responses received from consultees, residents and other bodies has accompanied this application.

On submission, the application was screened, and it was the opinion of the Council that the likely effects of the development are unlikely to be significant enough to require an Environmental Impact Assessment.

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/00/853/OUT	Former Reservoir Site Outline Consent for Residential (Part of)	Conditional Consent	27/12/2000
P/15/244/OUT	Residential Development (14 no. units) and associated works	Conditional Consent	09/06/2017

CONSULTATION RESPONSES

CONSULTEE	COMMENTS
Community Council	No comments received.
Local Members	Cllrs David and Gebbie request that the application is referred to committee for determination.
Highways	No objection subject to conditions.
Land Drainage	No objection subject to conditions.

Dwr Cymru Welsh Water	No objection subject to conditions.
SRS Environment Team – Land Quality	No objection subject to conditions.
Natural Resources Wales	No objection subject to conditions.
South Wales Police	South Wales Police have provided comments in respect of the following: Site Layout; Lighting; Boundary Identification; Landscaping and Planting; Vehicle Parking; Site and Rear Boundaries; Garden Sheds; Bin-Stores; Bicycle Stores; Security Lighting; Drainpipes; Public Utilities and Security. These have been passed to the applicant's agent for consideration.

PUBLICITY

The application has been advertised on site.

Neighbours were notified on the receipt of the application and have been invited to provide observations on the latest plans received in May 2024. The period allowed for response to consultations/publicity has expired.

Letters of objection have been received from the occupiers of the following properties:

Ty Llwyn Celyn*
Sunningdale
Seawinds Cefn Road
Carlyn Cefn Road
Mi-ela Cefn Road
10, 11, 12, 89A Cefn Road
Cefn Cribwr Methodist Church
9 Sea View Road
Hill Top, Tai Thorn, Cefn Road,
20 Mayfield Avenue, Laleston
144 High Street, Kenfig Hill

* Public Speaker

The following is a summary of the representations received:

Overdevelopment and Impact on local services - the density of the number of dwellings proposed is far too high for such a small area of land. Local primary school would appear to be at full capacity - difficult for residents to get an appointment with dentist and doctors – additional housing will only make the situation worse.

Highway Network cannot accommodate additional traffic - can this already busy road cope with additional traffic without affecting the safety of users and the living conditions of residents – air quality. Cefn Road is an emergency vehicle route and it is not uncommon for police/ ambulances etc to travel at speed, with blue lights flashing – construction works will cause obvious obstruction and difficulties for the emergency services.

Parking Provision is Deficient - number of units would lead to parking problems – not sufficient parking for future residents and visitors as part of the development – additional on-

street/on-pavement parking would cause a hazard to highway users and residents – those attending the chapel opposite park on-street as there is no other space available. Residents of Cefn Road park opposite the site and these spaces could be used by visitors to the new housing.

Highway layout unacceptable - can the layout accommodate re-cycling vehicles that would need to enter the site – driveway on plot 11 lacks any safety barrier/boundary – in adverse weather conditions occupiers could end up in neighbouring property.

Existing sewers cannot cope with additional development – no details of surface water have been provided. Potential for surface water to discharge onto neighbouring property.

Housing will affect the level of privacy enjoyed by existing residents – no details of boundary treatment provided – the existing chain link fence will not safeguard the privacy and security of the adjoining neighbours - garden will be completely overlooked by the whole development – users of the excessively wide Active Travel route will affect the privacy and security of the adjoining neighbours.

Dwellings built on the existing levels could tower over the neighbouring properties – garden of neighbouring property is at a lower level – the position of the dwellings will affect light and outlook - site levels may impact on site drainage with run-off onto adjoining land.

Anti-Social Behaviour - supportive that housing will provide accommodation for individual and families but some apprehension having heard reports of anti-social behaviour at other V2C properties – 100% affordable housing would detract from the character of the area and devalue property.

Impact on Site Biodiversity - removal of trees is unacceptable – the surveys does not reflect the actual tree status and the impact it will have on the environment not only for wildlife but existing residents too – development does not mitigate the impacts on biodiversity - the site is home to an abundance of wildlife, including bats, butterflies, birds, frogs, hedgehogs etc.

Concerns about ground conditions and contamination – development may cause a risk to the future subsidence to dwellings built in the surrounding area - Asbestos used in the lagging of water pipes running underground in this area which could inadvertently be disturbed during construction leading to a health hazard to local residents.

Disruption caused by construction will significantly affect the living conditions of residents

COMMENTS ON REPRESENTATIONS RECEIVED

Many of the objections offered by residents align with the main issues to be considered in the determination of the application and are addressed in the appraisal section of this report.

Concerns that the development of social housing will de-value property is not evidenced and, in any event, would not be material to the determination of the application. Any disruption through the construction period will be short term and managed through the agreement of a construction management plan.

RELEVANT POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033 which was formally adopted by the Council on 13 March 2024 and within which the following policies are of relevance:

Policy SF1	Settlement Hierarchy and Urban Management
Policy SP3	Good Design and Sustainable Placemaking
Policy SP4	Mitigating the Impact of Climate Change
Policy SP5	Sustainable Transport and Accessibility
Policy PLA11	Parking Standards
Policy PLA12	Active Travel
Policy SP6	Sustainable Housing Strategy
Policy COM2	Affordable Housing
Policy COM6	Residential Density
Policy SP8	Health and Well-Being
Policy COM10	Provision of Outdoor Recreation Facilities
Policy SP10	Infrastructure
Policy EN10	Low Carbon Heating Technologies for New Development
Policy ENT15	Waste Movement in New Development
Policy SP17	Conservation and Enhancement of the Natural Environment
Policy DNP6	Biodiversity, Ecological Networks, Habitats and Species
Policy DNP7	Trees, Hedgerows and Development
Policy DNP8	Green Infrastructure
Policy DNP9	Natural Resource Protection and Public Health

The Council has also produced the following Supplementary Planning Guidance (SPG) which is relevant to this proposal:-

SPG07: Trees and Development
SPG08: Residential Development
SPG13: Affordable Housing
SPG17: Parking Standards
SPG19: Biodiversity and Development

National Policies

In the determination of a planning application regard should also be given to the 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 12
 Planning Policy Wales TAN 5 Nature Conservation and Planning
 Planning Policy Wales TAN 11 Noise
 Planning Policy Wales TAN 12 Design
 Planning Policy Wales TAN 15 Development and Flood Risk
 Planning Policy Wales TAN 18 Transport
 Planning Policy Wales TAN 23 Economic Development

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

The Well-being of Future Generations (Wales) 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 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.

THE SOCIO-ECONOMIC DUTY

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into 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

The application is referred to the committee for determination in view of the number of objections received from local residents.

The main considerations in the assessment of this application relate to the following:

- whether the principle of developing this land for housing development accords with the policies of the Bridgend Local Development Plan (2024).
- the potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements and whether the site is easily accessed by sustainable modes of travel and without the need for a car.
- whether the layout and design achieves the placemaking objectives and high quality of design with reference to the built form, green space and amenity space with reference to existing residents and the future occupiers of the properties.
- the impact of the scheme on the natural environment, with specific reference to the site's bio-diversity interests and the opportunities to deliver Section 6 bio-diversity enhancements.
- the effect of the development on the existing drainage systems and whether a sustainable drainage systems can be incorporated into development to enable the management of surface water and
- whether the ground conditions can support the development and whether the mitigation required is achievable through the grant of planning permission.

Whether the principle of the development accords with the policies of the Replacement Bridgend Local Development Plan (2024)

The application site is located within the local settlement of Cefn Cribwr as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (RLDP) adopted in 2024. Policy SP6 Sustainable Housing Strategy supports windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land. The proposed site would constitute a windfall site under Policy SP6 and could contribute towards delivery of the overall housing requirement. The site is not allocated for a specific use; therefore, residential development could be acceptable in principle, but this would be dependent on compliance with other Policies in the newly adopted plan.

Policy SP5 Sustainable Transport and Accessibility of the LDP states that development must

be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Developments will be expected, where the Council deems the potential transport implications significant, to produce a comprehensive Transport Assessment and Travel Plan. These must consider all modes of transport in line with the transport hierarchy and develop a strategy to reduce traffic demand and mitigate transportation impacts caused by the proposal. A Transport Note has accompanied this application and has been considered by officers of the Highway's Section. This will be discussed in the following sections of this report.

Policy COM6 of the RLDP requires that development must seek to create mixed, socially inclusive, sustainable communities by providing a range of house types and sizes to meet the needs of residents at an efficient and appropriate density. In the first instance, residential development should seek to reflect a density of 50 dwellings per hectare. A lower density of development will only be permitted where:

- 1) Design, physical or infrastructure constraints prevent the minimum density from being achieved; or
- 2) The minimum density would harm the character and appearance of the site's surroundings; or
- 3) Where it can be demonstrated there is a particular lack of choice of housing types within a local community.

Residents have suggested that the development density is too high and will put further pressure on already stretched local services (schools, doctors, dentists etc). The site consists of an approximate overall density of 37 dwellings per hectare which is below the figure set out in the above policy. Given the constraints of the site and the character of the surrounding area, the proposed density is considered acceptable and it would be inappropriate to seek and increase. The Council does works in partnership with Cwm Taf Morgannwg University Health Board to provide access to health care facilities. Whilst the Local Planning Authority can identify sites for health facilities, the delivery of medical or dental practices is outside the Council's control. As indicated later in this section of the report, the Education and Family Support Directorate have confirmed that sufficient capacity currently exists in the school to accommodate the likely number of children generated by the proposed development.

Safeguarding and enhancing biodiversity and green infrastructure network is a requirement of Policy SP3 and a means of ensuring that a development scheme contributes to creating high quality, attractive, sustainable places that support active and healthy lives whilst and enhancing the community in which it is located by having full regard to the natural environment. Recognising that the County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes, Policy SP17 indicates that development proposals should not be permitted where they will have an adverse impact on the borough's biodiversity and habitats.

Policy DNP8 Green Infrastructure states that development proposals will be required to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi-functionality of the green infrastructure network. Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required. A Green Infrastructure Assessment has accompanied the application and will be discussed later in this report.

Policy ENT10 Low Carbon Heating Technologies for New Development seeks to ensure that low carbon heating technologies are installed as part of all new major development. New major development should be accompanied by an 'Energy Masterplan' that

demonstrates that the most sustainable heating and cooling systems have been selected. This is a new policy from the recently adopted plan and was not in place at the time the application was submitted.

The Local Area Energy Strategy identifies that an electric/district heat mix could be suitable in this area. If this is proven to be financially or technically unviable then development proposals must follow the sequential approach to identify low carbon heating technologies in accordance with ENT10. An Energy Masterplan has recently been submitted which describes the fabric first methodology that has informed the proposed development and compliance with Policies ENT10 and ENT11. Through this approach complemented by appropriate low carbon technologies, the proposal achieves the AECB Carbon Lite Standard and a meaningful reduction in energy demand as the priority defined by Welsh Government's Energy Hierarchy for Planning. Furthermore, the masterplan demonstrates that the proposed building design - in combination with an appropriate fabric specification and mechanical services - suitably mitigates summer heat gains to maintain a comfortable internal environment without recourse to active cooling. This aligns with policy to passively protect occupants from overheating.

Policy COM3 of RLDP requires no affordable housing contribution in this housing market area (Pyle, Kenfig Hill and North Cornelly) but Members should note that the applicant proposes that all units will be affordable housing.

With regards to Education, the size of the site meets the threshold of 5 or more residential units identified in SPG16 Educational Facilities & Residential Development as being large enough to place increased pressure on educational facilities within the catchment area. The site is located within the catchment of Cefn Cribwr Primary School. The Education and Family Support Directorate have confirmed that sufficient capacity currently exists in the school to accommodate the likely number of children generated by the proposed development. Therefore, a contribution to Education provision is not required.

Policy COM10 of the LDP requires the provision of satisfactory standards of open space from all residential development which is defined as 2.4ha per 1,000 people. BCBC's Outdoor Sports & Children's Play Space Audit (2021) shows a deficit of Equipped Play Areas and Outdoor Sport provision in this location and the following amount of open space is required to ensure compliance with COM10 of the LDP and SPG 5 – Outdoor Recreation Facilities and New Housing Development:

A development of 16no. dwellings that meet the criteria for SPG5 would lead to an estimated development population of 32 (based on an average occupancy rate of 1.5 people per dwelling within proposed 1-bed flats, 2 people per dwelling within the proposed 2-bed houses, 2.5 people within the proposed 3-bed houses and 3 people within the 4-bed houses).

- The total amount of Formal Outdoor Sport space required should be approximately 512sqm based on 16 dwellings.
- The total amount of Children's Playing Space required should be approximately 160sqm, based on 8 eligible dwellings.

The proposed development incorporates an appropriate level of amenity space with the site layout. This broadly satisfies the requirements of Children's Playing Space. In terms of Formal Outdoor Sport, given the constraints of the site a commuted sum may be more appropriate than on-site provision, with a contribution to be spent on the improvement of facilities within proximity of the proposed development. Based on current costs for provision in BCBC, the contribution would equate to £570 per dwelling providing a figure of £9,120.

Overall, the principle of the development accords with the policies of the Bridgend Local Development Plan.

The potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements and whether the site is easily accessed by sustainable modes of travel and without the need for a car.

A key objective of Planning Policy Wales – Edition 12 is to ensure that new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities. This will be achieved through integrating development with sustainable transport infrastructure and designing schemes in a way which maximises provision and use of sustainable forms of travel, including prioritising these modes over the private car. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity and realising the goals of the Well-being of Future Generations Act. Paragraph 4.1.10 of PPW confirms that the planning system has a key role to play by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

It should be noted that the Council has been working with the applicant to resolve a number of initial concerns with the site layout and access arrangement through revisions of the plans. In addition, the Highway Authority is aware that the site already benefits from historical consent for residential properties and therefore the principle of development and quantum of traffic generated by the development has already been agreed. However further consideration of traffic generation has been undertaken for this application. As the B4281 is designed to be an inter-urban highway connecting Cefn Cribwr to the surrounding villages and beyond, the design of the highway network serving the site is capable of accommodating the minor increase in vehicular movements. To further ensure the development does not affect the free flow of traffic on the B4281 all individual vehicular access points have been removed from the latest layout which removes the need for future residents of this site, to reverse out onto the B4281, which is considered a betterment in highway terms from the previous consents.

With regards to Active Travel, the application benefits from an Active Travel audit to understand the walking and cycling routes currently available in the local area. The audit has assessed walking and cycling routes to the primary and comprehensive schools and has been scored using the Welsh Governments Active Travel Audit manual. All routes from the site score adequate points to be considered appropriate for active travel. Notwithstanding the above, the latest proposals include a walking and cycling route within the site linking to the footway on the B4281 and therefore the application meets both local and national policy on promoting sustainable modes of transport.

Turning now to parking within the site, the Council's adopted parking standards SPG17 indicate that a new development can provide a maximum of 1 space per bedroom and not exceed 3 spaces per dwelling. The proposed development does not exceed those maximum thresholds and provides 1 per bedroom with a maximum of 2 spaces per dwelling. Due to the proximity to bus services and good walking and cycling routes, it is considered that requiring the maximum of spaces would not be justified. Furthermore, this approach is consistent with local and national planning policy of reducing reliance on the private motor vehicle for short journeys and reducing vehicle numbers at origin points. In addition, there is empirical evidence that car ownership levels are lower for affordable housing scheme and therefore the imposing the maximum quantum of parking would not be appropriate in this instance.

To ensure that sustainable modes of transport are a viable option the public transport facilities to the east and west of the site are in need of improvement to aide their attractiveness to the future residents of this development. In this regard the applicant will be required to make a financial contribution to improving public transport facilities in the corridor serving the site.

Whether the layout and design achieves the placemaking objectives and high quality of design with reference to the built form, green space and amenity space with reference to existing residents and the future occupiers of the properties

Placemaking should be delivering housing developments that respond to context and form a high-quality townscape, providing people-friendly green streets, with high quality building design and private and semi-private space for all occupants.

At a local policy level, all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, (Policy SP3 of BLDP refers). The policy establishes 15 sustainable placemaking criteria, (a-o) that will be applied to all development proposals. A number of the criteria will be addressed in other sections of the report but how the scheme maximises the development potential whilst providing green infrastructure and both private and public amenity space must be considered as will the impacts on the amenity of the adjoining users/occupiers. A review of the living conditions of the future residents must also be undertaken.

The submitted Design Vision Statement sets out a vision, an agenda for quality and the designer's response following a comprehensive review of the context, the site constraints and the client's brief for the development. It is the applicant's contention that the layout adequately reflects and responds to the prevailing character of the surrounding area comprising high quality and well-designed family housing. In addition to this, the scheme fulfils the housing aspirations of Bridgend County Borough by providing a mix of units ranging from 2-4-bedroom houses and 1-bedroom walk-up flats. The specific appearance and finish of the proposed dwelling types represent an appropriate design style which in the applicant's view actively complements and enhances its surrounding context. Crucially, energy-efficient housing has been sensitively incorporated and integrated on the site. The Planning Statement maintains that the site provides ample opportunities for amenity space with the residents' wellbeing at the forefront of the proposals. With regards to existing units, the applicant maintains that the layout demonstrates that the plots have been sensitively oriented to minimise disturbance, avoid overlooking and avoid an overbearing impact upon adjacent properties. In this way, it is contended that the proposed development does not prejudice the privacy or amenity of existing neighbouring dwellings.

Objectors have highlighted the high density of the development and the potential for the new housing to affect the levels of privacy enjoyed by residents and for the scale of the development to affect outlook and to overshadow existing building and garden areas.

Cefn Road separates the new dwellings on Plots 1-10 from residential properties on the southern side of the B4281 which are a mix of house designs but either single storey or two storey units with habitable rooms facing the application site. Distances ranging from 23m to 26m will separate the new from existing, more than achieving the required privacy standard and sufficient to prevent any overshadowing. The outlook will change but not in a manner that would conflict with the Council's guidelines. Land to the north of the site is at a lower level and accommodates a series of stables and storage buildings none of which are used for residential purposes. An assessment of impact on residential amenity is therefore not necessary.

The eastern boundary of the application site which is defined by a high concrete post and mesh wire fence is shared with 11 Cefn Road, an end terrace unit with a side garage and first floor extension. The occupiers have submitted objections concerned with a number of issues but specifically to the development affecting privacy, particularly in the rear garden area which they are concerned will be overlooked by the development. The elevated nature of the site and the scale of the dwellings would also, in the objector's view, tower over affecting light and outlook. It should be noted that the long rear garden of 11 Cefn Road follows the natural contours and falls away from the rear of the dwelling. The engineered former reservoir site alongside is however relatively flat such that the development site levels are above the garden and increasingly so along its length to approximately 1.7m above when measured towards the outbuildings that occupy the rear boundary of 11 Cefn Road.

In examining the impacts on this neighbouring property, it is noted that the required drainage easement has affected the site layout such that the nearest proposed dwellings to 11 Cefn Road, are 9m (Plot 10) and 7.7m (Plot 11) from the shared boundary. The intervening space is given to an Active Travel route, parking alongside plot 11 and a green space over the drainage line that will be planted with wildflowers. Habitable windows in these nearest properties are either front or rear facing. The only windows in the side elevation of plot 9 serve a hall on the first floor flat and could be fitted with obscure glazing if considered necessary. Direct overlooking is therefore not an issue based on the house designs and proposed site layout. The distance between the front facing windows on plot 11 and the rear of 11 Cefn Road is less than 21m (17m) but at an oblique angle such that the Council's privacy standard would not be compromised – see Figure 7 below:

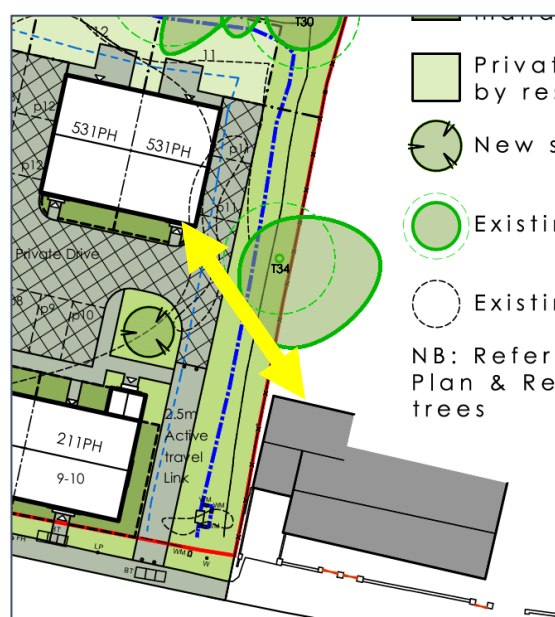


Figure 7 Relationship Between Habitable Windows in Plot 11 and 11 Cefn Road

Privacy must also be considered in terms of impact of the development on the private garden space and the degree to which the movement of people associated with the development would affect levels given the differences in site levels. As indicated the existing boundary is defined by a high mesh fence which for the purposes of the current site operations provides security. The boundary treatment would however offer little in the way of protecting privacy as part of the site development. Following site surveys which included the neighbouring property, site sections have been submitted showing the proposed development and the boundary treatment. Figures 8 & 9 show sections through plot 11 and the neighbouring property taken through the dwelling and the rear boundary:

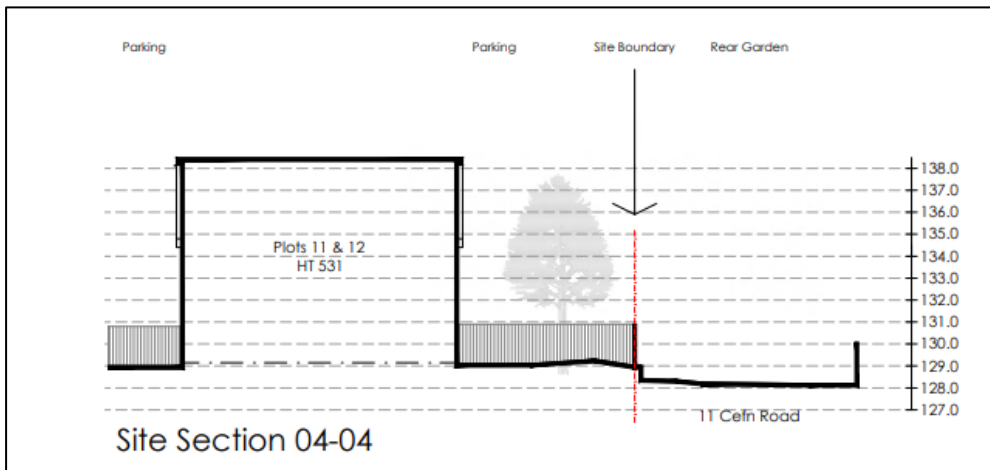


Figure 8

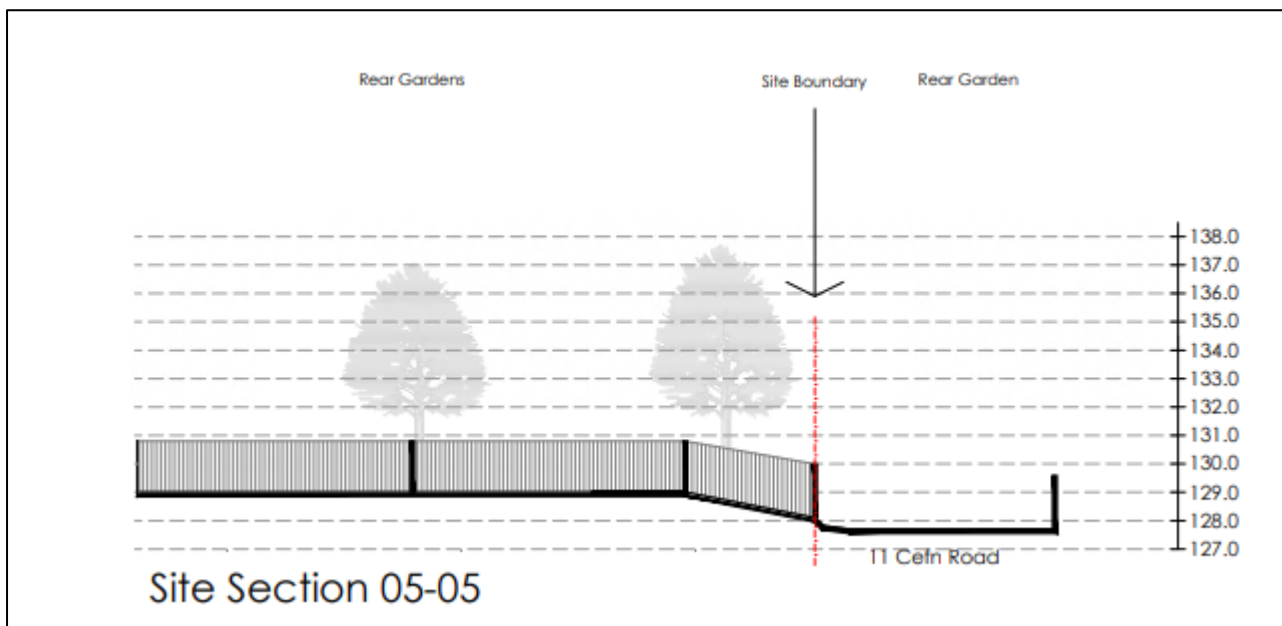


Figure 9

The sections demonstrate the difference in levels although an inspection would suggest they are greater particularly towards the end of the neighbouring garden. The applicant proposes to retain the 2.4m high posts and attach close boarded timber fencing along the entire boundary which it is contended will provide privacy for users of the neighbouring garden. That view is not shared by the neighbours who suggest that site level differences will negate the benefits of the boundary treatment if the existing concrete posts are used, particularly at the bottom of the garden. An appropriately designed wall should, in the neighbours view be constructed and prior to the development commencing to protect the garden during

construction.

It is recognised that site levels are particularly challenging towards the end of the neighbouring garden but the information submitted demonstrates that a boundary treatment could be erected that will provide the necessary privacy and security. A detailed scheme that considers the boundary in sections from alongside the dwelling to its farthest point where it will need to address the more marked difference in site levels will need to be submitted and agreed before the development commences. It does not guarantee that the agreed design will meet all the expectations of the neighbour but the Council can ensure that a design is agreed that will reasonably safeguard the privacy of the neighbours.

In addition to the concerns that the development will affect privacy, the neighbour has objected on the basis that the nearest dwelling would tower over the property affecting light and outlook. While there is no right to a view, some development can appear unreasonably dominant and overbearing when seen from neighbouring houses. Whether or not an extension or indeed a new dwelling will be compatible with the residential amenity of neighbouring property will usually need to be assessed on the merits of the individual proposal. Factors to be considered include:

- (a) the shape and size of the development
- (b) its distance from, and alignment with, overlooking windows
- (c) whether the site is higher or lower than the neighbouring house.

Unreasonable domination is an issue only where a main window to a habitable room in an adjacent dwelling will directly overlook a proposed extension or in this case a new dwelling. In addition, for unreasonable domination to be demonstrable, the extension must be either: (a) higher than a line, perpendicular to the window wall, rising at 25 degrees to the horizontal from the mid-point of the affected windows, or (b) closer than 10.5 metres to the window

As the extract plan on Figure 7 confirms there is space between the new units and the neighbouring property. At no point will the development be viewed directly from rear facing habitable room windows either on the ground or first floor of the neighbouring property. That is not to say that the nearest dwelling will not be seen from the house and garden of No.11 and that relative to the adjoining garden it will be elevated as discussed above but when considered against the guidelines, the nearest dwellings will not be considered as unreasonably dominating the outlook from the windows in the neighbouring property.

In terms of the relationship with the garden area, there is no applicable guideline and the scheme must be considered on its merits. Existing trees and vegetation screen much of the views of the former reservoir site from the garden of No.11. Apart from one tree much of this will be cleared to accommodate the development. As already stated, site levels favour the development site and the pair of dwellings on plots 11 and 12 will occupy an elevated position above the garden and will be noticeable structures when viewed from the garden. Given the site levels, were it not for the offset from the shared boundary, a case could be made that the development would have a dominating affect on the neighbouring garden area. The distance of 8m does provide some relief and on balance, the impact is not considered to be so great as to warrant a refusal of planning permission.

Policies and guidelines not only require an assessment of the impact on the living conditions of existing residents but also future occupiers. The planning statement suggests that the future residents' well-being is at the forefront of the proposals and has been amended to include an area of public open space and an increase in the size of the garden areas. Many of these remain modest in area but are well defined and will offer future residents privacy and useable space to enjoy. Very little amenity is provided for the occupiers of the walk-up flats on plots 3-10 and this has been the subject of on-going discussions with the applicants.

On the latest layout plan the bin storage between plots 5-6 and 7-8 has been reconfigured and sited on the side elevations allowing for a modest increase amenity space afforded to the units.

The layout also challenges the Council's privacy standards with habitable room windows in the walk-up flats being less than 21m from the dwellings on plots 11-15. The developer maintains that the flats are dual fronted with 16.1 metres being achieved across an internal street. It is suggested that the proposed relationship is well within the parameters established by policies and guidelines which sets out the acceptable distances for front-to-front relationships in various scenarios. Importantly, the applicant's agent reassures the Council that the layout and design accords with Welsh Government's Design Quality Requirements for affordable homes. Overall, the living condition of future residents should not be compromised.

Policy SP3 requires all development to respect and enhance landscape character and be appropriate to its local context in terms of scale, massing etc. Land to the north of the site forms part of the Cefn Cribwr Ridge and Settled Farmland Character Area which comprises a broad valley at the southern end of the Coalfield Plateau that rises steeply to the ridge of Cefn Cribwr and the application site. The prominent ridgeline forms a distinctive landscape feature with strong intervisibility with the land to the north. The development will be visible from the surrounding lowlands but its scale will be compatible with the existing built form of the traditional Victorian terraces and 20th century development that characterise the settlement of Cefn Cribwr. The appropriate design response will ensure that the character of the adjacent landscape will not be adversely affected by the development.

The impact of the scheme on the natural environment, with specific reference to the site's bio-diversity interests and the opportunities to deliver Section 6 bio-diversity enhancements

National policy reminds all decision makers that green infrastructure should be a key component of the natural and built environment. It plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work, and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society's wider social and economic objectives and the needs of local communities. In the new Chapter 6 of Planning Policy Wales (**PPW**), Authorities are advised that a green infrastructure statement should be submitted with all planning applications and this document will describe how green infrastructure has been incorporated into the proposal.

The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. PPW confirms that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall, there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being. Development proposals must consider the need to:

- support the maintenance and enhancement of biodiversity and the resilience of ecosystems.
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats, including the most recent targets set out in the 2022 UN Global Biodiversity Framework.

- ensure statutorily and non-statutorily designated sites and habitats are properly protected and managed and their role at the heart of resilient ecological networks is safeguarded.
- safeguard protected species and species of principal importance and existing biodiversity assets from direct, indirect, or cumulative adverse impacts that affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water, air, and soil, including peat; and
- secure the maintenance and enhancement of ecosystem resilience and resilient ecological networks by improving diversity, extent, condition, and connectivity.

Paragraph 6.4.5 of PPW states that a net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable, and demonstrable benefit, primarily on or immediately adjacent to the site.

Residents oppose the removal of trees and the impact this will have on biodiversity through the loss of habitat.

The application has been accompanied by a Green Infrastructure Statement (GIS), Preliminary Ecological Appraisal (PEA), Reptile Survey and Tree Survey and Constraints Plan. To establish the ecological baseline of the site a Tree Survey, Ecological Appraisal, and Reptile Report were undertaken to gain further insight into and to quantify the Green Infrastructure and ecology present on site. These assessments established that the trees on site were overwhelmingly in sub-optimal condition and in need of intervention. The assessment established that this site was a habitat for bird species and foraging grounds for bats. The site did not however provide a habitat for any reptile species.

The Tree Survey accounted for each tree present on the site and categorised each based on tree quality. The tree survey found that overwhelmingly the physiological condition of the trees on site were considered either “poor” or “fair to poor”. Only a single tree was considered to be in “fair” condition – G10, a boundary hedgerow. Many of the trees on site were also considered to be suffering from dieback, whilst 4 trees were identified as dead. The survey recommended the removal of 17 trees based on their condition and the monitoring of another 17. Only two trees on site were considered to be without need of intervention.

The Ecological Appraisal utilised a desk study, habitat survey, and a survey of protected and notable species. It considered the vegetation and habitats, in addition to the species present on the site. The physical and visual condition and appearance of the site is relatively recent in planning terms, having been occupied by a large part-subterranean covered reservoir. The PEA assessed the site for its potential to contain habitats and presence of a range of species, including birds, bats, reptiles, marsh fritillary butterfly, and other mammals. The Ecological Appraisal and more detailed reptile survey identified several recommendations in regard to the proposed development, they are detailed below:

- The Conduction of a Reptile Report
- The production of a CEMP to outline sensitive construction methods
- The clearance of vegetation outside of nesting season
- The introduction of hedgehog friendly features such as wild corners, log piles, and hedgehog friendly fencing or hedgerows
- Compensatory measures for nesting birds and roosting bats; and

- A precautionary approach to site clearance in respect to reptiles.

Overall, the Ecological Appraisal considered the site’s ecological value to not “represent a fundamental in-principal constraint to the proposed development.”

In producing a Green Infrastructure Strategy & the Enhancement Measures it was noted that the following features would be lost because of the proposed development:

- All category U trees
- T5, T6, T8, T18, T19 (Category C)
- A portion of G10 on the Western Boundary (Category C)
- G38 (Category C)

To retain Green Infrastructure features total site clearance is not proposed and a number of category C trees on the site’s Northern and Eastern boundaries are to be retained - T9, T11, T12, T13, T14, T15, T17, T24, T27, T28, T30, T34 – see Figure 10 below which is an extract of the proposed landscaping plan:

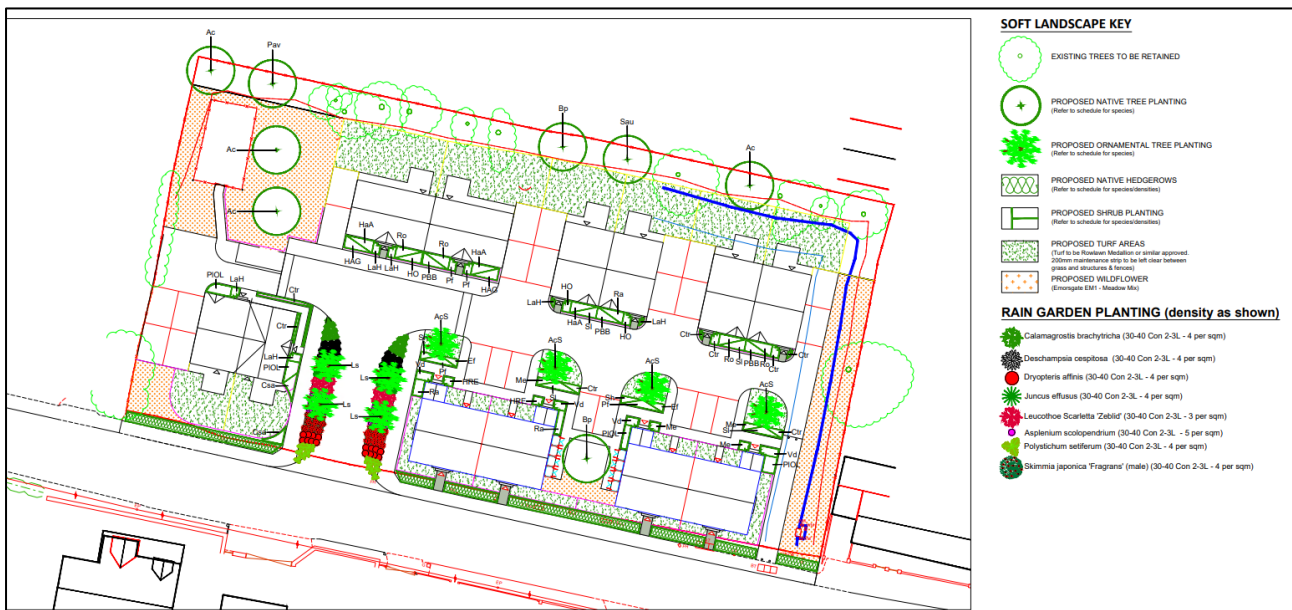


Figure 10 Landscaping Plan

Reflecting upon the recommendations made by the ecological appraisal, all vegetation clearance will take place outside of nesting season; it is accepted that the removal of habitat cannot be prevented, albeit impact on populations can be minimised through such measures.

On the basis that the development will necessitate the removal of some ecological features within the site, a series of mitigation measures have been incorporated in the development to offset the ecological damage caused by the development. These include compensatory measures for nesting birds and roosting bats; the adoption of hedgehog friendly features such as wild corners and log piles to mitigate damage to hedgehog habitat and the planting of native tree species. Enhancement and an overall biodiversity net gain is a requirement of local and national policy and will be achieved through the following:

- New Planting – 8 x native trees, 8 x ornamental trees , and 7 x hedgerows to be planted within the application boundary (23 total)
- The provision of new native hedgerows across the entire roadside frontage of the site
- Extensive areas of proposed wildflower meadow planting – in particular along the

site's eastern boundary, and in and around the north-western corner of the site in the vicinity of the retained telecommunications mast

- Extensive shrub and wildflower planting in and around the built form of the scheme, including car parking and other features, and in particular alongside the vehicular access into the scheme

The applicant's consultant contends that the aforementioned enhancement measures with a long-term management plan will address the policy requirements.

NRW have reviewed the submitted ecological reports and note that the proposed development is located on higher ground approximately 130m from Waun Cimla Site of Special Scientific Interest (SSSI). This leaves potential for pollution pathways from the construction site with likely significant impacts on the SSSI. To manage the risks to the SSSI during construction, NRW recommend the submission and agreement of a Construction Environmental Management Plan. Species surveys are a matter for the Council's Ecologist and raise no significant issues. No adverse comments have been received from the Council's Biodiversity Policy Management Officer.

Subject to the proposed layout retaining a number of trees and new planting being provided; managing the development through an agreed construction environmental management plan (CEMP) and implementing all the mitigation/enhancement measures, the proposal accords with the requirements of Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

The effect of the development on the existing drainage systems and whether a sustainable drainage systems can be incorporated into development to enable the management of surface water and

Development proposals in sewered areas must connect foul drainage to the main sewer, and it will be necessary for developers to demonstrate to that their proposal site can connect to the nearest main sewer. Residents have expressed some concerns as to whether the drainage infrastructure within the community can accommodate flows from the additional housing.

Dwr Cymru in their observations have confirmed that the public sewer has adequate capacity to accommodate the proposed development. With regard to surface water, the development is subject to Schedule 3 of the Flood and Water Management Act 2010 and would therefore require 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'.

In relation to potable water, DCWW note that the existing public watermain which runs through the site is proposed to be diverted to facilitate the new development. The works will need to be addressed as part of an application made under Section 185 of the Water Industry Act 1991.

The Council's Land Drainage Engineers note that the means of disposing surface water has not been determined at this stage although SuDS features have been included within the site layout. Connections to an existing connecting sewer, which appears to be a highway sewer connecting to the DCWW network in Kenfig Hill could also be considered. The Council's Land Drainage Engineers have however recommended the imposition of a number of planning conditions that will address a comprehensive drainage submission. Subject to their agreement, the site can be properly drained and in a manner that will protect the environment and local residents.

Whether the ground conditions can support the development and whether the mitigation required is achievable through the grant of planning permission

The planning system should guide development to reduce the risk from natural or human-made hazards affecting the land surface or sub-surface. The aim however is not to prevent the development of such land. Key is understanding the risks associated with the previous land use, pollution, groundwater, subsidence, mine and landfill gas emissions and rising groundwater from abandoned mines. Responsibility for determining the extent and effects of surface and subsurface hazards remains with the developer. It is for the developer to ensure that the land is suitable for the development proposed.

Concerns about ground conditions and possible contamination have been offered by residents. References to asbestos used in the water pipes of the former reservoir and the possible health hazard this material could pose has also been highlighted.

Earth Science Partnership Ltd (ESP) have undertaken a series of site investigations, on behalf of the developers with the latest being in September 2022. ESP consider the following further investigation and assessment would be required or prudent prior to development:

- Further 3no. gas monitoring visits to inform final ground gas risk characterisation.
- Testing of general Made Ground soils if the design proposals require removal from site.
- Watching brief during all excavations to check for any indication of possible historical mining.
- Employ measures to mitigate potential combustion risks where the shallow weathered coal seams is present.
- Consultation with the appropriate service/asset owners/providers to agree protective measures during the development.
- Consultation with asbestos specialist prior to any additional works.
- Confirm remedial solution for reservoir structure and infill.
- Confirm preferred foundation solution in area of former reservoir.
- Confirm foundation depths based on tree removal and NHBC guidance – review tree survey.
- Confirm nature and structural form of the proposed retaining walls.
- Confirm location of properties and proposed garden fence in relation to the crest of the slope.
- Compile Remediation Method Statement (RMS) once the design proposals have been agreed and the final report completed.
- Submit RMS to Local Planning Authority to agree remedial works prior to commencing.
- Develop earthworks specification for remediation of the former reservoir.
- Finalise ground gas risk assessment based on finalised design and agreed remedial strategy.
- Further ground gas monitoring post remediation, if required.

Shared Regulatory Services (**SRS**) have confirmed that the above site investigation include an assessment of potential contamination and considers the associated risks to human health and the environment. Investigations identify contaminants of concern and remediation works will be required to ensure the site is suitable for use. The investigations also include a ground gas assessment; ground gas monitoring has been undertaken and this identifies the need for ground gas protection measures. The applicant's consultant has recommended further assessment, once the developer has determined their wider proposals, such as earthworks/construction strategy, to better inform the appropriate gas protection measures.

Should there be any importation of soils to develop the garden/landscaped areas of the development, or any site won recycled material, or materials imported as part of the

construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

SRS have requested the inclusion of conditions and informatives to ensure that the safety of future occupiers is not prejudiced in accordance with policy DNP9 of the Bridgend County Borough Council Local Development Plan.

CONCLUSION

This application is recommended for approval because the development is in accord with the policies of the Replacement Local Development Plan and will deliver affordable housing on a sustainable site. The effect of the proposal on the character and amenities of the area, specifically, those enjoyed by existing residents has been carefully considered and subject to control being imposed through the grant of planning permission, the impacts on the living conditions should not be so adverse as to warrant refusing planning permission.

In transport policy terms, the site is reasonably well-served by public transport and access to active travel is available. It is however acknowledged that trips to places of work and major retail facilities are still likely to be made by car. The layout has been amended to address previous concerns but the current arrangements both in terms of the road design and parking accord with the Council's guidelines.

Biodiversity impacts will be modest and at a local level and mitigation and enhancement works as recommended by the applicant's consultant ecologist will be secured through the consent.

The representations received have been considered however, on balance, it is not considered that they outweigh the merits of the development.

In summary, it is considered that the development accords with Policies SF1, SP3, SP5, PLA9, PLA12, SP6, COM3, COM6, COM10, SP10, SP17, DNP6, DNP7, DNP9 and DNP9 of the Bridgend Local Development Plan.

RECOMMENDATION

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

- (i) Provide a financial contribution of £9,120 towards the provision of Formal Outdoor Sport to be used for the improvement of facilities within proximity of the proposed development.
- (ii) Provide a financial contribution of £12,000 towards improvements in public transport facilities in the corridor serving the application site.

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

1.	The development shall be carried out in accordance with the following plans:	
	Site Location Plan (Drawing No. 2275 00 (03) 100)	
	Site Layout (Drawing No. 2275 00 (03) 101 Rev A)	Revision H
	Street Scenes 01-01, 02-02, & 03-	Revision C

03 (Drawing No. 2275 00 (03) 400)	
Site Sections 01-01, 02-02 & 03-03 (Drawing No. 2275 00 (03) 401)	Revision C
HT 211 Plans (Drawing No. 2275 211 (03) 200) Plots 1 & 2	Revision B
HT 211 Elevations (Drawing No 211 (03) 200) Plots 1 & 2	Revision B
HT 421 & 422 Plans (Drawing No. 2275 421 (03) 200) Plots 1 & 2	Revision B
HT 421 & 422 Elevations (Drawing No. 2275 421 (03) 300) Plots 1 & 2	Revision B
HT 531 Plans (Drawing No. 2275 531 (03) 200) Plots 11-12 & 13-14.	Revision B
HT 531 Elevations (Drawing No. 2275 531 (03) 300) Plots 11-12 & 13-14.	Revision A
HT 642 Plans (Drawing No. 2275 642 (03) 300) Plots 15 & 16	Revision B
HT 642 Elevations (Drawing No. 2275 642 (03) 300) Plots 15 & 16	Revision B
Site Perspective 01 (Drawing No. 00 (03) 503)	Revision A
Site Perspective 02 (Drawing No. 00 (03) 504)	Revision A
Site Perspective 03 (Drawing No. 00 (03) 505)	Revision -
Site Perspective 04 (Drawing No. 00 (03) 506)	Revision A
Aerial Perspective 01 (Drawing No. 00 (03) 500)	Revision B
Aerial Perspective 02 (Drawing No. 00 (03) 501)	Revision B
Aerial Perspective 03 (Drawing No. 00 (03) 502)	Revision B
Detailed Soft Landscape Proposals (TDA.2696.01 Rev B)	
Landscape Specification & Management Plan	
SuDS Strategy Plan (2275/501)	Revision E
Engineering Appraisal (2275/505)	Revision D
Tree Survey and Tree Constraints Plan by Treescene	

Reason: For the avoidance of doubt as to the extent of the permission granted and in the interests of highway safety.

2. Before any site clearance or construction works takes place on site, a detailed scheme including a program of implementation of the following Landscaping and Ecological Mitigation and Enhancement works shall be submitted to and agreed in writing by the Local Planning Authority:
- Green Infrastructure Statement – August 2004:

	<p>(a) Minimisation Measures – Timing of Site Clearance</p> <p>(b) Mitigation Measures – (i) Compensatory measures for nesting birds and roosting bats; (ii) adoption of hedgehog friendly features; (iii) Landscape Specification and Management Plan.</p> <p>(c) Enhancement Measures – (i) New Planting – 8 x native trees, 8 x ornamental trees , and 7 x hedgerows to be planted within the application boundary (23 total); (ii) the provision of new native hedgerows across the entire road side frontage of the site; (iv) Extensive areas of proposed wildflower meadow planting – in particular along the site’s eastern boundary, and in and around the north western corner of the site in the vicinity of the retained telecommunications mast; (v) Extensive proposed shrub and wildflower planting in and around the built form of the scheme, including car parking and other features, and in particular alongside the</p> <p>(d) A long-term management plan</p> <p>All works shall be carried out in accordance with the agreed Landscaping and Ecological Mitigation and Enhancement works and maintained and retained in perpetuity.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved Development.</p>
3.	<p>No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:2012:</p> <p>(i) An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.</p> <p>(ii) A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically. The development shall be carried out in full conformity with the approved AMS and TPP.</p> <p>Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape, the measures for their protection and to monitor compliance.</p>
4	<p>If within a period of up to five years from the planting of any landscaping, any tree or hedgerow planted is removed, uprooted or destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place during the next planting season immediately following the death/removal/destruction of that tree or hedgerow unless the Local Planning Authority gives its written consent to any variation.</p> <p>Reason: For the avoidance of doubt as to the extent of the permission granted and to maintain and improve the appearance of the area in the interests of visual</p>

	amenity and to promote nature conservation.
5.	<p>No development, including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the Local Planning Authority. The CEMP should include:</p> <ul style="list-style-type: none"> • Construction methods: details of materials, how waste generated will be managed. • General site management: details of the construction programme including timetable details of site clearance, details of site construction drainage, containment areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain. • Biodiversity management: details of tree and hedgerow protection, invasive species management, species and habitats protection, avoidance and mitigation measures. • Soil management: details of topsoil strip, storage and amelioration for re-use. • CEMP masterplan: details of the extent and phasing of development, location of landscape and environmental resources, design proposals and objectives for integration and mitigation measures. • Control of nuisances, details of restrictions to be applied during construction including timing, duration and frequency of works, details of measures to minimise noise and vibration from piling activities, for example acoustic barriers, details of dust control measures, measures to control light spill and the conservation of dark skies. • Resource management: details of fuel and chemical storage and containment, details of waste generation and its management, details of water consumption, wastewater and energy use. • Traffic management: details of site deliveries, plant on site, wheel wash facilities. • Pollution prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan. Details of how pollution whether it be land, water or air will be prevented from affected the SSSI. • Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details. • Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations <p>The CEMP shall be implemented as agreed during the site preparation and construction phases of the development.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.</p>
6.	<p>No development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, roof/yard water, highway drainage and land drainage will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to any building being occupied.</p> <p>Reason: To ensure effective drainage facilities are provided for the proposed development.</p>

7.	<p>No development shall take place until details of a scheme to divert the public watermain crossing the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the public sewer. No development pursuant to this permission shall be carried out until the approved diversion scheme has been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.</p> <p>Reason: To protect the integrity of the public watermain and avoid damage thereto.</p>
8.	<p>No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained in perpetuity.</p> <p>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.</p>
9.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no development shall be carried out on any of the Plots hereby approved which comes within Parts 1 (Classes A, B and C) of Schedule 2 of this Order.</p> <p>Reason: To enable the Local Planning Authority to exercise 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.</p>
10	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or enclosure required for a purpose incidental to the enjoyment of a dwelling-house shall be constructed, erected or placed within the curtilage out on any of the dwellings or flats hereby approved.</p> <p>Reason: To enable the Local Planning Authority to control the scale of development.</p>
11	<p>Notwithstanding the approved layout plan, no development shall commence until a revised scheme and plan indicating the positions, height, design, materials and type of boundary treatment to be erected on the shared boundary with 11 Cefn Road and timetable for implementation has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include temporary fencing for the period of site clearance/construction and details of the scale and type of boundary treatment for the completed development which shall have regard to the proposed site levels and existing levels of the adjoining property and shall include a variation in finishes. Development shall be carried out in</p>

	<p>accordance with the agreed plan and timetable</p> <p>Reason: To ensure that the living conditions of the adjoining occupiers are protected during construction and following the completion/occupation of the development. amenities of the area are protected.</p>
12	<p>The side window serving the hall in Plot 9 and facing 11 Cefn Road shall be fitted with a fixed pane obscurely glazed window to a minimum of level 5 on the Pilkington index of obscurity. The window shall be fitted as stated prior to the dwelling being occupied and shall be retained in perpetuity.</p> <p>Reason: In the interests of protecting the living conditions of the occupiers of the adjoining property.</p>
13.	<p>No development shall commence until a scheme for permanently stopping up the existing access points and reinstating the vehicular crossings as footway has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p>
14.	<p>The proposed means of access shall be laid out with 6 metre radius kerbing on both sides of the entrance constructed and retained in permanent materials as approved in writing by the Local Planning Authority with vision splays of 2m x 43m in both directions before the development is brought into beneficial use and retained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety.</p>
15.	<p>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.</p> <p>Reason: In the interests of highway safety.</p>
16.	<p>No development shall commence until a scheme detailing the boundary treatments (low walls) which delineate the adopted highway extents for plots 1-10 inclusive has been submitted to and approved in writing by the Local Planning Authority. The boundary treatment / adopted extents delineation shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.</p> <p>Reason: In the interests of highway safety and highway authority access.</p>
17.	<p>No dwelling shall be occupied until the approved parking arrangements (driveway and/or parking spaces) have been completed in permanent materials and at gradients that do not exceed 8.33% (1 in 12). All visitor parking spaces shall be completed in permanent materials and at gradients that do not exceed 8.33% before the nearest dwelling is occupied. The approved parking arrangements shall be retained for parking purposes in perpetuity.</p> <p>Reason: To ensure the provision and retention of sufficient off-street parking and to prevent loose stones, mud and gravel being spread on to the highway, in the</p>

	interests of highway safety.
18	<p>No development shall commence until full details of the Residential Recycling and Waste Collection Strategy has been submitted to and agreed in writing by the Local Planning Authority. The Residential Recycling and Waste Collection Strategy shall specify how all recycling and waste should be stored and collected. Development shall be carried out in accordance with the approved strategy and the approved strategy shall be implemented in perpetuity.</p> <p>Reason: In the interests of highway safety and residential amenity.</p>
19	<p>Prior to the commencement of any development works a scheme to investigate and monitor the site for the presence of gases* being generated at the site or land adjoining thereto, including a plan of the area to be monitored, shall be submitted to the Local Planning Authority for its approval. Following completion of the approved monitoring scheme, the proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing to the Local Planning Authority. If no protection measures are required than no further actions will be required.</p> <p>All required gas protection measures shall be installed and a verification report that demonstrates the effectiveness of the measures carried out must be submitted to and approved in writing by the Local Planning Authority before occupation of any part of the development. The approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.</p> <p>• <i>‘Gases’ include landfill gases, vapours from contaminated land sites, and naturally occurring methane and carbon dioxide, but does not include radon gas. Gas Monitoring programmes should be designed in line with current best practice as detailed in CIRIA 665 and BS 8485:2015+A1:2019 Code of practice for the design of protective measures for methane and carbon dioxide ground gases for new buildings.</i></p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
20	<p>Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:</p> <ul style="list-style-type: none"> (i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a ‘conceptual site model’ (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages; (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study; (iii) an assessment of the potential risks to: human health, groundwaters

	<p>and surface waters, adjoining land, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, ecological systems, archaeological sites and ancient monuments; and any other receptors identified at (i)</p> <p>(iv) an appraisal of remedial options, and justification for the preferred remedial option(s).</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017) unless the Local Planning Authority agrees to any variation.</p> <p><i>* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.</i></p> <p>Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.</p>
21	<p>Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017).</p> <p>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.</p>
22	<p>The remediation scheme approved by condition 21 above must be fully undertaken in accordance with its terms prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the</p>

	<p>Local Planning Authority.</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document ' Land Contamination: A guide for Developers' (2017) unless the Local Planning Authority agrees to any variation.</p> <p>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.</p>
23	<p>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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.</p> <p>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.</p>
24	<p>Any topsoil [natural or manufactured], or subsoil, 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 soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
25	<p>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</p>

	<p>the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
26	<p>Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
27	<p>* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *</p> <p>From 7 January 2019, new developments greater than 100m² of construction area or 2 dwellings or more require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before construction work begins. Further information in relation to the new legislation including the sustainable drainage application forms can be obtained from the following link:</p> <p>https://www.bridgend.gov.uk/residents/recycling-waste-and-environment/environment/flooding/sustainable-drainage-systems/</p> <p>No surface water is allowed to discharge to the public highway.</p> <p>No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.</p> <p>To satisfy the Land Drainage condition, the applicant must:</p> <ul style="list-style-type: none"> •Provide agreement in principle from DCWW with regards to the foul water and surface water disposal to public sewers •Provide agreement in principle from DCWW with regards to build over sewer agreements or water main diversion, 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). <p>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.</p> <p>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</p>

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 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. The presence of such assets may affect the proposal. In order to assist us 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.

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None