

RECOMMENDATION : SECTION 106

REFERENCE: P/14/464/OUT
APPLICANT: SOUTH WALES LAND DEVELOPMENTS
C/O ARUP 4 PIERHEAD STREET CARDIFF
LOCATION: LAND EAST OF A4061 (BNDR) COITY
PROPOSAL: OUTLINE APPLICATION FOR 220 DWELLINGS
RECEIVED: 8th July 2014
SITE INSPECTED: 16th August 2014

APPLICATION/SITE DESCRIPTION

South Wales Land Developments Ltd are seeking outline planning consent for residential development on two sites, the larger of the two parcels being situated to the west of Litchard and Brackla Industrial Estate, to the east of the A4061 (Bridgend Northern Distributor Road) on sections of former open fields, with the smaller site located off the Brackla Link road to the north of Maes Dewi Pritchard. The sites have been levelled into a series of development plateaux, but these have been unmanaged for many years and now support a cover by a mix of rough ground habitats, mostly coarse grassland, tall herb vegetation and scrub, which are divided by a series of scrub-shaded streams and ditches.

The submitted documents and masterplan indicate a development of up to 220 dwellings. The Design and Access Statement indicates that the residential area is proposed to be two storeys with three storeys at gateway locations and key frontages. The layout is proposed to be in the form of perimeter blocks with mews cottages and parking courts set within the perimeter block. Parking is proposed to be on-plot where possible with small secure parking courtyards and on-street spaces provided where necessary. Tree lined avenues are proposed along primary streets with a landscape buffer to the bypass. Open space is proposed in the south western sector of the development, incorporating the Morfa Brook and a green buffer alongside the Northern Distributor Road.

Vehicle access to the larger site will be direct from the existing roundabout located on the Brackla Link Road with the smaller site served via the roundabout junction and a section of highway that also provides access to the Shepherds Veterinary Hospital.

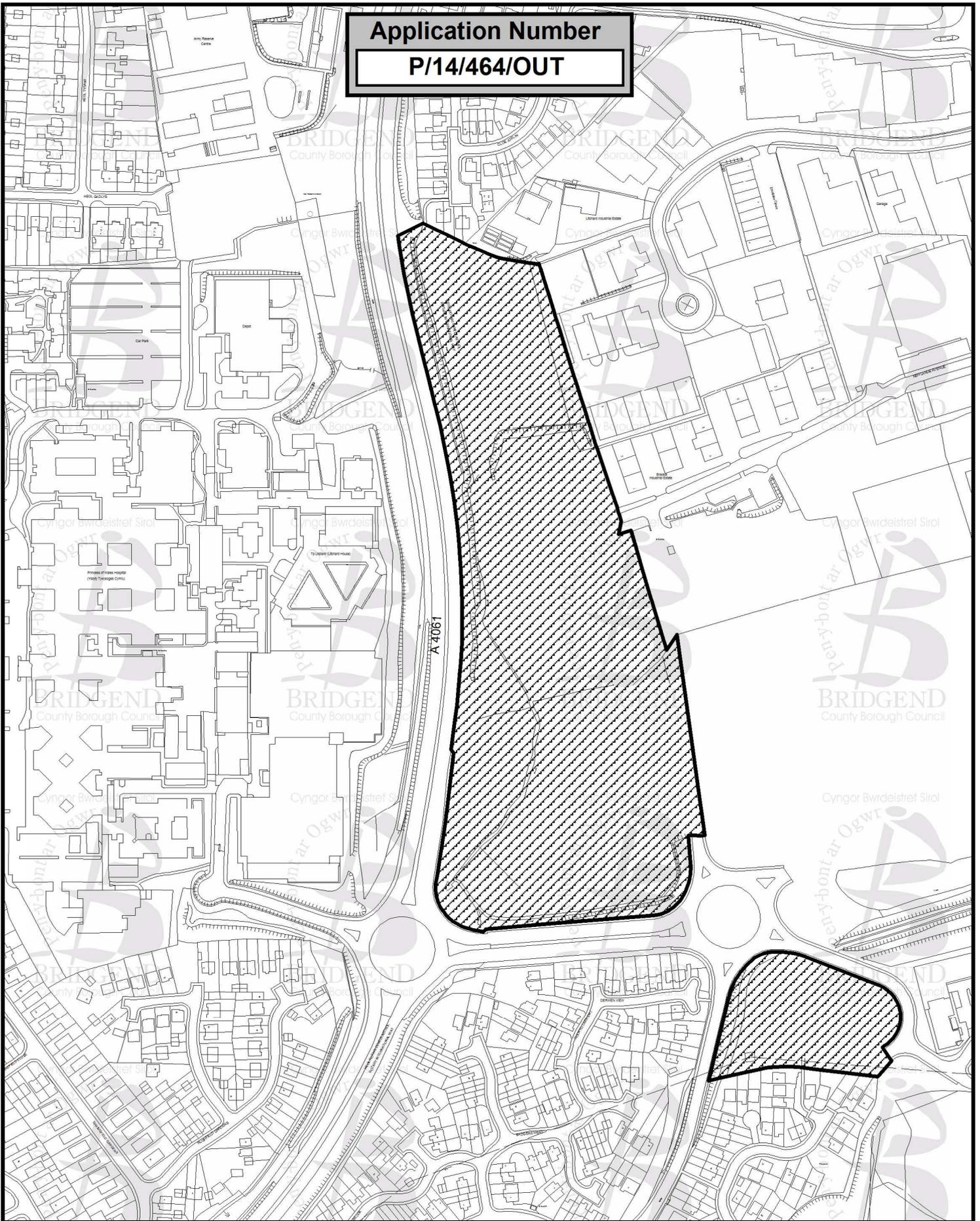
The submitted masterplan has been revised to include an indicative corridor to accommodate the diverted public right of way (Footpath 4 Coity Higher crosses the site) and a multi-user route (footpath/cycleway) along the western edge of the site which could be directed through the area of open space.

The application has been supported by a detailed Design and Access Statement (DAS) and the following documentation:

- * Indicative Masterplan (Revision D - March 2014)
- * Scale Parameters Plan/Indicative Drainage and Highway Scheme
- * Civil and Structural Engineering Design Statement
- * Road Traffic and Industrial Noise Assessment

Application Number

P/14/464/OUT



Scale 1:3,500

**Date Issued:
04/06/2015**

**Development-Mapping
Tel: 01656 643176**

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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Cyngor Bwrdeistref Sirol



- * Transport Assessment (Volumes 1 and 2)
- * Ecology Survey
- * Brief for Archaeological Evaluation
- * Topographic Survey
- * Site Investigation Report
- * Odour Report
- * An Indicative Drainage Strategy and Plan

RELEVANT HISTORY

None.

PUBLICITY

The application has been advertised in the press and on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 11th August 2014.

NEGOTIATIONS

Negotiations commenced on 7th August 2014 in relation to the following:

1. Section 106 Planning Obligations;
2. Concerns expressed by Group Manager Public Protection in respect of noise and odour emanating from the adjoining commercial uses and the impact on the occupiers of the proposed housing;
3. Accommodating the Public Right of Way and required strategic footpath/cycleway as part of the future development;

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 14th July 2014

Notified on 14th July 2014

Councillor J C Spanswick

Due to fact that this development covers the wards of Coity and Brackla then I would be interested to know if ward members from both wards can be invited to comment and speak at committee if relevant

Destination & Countryside Management

No objection subject to conditions.

Head Of Street Scene (Drainage)

No objection subject to conditions.

Group Manager Public Protection

The noise report assesses the noise levels from the A4061 road to the proposed development. Noise levels from road traffic are predicted to fall into category NEC B, of TAN 11 guidance, which identifies that 'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection'. The report has provided the predicted noise levels from A4061 at 10m to be 61dB 07.00hrs to 23.00hrs and 52dB 23.00hrs to 07.00hrs. However, this prediction is based on noise measurements that were undertaken in 2012 and are now 2 years out of date which needs to be taken into account.

The noise climate in the area immediately adjacent to this development where houses have already been built (i.e. land south of Joslin Road- P/07/822/FUL) was identified by the Welsh Government as high enough to be declared as a Candidate Noise Action Priority Area by the Welsh Government, which would suggest that the noise climate is higher than that was measured 2 years ago. In order to address this, an up to date noise survey should be undertaken.

The conclusion of the report states that during site visits the noise from the Industrial Units on Brackla Industrial Estate was not significant and the ambient noise was due to road traffic from A4061 which could be mitigated by providing closed boarded fencing around the boundary of the site to screen service yard areas. However, despite there being no significant noise from the commercial units at the time of the survey, the nearby commercial /industrial sources which include an MOT garage, A1 Loo Hire, Owens Fuels (which occasionally have early morning deliveries of fuel) and a waste recycling processing plant- Broughshire waste, Bridgend Motor works, Shearan Scaffolding, a building at rear of Scats which has very large loading bays which are likely to carry out activities which could have an adverse impact on the development. Therefore noise generated from each of the industrial/ commercial units need to be specifically assessed in full prior to making any further observations.

Contaminated Land

With reference Integral Geotechnique site investigation report number 11077/PB/13, I note that the Western and Southern Areas are likely to be Residential. I can conclude that the recommendation of 'capping the proposed soft landscape areas with a minimum 600mm thick layer of approximately inert topsoil and subsoil' is a suitable remediation option for this type of development. In relation to the eastern area of the site, the report state that this is area is likely to be utilised for Commercial/Retail use. Whilst no remediation works are required for commercial use, in the event of the land being utilised for residential, a suitable remediation method as stated above will be required. The imported materials should be tested in line with the requirements stated in the attached document and results submitted to this Department prior to any development taking place.

Additional noise and odour reports have been submitted and are discussed in the appraisal section of this report.

Head Of Parks & Playing Fields

Having considered that a new formal children's play area exists at Clos Joslin, which is connected to the proposed development site by a footpath, no formal play area would be required. However, following discussions it is considered that the developer should provide natural play items on the proposed open space in line with the number of dwellings.

Rights Of Way Team

In my original consultation response, I expressed concern that the developer has not

acknowledged the existence of a public right of way across the site. The applicant's agent has however confirmed that the line of the footpath will be incorporated into the design of the development and will be the subject of discussions with the Council. I have however indicated that I would not wish to see the footpath diverted onto the estate road. I also know that the Ramblers Association and others would object strongly to such a proposal. On the basis that the current application is outline only and the developer has acknowledged the existence of the footpath I can confirm that I am willing to withdraw my original objection. It should however be noted that the Rights of Way Section reserves the right to submit a further objection if Footpath 4 Coity Higher has not been catered for within the development when a future application is submitted.

Natural Resources Wales

We offer no objection to the application but would ask that conditions be included to control site drainage and pollution.

Welsh Water Developer Services

We would request that if you are minded to grant planning consent for the development that the recommended conditions and notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Crime Prevention Design S.Wales Police

South Wales Police Crime Prevention Design Advisor has provided comments on the indicative layout that have been passed to the applicant's agent.

Glamorgan Gwent Archaeological Trust

No objection to the determination of this application.

Bridgend & District Ramblers

The Bridgend Ramblers object to the application as the developers have made no provision to divert Footpath 4 Coity to open spaces on the site.

REPRESENTATIONS RECEIVED

Ian Williams, Cresta Coaches Unit 6

I support the proposal.

Objections Have Been Received From 15,17 & 28 Clos Joslin, ,

A summary of the objections is reproduced below:

1. Development will result in an increase in noise, exacerbating existing problems experienced from roads and nearby businesses.
2. Additional housing will generate additional traffic on the road network - how will the site be accessed?
3. Do not want the public right of way to become overcrowded

4. Lack of information regarding level of development, proximity and scale of development. Proposed development could overlook the new housing affecting privacy and outlook.
5. Sufficient new housing is already being provided on other sites in Bridgend.
6. New tree planting could potentially block out light to the south facing gardens in Clos Joslin.
7. Development could devalue properties.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the representations received:

1. The application has been accompanied by noise and odour reports that have considered the impact of the existing land uses (road traffic and industrial noise and odours) on the proposed development. The reports have been evaluated by the Group Manager Public Protection and controls (S106 Obligation and conditions) will be imposed on the development to ensure that the amenities of future occupiers will be safeguarded.

Residents of Clos Joslin have expressed concern about the impact of the proposed development on their amenities. On the basis that the future use of the land is for housing it seems unlikely there would be any significant impact. Additional traffic may create noise but, on the basis of the evidence, the increase in traffic levels will only be moderate. It is acknowledged that, during construction, a degree of noise and disturbance will take place and although this can be dealt with under other legislation, at the reserved matters stage it may be considered appropriate to agree a construction method statement which may include a restriction on the hours of construction. This could, to some degree, lessen the impact of the construction works on the occupiers of the nearest neighbouring properties.

2. Although the means of access is reserved for future consideration, the site access arrangements are set out in the supporting Planning Statements and illustrated on the 'indicative masterplan'. The impact of additional traffic on the local road network has been highlighted by the objectors. In accordance with the parameters set out in Technical Advice Note 18 - Transport, the application has been accompanied by a Transport Assessment (TA) which relates to the application site and land to the north east of Brackla Industrial Estate, consented for development under P/13/246/OUT. The TA considers existing road conditions, the proposed development and the development traffic impact. The TA states:

'It has been demonstrated that the proposed development will result in a modest increase in traffic on the surrounding road network, with no material change in the operation of most junctions within the study area.'

The TA did, however, acknowledge that the Coychurch Road/Heol Simonston junction was currently operating at capacity and experienced congestion. Its ability to accept additional traffic was limited and it had been demonstrated that the introduction of a roundabout junction in place of the current priority junction would significantly ease congestion at this location. The TA confirmed that the development would need to make an appropriate financial contribution towards improvements along the Heol Simonston corridor and that has been secured through the S106 related to application P/13/246/OUT.

Notwithstanding the concerns expressed by residents, the evidence (Transport Assessment) would appear to suggest that capacity exists within the road network to accommodate the scale of development that is proposed as part of this application.

3. The existing public right of way that crosses part of the site will need to be diverted and discussions for the re-alignment have commenced with the Rights of Way Section. The applicant's agent intends to accommodate the route in the green space that lies on the western boundary but the route is not definitive at this stage. Diversions are the subject of a separate planning process and advice has already been forwarded on the most appropriate route. Inevitably, additional housing on this site and the land to the north (Parc Derwen) will result in the greater use of footpaths and rights of way but this is generally encouraged by Welsh Government. A footpath/cycleway will be provided as part of this development along a corridor on the western part of the site and this should accommodate much of the pedestrian 'traffic' and will eventually form part of a route that will link the town centre to the Designer Outlet.

4. Ultimately, the layout design will be the subject of future reserved matters submission but, on the basis of the indicative masterplan that has accompanied the application, it would appear that the current standards that seek to protect privacy, prevent overshadowing and domination, could be achieved.

5. Objectors have offered the view that sufficient housing has already been allocated/provided for elsewhere in Bridgend. The application site forms part of the North East Brackla Regeneration Area which under various policies of the Bridgend Local Development Plan will seek to deliver land for employment, housing, retailing, playing fields and improvements to the transportation network (Policies REG 1 (1), REG 1 (5), COM1 (2), REG 11 (2), REG5 (2), PLA8 (1) and COM12 (1) refer). The approved development brief seeks to ensure that the site's regeneration comes forward in a comprehensive and phased way during the plan period. A significant part of the development is the proposed housing with Policy COM1 (2) predicting that 550 units will be delivered over the regeneration area in the plan period. In agreeing this allocation there was a clear expectation that the open fields that form the application site, would be developed in order to meet the wider objectives of providing new homes to meet the anticipated population growth.

6. Careful consideration will also be given to any future tree planting along the site boundary to ensure that it does not overshadow the gardens of properties on Clos Joslin.

7. Property devaluation is not a material consideration in the determination of this planning application.

8. The Bridgend Ramblers object to the application but attention is drawn to the observations received from the Public Rights of Way Manager and it is considered that the right of way may be accommodated within the future development.

APPRAISAL

The application is referred to the Development Control Committee for determination given the number of objections that have been received to the development.

Planning Policy Wales states that, in line with the presumption in favour of sustainable development, applications for planning permission should be determined in accordance with the adopted development plan for the area, unless material considerations indicate otherwise.

The Bridgend Local Development Plan is the adopted plan for the area and seeks to promote the mixed use regeneration of the application site and the area defined as 'North East Brackla' to deliver a high quality employment area, alongside other uses including housing (including a significant proportion of affordable homes), leisure, retail and public open space for the period up to 2021. In December 2010, the Council adopted the North East Brackla Development Brief to set parameters for the future development in this area. The Brief identifies the application site for employment development. However during the Local Development Plan examination in 2013, it was considered that developing this quantity of land for employment purposes was no longer a viable option given the economic climate and the change in ownership of the site. It was

therefore concluded that, in order to facilitate the comprehensive development of the site, the area of land subject of this application would be more beneficially delivered for residential purposes. It was always acknowledged that some flexibility would have to be built into the policy framework for the development of this area.

The Planning Statement submitted in support of this application includes a summary of the key findings of the technical due diligence works which supports and underpins this application:

TRANSPORT

A substantial amount of transport related assessment/modelling work has been carried out to support this (as well as the eastern) allocation in the form of an over-arching appraisal of transport impact for circa 450 residential dwellings. The conclusion of the Transport Assessment is that the site is well located and that the proposal is acceptable in terms of its transport implication and impacts.

This work has been technically reviewed by the Highway Authority and its agent Capita and found to be robust in terms of its inputs, outputs and conclusions.

ECOLOGY

The conclusions of the ecological assessment are as follows:

The site supports a mix of habitats, and these are dominated by a relatively species-poor mix of damp grassland, tall herbs and scrub. A few areas of more diverse dry grassland are present in the north of the area. The area is probably best assessed as having local value for nature conservation, due to its size and the mosaic of habitats.

The site supports a good range of common plants and animals, but few of them have any special value for nature conservation. The site is likely to support a diverse range of invertebrates. The site is likely to support reptiles (particularly in the dry grassland areas) and a moderate range of breeding birds. It is likely to be used by foraging bats, although no potential roost sites were identified within the study area.

NOISE

The conclusions of the noise assessment are as follows:

Road Traffic noise levels are indicated to fall under NEC B of TAN 11. Planning conditions issued by a neighbouring Authority do not require any additional acoustic treatment for NEC B sites, thermal double glazing and trickle ventilation sufficient.

A 55dB (A) garden criterion should be met providing garden areas are screened from the A4061 road by means of a closed boarded fence or similar.

Based on observations made during site visits, industrial noise was not significant. It may be considered prudent to include a closed boarded fence along the boundary with the industrial site to screen service yard areas.

ARCHAEOLOGY

The archaeological assessment and fieldwork found no features or deposits of archaeological interest.

GEOTECH

The geotechnical site investigation did not identify any significant contamination issues (all exceedances being classed as marginal), but recommends a cap of inert sub and topsoil to proposed soft landscape areas.

In terms of engineering, the investigations suggest that re-profiling works will be necessary and

that mass concrete strip/trench fill foundations could be used across the main area of the application site, with piled foundations potentially required for the smaller southern parcel given the presence of variable made ground in this location'.

The proposed development is of a scale and type that accord with the Development Brief and, whilst the introduction of residential development on the land differs to that of the Brief's illustrative master plan, the reasons for the changes have been fully justified. On the basis that the submitted scheme still accords with the general principles of the development brief and, importantly, the adopted land use policy, there is no development planning objection to the principle regarding the proposed residential development of the site.

With regard to the specific Section 106 requirements, as a total of 220 dwellings are proposed, the application triggers Policy COM5 of the Bridgend Local Development Plan (LDP) which requires an appropriate element of affordable housing to be provided on sites of 5 or more dwellings or exceeding 0.15 hectares in size. The target for the Bridgend Housing Market Area is 20%, which equates to 44 units. However, reference should be made in this instance to the site's allocation as part of the North East Brackla Regeneration Area in the LDP. The Regeneration Area is subject of a Development Brief, which together with the LDP seeks to ensure that the site's regeneration comes forward in a comprehensive and phased way during the Plan period. The total number of residential units allocated in the LDP is 550 with 110 to be affordable. To date, 99 affordable units have been consented on other phases of the site. As such, 11 of the units proposed by this application are required to be affordable housing units to fulfil the LDP allocation.

The development is also subject to the provisions of Policies COM 11 and COM 12 (1) which require all new housing developments to provide a satisfactory level and standard of outdoor sport, children's playing space and public open space. The Development Brief provides further detail and highlights the need for Open Space to provide opportunities for children's play, sports provision and informal recreation. The Parks and Playing Fields section have indicated that due to the close proximity of a new children's play area at Clos Joslin, which is connected to the site by a footpath, a formal play area will not be required. They have also indicated that the area of Public Open Space illustrated on the masterplan should be equipped with natural play items to create a minimum of twenty opportunities for play for a full range of age groups up to 14 years of age. As the application is in outline, the detailed design of such a scheme will be the subject of a future reserved matters submission.

As a residential proposal of more than 5 units, the application is also subject to the requirements of SPG 16: Educational Facilities & Residential Development. The Children's Directorate has been consulted to ascertain the impact the proposed development will have on local educational facilities. The majority of the site is located in the Coety Primary School catchment. The school is at capacity and forecast to remain so for the foreseeable future. A contribution based on the formula and cost guidance in SPG16 is requested for Primary age children from this part of the site. The small portion of the site located to the south of the roundabout on Brackla Link is located in the Brackla Primary School catchment. There is however sufficient capacity in the school to accommodate Primary age children from this part of the site. There is also sufficient capacity to accommodate Secondary school age children generated by the entire development. This accords with the approach set out in policy and the development brief.

The Group Manager Street Scene (Highways) has considered the Transport Assessment and the impact of the proposals on the surrounding highway network. On the basis of the changes to the access arrangements as set out the updated masterplan, it is considered that the impact of the development on the highway network is not significant. New and enhanced pedestrian and cycle routes will be provided as part of the development and this will be secured through planning conditions. Accordingly, the Group Manager Street Scene (Highways) has no objection to the development subject to a Section 106 obligation for the payment of monies toward a new/amended traffic order of the A4061/Princess Way Link.

Whilst the principle of the site being developed for housing and the level of planning obligation being obtained from the development is acceptable, it has also been necessary to consider the masterplan, albeit in its indicative form, against more general planning policies and guidance.

The proposed masterplan presents a layout, albeit indicative in form that suggests that future reserved matters submission will accord with parameters of the development brief namely:

- * Generally perimeter block development of two storeys; use of a secure and permeable perimeter block structure;

- * Provide secure rear gardens; Ensure properties address and overlook streets, footway / cycle routes;

- * Provide on-plot resident parking where possible; Provide small, secure parking courtyards with convenient access for terraces / apartments or

- * Designated on-street spaces; Provide overlooked on-street visitor parking

Ultimately the layout design will be the subject of future reserved matters submissions. It is appropriate in this case to impose conditions requiring the design of future housing to accord with the parameters of the development brief.

The close proximity of the application site to existing highways and commercial premises has again been a concern to the Group Manager Public Protection and it has been necessary to undertake a number of different noise and odour assessments, in relation to specific operators.

The assessment of the noise report submitted by the applicant's consultant identified concerns in relation to the operation of A1 Loo Hire on Brackla Industrial Estate. The nature of the business is such that pumping activities, particularly during the summer months are undertaken during the night time and this, in the view of the Group Manager Public Protection, would cause a significant adverse effect on the proposed residential properties. The consultant's report recommended that the developer provide acoustic double glazed windows, with mechanical ventilation to the proposed houses adjacent to the site boundary of the Industrial Estate. This form of mitigation was considered and rejected by the Group Manager Public Protection on the basis that it would not be acceptable or reasonable to assume that windows which are capable of being opened are closed at all times, to prevent the occupants from being disturbed by noise at night. It was recommended that either the development scheme be amended or mitigation be provided at source i.e. time controls on the pumping operation.

The consultant's report on the matter of odour again identified A1 Loo Hire as the source of concern and recommended that a bio-filter be constructed on the pump to control the odour at source.

Negotiations have subsequently taken place between A1 Loo Hire and the proposed developer to secure 'at source' mitigation which would require the following:

- * No pumping activity be undertaken at the A1 Loo premises between the hours of 8pm and 7am on any day and

- * That A1 Loo Hire install a new bio-filter system in accordance with the general design criteria proposed by the consultant and submit and agree a schedule of maintenance.

The applicant's consultant has indicated that a Letter of Intent signed by A1 Loo Hire will be received prior to Committee confirming that they will accept the required mitigation including the restriction on hours of operation. Members will be advised of the receipt of the letter on the amendment sheet.

In the interest of safeguarding future amenities and to ensure that the mitigation works are implemented before any development commences, the works will be secured through the required planning obligation. Furthermore, A1 Loo Hire will need to be signatories to the S106 obligation.

In addition to the 'off-site' mitigation proposed on the A1 Loo Hire, given the close proximity of the development site to existing and allocated employment uses/land, it is considered that any future detailed reserved matters submission incorporates a 5m wide strategic landscaping buffer to provide screening between the respective uses of land. A condition will be imposed to require the submission and agreement of the scheme.

As such it is considered that the continuing business use of the adjoining land will not be compromised as a result of the development.

The protection of bio-diversity on site has been addressed by the application with a comprehensive assessment of the on-site ecology. In accordance with the advice of the Council's Ecologist it will be necessary to impose conditions and notes to require compliance with the ecological constraints and opportunities for ecological enhancement.

It is considered that the scheme accords with the adopted Development Brief and Plan policy and proposes an area of housing development as part of a mixed use regeneration scheme which will be of benefit to the wider community both in social and economic terms.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and the adopted Development Brief. Furthermore, the proposal in this form does not so adversely affect the residential and visual amenities of the area nor will it be detrimental to highway safety.

RECOMMENDATION

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

(i) Provide for 11 units of affordable housing to be transferred to a Registered Social Landlord, with the type of units, location within the site and affordable tenure to be agreed by the Council.

(ii) Provide a financial contribution in accordance with the Educational Facilities Supplementary Planning Guidance (SPG) formula towards the provision of additional nursery and primary school places in the schools serving the development; this figure being dependent on the final development mix and numbers with contributions provided on a pro-rata basis.

(iii) Provide a financial contribution on the commencement of development towards the provision of a Neighbourhood Equipped Area of Play, public open space and associated facilities to serve the proposed residential development in the North East Brackla Development Area, the monetary contribution being based on the most up to date formula for the calculation for equipped play areas, recreational facilities and open space, based on the number of dwellings.

(iv) Provide a financial contribution of £7,000 towards the processing of revised traffic orders on the A4061/Brackla Link Road.

(iv) That A1 Loo Hire enters into the S106 obligation to secure the following noise and odour mitigation works and restrictions on their existing site operation on the A1 Loo Hire premises:

* No pumping activity is undertaken at the A1 Loo Hire premises between the hours of 8pm and

7am on any day;

* That A1 Loo Hire put in place a new bio-filter system in accordance with the general design criteria proposed by the RPS report titled - 'Land at Brackla West - Odour Mitigation for A1 Loo Hire, Brackla Industrial Estate, dated 11th December 2014.

* That A1 Loo Hire submits and agrees a scheme of maintenance for the installed bio-filter system;

(v) The aforementioned mitigation shall be implemented on the A1 Loo Hire site prior to commencement of any phase of the residential development:

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting outline consent in respect of this proposal once the applicant and A1 Loo Hire has entered into the aforementioned Section 106 Agreement, subject to the standard outline conditions and the following additional conditions:

1 The development shall be carried out in conformity with Drawing titled: 'Land at Brackla West, Bridgend - Master Plan - Revision A, received on 10th October 2014.

Reason: In the interests of highway safety and to ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

2 The consent hereby granted shall be limited to the construction of no more than 220 dwellings.

Reason: To ensure the effective control of the development in the interests of safeguarding the amenities of existing and new residents and in the interests of highway safety.

3 The development hereby permitted shall be carried out in accordance with the Design Guidance set out on pages 58-61 of the North East Brackla Development Brief.

Reason: To ensure that the site is developed in comprehensive and phased way in accordance with the principles of the North East Brackla Development Brief.

4 The plans and particulars submitted in accordance with the reserved matters for this development shall make provision for public open space in accordance with the North East Brackla Development Brief and in the general locations illustrated on drawing titled: 'Land at Brackla West, Bridgend - Master Plan - Revision A, received on 10th October 2014. No development shall however commence until a detailed scheme including all items of natural play, associated ground works and landscaping has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the 50th dwelling being occupied on site.

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

5 The plans and particulars submitted in accordance with the reserved matters for this development shall incorporate a 5m wide landscaping buffer along the north-eastern and eastern boundary of the application site where it adjoins Litchard/Brackla Industrial Estate. The plans and particulars shall include details of all existing trees and hedgerows, new tree planting, (including written specifications, schedules of plants, noting species, plant sizes, proposed numbers, densities) and a programme of implementation and a management plan. The required landscaping works shall be carried as agreed and prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

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

- 6** No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, roof/yard water, highway drainage and land drainage will be dealt with has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented through the various phases of the development and prior to any building/dwelling being occupied.

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

- 7** The greater North Western development parcel hereby approved shall be served by a single means of vehicular access from the Princess Way roundabout at the South Western corner of that site.

Reason: In the interests of highway safety.

- 8** The lesser South Eastern development parcel hereby approved shall be served by a single means of vehicular access from the unnamed road on the Eastern end of that site.

Reason: In the interests of highway safety.

- 9** No individual property within the greater North Western development parcel shall be served by an individual vehicular or pedestrian access onto the A4061 or Princess Way Link.

Reason: In the interests of highway safety.

- 10** No individual property within the lesser South Eastern development parcel shall be served by an individual vehicular or pedestrian access onto the unnamed road along the Northern boundary or Princess Way.

Reason: In the interests of highway safety.

- 11** No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of an active travel route along the Western Boundary/A4061. The link shall be laid out as a 3.5 metre cycleway/footway link set back from the carriageway behind a 1.5m margin strip and shall extend from the existing cycle route provision at the A4061 roundabout at the South Western corner of the site through to the A4061/Heol West Plas Roundabout. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of promoting sustainable travel patterns.

- 12** No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of cycleway/footway links to the Coity Higher Community Centre and Parc Derwen at the A4061/Heol West Plas roundabout. These links will consist of 3m wide uncontrolled crossing points on the Heol West Plas arm and the A4061/Rotary Way arm. Where a refuge is required on those crossing points these shall be a minimum depth of 2.4m. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

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

- 13** No works shall commence on site until such time as a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of cycleway/footway links

to Princess Way from the Greater and lesser development parcels. These links will consist of a 3m wide segregated routes with uncontrolled crossing points on the Princess Way/Princess Way link road roundabout. Where a refuge is required on those crossing points these shall be a minimum depth of 2.4m. Such a scheme shall be implemented, as agreed, in permanent materials before any dwelling on the development is brought into beneficial use.

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

- 14** Unless otherwise agreed in writing with the Local Planning Authority the main spine road off the Princess Way roundabout shall be at a gradient not steeper than 5% (1 in 20) for the first 30 metres and thereafter not steeper than 8% (1 in 12).

Reason: In the interests of highway safety.

- 15** The development shall be served by no less than three individual 3.5 metre wide cycleway/footway links onto the active travel route along the Western site Boundary. These shall be sited at the north western corner of the development, in the vicinity of the public open space at the South Western corner of the site together with one approximately midway between the two. In addition the North Western link shall also incorporate a 2.5m footway to link to the existing footway provision link on Joslin Close . Such a scheme shall be implemented in permanent materials before any dwelling on the development is brought into beneficial use.

Reason: In the interests of promoting sustainable travel patterns.

- 16** No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the removal of the existing left turn filter lane to the A4061/Princess Way Link Road. The scheme shall include for all appropriate signing and carriageway markings and shall be fully implemented before any dwelling is brought into beneficial use.

Reason: In the interests of highway safety.

- 17** No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing amended direction signage on route A4061 and Princess Way Link Road. The scheme shall be fully implemented before any dwelling is brought into beneficial use.

Reason: In the interests of highway safety.

- 18** No development shall commence until such time as a Construction Environment Management Plan (CEMP) detailing all necessary pollution prevention measures for the operational and post operational phase of the development has been submitted to and agreed in writing by the Local Planning Authority. The (CEMP) shall identify as a minimum:

- a.Storage facilities and emergency containment for all fuels, oils, chemicals and explosives and any other polluting substances;
- b.Construction compounds, car parks, offices etc.
- c.Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run-off;
- d.Works timing and phasing of works/responsible proactive construction methods;
- e.Details of maintenance of site access/haulage roads to ensure no polluting discharge;
- f.Measures for dealing with any contaminated material (demolition waste or excavated waste);
- g.Environmental Monitoring Schemes and Environmental Protection methods;
- h.Details of emergency contacts;

The (CEMP) should then be efficiently communicated to all contractors and subcontractors and implemented throughout the period of construction.

Reason: To prevent pollution

19 No development shall take place until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and agreed, in writing, by the Local Planning Authority. The remediation strategy shall include all of the following:

a. A preliminary risk assessment which has identified: all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors and potentially unacceptable risks arising from contamination at the site.

b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as agreed.

Reason: To prevent pollution from any site contamination.

20 No dwelling shall be occupied until a verification report demonstrating completion of works set out in the agreed remediation strategy and the effectiveness of the remediation has been submitted to and agreed, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the agreed verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as agreed.

Reason: To prevent pollution from any site contamination.

21 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written agreement from the Local Planning Authority. The remediation strategy shall be implemented as agreed.

Reason: To prevent pollution from any site contamination.

22 No development shall commence until an 'Invasive Non-Native Species Protocol has been submitted to and agreed in writing by the Local Planning Authority. The 'protocol' shall detail the containment, control and removal of Himalayan Balsam, Giant Knotweed, Wall Cotoneaster and Japanese knotweed on site. The agreed protocol shall be implemented from the commencement of site clearance works and throughout the period of construction.

Reason: In the interests of protecting the environment.

23 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environment Management Plan (CEMP: Biodiversity) has been submitted to and agreed in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification "biodiversity protection zones".
- c) Practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP - Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the agreed details.

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

24 No development shall take place until an Ecological Design Strategy (EDS) addressing avoidance, mitigation and enhancement has been submitted to and agreed in writing by the Local Planning Authority. The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints
- c) Detailed designs and/or working methods to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the agreed details and all features shall be retained in that manner thereafter.

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

25 A Landscape and Ecological Management Plan (LEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.

The agreed plan shall be implemented in accordance with the agreed details.

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

- 26** No development shall commence until a scheme has been submitted to and agreed by the Local Planning Authority for the provision of the following noise mitigation and ventilation works:

The habitable rooms in the properties closest to the A4601 and Rotary International Way (on both development sites) shall achieve internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night. When determining the final specification of the glazing, the applicant will need to demonstrate that the glazing is sufficient to attenuate the lower frequencies generated by road traffic intrusion as well as achieving the required overall internal noise levels. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with acoustically treated active ventilation units. Each ventilation unit (with air filter in position), by itself or with integral air supply duct and cowl (or grille), shall be capable of giving variable ventilation rates ranging from an upper rate of not less than 37 litres per second against a back pressure of 10 newtons per square metre and not less than 31 litres per second against a back pressure of 30 newtons per square metre, to a lower rate between 10 and 17 litres per second against zero pressure.

The dwellings shall be constructed in accordance with the agreed noise mitigation and ventilation works prior to occupation.

Reason: In the interests of the amenities of the future occupiers of the approved development.

- 27** The plans and particular submitted in accordance with the reserved matters shall include a 1.8m acoustic barrier (with a minimum density of 10kg/m²) on top of the embankment, alongside the A4061 on the western boundary of the development and the properties alongside Rotary International Way on both developments, where the traffic noise in the garden areas are predicted to be in excess of 55dBA (Leq16hour.) The design details of the barrier , including location, density and construction details shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the approved development.

- 28** The plans and particular submitted in accordance with the reserved matters shall include an acoustic barrier (with a minimum density of 10kg/m²) on top of the existing embankment on the northern and eastern boundaries (alongside the industrial units) which shall be high enough to completely remove the line of sight to the first floor level. This barrier to remove the line of sight from the first floor bedrooms shall also be extended along the eastern boundary bordering the vacant land to the industrial site. The design details of

the barrier, including location, density, height and construction details shall be submitted to and agreed in writing by the Local Planning Authority. The barrier to the northern boundary (alongside Owens Fuels) shall be capable of attenuating the noise from the reversing alarms to the tankers at Owens fuels by 15dB unless alternative mitigation is submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the future occupiers of the approved development.

29 Properties alongside the northern and eastern boundaries (which border the industrial estate and vacant land) shall not exceed 2 storeys in height.

Reason: In the interests of the amenities of the future occupiers of the approved development.

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

a. This application is recommended for approval because the development complies with Council policy and the adopted Development Brief. Furthermore, the proposal in this form does not so adversely affect the residential and visual amenities of the area nor will it be detrimental to highway safety.

b. Off street parking, both operational and non-operational must be provided to the satisfaction of the Local Planning Authority and attention is drawn to Supplementary Planning Guidance 17: Parking Standards.

c. Dwr Cymru Welsh Water has provided the following advisory notes:

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

* No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise agreed in writing by Dwr Cymru Welsh Water.

* Land drainage run off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

d. The proposed development site is crossed by a public sewer and strategic water main. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of any building will be permitted within 3 metres either side of the centreline of the public sewer. It may be possible for this water main to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer.

e. Natural Resources Wales have indicated that specific attention must be given to the protection of the Morfa Brook which is currently failing to reach 'good' status in accordance with the Water Framework Directive. It is essential that this proposal causes no detriment to the watercourse and river corridor. Water from within excavations and foundations may need to be managed during the construction process.

f. Any surface water management system should be designed to ensure there is no increase in surface water run-off from the site in all events up to and including the 1% (1:100 year) storm with an appropriate allowance for climate change. The details of the surface water system should be submitted and agreed to the satisfaction of the Local Authority to ensure there is no increased flood risk elsewhere. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of Environment Agency Wales is required for any proposed works or structures in, under, over or within 7 metres of the top of the bank of the main river (River).

g. The Group Manager Public Protection has accepted the recommendations of the Integral Geotechnique Site Investigation report number 11077/PB/13, which concludes that 'capping the proposed soft landscape areas with a minimum 600mm thick layer of approximately inert topsoil and subsoil' is a suitable remediation option for this type of development. In relation to the eastern area of the site, the report states that this area is likely to be utilised for Commercial/Retail use. Whilst no remediation works are required for commercial use, in the event of the land being utilised for residential, a suitable remediation method as stated above will be required. The imported materials should be tested in line with the requirements stated in the attached document and results submitted to the Group Manager Public Protection prior to any development taking place.

h. In order to satisfy the drainage conditions, the following supplementary information is required:-

- 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. Provision of Flood Defence Consents where required.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None