

REFERENCE: P/24/422/FUL
APPLICANT: Mr C Rees 20 Bryn Bedw, Blaengarw, Bridgend, CF32 8AE
LOCATION: Rear of No s. 6 & 7 Forest View Blaengarw Bridgend CF32 8BS
PROPOSAL: Proposed 4-bedroom detached dormer bungalow with garage

DESCRIPTION OF DEVELOPMENT

Planning permission is sought for the erection of a detached 4-bedroom dwelling on a small field above and to the rear of 6 and 7 Forest View, Blaengarw. Development in the vicinity includes several individually designed detached dwellings and the more traditional terrace form on James Road. Nanthir Farm with its associated buildings occupies the high ground and is screened from the Application site by a line of tall conifer trees.



Figure 1: Location Plan

Described as a dormer bungalow, accommodation will be provided over two floors consisting of an open plan living area including a kitchen, linked to a utility room on the ground floor with the entrance and hallway serving a 'snug' and WC. The accommodation above comprises three bedrooms, three bathrooms and landing area. A double-basement garage will be constructed beneath the southern wing of the property. The "L" shaped building will have the following maximum dimensions: 16.8m x 13.10m when incorporating the basement garage and 11.05m when measuring the accommodation level above. The pitched roof will reach a maximum height of 6.7m above the finished ground/slab level.

The proposed dwelling will be sited slightly across the natural slope of the site necessitating excavation to create the access, driveway, and basement garage. The slab level of the dwelling will sit on the existing contours some 3.5m above the lowest point of the site which is along the shared boundary with the properties on Forest View. It should be noted that the dwellings on 6 & 7 Forest View are sited at a lower level again, following the natural contours of this sloping valley side. Extracts of the site layout and elevations/sections of the dwelling are reproduced below:

House

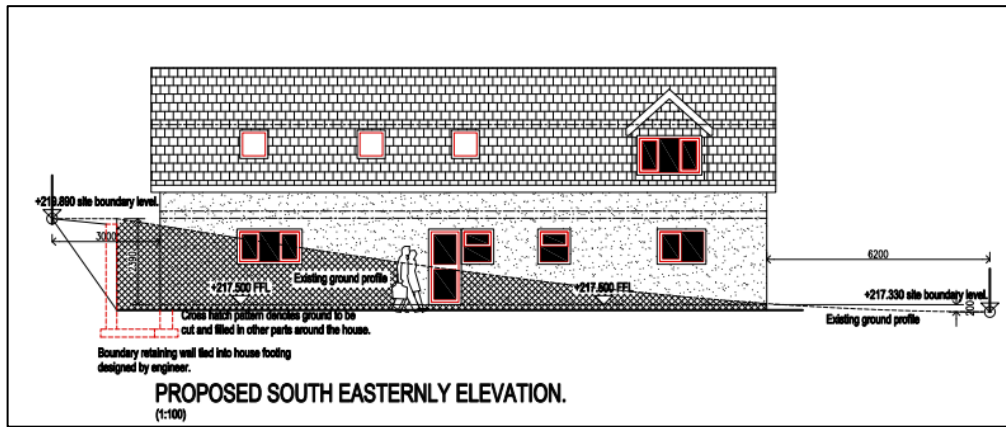


Figure 5: Easterly Elevation Facing Rising Land and Nanthir Farm

The extracts above are from the latest drawings which have been amended to address concerns regarding the scale of the development and its impact on the living conditions of the occupiers of the nearest dwellings with regard to a loss of privacy. The scale of the dwelling has been reduced and its position on site adjusted such that the front elevation does not directly align with the shared boundary with properties on Forest View. The double height glazing in the gable projection has also been removed and replaced with a more traditional window arrangement. To evidence the changes made to the scheme, extracts of the original site plan and front elevation are re-produced below:

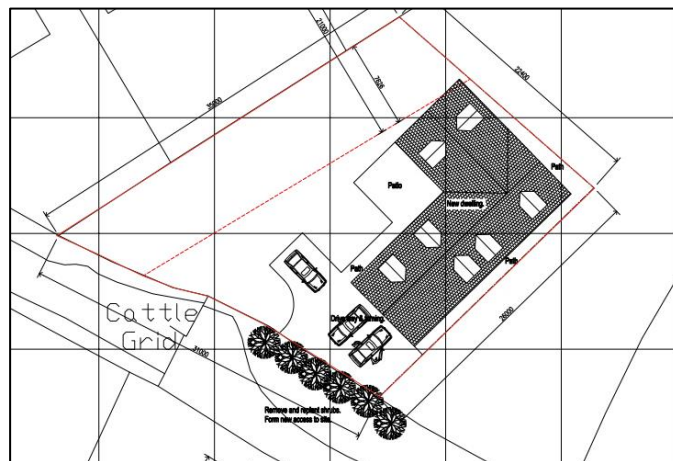


Figure 6: Extracts of Original Plans

Vehicular and pedestrian access to the dwelling is gained from the adjacent private lane via a gated access, leading into an irregularly formed permeable driveway, created through some excavation at the lower part of the site and to be enclosed by retaining walls that will reach a maximum height of 1.3m. Steps rising a height of 2.7m will connect the parking area to a balcony which fronts the main entrance to the dwelling.

Landscaped and lawned areas will be formed to the front and rear of the dwelling using the existing ground levels. A small patio area will be created in the southern corner of the plot that will be accessible by 'French/Bi-Folding Doors' on the ground floor of the southern elevation. No details of boundary treatment have been submitted.

Materials of construction have not been specified but appear to be rendered walls with a tiled roof.

The application has been accompanied by the following technical reports and plans:

16/07/2024	Drawing 01 Proposed Site Plan
	Drawing 03 Cross Section Sheet 1 of 5
	Drawing 04 Cross Section Sheet 2 of 5
	Drawing 05 Cross Section Sheet 3 of 5
	Drawing 06 Cross Section Sheet 4 of 5
	Drawing 07 Cross Section Sheet 5 of 5
	Drawing 08 Proposed Elevations Sheet 1 of 2
	Drawing 09 Proposed Elevations Sheet 2 of 2
	Drawing 10 Proposed Ground Floor Plan
	Drawing 11 Proposed First Floor Plan
	Level Survey Parts 1 & 2
	Location Plan
	Green Infrastructure Statement
	Design and Access Statement
14/10/2024	Drawing 01 Proposed Site Plan (Levels)
14/03/2025	Drawing 02 (A) Proposed Site Plan
29/07/2025	Drawing 02 (A) Proposed Site Plan
	Drawing 08 Proposed Elevations Sheet 1 of 2
	Drawing 09 Proposed Elevations Sheet 2 of 2
	Drawing 10 Proposed Ground Floor Plan
	Drawing 11 Proposed First Floor Plan
	Drawing 12 Proposed Lower Ground Floor and Roof Plan
19/12/2025	Drawing 02 (B) Proposed Site Plan
	Drawing 08 (A) Proposed Elevations Sheet 1 of 2
	Drawing 09 (A) Proposed Elevations Sheet 2 of 2
	Drawing 11 (A) Proposed First Floor Plan
	Drawing 12 (A) Proposed Lower Ground Floor and Roof Plan
11/02/2026	Drawing 08 (B) Proposed Elevations Sheet 1 of 2
	Drawing 09 (B) Proposed Elevations Sheet 2 of 2
	Drawing 02 (B) Proposed Site Plan
	Drawing 10 (A) Proposed Ground Floor Plan
	Drawing 11 (B) Proposed First Floor Plan
	Drawing 12 (B) Proposed Lower Ground Floor and Roof Plan

RELEVANT HISTORY

P/03/1006/OUT	Detached Property Including Vehicular Access.	Conditional Consent 28 October 2003.
P/08/925/FUL	Development Of Detached 4-Bed House and Garage	Refused permission on 03 April 2009.
1599	Appeal against the refusal of planning permission P/08/925/FUL	Dismissed on 12 October 2009.
P/10/247/FUL	4 Bed Detached House with Garage	Refused permission on 02 June 2010.

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.

The most recent consultation in respect of the amended plans received on 11 February 2026 expired on 27 March 2026.

CONSULTATION RESPONSES

CONSULTEE

COMMENTS

Garw Valley Community Council

No comments received.

Transportation Officer (Highways)

No objection subject to conditions.

The Council's Structural Engineer

No objections subject to conditions.

The Coal Authority

No objections.

Shared Regulatory Services – Environment Team.

No objection subject to conditions.

Land Drainage

No objection subject to conditions.

Biodiversity Policy Manager (BCBC)

No comments received.

Natural Resources Wales

No objection.

Dwr Cymru/Welsh Water

No objection subject to conditions.

REPRESENTATIONS RECEIVED

Five letters of objection were received in response to the consultation on the plans submitted with the original application. One letter of objection has been received to the consultation undertaken in August 2025 to the revised plans. No comments have been received to the latest re-consultation.

The following is a summary of the objections received:

- The size of the planned build is still too large and intrusive to adjacent properties,

especially the properties below them – it is a ‘Grand Design’ in the countryside – not really a dormer bungalow.

- With the proposed height of the property, this will cause overshadowing and take away direct morning sunlight and light in general.
- The positioning of the planned house would mean our privacy would be compromised due to the fact that they will be looking into the bedroom, bathrooms and gardens of the neighbouring properties.
- The proposed plans for the drive, front garden (where the residents would get the most sun) and front door (with balcony entrance/area) would mean that there would be extensive disturbance with noise pollution to residents in their gardens.
- The access from the main road (A4064) is too narrow for very large lorries carrying heavy loads and will be a major logistical problem – problems for emergency vehicles accessing - this will cause a major disturbance throughout as well as a danger to young children who play in this area. Lorries have damaged properties accessing Nanthir Farm in the past. Existing private drive will not cope with construction traffic. Damaged highway will affect access to existing properties.
- Excavation of the land could cause flooding into neighbouring properties. Likewise, the drainage system would not be able to sustain another property as there is already excess water visible with heavy rain. Residents were informed that James Road sewer was full to capacity and that properties on Forest View were supposed to be the last.
- No details of the proposed re-location of the hedgerow have been provided.
- Large gas main runs unprotected in a culvert between the private road and site – any damage could result in a major incident or loss of supply to properties.
- Are the water and gas supplies to the area able to serve an additional dwelling?
- Noise pollution from building work and heavy vehicles passing properties would affect the well-being of residents.

COMMENTS ON REPRESENTATIONS RECEIVED

The issues raised align with the main planning considerations and are addressed in the appraisal section of the report.

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 COM6	Residential Density
Policy SP8	Health and Well-Being

Policy COM10	Provision of Outdoor Recreation Facilities
Policy SP10	Infrastructure
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 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 impact of the development on the general amenities of the area, the living conditions and future well-being of adjacent residents and the future occupiers of the property;
- the potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements;
- the impact of the scheme on the natural environment and whether the scheme provides a net benefit of biodiversity;
- the effect of the development on the existing drainage systems and whether a sustainable drainage system 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 developing this land for housing development accords with the policies of the Bridgend Local Development Plan March 2024 (RLDP)

The site is located within the Local Settlement of Blaengarw as defined by Policy SF1 of the RLDP. Development will be permitted within settlement boundaries at a scale commensurate with the role and function of the settlement. The proposal is also located within the Garw Valley Regeneration Area as defined by Policy SP1: Regeneration and Sustainable Growth Strategy of the RLDP.

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 adopted RLDP.

Policy SP5 - Sustainable Transport and Accessibility of the RLDP 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 also 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. The scale of this development does not warrant such an assessment but the extent to which the scheme complies with this Policy SP5 will be discussed in the following sections of this report.

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 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. Paragraph 6.2.12 of PPW12 requires a green infrastructure statement (**GIS**) to be submitted with all planning applications.

Policy SP3 – 'Good Design and Sustainable Placemaking' states that 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 regard to the natural, historic and built environment, by:

1. Demonstrating alignment with the principles of *Good Design*; and
2. Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

The broad support for housing on this windfall site under Policy SP6 is acknowledged but the acceptability of the principle of the site being developed is dependent on other factors such as whether the site can accommodate a dwelling that aligns with the principles of *Good Design* and not adversely affect the living conditions of residents, can be easily accessed by sustainable modes of travel, and can integrate green infrastructure and safeguard biodiversity and have sufficient capacity within the drainage infrastructure to serve the development without detriment to the residents and neighbouring properties and the environment. These matters will be appraised in the following sections of this report.

The potential impact of the development based on the scale and parameters on the general amenities of the area, the living conditions and future well-being of adjacent and future residents

Good design is fundamental to creating sustainable places where people want to live, work, and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places (Paragraph 3.3 of PPW refers). *'The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement'* (Paragraph 3.9 of PPW refers).

Placemaking principles have been at the heart of the Council's local planning policies and are a fundamental facet of its approach to development management. Integrating placemaking principles and good design into development schemes at all levels has been the objective and is further re-enforced by National policy. Poor design can not only detract from the character and appearance of an area but it can also adversely affect people's well-being and quality of life. Considerations of visual impact, loss of light, overlooking, privacy, disturbance, traffic impact and environmental effects are all key in this regard (Policy SP3 refers).

The principle of developing this site was first established in 2003 when outline planning consent was granted for a single detached property including vehicular access. In addition to conditions that controlled site levels, drainage and access, the consent was given on the

basis that it would be developed as a 'single storey dwelling'. In 2009, an Inspector appointed to review a refusal of permission for a four-bedroom detached dwelling considered the key issues to be the effect of the development on the neighbours' living conditions with particular regard to privacy. The Inspector noted that: *"even if a 2m high fence were to be erected on the boundary, (with properties on Forest View), it is likely that there would be clear views from the entrance porch and ground floor living rooms of the proposed house into currently relatively private living areas at the rear of 6 and 7 Forest View. The severity of the effect on privacy would be accentuated by the presence of the proposed upper lounge and the comings and goings of visitors to the proposed....."* For this reason, the Inspector considered that the neighbouring properties would be overlooked in ways and to a degree that would have a severe adverse effect on the privacy of the occupants.

The Inspector went on to consider the matter of privacy in terms of overlooking distances and noted that the separation distance between the proposed dwelling and 6 and 7 Forest View would be more than the 'rule of thumb' of 21m which was and continues to be referenced in the Council's Supplementary Planning Guidance. However, in the Inspector's view this distance was normally applied in situations where houses would be 'back-to-back' and on level ground. These circumstances did not apply and it was considered that the separation distances that would be achieved would not provide an acceptable degree of privacy. On this matter, the Inspector concluded that, because of its design and layout, the proposed development would have an unduly harmful effect on neighbouring residents' living conditions and was contrary to the Policy of the time. In reaching this view, the Inspector was mindful that the Council had no objection to the principle of residential development on this site but did remark that even a single storey dwelling would be likely to have some effect on neighbours' privacy.

Several years have passed since the appeal decision in October 2009, and a subsequent refusal of consent for another dwelling on site in 2010. Planning Policies at both a local and National level have changed with a greater emphasis on sustainable development that meets 'placemaking' objectives. Good design is not optional but a requirement and responding to site circumstances (context) is key. Apart from vegetation along the boundaries of the plot maturing (including that shared with Forest View), and the removal of the cattle grid on the lane opposite the site, little has changed. In referring to the above appeal decision, it should be noted that the design of the dwelling that was the subject of the dismissed appeal is markedly different to the proposal submitted as part of this Application and extracts from the refused drawings are reproduced below for clarity:

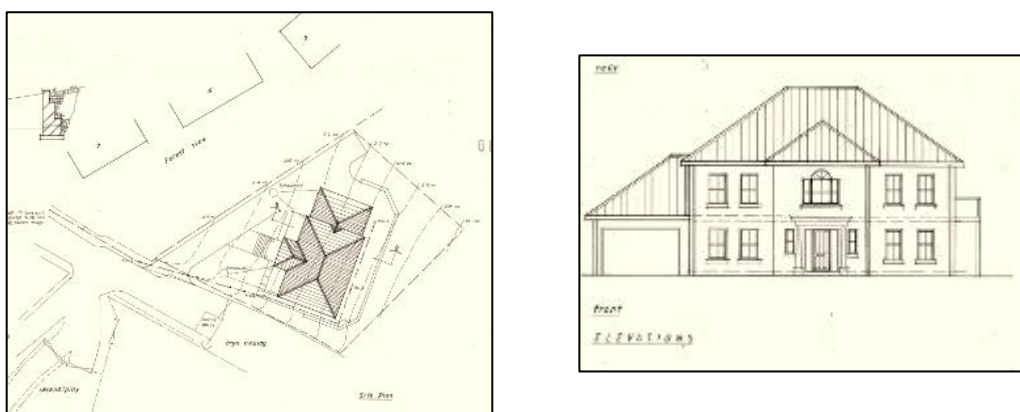


Figure 7: Extracts of Plans Refused under P/08/925/FUL

As with previous applications on site, local residents have objected to this Application based not only on the size of the dwelling being out of character with the area but also its proximity and elevated position dominating outlook, overshadowing and compromising privacy by virtue

of the overlooking windows and proximity of the access and parking area.

Reproduced below is the latest site layout plan with the recorded distances between the new dwelling, the site boundary and existing properties on Forest View:

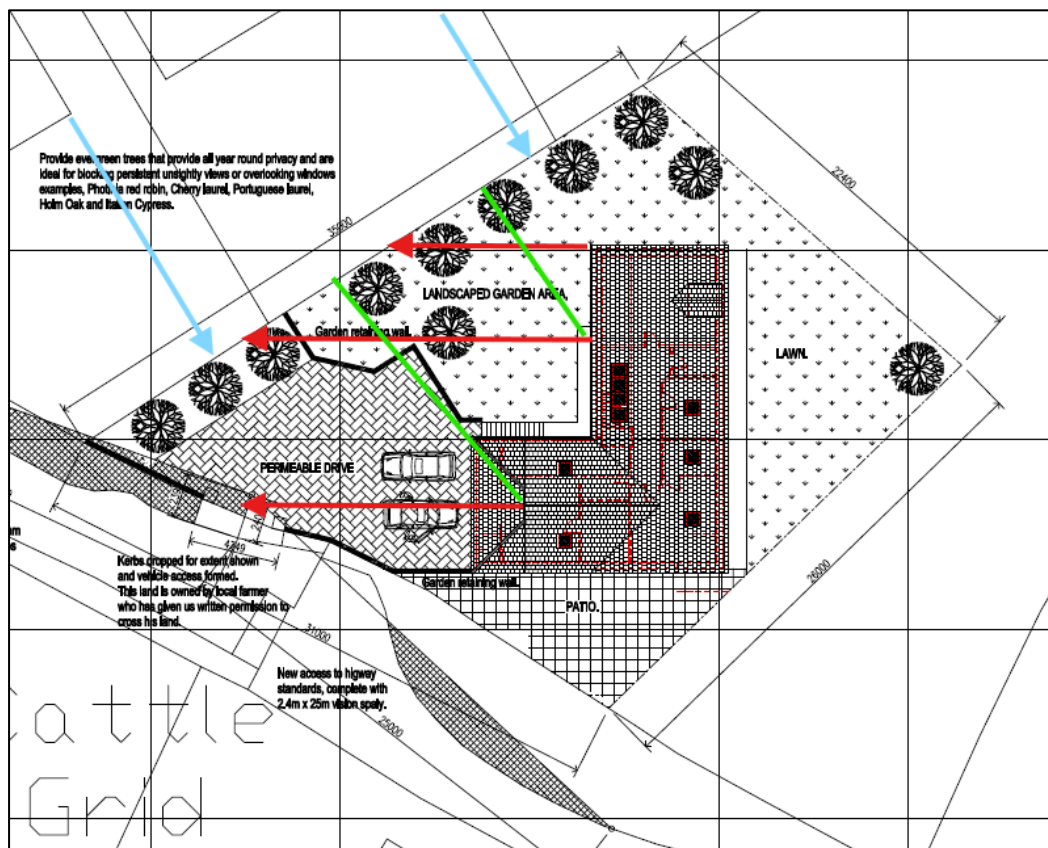


Figure 8: Extract from Site Layout Plan with Distances in Text Below.

The red lines are the lengths between the proposed dwelling (including doors and windows) and the boundaries of the site measured directly. From north to south the distance is measured from 11m, 18m and 15.6m to the boundary with the lane. The green lines represent the closest distances measured (not directly) from doors and windows in the ground and first floor of the proposed dwelling and measure 10m and 15.2m from north to south. The blue lines are the distances between the existing properties and the shared boundary with the Application site and range from 13 to 15m.

All distances are based on a one-dimensional plan and do not account for the difference in levels as the slab level will be approximately 3m above the lowest part of the site. Accounting for the site levels, the distances may be marginally greater.

Considering the residents' concerns in turn: firstly, the dwelling dominating outlook and overshadowing habitable rooms and garden areas. This matter was considered by the Inspector in the 2009 appeal who referenced the daylight protection zone in an earlier iteration of the Council's SPG and concluded that given the context of the area, the proposed development would not be so close to neighbouring properties or so high that it would be unacceptably overbearing. Given that the height of the proposed dwelling is below that of the refused 2009 scheme and is angled away and not parallel to the neighbouring properties, it would be unreasonable to take a different view. Any perceived concerns are not so significant to substantiate an objection for this reason.

The Council's SPG for House Extensions acknowledges that a sense of privacy within the house and a freedom from overlooking in at least a part of the garden are aspects of

residential amenity. The County Borough is concerned that new house extensions should not unreasonably diminish those qualities in nearby housing and that is equally relevant for new dwellings. Paragraph 4.6.2 of SPG:02 states:

“The County Borough Council believes that the minimum distance between directly facing habitable room windows in adjacent properties should normally be twenty-one metres. Reductions may be acceptable where:

- (a) permanent screening can be provided between facing ground floor windows*
- (b) the overlooking is between windows fronting on to a highway where established building lines are less than 21 metres apart*
- (c) the overlooking is between windows fronting on to a public space where the buildings are used to define spatial enclosure*
- (d) the angle of overlooking between windows is not direct, allowing the distance between windows to be reduced as the angle between them is increased***
- (e) the overlooked window is a secondary window*
- (f) either the overlooked or overlooking window is high level or is permanently obscured glazed and fixed – usually appropriate only if there is a second clear glazed and opening window serving the same room.*

If the ... building is on higher land than the overlooked building, the minimum overlooking distance may need to be increased to maintain the privacy of the latter.”

Based on the dimensions recorded on Figure 8, the distance between habitable room windows in the new and existing properties will exceed the 21m. Furthermore, at no point will the windows look **directly** into habitable rooms in the properties on Forest View. Changes to the design and position of the dwelling have sought to lessen the impact on the amenities of the neighbours.

Angling the dwelling away to prevent direct overlooking and positioning the two-storey glazed projecting gable on the southern end of the dwelling were positive adjustments that were made through the processing of the Application; regarding the double-height glazing in the gable there were concerns that the development would not only reduce the current levels of privacy, particularly in the gardens, but that it would also create a perception of being overlooked given the elevation of the windows above the neighbouring properties. In the latest revision to the design (February 2026), the Application proposes the omission of the double-height glazing and its replacement by more modest, traditional window openings. Figure 9 below shows the changes in fenestration on the front elevation of the proposed property.

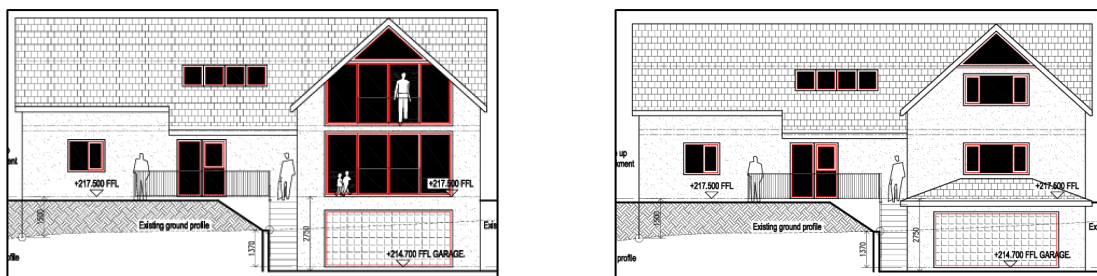


Figure 9: Showing Changes to the Fenestration in Gable Elevation

Developing this elevated site behind existing properties in a manner that does not have some impact on the privacy and amenities of residents is a significant design challenge. The key issue is whether the scheme would have such a harmful impact that, in the public interest, the Application should be refused. Arguably, a more modest single storey dwelling may have

had less of an impact, but it would also have included windows on the front elevation facing the rear of properties on Forest View, compromising privacy. As now amended, the house design also includes ground floor windows but a more modest first-floor window arrangement and roof lights. Taking this change into account and the previous re-orientation of the dwelling so as not to directly face the nearest properties, the impact on the privacy of the neighbours is considered, on balance, to be acceptable. There is the potential for privacy to also be affected by the position of the access and parking area immediately beyond the rear boundary of no. 7 Forest View. In the 2009 appeal decision, the Inspector noted that the comings and goings of visitors to the house would contribute to a loss of privacy. The latest layout plan proposes an area of planting between the rear boundaries with properties on Forest View and the driveway and garden area of the proposed dwelling. Planting alone will offer minimal benefits particularly as it will take time to establish. However, a combination of planting and fencing/walls will provide a more substantial solution, and a condition will be imposed requiring the agreement of the boundary and planting details before any development commences.

Notwithstanding the understandable concerns of residents, it is considered that the amended proposal is on balance acceptable. The requirements of the Policy SP3 will be met by the proposal.

Providing well-designed private outdoor amenity space for all occupants of a development is important. In the past, developments have included poorly considered or inadequate outdoor amenity provision with many gardens not allowing for future domestic extensions/alterations. Garden sizes should therefore be appropriate to the dwelling size and site-specific considerations. Whilst this Council does not have a minimum standard, the size of garden will need to be appropriate to the dwelling size. Generally, the Council would encourage garden lengths of 10.5 which derives from the separation distance to achieve back-to-back privacy. That will not be achievable as part of this development and whilst space will be provided in the form of lawns and landscaped areas this is likely to be on sloping ground. The patio on the southern side of the property is modest in size and, if screened within suitable enclosures, could provide useable amenity space which on balance is considered to be acceptable.

Concerns have been offered as to whether the scale and design of the dwelling is appropriate for this rural location. Although on the valley side and the edge of the community of Blaengarw, it is located within the Settlement boundary. As there is considerable variety in the style and details of other houses in the vicinity, such an objection would be difficult to substantiate.

The potential implications of the development on the surrounding highway network and the acceptability of the proposed access arrangements

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. 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.

The site is located within but on the edge of the community of Blaengarw, accessed via traditional terraced streets and junctions with steep gradients that connect to the A4064. The limited facilities of the community are accessible for people to walk and cycle, and public transport routes are relatively close with connections to the larger centres to the south of the Garw Valley. The development therefore does not conflict with the aim of the new plan to reduce private car reliance and help the County Borough achieve the principles set out by

Planning Policy Wales.

Residents have suggested that the existing road infrastructure is unsuitable to serve the development, in particular during the stages of construction and servicing thereafter.

Undoubtedly, the development of this site will generate a significant number of construction vehicle movements associated with site excavation, concrete pours for the slab construction etc. and deliveries of materials, issues that were considered in the 2009 appeal. Then the Inspector concluded that conditions could be imposed which *“would help to ensure that disturbance and disruption during the construction period would be minimised.”* There is no evidence to suggest that such conditions would not offer the same safeguards in 2026. Concerns that damage may be caused to a section of private drive during construction are not matters that can be controlled through the planning process. Responsibility for subsequent repairs of the road would fall upon the landowners and existing users.

The proposed development appears to be largely acceptable in principle (limited vehicle movements and suitable parking proposed). It is however noted that the vehicle access is being gained from an unmaintained lane alongside 49 James Road. This is not included within the Application site red line boundary but it is noted that re-profiling works will be required to the verge area between the lane and the site to provide the access at the appropriate gradient (infilling of verge and existing ditch), together with permanent surfacing.

Furthermore, a revision to the proposed access to detail vision splays is necessary but would fall outside the control of the Applicant and thus cannot be sought by condition.

Accordingly, officers in the Highways Section have no objection to the development subject to conditions.

The impact of the scheme on the natural environment and whether the scheme provides a net benefit of biodiversity

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 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.

Paragraph 6.4.39 PPW reminds authorities that trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial green infrastructure function must be protected. Where trees are present, their retention, protection and integration should be identified within planning applications. Where surveys identify trees capable of making a significant contribution to the area, these trees should be retained and protected. The provision of services and utilities infrastructure to the Application site should also avoid the loss of trees, woodlands or hedges and must be considered as part of the development proposal; where such trees are lost, they will be subject to the replacement planting ratios. Permanent removal of trees, woodland and hedgerows will only be permitted where it would achieve significant and clearly defined public benefits. Where loss is unavoidable developers will be required to provide compensatory planting. Replacement planting shall be at a ratio equivalent to the quality, environmental and ecological importance of the tree(s) lost, and this must be preferably onsite, or immediately adjacent to the site, and at a minimum ratio of at least 3 trees of a similar type and compensatory size planted for every 1 lost, (Paragraphs 6.4.40 to 6.4.42 PPW refer).

At a local level, Policy SP3 of the adopted Replacement Local Development Plan (2024) requires development to safeguard and enhance biodiversity and provide integrated multi-functional green infrastructure networks.

Policy DNP6 states: *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”.*

Policy DNP7 states: *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”.* Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

As set out in the introduction to the report, a Green Infrastructure Statement has accompanied the Application which acknowledges that “*shrubs will be removed for access.*” These will be replanted along the western boundary of the plot, a distance away from the dwelling. Photos below show the area of shrubs to be cleared. An earlier photo from 2010 shows how the shrubs have since matured.



Figure 10: Photo of Shrubs/Trees that will be cleared for Proposed Access



Figure 11: Photo of Site Frontage from 2010

National and Local policies seek to secure a net ecological gain as per Section 6 of the Environment (Wales) Act. This has not been fully demonstrated as part of this planning submission but could be achieved through the imposition of planning conditions. The GIS does indicate that bat and bird boxes will be erected on the new dwelling and new tree planting can be provided to compensate for the loss at the entrance. Overall, there is the potential for this development to deliver a net benefit for biodiversity, to promote ecosystem resilience and to comply with national and local planning policies.

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

The Application site is located on land where there is no risk of flooding from rivers or from surface water and small watercourses. Nonetheless, advice at paragraph 7.1 in TAN 15

states that *“Built development tends to increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface run-off.... Run-off from developments can, if not properly controlled, result in flooding at other locations and significantly alter the frequency and extent of floods further down the catchment.”* Paragraph 7.2 continues *“SuDS perform an important role in managing run-off from a site and must be implemented in most new developments...”*

Criteria g), l) and m) of Policy SP3 of the RLDP require that development must avoid or minimise soil and water pollution, incorporate appropriate arrangements for the disposal of foul sewage, waste and water, and respond to the climate emergency by protecting and increasing the resilience of both ecosystems and communities to address the inevitable effects of climate change.

Policy SP4 (point 7) RLDP requires development proposals to address the causes and effects of climate change through [among other means] *“...avoiding development that increases the risk of flood, including through the deployment sustainable urban drainage systems where relevant.”*

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.

The Council's Land Drainage Team notes that the Application states that foul water will be disposed of *‘to other,’* a reference to a connection to a private sewer. Dwr Cymru Welsh Water (DCWW) have confirmed that the site is located in the catchment of a public sewerage system which drains to Penybont (Merthyr Mawr) Wastewater Treatment Works (WwTW). They have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system.

The Application form states that surface water will be discharged to a sustainable drainage system, but no details are given. Given the proposed bungalow and paved area is more than 100m², a SAB Application will be required. Subject to conditions, the development is acceptable to the Council's Land Drainage Team and DCWW. SAB approval will need to be secured before any development commences and part of that process will include infiltration tests to establish that ground conditions will allow the use of an infiltration system. Should the conditions not be favourable, surface water would need to be discharged to the existing systems but only if consent is given by DCWW and that is not guaranteed. Pre-commencement planning conditions will be imposed requiring the agreement of a comprehensive and integrated drainage scheme for this site.

Residents have highlighted concerns about the adequacies of the drainage infrastructure to accommodate this additional dwelling and whilst there is still work to be done on designing and agreeing a drainage scheme for this development, the observations received from consultees have not suggested that this should be a barrier to development. Implementing a construction management plan that would be agreed by the Council should ensure that surface water on this sloping site could be managed during construction.

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

Planning Policy Wales confirms that planning decisions will need to take the following into account:

- the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the

stability of the ground and to identify any remedial measures required to deal with any instability

Ground stability was only briefly considered in the 2009 appeal with the Inspector content that *'solutions could be found to technical issues including...foundations.'*

The Council's Principal Structural Engineers has reviewed the Council's Historic Ordnance Survey maps which show the history of coal being mined dating back to 1884. The nearest shafts and coal levels appear to be more than 70m from the site. The Coal Authority (CA) data in our archives shows the north-east corner of the site to be in an area deemed by the CA to be at high risk of movements from past or future coal mining activities. There are nine shafts or mine entries between 160m and 190m away dotted around the site. The Landslip Survey of the South Wales Coalfield shows that there was a landslip close to the site – this suggests ground stability might be an issue during ground works. The Council's Engineer suggests that given the mining history around the site and the amount of groundworks required by the development, a mining risk assessment needs to be undertaken by a suitably qualified person. Furthermore, given the topography of the site retaining walls will certainly be required. All retaining walls should be designed by a suitably qualified engineer and the Mid Glamorgan Act requires full details together with calculations proving the stability of any retaining walls with a retaining height greater than 1.5m be sent to this Authority for checking.

The Coal Authority reviewed the site location plan provided and confirmed that the site falls within the Coal Authority's defined **Development Low Risk Area** and on this basis other than offering their standing advice had no objection to the development. The standing advice is included in the standard notes, and the comments of the Council's Structural Engineer will be brought to the attention of the developer. A condition requiring the agreement of the calculations of any retaining walls will also be included in any consent granted.

CONCLUSION

The primary objective of Planning Policy Wales is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.

As the site lies within the Settlement of Blaengarw, the broad support for housing is acknowledged. However, Policies SP3 and COM6 seek the most efficient use of land in accordance with sustainable, placemaking principles without compromising the quality of the living conditions provided for existing and future residents.

The proposed dwelling, by virtue of its design, elevation and siting will reduce the current levels of privacy afforded to the occupiers of properties on Forest View. Importantly, the planning system does not guarantee complete privacy particularly in urban areas. It does however seek to prevent unacceptable or significant harm, rather than minor or inevitable overlooking. Based on the amended orientation of the property, (which prevents direct overlooking of neighbouring properties), the removal of the double height glazing and the provision of boundary planting and screening (secured by condition), the impact is considered, on balance, to be acceptable.

Site drainage has not been agreed at this stage but based on the observations received from consultees a scheme could be agreed and would in any event require SAB approval. Implementing a construction management plan should also ensure that surface water on this sloping site could be managed during construction.

As set out in the appraisal section of this report, the development in all other aspects and subject to the conditions set out below is considered acceptable. Accordingly, the proposed development is considered to accord with Policies SP1, SP3, SP4, SP5, SF1, PLA11, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024) (RLDP).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

(R02) That permission be **GRANTED** subject to the following conditions:

1	<p>The development shall begin not later than five years from the date of this decision.</p> <p>Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.</p>
2	<p>The development shall be carried out in accordance with the following approved plans and documents:</p> <p>Drawing 08 (B) Proposed Elevations Sheet 1 of 2 Drawing 09 (B) Proposed Elevations Sheet 2 of 2 Drawing 02 (B) Proposed Site Plan Drawing 10 (A) Proposed Ground Floor Plan Drawing 11 (B) Proposed First Floor Plan Drawing 12 (B) Proposed Lower Ground Floor and Roof Plan</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 a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings 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.</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 in compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
4.	<p>No development shall take place until the siting and floor levels of the approved dwelling have been agreed on site with a representative of the Local Planning Authority. The development shall be carried out in accordance with the agreed details.</p> <p>Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area in compliance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
5.	<p>Notwithstanding Condition 2, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a Biodiversity, Landscaping and Boundary Treatment Scheme, including the following:</p> <ul style="list-style-type: none"> • Height, positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation.

	<ul style="list-style-type: none"> • A landscaping scheme which shall include, proposals for surface treatment, indications of all existing trees and hedgerows on land, and details of any to be retained, together with measures for their protection in the course of development. • Swift nest box of dimensions H150 x W340 x D150mm, with small slit shaped entrance hole, to be placed under or close to roof verges, at least 5m from the ground and an artificial roosting facility for bats such as the Vivaro Pro Build-in Woodstone bat box (or similar) installed on, or preferably incorporated into the fabric of a building, on a south, southeast or southwest elevation, in a location at least 4m above ground level, which is not shaded from the sun and is not lit artificially. Once installed the nesting and roosting features shall be so retained thereafter. <p>The agreed Landscaping and Boundary Treatment Plan shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the Local Planning Authority prior to any development commencing on site.</p> <p>Should any plants die, become diseased or damaged within 5 years of the implementation of the approved landscaping scheme they will be replaced by plants of similar size and species unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the general amenities of the area are protected and to maintain and improve the appearance of the area in the interests of visual amenity, and to promote nature conservation and in accordance with the requirements of Policies SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
6.	<p>No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
7.	<p>No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
8.	<p>No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the site excavation/construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> • The timing and routing of HGV construction traffic to/from the site • the parking of vehicles of site operatives and visitors • loading and unloading of plant and materials • storage of plant and materials used in constructing the development.

	<ul style="list-style-type: none"> • wheel washing facilities. • measures to control surface water on site, the emission of dust and dirt during construction. <p>Reason: In the interests of highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024)</p>
9.	<p>Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
10.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
11.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and reenacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed without the prior grant of planning permission in that behalf.</p> <p>Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
12.	<p>No development shall commence on site until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining walls to be constructed will be designed and constructed so as to prevent subsequent ground movement. Any retaining walls shall be constructed in accordance with the design and constructional details so certified.</p> <p>Reason: In the interests of safety and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).</p>
13	<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</p>

	<p>must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.</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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
14	<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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
15	<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.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
16.	<p>The following are ADVISORY NOTES and not planning conditions:</p>
A	<p>Reasons for Granting Planning Permission:</p> <p>The primary objective of Planning Policy Wales is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation.</p> <p>As the site lies within the settlement of Blaengarw, the broad support for housing is acknowledged. However, Policies SP3 and COM6 seek the most efficient use of land in accordance with sustainable, placemaking principles without compromising the quality of</p>

	<p>the living conditions provided for existing and future residents.</p> <p>The proposed dwelling, by virtue of its design, elevation and siting will reduce the current levels of privacy afforded to the occupiers of properties on Forest View. Importantly, the planning system does not guarantee complete privacy particularly in urban areas. It does however seek to prevent unacceptable or significant harm, rather than minor or inevitable overlooking. Based on the amended orientation of the property, (which prevents direct overlooking), the removal of the double height glazing and the provision of boundary planting and screening, (secured by condition) the impact is considered, on balance to be acceptable.</p> <p>As set out in the appraisal section of this report the development in all other aspects and subject to the conditions set out below is considered acceptable. Accordingly, the proposed development is considered to accord with Policies SP1, SP3, SP4, SP5, SF1 PLA11, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p> <p>It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.</p>
B	<p>BCBC Land Drainage:</p> <p>To satisfy the drainage conditions, the Applicant must:</p> <ul style="list-style-type: none"> • Provide foul and surface water drainage layouts including discharge arrangements. • Submit a sustainable drainage Application to the BCBC SAB team (SAB@bridgend.gov.uk). • Confirmation from DCWW of the acceptability of any proposed discharge to the public sewerage system for foul and (if proposed) surface water. • Provide proposed SUDS surface water drainage layout (including location of proposed soakaway, (if required) • Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE-digest 365. • Provide a plan showing location of trial holes and at least 3 separate tests at each trial hole location • Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system. • Provide a timetable for its implementation; and • Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
C	<p>Dwr Cymru Welsh Water:</p> <p>Dwr Cymru Welsh Water have reaffirmed that... 'as of 7th January 2019, this proposed development may be subject to Schedule 3 of the Flood and Water Management Act 2010. In the event this proposed development amounts to a total impermeable area of 100sqm or more, approval of Sustainable Drainage Systems (SuDS) features will be required in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. In this instance, we offer no objection to proposals for disposal of surface water flows into a</p>

	<p>sustainable drainage system, in principle, subject to consultation and agreement with the regulatory body or riparian owner of this system.'</p> <p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</p> <p>The Applicant may also need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is 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.</p> <p>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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>
D	<p>The Council's Structural Engineer:</p> <p>Notwithstanding the comment of the Coal Authority, the Council's Structural Engineer recommends that given the amount of groundworks required by the development a mining risk assessment needs to be undertaken by a suitably qualified person. It is also recommended that a geotechnical engineer be engaged to undertake a geotechnical survey of the site to advise on the suitability of the soils on site, their material properties and if there is any contamination also if mine gases will be an issue at this site.</p> <p>Given the topography of the site retaining walls will certainly be required. All retaining walls should be designed by a suitably qualified engineer and the Mid Glamorgan Act requires full details together with calculations proving the stability of any retaining walls with a retaining height greater than 1.5m be sent to this Authority for checking.</p>
E	<p>SRS – Environment Team:</p> <p>The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:</p> <ul style="list-style-type: none"> (i) determining the extent and effects of such constraints (ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site; - Unprocessed / unsorted demolition wastes. - Any materials originating from a site confirmed as being contaminated or -

potentially contaminated by chemical or radioactive substances. - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and

(iii) the safe development and secure occupancy of the site rests with the developer. Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

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

**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers
None