

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

18 MARCH 2015

REPORT OF CORPORATE DIRECTOR - COMMUNITIES

DEPARTURE PLANNING APPLICATION P/14/763/FUL

1. Purpose

- 1.1 On the 5th February 2015 the Development Control Committee considered planning application P/14/763/FUL as a departure from the Development Plan. The Development Control Committee resolved not to refuse planning permission so the application has been referred to Council which is requested to grant planning permission subject to conditions and the applicant entering into a Section 106 Planning Obligation.

2. Connection to Corporate Improvement Plan/Other Corporate Priority.

- 2.1 The delivery of the County Borough Council's planning functions has links to most of the Council's corporate priorities as outlined in the Corporate Improvement Plan. The objective of *A Diverse and Sustainable Economy* are the most pertinent.

3. Background

- 3.1 Planning application P/14/763/FUL is for a change of use, refurbishment and extension of this former convalescent home to form 68 new residential units including the demolition of a rear wing. The development is located in the open countryside and as such constitutes a departure from the adopted development plan. The Development Control Committee has resolved not to refuse this application for the reasons outlined below. A previous application on this site granted consent for the construction of a new convalescent home and the change of use, refurbishment and extension of The Rest to provide 68 residential apartments. The consent is still extant and the current application proposes an identical scheme apart from the construction of the replacement nursing home.

4. Current situation/proposal

- 4.1 The proposal is a full application for the refurbishment and extension of the existing Grade II listed former Rest convalescent home, the demolition of modern extensions and a number of single storey outbuildings, the development of new residential accommodation to the rear of the listed building and strategic landscaping/car parking.

- 4.2 The site comprises the former Rest convalescent home and associated grounds and covers an area of approximately 4.84 hectares. The building lies on the north western edge of Porthcawl in the Rest Bay area, approximately 1.3 miles from the town centre. It is situated close to the Royal Porthcawl Golf Club and is a prominent local building within the Porthcawl coastal area. The site is entirely located within the open countryside adjacent to a Special Landscape Area. The nearest residential dwelling is The Lodge, which is approximately 140 metres from the Rest convalescent home. The main settlement of Nottage is located some 330 metres to the east.
- 4.3 The former Rest convalescent home, which is a Grade II listed building is surrounded by a series of adjoining Victorian and modern extensions. The main building is orientated to face the sea and Rest Bay.
- 4.4 To the east of the main building lies a cluttered group of 20th century single storey buildings and associated hardstandings which are used for a variety of functions including a day nursery. Surrounding these is a series of lawn and rough paddock areas marked out with post and rail fencing. The eastern paddock is used on occasions for caravans and camping.
- 4.5 The proposed residential new build comprises two, three and four storey extensions in a mixture of local sandstone, render, timber and metal cladding providing a complementary yet contemporary character. Car parking spaces for 98 cars for the residential element of the scheme will be provided along with areas for cycle parking, refuse storage and servicing.
- 4.6 The landscape scheme will complement the current vegetation and will consist of additional local wild planting and dry stone walling as well as more ornamental shrubs close to the new buildings.
- 4.7 The Rest convalescent home was set up many years ago as a registered charity to provide care and assistance, predominantly to the people of South Wales. The facility comprised 56 bedrooms, a mix of single and twin bed rooms as well as numerous lounge and day rooms on the ground floor. The building has also been used as a meeting venue for a number of local groups and societies. The facility is now closed and has been for the past few years. The developer indicated that it was increasingly difficult to maintain the 150 year old building and provide a modern 21st century facility. The purpose of the development therefore is to safeguard a listed building from further decline by re-developing the property. This is to be achieved using the revenue generated from the residential development of the existing building. This current proposal does not involve the creation of a new convalescent home.
- 4.8 The development is within the open countryside and as such is considered to be a departure from the adopted local development plan.
- 4.9 A detailed design and access statement, planning statement, traffic surveys viability study and information relating to the community use of the existing facility has been submitted in support of the application.

4.10 RELEVANT HISTORY

P/11/781/LIS - new convalescent home; c/u of existing home to 34 res units; 34 new res units & demolition of rear wing at the rest convalescent home, rest bay, Porthcawl, approved 22nd July 2014.

P/11/782/LIS - New convalescent home; change of use of existing home to residential; demolish rear wing; 34 new residential units. Approved with Conditions - 17th January 2014.

4.11 PUBLICITY

The application has been advertised in the press and on site. Neighbours have been notified of the receipt of the application. The application was advertised as a departure. The period allowed for response to consultations/publicity expired on 17th December 2014.

4.12 CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 20th November 2014

Has no objection to the scheme but has concerns in respect of the flat roof section of the building not in keeping with the listed building.

Head of Street Scene (Drainage)

Has no adverse comments to make on the application.

Head of Parks & Playing Fields

Has no objection to the scheme.

Glamorgan Gwent Archaeological Trust

Request that a photographic record of the building be undertaken.

Destination & Countryside Management

Further to their observations in relation to P/11/781/FUL, it is noted and they welcome the Ecological Survey and Bat and Reptile report and their findings and recommendations. Notes will be added to any decision notice.

Head of Street Scene (Drainage)

Has no adverse comments to make on the application.

Group Manager Public Protection

Has no objection to the scheme subject to a note in respect of contaminated land.

Glamorgan Gwent Archaeological Trust

Request photographic record of the building be undertaken.

Natural Resources Wales

Has no objection to the scheme subject to a condition.

Welsh Water Developer Services

Has no objection to the scheme.

Head of Parks & Playing Fields

Has no objection to the scheme.

4.13 REPRESENTATION RECEIVED

Kim Dare-Edwards, 14 Stonechat Close

Has no objection to the scheme subject to a request for conditions in relation to the construction works to be carried out at the site. Each concern is highlighted below:

1. Asbestos in some of the buildings.
2. Nesting Birds.
3. Hours of work - suggested times are:

08:00 - 17:30 Mon - Fri

09:00 - 13:00 Saturday

No Work on Sunday and Bank Holidays

4. Noise
5. Dust Suppression and Material Stockpiles
6. Traffic Management
7. Ground Water
8. Light Pollution - During Construction
9. Light Pollution - During Long Term Building Use
10. Building Finishes

4.14 COMMENTS ON REPRESENTATIONS RECEIVED

It is unlikely in view of the distance of the site from existing dwellings that there will be any adverse impact in terms of loss of amenity. The property at 14 Stonechat Close is some 396m away from the development site.

Points 1,3,4,5,8,9 - Any asbestos, noise, dust, light pollution problems will be regulated by the Public Protection Section.

Point 2 - The developer has been made aware of works carried out which may affect protected species - bats/birds and the developer has provided the appropriate surveys.

Point 6 - The highways officer has not raised any issues of highway and pedestrian safety subject to conditions and a Section 106 agreement. This is also addressed in the appraisal section of the report.

Point 7 - Drainage issues have been considered by Welsh water/Dwr Cymru, NRW and the Authority's Drainage Section and they do not object to the proposal subject to conditions and notes which will be attached to any decision.

Point 10 - The building finishes have been conditioned/agreed under the previously approved Listed Building application by CADW. (P/11/782/LIS) refers.

A copy of the Crime Prevention Design comments submitted by the Police has been passed to the developer.

4.15 APPRAISAL

The application is reported to the Development Control Committee as it is a major development and out of accord with the Development Plan.

The appraisal will assess the following issues in relation to the various aspects of the development;

- * The refurbishment and extension of the existing building and its impact on the surrounding area.
- * Highway safety and sustainability
- * The policy implications of the proposal.

The existing convalescent home was designed as a hospital and, as such, is largely devoid of any striking architectural features or ornamentation particularly within its interior which has a strong institutional feel. The building has been altered, extended and enlarged over the years, which has also impacted on its character. Nevertheless it maintains a strong Victorian gothic appearance characterised by two main gable features on the south facing elevation together with a crenelated water tower. This elevation is the principal facade and is highly prominent when viewed from Rest Bay and the town of Porthcawl. The impact of the building in terms of its appearance adds significantly to character of the local area and, as a listed building, its preservation is considered a special material factor.

The refurbishment and extension of the building involves the removal of a number of the previously added extensions most of which may be considered as unsympathetic to the overall aesthetic of the listed building. The main facade will however, remain largely unchanged. The new build will involve a number of 2, 3 and 4 storey blocks arranged in a tight configuration around the rear and sides of the existing building, creating a central courtyard amenity feature. The design is mainly contemporary although it will borrow features from the main building including deep gables and use of traditional building materials. It is considered that the extension will complement the existing listed building and provide a suitable change of traditional to contemporary style.

When viewed from the surrounding area the completed development will be seen in the context of the existing building and there will be no significant change to the silhouette.

The car parking will be arranged around the outside of the footprint of the building and will be screened by landscaping.

As such it is considered that the development is acceptable in design terms and will result in a net improvement to the appearance of the building. The direct impact of the scheme in terms of the listed building was considered in the previously approved listed building application, which was approved with conditions by Cadw (P/11/782/LIS refers).

Turning to the highway and sustainability issues of the proposal, given the remote location of the site away from community facilities and the limited public transport services available in the area, there is concern that occupiers and visitors associated with this general purpose residential development will be discouraged from undertaking daily trips using a range of sustainable transport modes. Consequently, such daily trips are likely to rely on the use of private motor vehicles, thus placing the development at variance with the sustainability advice contained in Planning Policy Wales.

It is considered, therefore, that to address this fundamental policy issue, the developer should provide a financial contribution to enhance the sustainability credentials of the site. This can be achieved by improving active travel access between Rest Bay and Porthcawl town centre, or extending the limited transport service which serves the site. The provision of an enhanced bus service and/or improvements to active travel in the area can be in the form of a financial contribution controlled by a Section 106 agreement. To secure such improvements, the developer will be required to provide the sum of £63,136.32. To enable the developer to accrue sufficient monies to fund the highways S106 funding, the Highway Authority is prepared to accept a staggered/phased payment plan which would see £30,000 being paid upon the occupation of the first unit of residential accommodation within the site, and the remaining £33,136.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise agreed.

There is no formal bus stop provided along Rest Bay access road. To further enhance the sustainability credentials of the site, encourage additional use of any enhanced bus service and to ensure passengers are picked up/dropped off in a safe and convenient location, the applicant will be required to provide a formal bus stop adjacent to the highway in close proximity to the site access. It is envisaged that the scheme will consist of a bus stop shelter, pole and flag, secure service timetable and carriageway markings. It is anticipated that this facility can be accommodated between the accesses serving the site and the neighbouring Royal Porthcawl Golf Club. If it is evident that a shelter will be difficult to secure on the adjacent common land, a suitable waiting area with

seating for occupiers and visitors to the site could be provided within the site boundary in close proximity to the highway.

In accordance with SPG 17, the proposed residential use requires a total of 142 off street parking spaces. However, in view of the site's location, well outside the settlement, occupiers and visitors to the site will need to be encouraged to use sustainable modes of transport to and from the site on a daily basis (through an enhanced bus service servicing the Rest Bay area, or improved active travel access in the area) so as not to solely rely on the private motor vehicle as suggested above. If this is achieved, the reduced parking provision of 98 communal spaces for the residential use, providing that all the spaces remain unallocated, is considered acceptable. This equates to almost 1.5 spaces per apartment.

To ensure vehicular and pedestrian access to and from the site is only provided via the Rest Bay access road, via the southern site boundary and not via the substandard track linking onto West Road, a condition will be imposed on any consent.

In terms of the policy implications of the development, the application site is located outside the settlement boundary of Porthcawl, as defined by Policy PLA1 of the adopted Bridgend Local Development Plan (LDP), and should therefore be considered under Policy ENV1 Development in the Countryside in the first instance. This policy strictly controls development in the countryside except for specific identified purposes i.e. those necessary in the interests of agriculture, forestry, the winning or working of minerals, rural enterprises/farm diversification, land reclamation, transportation and outdoor recreation. Policy ENV1 expands on the above exceptions with the inclusion of suitable conversion and limited extension of existing structurally sound rural buildings.

In respect of the change of use and extension of the existing convalescent home to create 68 residential units, Policy ENV1 states that, where development in the countryside is considered acceptable, it should utilise existing buildings where possible and be of an appropriate scale, form and detail for its context. Given this and provided the scheme is acceptable in the context of Policy SP2 relating to Design and Sustainable Place Making there are no Development Planning objections in principle.

With regards to the planning obligation requirements of the proposal, Policy COM5 of the LDP states "...Where a local need is demonstrated, the Council will expect an appropriate element of affordable housing to be provided on sites capable of accommodating 5 or more units or exceeding 0.15 hectares in size....." The site is located in the Porthcawl & Rural housing market area where the target is 30%. The supporting text to Policy COM5 states that, in exceptional circumstances, on-site provision of affordable housing may be considered unfeasible or unable to deliver the Council's strategic objectives. In such cases, off site provision or payment of a commuted sum may be considered as an acceptable alternative.

The previous application (P/11/781/FUL) was supported by a financial appraisal that demonstrated the scheme had a shortfall in development viability. This led to the negotiation of a commuted sum considered acceptable by the Council for a development of that size and comparable to amounts negotiated on schemes elsewhere in the locality. The developer has submitted updated information that demonstrates that the viability of the scheme has improved slightly, due largely to the removal from the proposal of the provision of a replacement convalescent home, which has reduced the development costs. The level of profit now indicated by the revised appraisal is consistent with industry-wide guidance. This suggests that the scheme is now far more likely to proceed.

Given that the total number of residential dwellings is the same as previously proposed and the importance of facilitating the preservation and enhancement of a listed building, it is recommended that the level of affordable housing and highway contributions should remain as previously agreed.

As The Rest is a Grade 2 listed building, Policy SP5 of the LDP applies. The scheme already benefits from Listed Building approval and has had no objection from CADW. As the proposal has not materially changed in terms of design since the previous approval, it is considered acceptable in respect of this policy.

The LDP accepts that changing circumstances, as in the case of this proposal, may necessitate alterations or extensions and, where such proposals have satisfied Policy SP5, this will be favoured where it can be demonstrated that they will assist in keeping the building in optimum use.

Policy SP2 relates to the design of new development. Policy PLA5 relates to the promotion of sustainable modes of transport and improvements to existing highways.

As described above the works to the existing building are considered acceptable in design terms as well as their impact on the surrounding area. As such it can be considered that the terms of the above policies are met with regard to this aspect of the scheme.

National planning advice and legislation requires Local Planning Authorities to determine applications in line with the Development Plan unless material considerations indicate otherwise. In this case the proposal must be considered in its overall context. The development will safeguard the refurbishment of a prominent and important local listed building. The future of the building is questionable if the development is not forthcoming and the refurbishment and associated residential development will guarantee the continued maintenance of the building, which may otherwise suffer further deterioration. As such this is considered to be a special material consideration in the determination of the application. Furthermore, the developer has provided information to ensure that all aspects of the proposal will be carried out to a high standard and that the new elements of the scheme will not

adversely detract from the character of the listed building or the surrounding area. The detailed criteria of all other relevant policies are met.

In light of the above the development is considered to acceptable.

Whilst determining this application Policies PLA1, ENV1, SP2, SP5, PLA5, EV15 and COM5 of the Bridgend Local Development Plan were considered as well as SPGs 13 and 17.

4.16 CONCLUSION

The conversion and extension of The Rest is considered to be acceptable in design and policy terms. The development will result in the retention and enhancement of this prominent listed building and its setting and as such justifies the conversion and new extension to accommodate 68 new apartments. These reasons are considered to be a special material consideration in the determination of the application.

5. Effect upon Policy Framework & Procedure Rules

- 5.1 Whilst the application does not fully accord with the policies of the Bridgend Local Development Plan, the development results in the refurbishment and maintenance of a significant listed building, which provides an important feature within the Rest Bay of Porthcawl.

6. Equality Impact Implications

- 6.1 A screening for Equality Impact has been undertaken and no negative issues have been identified.

7. Financial implications

- 7.1 A Section 106 Agreement requiring the following:
- (i) the sum of £370,000 as an off-site contribution towards the provision of affordable housing.
 - (ii) the sum of £63,163.62 to improve active travel access between Rest Bay and Porthcawl town centre or extending the limited transport service which serves the site in a staggered/phased payment plan which would see £30,000 being paid upon the occupation of the first unit of residential accommodation within the site, and the remaining £33,163.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise approved in writing.

8. Recommendation

- 8.1 That if Council is minded not to refuse the development then the Corporate Director Communities be given plenary powers to issue a decision notice in respect of this proposal once the applicant has entered into a Section 106 Agreement requiring the following:

- (i) Provide the sum of £370,000 as an off-site contribution towards the provision of affordable housing.
- (ii) Provide the sum of £63,163.62 to improve active travel access between Rest Bay and Porthcawl town centre or extending the limited transport service which serves the site in a staggered/phased payment plan which would see £30,000 being paid upon the occupation of the first unit of residential accommodation within the site, and the remaining £33,163.62 (or the remainder of the index linked sum) paid upon occupation of 50% of the apartments or exactly 3 years after receipt of the first instalment, unless otherwise approved in writing.

8.2 SUBJECT TO THE FOLLOWING CONDITIONS:-

1. The development shall be carried out in accordance with the following approved plans:-

0197 AL D 00 Rev A; 0197 AL D 01 Rev A; 0197 AL D 02 Rev A;
0197 AL D 03 Rev A; 0197 AS 23 Rev A; 0197 AE R 00 Rev B;
0197 AE R 01 Rev B; 0197 AL R 00 Rev D; 0197 AL R 01 Rev D;
0197 AL R 02 Rev D; 0197 AL R 03 Rev B; 0197 AL R 04 Rev A;
0197 AX R 00 Rev B; 0197 AX R 01 Rev B; 0197 AE R 02 Rev B;
0197 AE R 03 Rev B;

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

2. The development shall be served by the existing single means of access from The Rest Bay access road on the southern site boundary. There shall be no means of vehicular or pedestrian access into the site via the track linking the site to West Road.

Reason: In the interests of highway safety.

3. No development shall commence on site until a scheme for the provision of a temporary compound for construction materials and plant and car park for contractors' vehicles has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to commencement of works on site and retained for the duration of the demolition and construction works.

Reason: In the interests of highway safety.

4. No development shall commence on site until a scheme for the provision of a temporary compound for construction materials and plant and car park for contractors' vehicles has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to commencement of works on site and retained for the duration of the demolition and construction works.

Reason: In the interests of highway safety.

5. No development shall commence until a scheme for the provision of temporary traffic and pedestrian management along the Rest Bay access road between the site and Mallard Way during the demolition and construction works has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented before the commencement of any work on site and retained throughout the demolition and construction works.

Reason: In the interests of highway safety.

6. No heavy goods vehicles associated with the demolition and construction works shall enter or leave the site during weekends, bank holidays and local school holiday periods.

Reason: In the interests of highway safety.

7. No development shall commence on site until details of mechanical, automatically operated, self-contained wheel washing facilities have been submitted to and agreed in writing by the Local Planning Authority. The facilities shall be provided and retained as agreed for the duration of the demolition and construction works to the satisfaction of the Local Planning Authority.

Reason: In the interests of highway safety by preventing mud and debris from being carried out onto the existing maintainable highway.

8. The proposed access road as shown on drawing number Rio 0197 AS_23 shall be completed in permanent materials in accordance with the approved layout prior to the any part of the development being brought into beneficial use.

Reason: In the interests of highway safety.

9. Notwithstanding the submitted plans, no development shall commence until a scheme for the provision of a segregated 2.0m wide footway between the site access and the entrance to the residential building has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in permanent materials before any part of the development is brought into beneficial use and retained as such thereafter.

Reason: In the interests of highway safety.

10. Notwithstanding the submitted plans, no development shall commence until a scheme showing improved signing and carriageway markings around the one-way traffic island adjacent to the site access has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be

designed in accordance with the Traffic Signs Regulations and General Directions (2002) and shall be fully implemented in accordance with the agreed scheme before any part of the development is brought into beneficial use.

Reason: In the interests of highway safety.

11. No development shall commence until a scheme showing the demarcation of the existing edge of adopted highway across the site access and signs to be erected at the site entrance advising that the access road within the site is private, has been submitted to and agreed in writing by the Local Planning Authority. The demarcation line and private road signs shall be implemented in full in accordance with the agreed scheme prior to any part of the development being brought into beneficial use and shall be retained as such thereafter.

Reason: In the interests of highway safety.

12. Notwithstanding the submitted plans, no development shall commence until a scheme showing the existing site access gates being set back a minimum of 10m from the nearside edge of the adopted highway has been submitted to and agreed in writing by the Local Planning Authority. The relocated gates shall only open inwards and shall be completed in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such thereafter.

Reason: In the interests of highway safety.

13. Development shall not begin until an appropriate photographic survey of the existing structure on the site has been carried out in accordance with details to be submitted to, and agreed by, the Local Planning Authority.

Reason: To record and safeguard the historic heritage of the site.

14. Notwithstanding the submitted plans, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul water, roof/yard (surface water) and land drainage will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The scheme as agreed shall be implemented, prior to beneficial occupation of any of the residential units.

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

15. No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution measures for the construction phase of the development has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented for the duration of the construction phase.

Reason: To protect water quality.

16. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment and deterioration in water quality.

17. No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority samples or full details of the materials and finishes, including colour, to be used on the exterior of the buildings. The development shall be undertaken in accord with the agreed details.

Reason: To ensure that the materials and finishes are compatible with the character and appearance of the grade 2 listed building.

18. No development shall commence on site until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme including a full specification for hard and soft landscaping, details of the means of enclosure and a schedule for implementation and maintenance, including details of a screening bund. The agreed landscaping scheme shall be undertaken in accord with the agreed schedule of implementation and shall be maintained in accord with the agreed schedule.

Reason: To ensure that the landscape setting is appropriate to the listed building.

19. No development shall take place until a schedule of landscape maintenance for a minimum period of 3 years has been submitted to and agreed in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the agreed schedule.

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

8.3 THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS:-

a. The conversion and extension of The Rest is considered to be acceptable in design and policy terms. Retention and enhancement of the listed building

and its setting, justifies the new build to accommodate 34 new apartments. These reasons are considered to be a special material consideration in the determination of the application.

b. It is my understood that the access road within the site will not be laid out to adopted standards or offered to the Authority for adoption. Consequently, the applicant should consider setting up a Management Company to deal with the maintenance requirements of this access road.

Sufficient public utility value exists in respect of this private access to warrant its make up under a Private Street Works scheme as per the provisions of the Highways Act 1980. Consequently, to prevent highway rights becoming established in respect of this access road concerned, it will be necessary for the applicant to erect 'Private Road' signs that would be retained in position in perpetuity at the entrance to the site to remove any doubt as regards the private status of the access roads concerned. The sign shall read 'PRIVATE ROAD' with no intention to dedicate under S37 of the Highways Act 1980.

c. The Highway Authority reserves the right to invoke the powers contained in Section 59 of the Highways Act 1980 and recover additional expenses incurred in maintaining certain lengths of the highway network serving the site.

d. Any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.

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

f. Before creating, altering or reinstating any vehicular crossover, constructional details must be agreed with the Highway Maintenance Manager. You should contact the Highway Maintenance Inspector for the area, Bridgend County Borough Council, Waterton Depot, Waterton Lane, Waterton Industrial Estate, Bridgend. Telephone No. (01656) 642541.

g. Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under the Highways Act 1980.

h. The developer is reminded that sections 6.2.6, 6.2.7 and 6.2.8 of the Bat and Reptile Report relating to adopting a precautionary approach and the need to brief contractors through a toolbox talk in respect of what to do if a bat is encountered.

i. Although birds are referred to in the Ecological Survey the Ecology Section recommends that contractors are also briefed in respect of nesting birds. To assist, the developer is referred to Biodiversity Design Guidance Sheet B2 Birds & Development of Supplementary (SPG) Planning Guidance 19 Biodiversity and Development: A Green Infrastructure Approach: <http://www1.bridgend.gov.uk/media/227718/final-green-infrastructure-spg-for-web.pdf> . This SPG Guidance Sheet gives detailed information and mitigation measures required to comply with legislation relating to birds and development.

j. The mitigation measures relating to reptiles and wildflower area creation in the Site Enhancement Section of the Report. Furthermore, the Ecology Section recommends that the proposed planting schemes mimic and compliments those native species found at the adjoining Lock's Common Local Nature Reserve. A number of these species have been included in the Landscape Report also accompanying this application. It is also recommended that seeds/plants used for the planting scheme are of local provenance where possible.

k. The applicant is advised that, in addition to planning permission and building regulations approval, a permit under the Environmental Permitting (England and Wales) Regulations 2010 will be required for any emergency overflow from the pumping station. Permits can take up to four months to determine and there is no guarantee that consent will be granted. You are advised to contact the Environment Agency's National Permitting Team on 08708506506 at the earliest opportunity to discuss the requirements and to avoid any unnecessary delays.

l. With regards to Condition Number 13, the applicant/developer is advised to ensure that an assessment is carried out into the potential for disposing of the surface water by means of a sustainable drainage system (SUDS), in accordance with the principles set out in accordance with Technical Advice Note 15 (or any subsequent version) and the results of the assessment submitted to the Local Planning Authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

i) 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.

ii) Provide a timetable for its implementation; and

iii) 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.

iv) Provide a ground investigation report sufficient to support the design parameters and suitability of the proposed system.

m. Foul water and surface water discharges shall be drained separately from the site.

n. No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

o. Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

p. The developer is advised that the information required by condition 12 should deposit the photographs with the Historic Environment Record, operated by the Glamorgan-Gwent Archaeological Trust (Heathfield House, Heathfield, Swansea SA1 6EL. Tel: 01792 655208).

q. The Method Statement required by condition 14 shall identify as a minimum:

- * Storage facilities for the fuels, oils and chemicals
- * Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off
- * Details of measures to ensure no polluting discharge from haul roads/disturbed areas
- * Details of the nature, type and quantity of materials to be imported on to the site
- * Measures for dealing with any contaminated material (demolition waste or excavated waste)
- * Identification of any buried services, such as foul sewers, so that they are protected
- * Details of emergency contacts, for example the Environment Agency Pollution hotline 0800807060.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

r. An information pack containing active travel routes and public transport information (including timetables) within the Porthcawl area should be provided by the developer to the occupiers of each residential unit.

s. The design of the bus shelter referred to in condition 2 above shall reflect the character of The Rest convalescent home, which is a Grade II listed building and must be appropriate for the area.

t. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, shall be brought to the attention of the Public Protection Section.

u. This consent is subject to a Section 106 Agreement.

MARK SHEPPARD
CORPORATE DIRECTOR COMMUNITIES

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Background documents

Planning Application file P/14/763/FUL
Bridgend Local Development Plan