

REFERENCE: P/25/259/RLX

APPLICANT: Llanmoor Development Company Limited 63-65 Talbot Road, Talbot Green, Pontyclun, CF72 8AE

LOCATION: Land West of Maesteg Road Tondy CF32 9DF

PROPOSAL: Vary condition 30 (link road) of P/16/366/OUT (As Amended by P/20/829/NMA) to permit agreed scheme of highway mitigation works to be constructed prior to the beneficial occupation of the 235th dwelling (Original Consent required works to be completed before occupation of the 136th dwelling)

RECEIVED: 25 April 2025

BACKGROUND

On 13th December 2018, outline planning consent was granted for a development of up to 450 dwellings, 1000 square metres of business uses on 0.5 hectares of land (Use Class B1), highway improvement works along with the provision of public open space, green infrastructure, two attenuation ponds and all other associated works on 21.8 hectares of land located off Maesteg Road, Tondy, (P/16/366/OUT refers). The site formed part of a larger brownfield regeneration allocation under Policy PLA3 (10) of the former Bridgend Local Development Plan. Although all matters of detail were reserved for future consideration, key elements of the scheme were identified which included a new link road from Ffordd Haearn (Iron Way) exiting at the highway roundabout spur adjacent to the Waste Transfer Station, with the route being part of the requirements of the Policy. As a result of the link road, Maesteg Road in its present arrangement will be stopped up with a suitable turning head arrangement, with the only vehicular traffic being 'access-only' to the small number of dwellings, a new phase of housing as well as the Church.

The outline application was accompanied by a range of supporting documents including Archaeological and Heritage Assessments, Ecological and Tree reports, a Coal Mining Risk Assessment, a Drainage Strategy and a Transport Assessment and Addendum Transport Note, all provided by consultants acting on behalf of the original applicants.

The Transport Assessment (TA) and Technical Note indicated that the original development site would take some time to be fully completed and built out. Based on average build rates this would mean between 6-9 years for full completion but during this time, the off-site highways infrastructure improvement works relating specifically to the link road would be undertaken. The TA indicated that to fund these significant works, it would be necessary to allow an initial phase of development to occur whilst using the existing highway network e.g. the Pentre Felin Roundabout and the A4063 / Pentre Felin Link and A4063/Bryn Rd / Bridgend Rd. The applicant proposed a phasing of the development such that 250 dwellings could be built and occupied prior to the provision of the highway improvement scheme which included the link road. The consultants that reviewed the TA on behalf of the Council advised that a quantum of 250 units together with a scheme to develop a larger foodstore on the Lidl site, would result in the existing junction being over capacity. The Council's consultants were however satisfied that a quantum of 135 dwellings could be provided without the link road and other improvement works being implemented. It was acknowledged in the report presented to the Development Control Committee that the existing highway network in the vicinity of the site suffered from congestion at peak times, but it was considered that the new link road and junction changes would improve the highway network and provide sufficient mitigation for the development.

In granting planning consent, the Council secured through S106 agreement the delivery of affordable housing, a financial contribution towards Education Facilities, (£1,614,987) and a total of £305,000 towards sustainable transport initiatives including an upgrade of the MOVA

(Microprocessor Optimised Vehicle Actuation system) on the A4063 junction. Planning conditions were imposed to control the number of units for the site, to agree site wide phasing plan, site drainage, tree works, ecology site landscaping and to inform and regulate the later reserved matters applications and the development thereafter. Conditions 30-40 on the Outline Planning Consent relate to highway matters both in terms of the site layout and off-site highway works.

Condition 30 of the Outline Consent states:

No development of the link road shall commence until a scheme for the provision of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to:

- 1. The A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction,*
- 2. Realignment of the western arm of the junction to a revised roundabout junction serving the development*
- 3. Realignment of A4063 (Maesteg Road Tondy) to create a new link route to the site access roundabout and be in accordance with Vectos Drawing W152050/B/05 Rev C.*

The scheme shall include: -

- i. Phasing scheme including temporary traffic management proposals*
- ii. revision of all traffic signing, road markings*
- iii. provision of a 3.5m shared footway/cycleway on the western side of A4065 (Bryn Road) from the signalised junction north to Station Approach, Tondy*
- iv. realigned carriageway markings along the eastbound arm of the signalised junction and (A4063) to provide an extended merge length to no less than 200m*
- v. provision of a 3.5m shared footway/cycleway on the northern side of the new western arm from the signalised junction west to the site access roundabout and spur to the stub end of Maesteg Road, Tondy*
- vi. provision of a 3.5m shared footway/cycleway on the southern side of the new western arm of the signalised junction from the existing cycle route connection to 12 Cwrt yr Hen Ysgol west to the site access roundabout*
- vii. provision of an uncontrolled cycleway footway crossing with associated pedestrian refuge between the improved A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction and the realigned site access roundabout.*
- viii. provision of a 3.5m shared footway/cycleway on the western side of the new link road from Iron Way to the site access roundabout*
- ix. signalised Toucan cycle/pedestrian crossing in the vicinity of the existing NCN4 with onward 3.5m shared footway/cycleway link to the redundant portion of Maesteg Road, Tondy*
- x. Removal of existing bus stops on the redundant portion of Maesteg Road and replacement with new bus stop facilities on the new realigned section of Maesteg Road (link road).*
- xi. Vehicular turning facilities on the southern end of the redundant portion of Maesteg Road*
- xii. New vehicular link from the new realigned section of Maesteg Road to the existing to the redundant portion of Maesteg Road*
- xiii. Replacement off-street parking for the loss of the existing parking layby between TM Cars and 37 Maesteg Road*
- xiv. Scheme of waiting restrictions*
- xv. Scheme of 20mph speed restrictions*
- xvi. Scheme of cycle/pedestrian direction signage*
- xvii. Supporting Stage 2 Road Safety Audit*

*The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the **136th dwelling**.*

Reason: In the interests of highway network capacity, road safety and promoting sustainable travel patterns.

On 17th September 2020, the Council approved details pursuant to the Outline Consent for a development of 405 units and the link road, (P/19/915/RES refers). Applications to discharge the pre-commencement conditions were submitted and agreed and development commenced in 2022. To date (March 2025), approximately 95 dwellings have been constructed and occupied on site.

Applications to agree the details, (i – xvii) listed above and other matters related to the link road are currently being considered by the Council, (P/24/583/DOC, P/24/584/DOC and P/24/585/DOC refer). The figure below is an extract of the layout drawing for the proposed link road and junction changes.

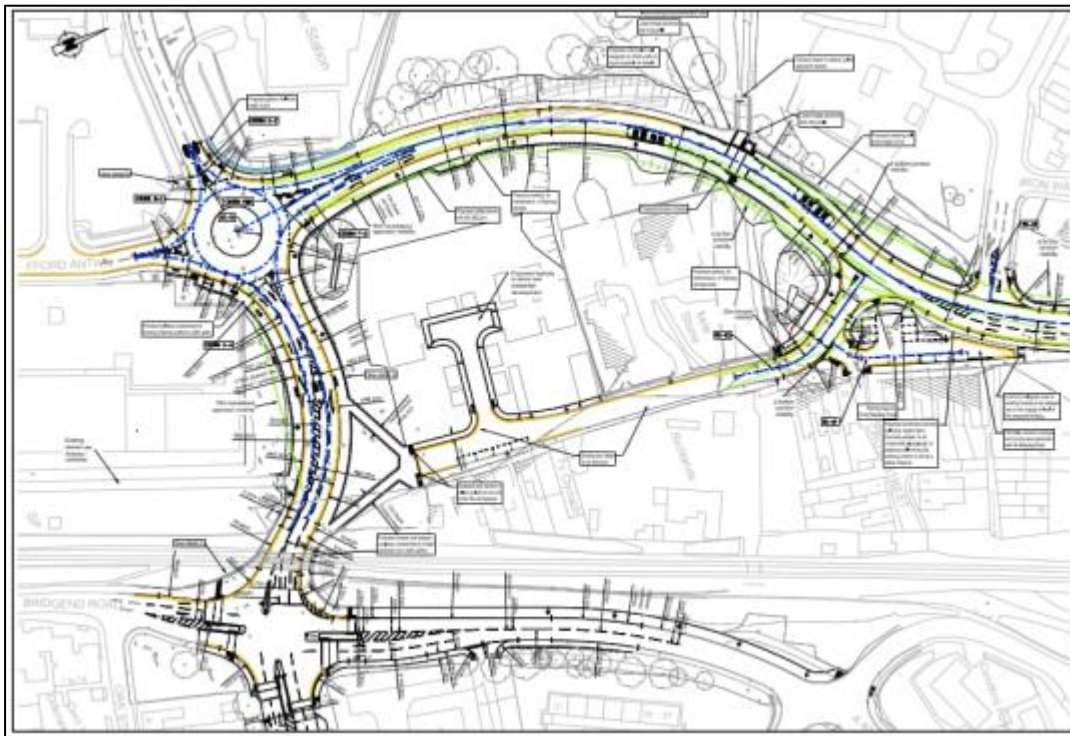


Figure 1 Plan Showing Link Road and Associated Highway Works

In addition to these applications, the Applicant company is currently preparing a Listed Building application and Heritage Assessment in an attempt to gain approval for repairs to the listed bridge structure that lies to the west of the proposed link road. It is intended that the listed bridge works will need to be completed concurrently with the Link Road due to the line and level of the proposed link road and associated infrastructure.

PROPOSED DEVELOPMENT

Condition 30 of the Outline Consent required the Highway Mitigation Work which included the link road to be completed prior to the occupation of the 136th dwelling on site. Under S73 of the Town and Country Planning Act 1990 (as amended), this Application seeks to vary the wording of Condition 30 and to allow up to 235 dwellings to be occupied prior to the completion of the Highway Mitigation Works.

A Planning Statement by SLP Consulting and Technical Note (TN) by SLR Consulting Ltd have accompanied the Application and both consider the impact of the delayed construction of the link road and associated works on the highway network. The planning statement provided on behalf of the Applicant company summarises the finding and conclusions of the Transport

Technical Note:

“The evidence relating to highway safety is commensurate with the previous highway safety analysis (undertaken within the 2016 Transport Assessment (TA)) for the period 2009-2014 which accompanied the Outline Application and shows that there is not an inherent issue with the current configuration of this local highway network.

The 2016 TA was based on 2014 base data with robust assumptions relating to traffic growth to a Future Year of 2023 based on Planning Policy at that time. This assessment assumed that traffic growth would continue to grow consistently between 2014-2023 irrespective of network conditions, Policy mandates, or other factors such as working from home.

In order to test the validity of this previous assessment, manual classified counts (MCCs) and queues length surveys were undertaken on Tuesday 25th March 2025. A comparison of the two datasets demonstrates that the 2023 forecasts underpinning the conclusions of the 2016 TA were overestimated. As such, the 2025 data has been used as the basis for traffic capacity on this network from which to make judgements about trigger points for the delivery of the Link Road.

The evidence collected in these 2025 traffic surveys also shows that traffic growth between 2014 and present day has been negligible and most likely associated with development in this area including the first stages of the permitted development and including retail development that was part of the previous phase of development at Tondou.

In order to determine the trip generation for the potential additional 140 units (235 units excluding the 95 occupied units) prior to delivery of the Link Road, Phase 1 (180 units) has been surveyed and the respective trip rates calculated. This results in a trip generation of 75 and 72 vehicles in the AM and PM peak hours respectively for 140 units.

Llanmoor advise that based on the current build rates/sales profile, that the 235th occupation is likely to occur in the summer of 2027. As such, 2027 provides a realistic future year for this assessment. Hence LDP sites (committed) and a number of smaller sites have been interrogated to determine what quantum of units could reasonably be delivered during this time. The assessment of future year growth with the occupation of 235 No dwellings on Phase 2 of Parc Tondou is therefore considered to be robust.

The results from the LINSIG assessment demonstrate that irrespective of the level of committed development the existing highway network can accommodate traffic up to and including the 235th occupation of Phase 2, Tondou.*

Given these conclusions regarding road safety and traffic capacity, the timing of the delivery of the Link Road can reasonably be extended from its current trigger on the occupation of the 136th dwelling to the occupation of the 235th dwelling.”

*(*Traffic modelling software used for analysing and designing traffic signal junctions and networks)*

The Planning Statement seeks to review the outcomes of the latest transport assessment in the context of local and national policy and continues...

“As part of the Outline Planning permission granted in 2018, the TA was prepared in 2016 to support the planning application. At this time, the TA was predicated on traffic forecasting and growth commensurate with transport policy at that time i.e., 2016 which was largely focused on ensuring that the traffic capacity of the highway network was designed to ensure that the convenience of the car commuter during peak times was not compromised.

At the same time, there was a historic policy requirement (LDP 2013 and before that UDP) within the LDP to deliver a Link Road to bypass a short section of Maesteg Road of circa 220m between Iron Way and Pentre Felin (access to the site and the retail park). The requirement for this Link Road was historically associated with perceived highway capacity and highway safety benefits.

Despite the applicant at the time, seeking to challenge the purpose of the Link Road, the delivery of this infrastructure formed part of a Planning Condition (30) attached to the site, linked to the delivery of the new road prior to the occupation of the 136th dwelling.

Whilst it is important to acknowledge that the technical aspects (forecasting / modelling) supporting the previous TA were based on a predict and provide scenario at that time, there has since been a step change in attitude / policy from Welsh Government (WG) and Bridgend County Borough Council (BCBC) towards new road building and climate change / greenhouse gas emissions reductions.

Welsh Government (WG) and Bridgend County Borough Local Development Plan 2018-2033 Adopted March 2024 have specific policies (SP4 & SP5) which are no longer predicated on creating more road space for the private car during peak commuting periods, rather they are focused on walking, cycling, public transport and reducing travel at source. Moreover, the Climate Emergencies declared by WG and BCBC in 2019 and 2020 respectively, are seeking to reduce the number of car journeys made for all journey purposes, with a significant emphasis on carbon reduction through improved placemaking and mobility choice in relation to new development. The specific LDP policies are SP4: Mitigating the Impact of Climate Change; & SP5: Sustainable Transport and Accessibility.

These policies support the tenet of this Section 73 application and present no fundamental reason to oppose this proposed amendment to the wording of Condition 30.”

On the basis that the Application only seeks to review one condition (30) on the Outline Planning Consent it has only been accompanied by the technical reports relevant to the condition and a location plan of the whole site. On submission, the s73 Application was screened and it was the opinion of the Council that the likely effects of the development as amended by the condition are unlikely to be significant enough to require an Environmental Impact Assessment. It should be noted that the Council issued a Screening Opinion in 2016 confirming that an Environmental Impact Assessment was not required to accompany the original Outline Planning Application P/16/366/OUT.

RELEVANT HISTORY

APPLICATION NUMBER	PROPOSAL	DECISION AND DATE
P/16/10/SOR	Screening Opinion 450 Dwellings, Class B1 Development, Highways Works.	EIA not required - 28 January 2016.
P/16/366/OUT	450 dwellings, 1000 sq.m. class B1 use, highway works, public open space	Conditional consent (outline) - 13 December 2018.
P/19/460/DOC	Approval of details for conditions 21 and 23 of P/16/366/OUT	DOC agree - 13 November 2019
P/19/571/DOC	Approval of details for condition 6 of P/16/366/OUT	DOC agree - 19 September 2019
P/19/595/NMA	Non-material amendment to P/16/366/OUT to change the wording of condition 23 (site investigation).	NMA conditional consent - 13 November 2019
P/19/633/DOC	Approval of details for conditions 4, 5, 9 & 36 of P/16/366/OUT	DOC agree - 14 November 2019
P/19/915/RES	Reserved matters to P/16/366/OUT for 405 residential units, link road and temporary car park	Conditional consent (reserved matters) - 17 September 2020.

P/20/770/DOC	Approval of details for condition 5 of P/19/915/RES and condition 37 of P/16/366/OUT	DOC agree - 08 December 2020
P/20/667/DOC	Approval of details for conditions 8, 11, 16, 17, 18, 19 & 20 of P/16/366/OUT	DOC agree - 04 January 2021
P/20/840/DOC	Approval of details for Condition 24 of P/16/366/OUT	DOC agree - 06 January 2021
P/20/829/NMA	Non-material amendment to P/16/366/OUT (Change wording of Conditions 30 & 32).	NMA conditional consent - 20 January 2021
P/20/827/DOC	Approval of details for Condition 4 of P/19/915/RES	DOC agree - 12 March 2021
P/20/809/DOC	Approval of details for Conditions 28 and 29 of Outline consent P/16/366/OUT & Condition 7 of the Reserved Matters consent P/19/915/RES	DOC agree - 29 March 2021
P/20/844/DOC	Approval of Details for Condition 3 of P/19/915/RES	DOC agree - 23 April 2021
P/20/990/DOC	Approval of details for condition 22 (lighting strategy) of P/16/366/OUT	DOC agree - 23 April 2021
P/20/860/DOC	Approval of details for conditions 8, 9, 11, 17, 18 & 19 of P/19/915/RES	DOC agree - 14 June 2021
P/20/896/DOC	Approval of details for Conditions 33 & 38 of P/16/366/OUT and Conditions 12 & 20 of P/19/915/RES.	DOC agree - 01 September 2021
P/21/717/DOC	Approval of details for condition 23 of P/16/366/OUT	DOC agree - 04 November 2021
P/21/986/NMA	Non-material amendment to P/19/915/RES to revise plots 5-8 and 57-59	NMA conditional consent - 13 January 2022.
P/20/943/DOC	Proposal: Approval of details for condition 7 of P/16/366/OUT	DOC agree - 20 January 2022
P/21/1086/DOC	Approval of details for condition 25 of P/16/366/OUT	DOC agree - 11 February 2022
P/22/369/NMA	Non-material amendment to the discharge of condition 28 (CEMP) and condition 29 (CMS) of P/16/366/OUT and condition 7 (CMP) of P/19/915/RES to relocate the site compound, material and plant storage, site visitor parking and wheel washing.	NMA conditional consent - 06 July 2022
P/24/583/DOC	Approval of details for condition 10 (link road verge) of P/19/915/RES.	No decision to date
P/24/584/DOC	Approval of details for conditions 30 (link road) & 32 (B4281 roundabout junction) of P/16/366/OUT.	No decision to date
P/24/585/DOC	Approval of details for condition 9 (scheme for NCN Route 4 pedestrian and cycle crossing) of P/19/915/RES	No decision to date
P/24/652/DOC	Approval of details for Condition 17 (Additional Species Surveys) of P/16/366/OUT.	DOC agree - 14 February 2025

CONSULTATION RESPONSES

Newcastle Higher Community Council	<p>Object to this planning application.</p> <p>There is widespread concern over this application and the impacts it will have on the local community, traffic and safety of residents.</p> <p>The proposals to divert this arterial road where large volumes of traffic run through all day is a concern. The already heavily congested area on the crossroads between Aberkenfig, Tondy and going up to Maesteg</p>
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	<p>Road has an impact on local residents. The proposal to further increase the dwellings and divert the road infrastructure will worsen this issue. There is a concern how the heavily used main road from Bridgend to Maesteg would manage the level of traffic.</p> <p>The area houses a busy retail park and dwellings, and only one exit for the estate. To further add to this would jeopardise safety for residents and shoppers.</p> <p>The congestion on this part of the road is an ongoing problem and further developments will only increase the issues.</p>
Cllr Tim Thomas (Local Member)	<p>May I request this application is considered by the committee.</p> <p>The original application was part of a special committee where there was significant debate. Furthermore, the original application supports major congestion ahead of other significant proposed development.</p> <p>I object to this proposal and the developer must complete what was agreed in the original planning hearing without further delay.</p> <p>Firstly, there has been significant increased traffic from the building of the current dwellings and other development in the Llynfi Valley and neighbouring communities. There is also significant non-residential development being proposed that will increase traffic flows. There has also been a number of accidents on Maesteg Road including serious ones where Air Ambulance Wales were called.</p>
Cllr Heidi Bennet (Local Member for Penyfai – adjoining ward)	<p>Further to a meeting yesterday evening involving residents of Pentre Felin, Tondy and Aberkenfig, I am writing to formally object to the proposed changes in planning requirements and the delay to the original timescale for the construction of a new road associated with the Llanmoor Homes development in Tondy/Aberkenfig.</p> <p>Residents views</p> <p>Residents are aware of the increased HGV traffic following the recent expansion of WEPA, the potential for a small nuclear energy site development as well as the proposed redevelopment further up the Valley at Ewenny road Ind Estate, and they are concerned that a 'dog leg'/route change of the main arterial road to divert onto a retail park/residential area and behind the Tondy Methodist Church would create further congestion and conditions for additional accidents.</p> <p>That said, residents believe if the link road was treated as a 'relief road' for estate traffic (rather than a main arterial route), it would be more workable and safer for vehicles and pedestrians. They believe there is an urgent need for this relief road to be put in place to support the volume of estate traffic, and hence the objection to a delay in building the link road.</p> <p>Could further consideration be given to the status of the link road, and whether it remains appropriate to divert the main arterial road to Maesteg via this route?</p> <p>Regardless though on the status of the link road, my objection is based</p>

	<p>on material planning considerations, including the impact on traffic congestion, infrastructure adequacy, road safety and compliance with Welsh planning law.</p> <p>Traffic and Infrastructure Concerns</p> <p>The delay in road construction will significantly impact traffic flow and safety to and from the estate. Under the Highways Act 1980, Section 278 agreements require developers to ensure that road improvements are sufficient to accommodate increased demand and I believe this formed part of the original condition once the development reached a certain number of properties. The postponement of essential infrastructure may exacerbate congestion and create hazardous conditions for residents and commuters. I appreciate an updated traffic impact assessment to assess current road usage may be necessary.</p>
Tondu and Aberkenfig Community Association	<p>Formally object to Planning Application P/25/259/RLX submitted by Llanmoor Developments.</p> <p>The proposed planning application seeks to increase the housing development to a maximum of 235 homes before redirecting Maesteg Road ("Link Road") to join the Ffordd Antwn roundabout. This amendment significantly impacts our community, particularly concerning traffic management and infrastructure development.</p> <p>Firstly, we dispute the merit of the traffic analysis presented by Llanmoor Developments. Their assertion that traffic conditions along Maesteg Road have remained largely unchanged since 2014 is misleading and fails to account for the real experiences of local residents. Daily commuters and residents can attest to the severe congestion and safety hazards posed by the current road network, exacerbated by further developments along the Llynfi Valley.</p> <p>Moreover, the proposed extension of the construction timeline to 2027 for implementing necessary road layout changes raises serious concerns. The delay in progressing with essential infrastructure improvements, despite initial site clearance activities, raises questions about the developer's commitment to mitigating the adverse impacts of their development on our community.</p> <p>Therefore, we firmly object to Planning Application P/25/259/RLX. The proposed increase in housing units without adequate infrastructure improvements poses significant risks to local traffic flow, road safety, and overall community well-being. We urge the Planning Department to reconsider this application in light of its potential adverse effects on our community.</p>
Highways	<p>No objections subject to conditions.</p> <p>It is appreciated that the proposed variation is to increase this trigger number of residential units occupied to 235 prior to the completion of the link road and it is not a request to remove the requirement for the link road. Accordingly, the impact of the additional 99 units is the key factor. The proposal has been supported by a Transportation Assessment and an initial review of this Assessment was undertaken by our independent Highway Consultants. This identified items in need of clarification and additional modelling exercise by the applicants Highways consultant. Those items were addressed in a modified TA.</p>

	<p>That modified TA has also been Independently assessed.</p> <p>The Transport assessments have clarified that the original trigger of 136 units was determined on a forecast a growth of 10% above the 2014 base traffic surveys. Traffic surveys undertaken in March 2025 revealed that this growth has been limited to an actual growth of 4%. As a result, it is evident that the impact of the development on the highway network as originally forecast has not been realised. The traffic modelling work has supported the case of the applicant that the increased threshold of 235 units would have a similar impact on the highway network to that originally approved.</p> <p>To further clarify, the results reveal that during the morning peak hour at the Bryn Road / Bridgend Road/ A4063 junction the impact would be one additional Passenger car unit (PCU) in the queue and three seconds of additional delay per PCU. At the A4063/Site access junction there are very similar results (one PCU in the Queue and up to 2 seconds delay). Such delays are not considered to be sufficient to warrant an objection to the proposals and the conclusion of our Highway consultants review is that "... the proposed increase of the trigger point for the link road to be built on the occupation of the 235th dwelling of the development is acceptable on highway grounds."</p>
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PUBLICITY

The Application has been advertised on site.

Neighbours have been notified of the receipt of the Application.

The period allowed for response to consultations/publicity has expired.

REPRESENTATIONS RECEIVED

Thirty-eight letters of objection have received been to this Application. The following is a summary of the objections received:

- Original application was opposed by a record number of objections yet approved so objections will be set aside again.
- No infrastructure in place to support the housing including roads, drainage and doctors and dentists.
- No more than 136 homes should be built as the highway improvements were considered necessary to ease pressure on the Tondy railway bridge junction, which is already a traffic bottleneck - the junction currently is overwhelmed with the volume of traffic (especially at peak morning and evening times) – it results in delays for emergency vehicles using the route.
- With housing developments and business growth planned and currently ongoing further up towards Maesteg, this junction will see an even greater level of traffic, not just from the Llanmoor home site but from traffic using it to reach further up the valley.
- As of September 2025, more children will be walking or driven to school on account of the council changing the criteria for provision of home to school transport. This will inevitably mean more traffic on the network - by allowing an additional 99 houses to be built, each with a minimum of 2 cars, that is up to an additional 198 road users utilising that same junction at peak times, on an already dangerous and congested junction.
- Claim traffic hasn't changed much since 2014, but this doesn't reflect the experience of people who live here and deal with daily congestion and delays – when trying to leave the site in the morning residents can wait for at least two light changes and often times more – often long tailbacks extending into the Pentre Felin housing development especially at peak times. Returning home, queues can go back as far as the Aberkenfig roundabout.
- Has a comprehensive traffic survey been carried out at this junction – a one-day traffic survey

is not sufficient to monitor traffic levels – this could have been conducted at the quietest point of the day – also query why manual classified counts (MCCs) and queues length surveys weren't undertaken at different times of the day and on different days to produce a clearer average picture to compare against 2023 forecasts.

- Many accidents have been recorded at this junction, raising serious public road safety concerns – the council has a duty to ensure that the design and condition of public roads safeguard all road users – has the volume of accidents been noted since 2014?
- Congestion does not help to address the Climate Emergencies declared by WG and BCBC in 2019 and 2020 respectively, as the pollution caused by stationary traffic goes against the LDP policies; SP4: Mitigating the Impact of Climate Change.
- The delay in progressing with essential infrastructure improvements, despite initial site clearance activities, raises questions about the developer's commitment to mitigating the adverse impacts of their development on our community – the changes only benefit the developer – risk to the Council that the road will never be built if delayed.
- The development company should fulfil its commitments – there have been other breaches/convictions by/against the development company.
- Local areas of play have not been delivered and were also meant to be complete by 136th dwelling - delays affect the development of the square and the ability for busses to access the new development directly impacting any ability to reduce congestion with no alternate method of transport from the estate.
- Some residents have suggested that Maesteg Road should be kept open in addition to the new link road to relieve congestion – will large vehicles be able to access the new roundabout?
- Concern that the new link road would increase noise and stress to residents have also been offered.

COMMENTS ON REPRESENTATIONS RECEIVED

Many of the objections submitted align with the key consideration of this Application; that being whether the delayed completion of the link road, consented as part of this development would have an adverse impact on the operation of the road network and would be in conflict with related national and local policies. Some objections go beyond this narrow scope and the following comments are offered in response:

- The considerable objections offered to the previous consents were fully considered and informed the planning decisions which were made in accordance with the planning policies at that time and all other material considerations.
- The matter of supporting infrastructure was considered as part of application P/16/366/OUT. However relevant this may be to residents it is not being considered as part of this Application.
- Whilst further commentary on the submitted traffic assessment will be given in the appraisal section of this report, Members should be mindful that an independent review has been undertaken by Transport Consultant's working on behalf of this Council. Their findings have been scrutinised, challenged and resulted in the need for further clarification and data to be submitted by the Applicant's consultant.
- References by objectors to planning breaches and convictions by other regulatory bodies are not relevant to the consideration of this Application. This Application only seeks to vary an element of condition 30 of P/16/366/OUT and delay the construction/completion of the link road. No other changes to the Outline Consent are proposed and the Applicant intends to fulfil all other conditions and obligations.
- Constructing the new link road and keeping Maesteg Road is not before the Council for consideration, and it would not be possible based on the road alignment and junction configuration.
- Concerns about noise from the new link road were considered as part of the original outline application. There was no evidence to suggest that road traffic noise would have a significant adverse impact on the living conditions of new or existing residents. Noise and other pollutions during construction would be controlled through a Construction Environment

Management Plan, (CEMP) which is already in place.

RELEVANT POLICIES

Local Policies

The Development Plan for the area comprises the Replacement Bridgend Local Development Plan 2018-2033 (**RLDP**) 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 PLA6	Transport Corridors
Policy PLA8	Transportation Proposal (1 & 10)
Policy PLA9	Development Affecting Public Rights of Way
Policy PLA11	Parking Standards
Policy PLA12	Active Travel
Policy COM6	Residential Density
Policy COM10	Provision of Outdoor Recreation Facilities
Policy SP10	Infrastructure
Policy ENT1	Employment Allocations
Policy ENT2	Protection of Employment Sites
Policy ENT12	Development in Mineral Safeguarding Zones
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
Policy SP18	Conservation of the Historic Environment (Conservation Areas)

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

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 and Technical Advice Notes (**TAN**) are 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 12 Design

Planning Policy Wales TAN 18 Transport

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

Section 73 of the Town and Country Planning Act 1990 allows an applicant to apply to the Local Planning Authority for planning permission for the development of land without complying with conditions subject to which an unexpired previous planning permission was granted. If the application is granted, then a new planning permission will be issued separate to the previous planning permission which remains valid and, in this case, extant.

Since the Original Consent was issued, the Council has adopted the Replacement Bridgend Local Development Plan (2024) and therefore it is the Policies of this document that are relevant to the determination of this Application. Broad support for the development remains but the following Policies are specifically relevant to this s73 submission:

Policy SF1 – the Application site is within the main Valleys Gateway settlement. Whilst the Policy notes that this area faces significant constraints and is therefore currently much less suitable for sustainable development than the other Main Settlements, the Application does not propose additional development just a revision to the program for the construction of the new link road. As development has lawfully commenced the planning permissions on site are extant.

Policy SP3 - All development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment and by maximising opportunities for active travel and increased public transport use and promote connections within and outside the site to ensure efficient and equality of access for all, minimising noise, air and water pollution.

Policy SP4 - All development proposals must make a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change. Means of achieving this may include having a location and layout which reflects sustainable transport and access principles, thereby reducing the overall need to travel (active travel).

Policy SP5 - 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. Development must also be supported by appropriate transport measures and infrastructure, and depending on the nature, scale and siting of the proposal will be required to : (i) be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks and (ii) Provide new transport infrastructure and improvement measures to mitigate the impact of the development and demonstrate the level and acceptability of impacts on the surrounding road network.

Policy PLA6 – Development in the Llynfi Valley Transport Corridor must... not result in adverse impacts on the functioning of the identified transport corridors. Any predicted adverse impacts must be appropriately mitigated, including through local or strategic improvements to specific transport corridors where required.

Having regard to the aforementioned Policies and representations received by residents, community groups, the Community Council and Members, the only matter to be considered in the assessment of this Application is whether allowing the completion of the link road to be delayed until the occupation of the 235th dwelling, through the variation of condition 30 would have an adverse impact on the operation of the road network to the detriment of highway safety and the living conditions of existing residents with specific reference to Policies SP3, SP5 and PLA6 of the RLDP 2024. To be clear, the Application does **not** propose additional dwelling numbers above the 450 approved as part of the Outline Consent and 405 approved as part of the subsequent Reserved Matters consent.

As referred to earlier in this report, the Application has been accompanied by a Transport Technical Note (TN) which revisits the timing (trigger point) of the delivery of the link road from 136 to 235 occupations, i.e., an additional 99 units. The TN reviews the previous transport assessment which accompanied the original outline application and notes that it was based on 2014 base data with robust assumptions relating to traffic growth to a Future Year of 2023, based on Planning Policy at that time. This assessment assumed that traffic growth would continue to grow consistently between 2014-2023 irrespective of network conditions, Policy mandates, or other factors such as working from home. It was also largely focused on ensuring that the traffic capacity of the highway network was designed to ensure that the convenience of the car commuter during peak times was not compromised and was based on data collected in 2014. The TN suggest that *“traffic forecasting and subsequent conclusions derived with respect to modelling / infrastructure requirements, were significantly over-estimated in term of traffic effect from the development.”* In addition, the requirement for a link road was an historic policy requirement associated with the wider allocation and site development. The TN does highlight a shift in national and local policies away from increasing highway capacity through road building programs to reducing the reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Existing highway arrangements have been reviewed along with an analysis of road safety and the latest collision data, (2017-2023). All collisions were recorded as slight in severity, and majority of these collisions relate to driver error with one relating to weather conditions. Most are shunt type accidents which are commonplace at signal-controlled junctions and hence there is no evidence to suggest any inherent highway safety issue on this section of the highway network.

Traffic analysis undertaken to inform the TN included manual classified counts (MCCs) and queue length surveys were undertaken on Tuesday 25th March 2025, for the related junctions. The TN concludes that the 2023 forecasts underpinning the conclusions of the 2016 transport assessment were overestimated based on a comparison of the datasets. As such, the 2025 data has been used as the basis for traffic capacity on this network from which to make judgements about trigger points for the delivery of the Link Road. The TN confirms that the evidence collected in the 2025 traffic surveys also shows that traffic growth between 2014 and present day has been negligible and most likely associated with development in this area including the consented Llanmoor scheme.

In order to determine the trip generation for the potential additional 140 units (235 units excluding the 95 occupied units), prior to delivery of the Link Road, the TN has surveyed the first phase of the Llanmoor Homes development, consented in 2007 & 2012 (180 units), and the respective trip rates calculated. These are considered to be representative of future travel patterns arising from further residential development in this location. This results in a trip generation of 75 and

72 vehicles in the AM and PM peak hours respectively for 140 units.

Llanmoor advise that, based on current build rates/sales profile, the 235th occupation is likely to occur in summer 2027. As such, the TN suggest that 2027 provides a realistic future year for assessment. Hence LDP sites (committed) and a number of smaller sites have been interrogated to determine what quantum of units could reasonably be delivered during this time, (by the summer of 2027). The assessment of future year growth with the occupation of 235 no. dwellings on the development site is therefore considered to be robust.

The results from the modelling assessment demonstrate that irrespective of the level of committed development, (principally additional development in the Llynfi Valley to the north of the site), the existing highway network can accommodate traffic from the occupation of 235 units on the consented development. The TN concludes that given the conclusions regarding road safety and traffic capacity, the timing of the delivery of the Link Road can reasonably be extended from its current trigger on the occupation of the 136th dwelling to the occupation of the 235th dwelling.

The TN has been checked by officers in the Highway's Section and by independent transport consultants and the conclusions are as follows:

“...the Technical Note has provided an acceptable methodology for assessing the proposed change to the trigger for the Link Road under Condition 30 from prior to occupation of the 136th dwelling to the 235th dwelling for the development.

The additional information has been reviewed...including queue length validation and a sensitivity test for 15-minute peak period traffic modelling. WSP has reviewed the technical information provided and is satisfied it has been worked through accurately.

With regards to the 15-minute peak period analysis, this is considered to be acceptable and has demonstrated that even with greater peaks in both queue lengths and delays, both junctions will still operate with capacity when considering the worst-case scenario of background traffic, committed development and the new trigger point of development trips.

With regards to the queues along Maesteg Road north of the site access junction the development proposal increases the queue a negligible amount and therefore the proposals cannot be considered to have a significant impact to this queue. As both junctions also operate MOVA, the additional queue lengths as a result of the development are benefited by this.

... it is shown in the modelling results that the development does not have a severe impact upon the highway compared to the base traffic flow and committed development, plus the operations are modelled to still operate within capacity...WSP recommends the proposed increase of the trigger point for the link road to be built on the occupation of the 235th dwelling of the development is acceptable on highway grounds.

On the specific objections raised by residents, the Community Council and others, the following response is offered:

- The TN is comprehensive and robust and provides sufficient data to enable an assessment of the transport impact of the proposed variation to the planning condition (30) . Furthermore, a review of the accident data has been carried out and there is no evidence to suggest that the relevant junctions are inherently unsafe.
- Although for the residents who may well experience significant congestion at the Tondu railway bridge junction and traffic light-controlled junction to Pente Felin, the technical reports confirms that the trigger for completing the link road can be adjusted without any impact on highway safety and the functioning of this important transport corridor. In reaching this view,

consideration has been given to the additional development consented and planned in the Llynfi valley.

- It is acknowledged that congestion does not help to address the Climate Emergencies declared by WG and BCBC and it is a key Policy objective to reduce reliance on travel by private car, and the adverse impacts of motorised transport on the environment and people's health. In this case, the new link was road approved in 2018, prior to a change in national planning policy and its purpose is to mitigate the impacts of the new development on the existing highway network. To significantly reduce network congestion, a broad shift in transportation habits, or "modal shift," is needed, where people choose alternative modes of transport over private vehicles. This shift involves encouraging more people to use public transport, cycling, walking, or shared mobility options, thus reducing the number of cars on the road but this scheme alone will not deliver that change.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Replacement Local Development Plan (2024) (**RLDP**).

Whilst full regard has been given the representations of the community, it is considered that, based on the technical evidence, amending the trigger point for the completion of the link road from the 136th to the 235th dwelling will not have an adverse impact on the operation of the road network to the detriment of highway safety and the living conditions of existing residents. The proposal is therefore compliant with Policies SP3, SP5 and PLA6 and all other relevant Policies of the RLDP (2024).

As the section 106 (s106) agreement that accompanied the original Outline Planning Consent also included a provision that required the implementation of the Highway Mitigation Works before the occupation of the 136th dwelling unit, the Applicant will need to agree and enter into a s106 deed of variation before a planning permission can be issued in respect of this Application.

RECOMMENDATION

A) The Applicant enters into a s106 deed of variation to vary the original S106 dated 12th December 2018 (**Original S106 Agreement**), to amend the provisions of paragraph 22 under Part 4 of the Third Schedule to the Original S106 Agreement, to provide for a revised trigger for the completion of the link road: prior to the occupation of the 235th Residential Unit.

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

1. Approval of the layout, scale, and appearance of the development (hereinafter called the "Reserved Matters") shall be obtained from the Local Planning Authority before any development commences.

Reason: The condition is imposed in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 as amended.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: The condition is imposed in accordance with Section 92(2) (a) of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of the approval of the last of the Reserved Matters to be approved, whichever is the later.

Reason: The condition is imposed in accordance with Section 92(2)(b) of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved documents:
- a) Application form dated 3 May 2016
 - b) Revised Site Location Plan - EX01 - Revision C provided by C.W. Architects Ltd received on 23 October 2017
 - c) Proposed Pedestrian and Cycle Links - Drawing W152050_B05 Rev B provided by Vectos received on 3 October 2017
 - d) Design and Access Statement, provided by C.W. Architects Ltd received on 9 May 2016.
 - e) SP484 - Stage One Masterplan - Rev A (1:1250 @A1) provided by C.W. Architects Ltd received on 24 April 2017
 - f) Archaeological and Heritage Assessment prepared by The Environmental Dimension Partnership Ltd (EDP)
 - g) E1457501 R01 – Preliminary Ecological Appraisal Final As Issued 2014-12-12 provided by Soltys Brewster Ecology
 - h) E1457501 R02 – Level 2 Survey Report Final As Issued 2016-03-10 provided by Soltys Brewster Ecology
 - i) Preliminary Utility Strategy Issue 2 by ARUP dated April 2016
 - j) Report 15-9428 Tondu Drainage Strategy 3 provided by ARUP
 - k) Tree Survey, Categorisation and Constraints Report by Steve Ambler and Sons Tree Specialist Ltd dated 20 February 2016

Reason: To ensure that the impact on amenity and character of the area is acceptable and to mitigate the impact in respect of site drainage, highway safety, contamination, ground conditions, the protection of heritage assets and the sites biodiversity interest.

5. No more than 450 dwellings and 1,000 sq.m m of commercial (B1 uses) shall be erected on the application site.

Reason: To ensure that the final development is in accordance with the Outline submission to ensure that the impact on amenity and character of the area is acceptable and to mitigate the impact in respect of site drainage, highway safety, contamination, ground conditions, the protection of heritage assets and the site's

biodiversity interest.

6. The mitigation measures set out in the documents listed below shall be carried out as prescribed in the documents:
- a) Sections 7.0, 8.0, 9.0 10.0 and 11.0 in the Desk Study & Coal Mining Risk Assessment Report Tondur – Rev A: April 2016 provided by Integral Geotechnique
 - b) Section 6.0 Conclusions and Recommendations in the Level 2 Survey Report Final As Issued 2016-03-10 provided by Soltys Brewster Ecology
 - c) Section 6 - Recommendations in the Tree Survey, Categorisation and Constraints Report by Steve Ambler and Sons Tree Specialist Ltd dated 20 February 2016.

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

7. The development shall proceed in accordance with the Development Brief and comprehensive site-wide phasing plan agreed by the Local Planning Authority as part of P/19/633/DOC on 14 November 2019.

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

8. All drainage connections shall be undertaken prior to the occupation of any property and in accordance with the Hydraulic Modelling Assessment agreed by the Local Planning Authority as part of P/19/571/DOC on 19 September 2019.

Reason: To ensure the development is served by an adequate supply of drinking water, to protect the health and safety of existing residents and to ensure no pollution of or detriment to the environment.

9. All foul drainage, roof/yard water, highway drainage and land drainage shall be disposed of in accordance with the scheme agreed by the Local Planning Authority as part of P/20/943/DOC on 20 January 2022 and prior to any building being occupied.

Reason: To ensure effective drainage facilities are provided for the proposed development.

10. The recommendations of the Arboricultural Method Statement (Incorporating Impact Assessment) - Prepared by The Environmental Dimension Partnership Ltd - August 2020 - Report Reference - edp5556_r004d and agreed by the Local Planning Authority as part of P/20/667/DOC shall be followed for all phases of the proposed housing, the link road and all development.

Reason: To minimise the impact of the road construction on the woodland in the interests of the amenities of the wider area.

11. The strategic landscaping, including the Informal Public Open Space, Walkways, Eco Corridors (buffer landscape scheme), Open Spaces, Informal Open Space, Retained Woodland and structure planting to the spine road scheme shall be carried out and

retained in accordance with the details agreed as part of P/19/633/DOC which included a programme of implementation for the whole site

Reason: In the interests of the residential amenities of future occupants.

12. If within a period of up to five years from the planting of any strategic 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, unless the Local Planning Authority gives its written consent to any variation.

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 amenity and to promote nature conservation.

13. Prior to the development of any development phase, a detailed landscaping scheme for that phase shall be submitted to and approved in writing by the Local Planning Authority. The plans and particulars to be submitted shall include:
- (a) A plan showing the location of, and allocating a reference number to, each existing tree including crown spread, hedgerow and other soft landscape features to be removed or retained on the site. For the purpose of this condition trees are defined as those which have a stem with a diameter, measured over the bark at a point 1.5m above ground level, exceeding 75mm.
 - (b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply.
 - (c) Details of any proposed crown reduction or lopping of any retained tree or of any tree on land adjacent to the site.
 - (d) Details of any proposed alterations in existing ground levels and of the position of any proposed excavation within the crown spread of any retained tree on land adjacent to the site or within a distance from any retained tree or any tree on land adjacent to the site equivalent to half the height of that tree.
 - (e) Details of the specification and position of temporary fencing (and of any other measures to be taken) for the protection of any retained tree, hedgerow or other soft landscape feature from damage before or during the course of development.

In this condition and in Condition 14 below 'retained tree' means any existing tree, hedgerow or other feature which is to be retained in accordance with the plan referred to in paragraph (a) above.

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 amenity and to promote nature conservation.

14. In accordance with condition 13 (above) all works comprised in the approved details of landscaping, including public open spaces and landscape buffers, associated

with each development phase shall be completed prior to the occupation of the penultimate dwelling of that phase and retained thereafter.

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 amenity and to promote nature conservation.

15. If within a period of up to five years from the date of first occupation of the last dwelling on a development phase, any retained tree/hedgerow or new tree/hedgerow planted within that phase 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, unless the Local Planning Authority gives its written consent to any variation.

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 amenity and to promote nature conservation.

16. The details submitted pursuant to discharging landscaping as a Reserved Matter shall include a new buffer of woodland, open habitat and scrub at least 10m depth between the proposed development site and the Parc Slip Local Nature Reserve and Site of Importance for Nature Conservation (SINC). The landscaping scheme shall effectively protect the adjacent sites and should include a Landscape Management Plan that details how the new planting and retained habitats will be managed. No gardens of any adjacent dwellings shall be included within the 10m woodland buffer planting zone.

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 amenity and to promote nature conservation.

17. The details submitted pursuant to discharging landscaping as a Reserved Matter for any development phase shall provide for the:
- a) Retention and protection of several priority habitats, including wet woodland, ponds and rush pasture (marshy grassland) - Reference the Preliminary Ecological Appraisal Final As Issued by Soltys Brewster Ecology and the Level 2 Survey Report Final As Issued by Soltys Brewster Ecology;
 - b) Maintenance of habitat connectivity through the retention of the woodland along the eastern boundary and new planting bordering the cycleway and Derllwyn Road. Appropriate management of these areas will be required to off-set the loss of the north-eastern area;
 - c) A long-term net gain in local biodiversity through the removal of invasive species and the maintenance of a smaller area of marshy grassland habitat;
 - d) Provision of a large attenuation pond in the south-west of the site, an area of more diverse marshy grassland, where careful development of the area will enable the retention of the existing botanical diversity.

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 amenity and to promote nature conservation.

18. All demolition or partial demolition of any buildings or other structures and/or the felling of any trees shall take place in accordance with the Construction Environmental Management Plan: Biodiversity (CEMP) agreed by the Council as part of P/20/667/DOC on 4 January 2021. The protection measures shall be fully implemented in accordance with the approved details.

Reason: For the avoidance of doubt as to the extent of the permission granted and to promote nature conservation.

19. The development shall proceed in accordance with the following documents agreed by the Local Planning Authority as part of P/20/667/DOC and P/24/652/DOC on 4 January 2021 and 14 February 2025:

- Construction Environmental Management Plan: Biodiversity - Prepared by: The Environmental Dimension Partnership Ltd - August 2020 - Report Reference edp5556_r003c
- Habitat Management Plan/Landscape and Ecological Management Plan - Prepared by The Environmental Dimension Partnership Ltd - August 2020 - Report Reference edp5556_r005b

Recommendations and requirements from all the above documents shall be adhered to and implemented throughout the construction period.

Reason: For the avoidance of doubt as to the extent of the permission granted and to promote nature conservation.

20. The containment, control and removal of Japanese Knotweed shall be carried out strictly in accordance with the protocol agreed by the Local Planning Authority as part of P/19/460/DOC on 13 November 2019.

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

21. All external lighting on each phase of the development shall accord with the detailed lighting strategy agreed by the Local Planning Authority as part of P/20/990/DOC on 23 April 2021.

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

22. All site investigations and any scheme of treatment/remedial works required for both the mine entries and shallow coal mine workings shall be carried out in accordance with the details and program of works agreed by the Local Planning Authority as part of respect of P/19/460/DOC on 13 November 2019 and P/21/717/DOC on 4 November 2021.

The agreed treatment/remedial works shall be implemented on site prior to the commencement of development of the phase to which they relate.

Reason: In the interests of the safety of the future occupiers of the development.

23. The detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use and agreed by the Local Planning Authority as part of P/20/840/DOC on 6 January 2021 and P/21/1086/DOC on 11 February 2022 and

shall be fully undertaken as agreed prior to the occupation of any part of the development.

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.

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

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

25. Piling or any other foundation design using penetrative methods shall not be permitted unless otherwise agreed in writing by the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To prevent pollution of controlled waters.

26. All phase of the development shall be carried out in accordance with the Construction Environmental Management Plan (CEMP) and Construction Method Statement as agreed by the Local Planning Authority as part of P/20/809/DOC on 29 March 2021 s amended on 6 July 2022 under P/22/369/NMA. The approved dust suppression measures shall be maintained for the duration of all the construction phases including the link road.

Reason: In the interests of safeguarding the amenities of existing residents.

27. No development of the link road shall commence until a scheme for the provision of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to:
1. the A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction,
 2. realignment of the western arm of the junction to a revised roundabout junction serving the development
 3. realignment of A4063 (Maesteg Road Tondu) to create a new link route to the site access roundabout and be in accordance with Vectos Drawing W152050/B/05 Rev C.

The scheme shall include:-

- i. Phasing scheme including temporary traffic management proposals

- ii. revision of all traffic signing, road markings
- iii. provision of a 3.5m shared footway/cycleway on the western side of A4065 (Bryn Road) from the signalised junction north to Station Approach, Tondur
- iv. realigned carriageway markings along the eastbound arm of the signalised junction and (A4063) to provide an extended merge length to no less than 200m
- v. provision of a 3.5m shared footway/cycleway on the northern side of the new western arm from the signalised junction west to the site access roundabout and spur to the stub end of Maesteg Road, Tondur
- vi. provision of a 3.5m shared footway/cycleway on the southern side of the new western arm of the signalised junction from the existing cycle route connection to 12 Cwrt yr Hen Ysgol west to the site access roundabout
- vii. provision of an uncontrolled cycleway footway crossing with associated pedestrian refuge between the improved A4063 (Maesteg Road)/A4065 (Bryn Road)/Bridgend Road, Aberkenfig signalised junction and the realigned site access roundabout.
- viii. provision of a 3.5m shared footway/cycleway on the western side of the new link road from Iron Way to the site access roundabout
- ix. signalised Toucan cycle/pedestrian crossing in the vicinity of the existing NCN4 with onward 3.5m shared footway/cycleway link to the redundant portion of Maesteg Road, Tondur
- x. Removal of existing bus stops on the redundant portion of Maesteg Road and replacement with new bus stop facilities on the new realigned section of Maesteg Road (link road).
- xi. Vehicular turning facilities on the southern end of the redundant portion of Maesteg Road
- xii. New vehicular link from the new realigned section of Maesteg Road to the existing to the redundant portion of Maesteg Road
- xiii. Replacement off-street parking for the loss of the existing parking layby between TM Cars and 37 Maesteg Road
- xiv. Scheme of waiting restrictions
- xv. Scheme of 20mph speed restrictions
- xvi. Scheme of cycle/pedestrian direction signage
- xvii. Supporting Stage 2 Road Safety Audit

The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the 235th dwelling.

Reason: In the interests of highway network capacity, road safety and promoting sustainable travel patterns.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, there shall be no vehicular access to the site other than the two approved access points being the continuation of the existing western arm of the Pentre Felin/Lidl/Proposed Link Road roundabout along the unnamed road and the "emergency vehicles" only access off Derllwyn Road.

Reason: In the interests of highway safety.

29. No more than 135 dwellings shall be occupied until a scheme for the provision of a scheme of highway mitigation works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide improvements to the geometry of the A4063 (Bridgend Road/Sarn Link)/ B4281 roundabout junction. Such scheme shall include for:

- i. Phasing scheme including temporary traffic management proposals
- ii. revision of all traffic signing, road markings
- iii. Supporting Stage 2 Road Safety Audit

The scheme of highway mitigation works shall be constructed in permanent materials in accordance with the approved details prior to the beneficial occupation of the 136th dwelling.

Reason: In the interests of Highway network capacity and Road Safety.

30. The emergency vehicular access linking the northern area of the site to the highway network at Derllwyn Road shall be constructed in accordance with a scheme agreed by the Local Planning Authority as part of P/21/986/DOC on 1 September 2021. The emergency access shall incorporate physical features preventing regular vehicular traffic traversing the route and shall be constructed in permanent materials in accordance with the approved layout prior to the 200th dwelling on the greater development parcel being brought into beneficial use and shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of highway safety.

31. No building shall be occupied until that part of the road system which provides access to it has been constructed to at least base course level in accordance with the approved plans.

Reason: In the interests of highway safety.

32. No building shall be occupied until parking has been provided in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. Garages meant for parking shall have minimum internal dimensions of 6m x 3m. Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order, with or without modification), all such garages and parking spaces shall thereafter be retained solely for the parking of vehicles in connection with the building they serve.

Reason: In the interests of highway safety.

33. Bus stops throughout the site shall be provided in accordance with the scheme agreed by the Local Planning Authority as part of P/19/633/DOC on 14 November 2019.

Reason: In the interests of highway safety and to promote sustainable transport.

34. The development shall proceed in accordance with the written scheme of historic environment mitigation agreed by the Local Planning Authority as part of P/20/770/DOC on 8 December 2020. The approved site investigation works shall be implemented prior to the commencement of development on Phases 4 and 5 or any infrastructure scheme or strategic landscaping area. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme and the developer shall afford access at all reasonable times during construction to a nominated archaeologist for the purpose of observing the excavations and recording items of interest and finds.

Reason: To safeguard the heritage assets that may be buried beneath ground in accordance with national and local planning policy.

35. The provision of a pedestrian/cycle routes linking the site to the highway network at Derllwyn Road, adjacent residential development and the National Cycle Network shall be implemented in accordance with the scheme agreed by the Local Planning Authority as part of P/21/896/DOC on 1 September 2021 and shall be constructed in permanent materials in accordance with the phasing plan and shall be retained for the free passage of pedestrians and cyclists in perpetuity.

Reason: In the interests of promoting sustainable travel patterns.

36. The main site spine road of the greater development parcel (Phases 1-5 on the Phasing Plan in the Design and Access Statement, excluding Phase 2/3) shall be laid out to provide a circular route suitable for future public transport to permeate into the site and serve the development. The spine route and circular bus route shall be not less than 6.5m with appropriate lane widening on bends and bus stops.

Reason: In the interests of promoting sustainable travel patterns.

37. The main site spine roads of the greater development parcel (Phases 1-5 on the Phasing Plan in the Design and Access Statement, excluding Phase 2/3) shall be laid out to provide carriageways of no less than 5.5m, with a single cycleway footway of no less than 3.5m and a single footway of no less than 2.0m.

Reason: In the interests of promoting sustainable travel patterns and highway safety.

38. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *

- a) The developer should contact the Rights of Way Section as soon as possible when the detailed plans are submitted for the design of any phases of the development that will affect either the Public Rights of Way or cycle network so that the protection of that network, which may include for the diversion of some or all of that network can be agreed and, where necessary Orders processed as soon as possible.
- b) Any site clearance of vegetation associated with future development will be undertaken outside of the bird nesting season and in accordance with

method statements for other species.to be agreed with the Local Planning Authority.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None.