

RECOMMENDATION : SECTION 106

REFERENCE: P/15/110/OUT
APPLICANT: WATERSTONE HOMES & HAFOD HOUSING ASSOC.
C/O ASBRI PLANNING LTD. UNIT 9 OAK TREE COURT CARDIFF GATE
BUSINESS PARK CARDIFF

LOCATION: BAYSWATER TUBES SITE HEOL-Y-GEIFR PENCOED

PROPOSAL: CONSTRUCT 47 DWELLINGS & ASSOCIATED WORKS (OUTLINE APPLICATION)

RECEIVED: 23rd February 2015

SITE INSPECTED: 23rd March 2015

APPLICATION/SITE DESCRIPTION

A report on this application was presented to the Development Control Committee on 23rd July 2015 but was deferred to enable further clarification in respect of the former use rights and the implications for the proposed development in the context of Policy PLA6. It has also enabled more detailed consideration of the observations received from the Group Manager Highways.

The site was inspected by the Development Control Committee on 22nd July 2015. The Ward Members, a representative of Pencoed Town Council, one of the residents registered to speak and the applicant's agent were in attendance.

Waterstone Homes and Hafod Housing Association are seeking outline planning consent for the construction of 47 dwellings and associated works on the site of the former Bayswater Tubes factory on Heol y Geifr, Pencoed. In seeking to agree the principle of development, the application also proposes the approval of all reserved matters, including access, siting, layout and appearance of the development. Landscaping is reserved for future consideration.

The site is located to the west of Pencoed town centre and adjacent to the railway line that bisects the town. The immediate site surroundings are characterised largely by residential uses, with Heol-y-Geifr consisting mainly of terraced properties, whilst slightly further afield but still in proximity of the site, there are a greater number of semi-detached and detached homes.

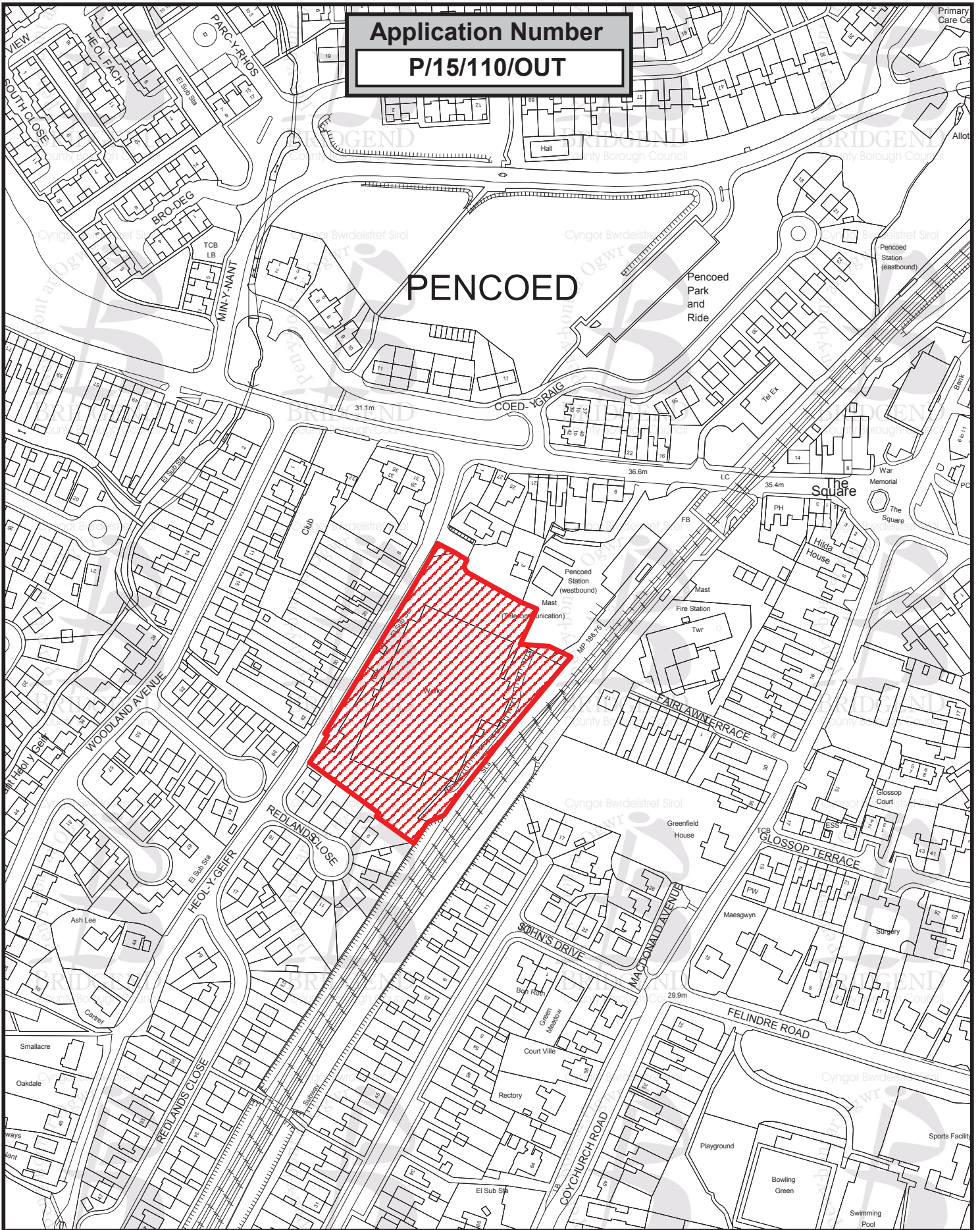
The site measures approximately 0.96 hectares and is largely flat, comprising almost entirely of the hardstanding of the former factory. The site boundary along Heol-y-Geifr consists of a palisade fence measuring approximately 2m high, which includes the existing access gate to the northwest corner of the site. The staggered north-eastern boundary meets the retaining walls of adjacent properties. The south-eastern boundary, where it meets the railway line, consists of various walls and an extensive bank, partially covered with vegetation. The rear garden boundaries of numbers 1-7 Redlands Close form the south-western boundary and consist of a mix of timber fencing and brick walls.

The 47 dwellings are divided into five house types ranging from 1 bedroom apartments to 4 bedroom semi-detached dwellings. The apartment blocks will be three storeys in height whilst all other dwellings will be two storeys. The Planning Statement confirms that a palette of materials is proposed that is 'considered to complement and enhance the existing vernacular'. Main facing materials comprise of an Ashlar finished render at ground floor with facing brick above. Concrete interlocking roof tiles and precast concrete banding and cills are also proposed.

Access to the site is proposed to be obtained from a newly created T-junction arrangement onto

Application Number

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PENCOED

Pencoed Park and Ride

Square

PAIRLAW TERRACE

GLOSSOP TERRACE

FELINDRE ROAD

Scale 1:2,500

Date Issued:
24/08/2015

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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Heol-y Geifr. This intersects the site roughly into two equal portions, each accessed via a separate branch of the internal access road. The site entrance measures 5.5m in width, narrowing slightly to 4.8m further into the site with 1.8m footpaths either side. The route divides at the eastern side of the site adjacent to Block 2, where it takes the form of adopted shared surface routes with main carriageway widths of 4.8m.

The road fronting the site on Heol-y-Geifr is approximately 4.89m wide, although is narrowed to around 2.8m when vehicles are parked. The submitted layout proposes an increase in the total road width to 6.8m to provide formal parking bay controls on both sides of the carriageway, and include a 1.8m wide footway across the site frontage.

A total of 81 off-street car parking spaces are provided. This includes 47 allocated spaces for the 47 individual properties on site, with the remaining 34 unallocated spaces marked with the letter 'V' to accommodate additional resident parking and visitor parking. Cycle storage is accommodated in the sheds and stores on site.

The following documents have been submitted in support of the application:

Planning Statement - Asbri Planning
Design and Access Statement - Asbri Planning
Transport Assessment & Figures - Asbri Transport
Transport Assessment Appendices Pack - Asbri Transport
Preliminary Ecological Appraisal and Code for Sustainable Homes Report - Wildwood Ecology
Flood Consequences Assessment - JBA Consulting
Environmental Noise Survey - Hunter Acoustics
Pre-Development Tree Survey & Assessment - Tirlun Design Associates
Tree Constraints Plan - Tirlun Design Associates
Geoenvironmental Assessment - Earth Science Partnership

RELEVANT HISTORY

P/05/1460/FUL REFUSED 05-11-2007
DEMOLISH IND. BUILDING & CONST 58 DWELLINGS, Apts, 2 & 3 Bed Houses inc.10 Aff.
Units, Roads & Pking ~ AMENDED LAYOUT

P/05/380/FUL REFUSED 05-09-2005
PROPOSED 58 DWELLINGS ON EXISTING FACTORY SITE

P/08/51/FUL REFUSED 16-01-2009
DEMOLISH EXISTING BUILDINGS AND ERECT A1 RETAIL FOODSTORE WITH ASSOC
CAR PARKING,ACCESS, SERVICING & LANDSCAPING

P/08/904/FUL REFUSED 05-06-2009
DEMOLISH EXISTING BUILDINGS & ERECT CLASS A1 RETAIL FOOD STORE WITH
ASSOC. CAR PARKING, ACCESS,SERVICING & LANDSCAPING

P/98/770/FUL APPROVED 05-10-1998
RECLADDING OF EXISTING BUILDING

PUBLICITY

The application has been advertised on site.

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 25th March 2015.

NEGOTIATIONS

Negotiations commenced on 2nd April 2015 in respect of S106 Planning Obligations and the observations received from Network Rail and the Group Manager Public Protection.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 25th February 2015

Concerns have been expressed by the Town Council in relation to the following:

How can this application be considered in light of moratorium in place?

Can this application even be considered until such time as the electrification of the railway is finalised, in order to allow access?

Access issues from Hendre Road would be a matter that needs further consideration in relation to traffic flow.

Councillor R Williams

The residents of Heol Y Geifr have to park outside their homes. They have nowhere else. This makes the road only wide enough for one car, and I fear serious congestion will result at certain times of the day.

Head Of Street Scene (Highways)

No objection subject to conditions.

Head Of Street Scene (Waste & Recycling)

Private access roads can limit accessibility by the Council's waste contractor. This may result in residents having to deposit waste and recyclables for collection beside the nearest adopted footpath. The Developer should consider provision of a suitable collection point to avoid inconveniencing other residents.

Head Of Street Scene (Drainage)

No objection subject to conditions.

Natural Resources Wales

No objection subject to conditions.

Welsh Water Developer Services

We would request that if you are minded to grant planning consent for the development that the recommended conditions and advisory notes provided below 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

The Crime Prevention Design Officer has provided observations on the submitted layout, street

lighting, boundary identification, landscaping and planting, side and rear boundaries, vehicle parking, garden sheds, bin stores, security lighting, door and window security. Generally the design officer is pleased with the layout as most of the parking is within curtilage and overlooked. Some concern has been expressed with the parking at the rear of plots 15-20 - this parking area is not overlooked and is vulnerable. It has been recommended that the rear parking areas be designed out.

Network Rail (Western Region)

Network Rail have provided revised observations on the proposal offering no objection to the development subject to conditions.

Glamorgan Gwent Archaeological Trust

No objection subject to conditions.

Group Manager Public Protection

No objection subject to conditions.

REPRESENTATIONS RECEIVED

Letters Of Objection Have Been Received From The Following, :

S Harrison - 15 Deri Avenue;
K Nicolls - 1 Redlands Close;
D Williams - 2 Redlands Close;
K Evans - 4 Redlands Close;
F Hughes - 15 Redlands Close;
D Hughes - 16 Redlands Close;
S Morgan - 1 Heol Y Geifr;
Mr and Mrs Trigg - 10 Heol Y Geifr;
G Matthews - 12 Heol Y Geifr;
Mrs R Jones - 20 Heol Y Geifr (Speaker);
The owner/occupier - 22 Heol Y Geifr;
G Lindell - 26 Heol Y Geifr;
L Williams - 34 Heol Y Geifr;
R Turner - 40 Heol Y Geifr;
P Mangan - 42 Heol Y Geifr;
R Evans - 6 Brook Vale;

The following is a summary of the material planning objections received from local residents:

1. Development is contrary to the moratorium which prevents additional housing development on land west of the level crossing; a second crossing should be provided before any further development; too many dwellings are proposed on the site;

2. Road network cannot accommodate the development - which will generate additional traffic and exacerbate problems near the junction with Hendre Road, the level crossing and Penprysg Road Bridge; entrance to the development is in the wrong place; the width of the road of 6.8m is inadequate and will need to be widened so two cars can pass down the road at the same time; car parking behind 1 Redlands close is unacceptable; emergency and refuse collection vehicles will not be able to enter Heol Y Geifr; on-street parking will be restricted by the raised plateau; traffic associated with the former use followed a different pattern - housing will allow up to 80 cars to travel freely from morning to night; development will generate on-street car parking that

will exacerbate existing problems; traffic impact assessment is not a true reflection of the amount of traffic on the highway network serving the site;

3. New housing will affect the current levels of light and privacy enjoyed by existing residents on Heol Y Geifr;

4. No play provision for children in the area - children will play on street;

5. A community use would be preferable;

6. Disruption may be caused to electricity and telephone lines as they are supported by apparatus on the development site;

7. Historically, the land has been identified for industrial use - when did that change; planning permission on previous schemes have been refused;

8. Lack of consultation with community - previous housing scheme resisted. Previous scheme by Tesco was more widely publicised with the developer's engaging directly with the community.

9. Construction will generate unacceptable levels of noise, vibration, dust etc.

10. Can this application be considered prior to the electrification of the mainline?

COMMENTS ON REPRESENTATIONS RECEIVED

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

1, 3 & 4. The Bridgend Local Development Plan recognises that the existing highway network in Pencoed is severely constrained by the mainline railway and there is no prospect of mitigation in the short term. In recognition of this constraint Policy PLA6 introduces a moratorium on further development which generates a net increase in vehicular movements to the west of the railway line. Although the application sites lies within the settlement of Pencoed it is subject to the moratorium.

If this were a 'greenfield site', any development would conflict with Policy PLA6. It is however a brownfield site and is considered to benefit from a lawful/extant use for general industry with the last use ceasing in 2007 and the site being cleared in 2010. The Council must therefore consider the level of traffic generation associated with the former use in the assessment of this application. The Transport Statement demonstrates that the potential trips generated from the proposed development in comparison to the previous industrial use are far lower. To illustrate this, the comparison figures from the morning and evening peaks are as follows: the extant (former) use would generate 80 two-way vehicle movements during the morning peak and 57 two-way movements in the evening peak. Residential development at the proposed density would result in far less movements comprising 20 morning and 23 evening vehicle movements.

The findings of the Transport Assessment have been examined by the Council's external consultant and accepted to be accurate. Therefore, on the basis that the proposed development will not generate a net increase in vehicular traffic movements in Pencoed, the development does not conflict with Policy PLA6.

Related concerns have been expressed by residents as to the number of dwellings proposed as part of the application. Policy COM4 of the LDP establishes a density requirement of at least 35 dwellings per hectare. The supporting planning statement acknowledges that delivering 47 dwellings on 0.96 ha equate to a density of 49 per hectare, well in excess of the minimum level

as set out in policy. The developer seeks to justify this level based on Planning Policy Wales which advocates higher density development in sustainable locations. Whilst undoubtedly the site is closely linked to the town and all public transport connections, increased densities should not be accepted if the living environments created are poorly designed. For many of the properties, the level of private amenity space is extremely modest with garden lengths not achieving the 10m that would be the preferable distance. In some of the more recent higher density schemes approved by this Council, such compromises in garden sizes have been made. As the development is for affordable housing it is understood that the layout would have to achieve the Welsh Government Design Quality Requirements and that would include a minimum standard for private amenity space.

The layout provides no public amenity space/play areas to serve the future occupiers nor has the Council's Parks and Playing Fields Section requested such an on-site provision. In this case, a financial contribution (£22,090) will be secured through a planning obligation and used to improve a nearby facility.

Indications of unacceptably high densities would be evident in other aspects of the housing layout including compromises in privacy/daylighting/domination standards between the new dwellings and their relationship with the existing properties in Heol y Geifr and Redlands Close. In terms of the development, privacy standards between the new dwellings will be achieved although the layout does allow for overlooking between windows fronting onto a highway at a distance of less than 21m. The poor relationship of the three storey flats at Block 1 with the rear facing habitable room windows in plots 29-31 has been addressed by the developer in the submission of revised plan which reduces the slab level of the unit block combined with a change in the roof design. The original layout compromised the 25 degree daylight protection zone and although this has not been fully addressed, the change married with northerly position of Block 1 and the distance of 10.5m being achieved, results in a relationship that is on balance acceptable. The internal relationship of the proposed dwellings in all other respect addresses the Council's standards in terms of privacy, daylighting and domination of outlook.

The large unit on Block 1 does however lie close to a retaining wall and the elevated garden of the property known as Ashfield House. No windows from this flatted complex will overlook the said property. The first floor windows in Plot 1 will however overlook the extremity of the elevated open garden of Ashfield House. Whilst the privacy of the garden will be reduced by Plot 1, an area of private space is retained about the dwelling house. Again, the relationship of the existing and proposed dwelling does not conflict with the Council's standards to such an extent to warrant a further change in the submitted layout. The southern boundary of the development site is shared with properties on Redlands Close and in general terms the layout addresses the Council's standards. The unit on Plot 14 does however include a small side facing window, serving a lounge. To ensure that the privacy standard is achieved this window will have to be obscurely glazed.

In order to maximise the developable area and to reflect the character of the existing street scene, the proposed layout incorporates a mix of terrace and semi-detached properties that front Heol Y Geifr. A distance of some 13m separates the existing from the proposed properties, the elevations of which include habitable room windows. Whilst the Council believes that the minimum distance between directly facing habitable room windows should normally be 21m, reductions are acceptable where the overlooking is between windows fronting onto a highway where established building lines are less than 21m apart. Inevitably, introducing new housing so close to the existing properties in Heol Y Geifr will reduce the level of privacy that the residents enjoy but it is not to such a degree to warrant a refusal of planning permission. Furthermore the relative levels of the site and the separating distances recorded on the submitted plans will ensure that the new development does not overshadow or dominate outlook to an unacceptable level, when assessed against the Council's guidelines for new development.

Whilst the density of development is unquestionably high, the resulting layout does not conflict

with the policies and guidelines of the Council in a manner that would warrant a refusal of planning permission for this reason alone.

The transportation and highway safety implications of the proposal have been fully considered by the Transportation Development Control Officer who has not objected to the development subject to conditions.

The application has been accompanied by a Transport Assessment (TA) which the Council has referred to external consultants for verification. The TA is considered to demonstrate that the trips generation of the proposed development in comparison to the previous industrial use is far lower both in normal vehicle and HGV movements. Furthermore, the TA has examined the highway network serving the site and concluded that it is adequate to serve the proposed development.

The Transportation Development Control Officer has also examined the existing and proposed road junctions the pedestrian links, the existing on-street parking patterns and the number of new spaces proposed and concluded that the development is acceptable.

In order to ensure highway safety standards are maintained during the construction phase a condition shall be attached to any permission granted requiring a Construction Method Statement to be submitted to and agreed in writing by the Local Planning Authority.

5. The site is not specifically allocated for any development and whilst a community facility on site would not necessarily be resisted it is not part of the current application and is not before the authority to determine.

6. Any possible disruption to services is outside the control of the Local Planning Authority.

7. Historically the site has been used for general industrial purposes with Bayswater Tubes being established in the 1960s and operating up until 2007. As stated above, the site is not allocated for any specific use and has been the subject of a number of planning applications including proposals for housing and a foodstore. Whilst every form of development must be carefully assessed in terms of its impact on the amenities of residents and an area generally, it can be reasonably argued that residential development is a more conforming use.

8. Currently pre-application consultation by the developer with the community is not a requirement under the planning legislation and whilst the Council would generally support such approaches it is not grounds for resisting the development. The planning application has been the subject of the normal publicity requirements with notices being posted on site and in the press. Individual letters of notification have also been sent to local residents and their responses are listed and summarised in the previous section of this report.

9. Inevitably a development so close to existing properties is going to result in some inconvenience for highway users and noise and general disturbance during the construction period. Whilst this is not grounds for refusing planning permission, given the scale of the development it will be reasonable to impose planning conditions to control the hours of construction and the implementation of a traffic management plan throughout the period of construction.

10. The electrification of the mainline is proposed and there may be consequential changes to the level crossing. This does not prevent the determination of this application.

APPRAISAL

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

This application seeks outline planning consent (only landscaping reserved for future consideration) for the construction of 47 dwellings and associated works on the site of the former Bayswater Tubes factory on Heol y Geifr, Pencoed.

The main issues relevant to the determination of this application are: (i) whether the development complies with the policies of the Bridgend Local Development Plan and will deliver the necessary infrastructural improvements, (ii) the effect of the development on the highway network and highway safety generally and (iii) the effect of the proposal on the character and amenities of the area and specifically those enjoyed by local residents.

Pencoed is a main settlement where development is permitted at a scale commensurate with its role and function (PLA1 of the Bridgend LDP refers). As such and as a proposal to re-use vacant land, the development represents a windfall site in accordance with Policy COM3. The LDP recognises that the Pencoed-Pyle Transport Corridor is severely constrained by the mainline railway line and level crossing in Pencoed town centre and currently there is no prospect of this being mitigated within the Plan period. Accordingly, Policy PLA6 introduces a moratorium on development which generates a net increase in vehicular movement to the west of the railway line, as this will exacerbate congestion either side of the level-crossing and at the complex over-bridge junction between the eastern end of the relief road and Penybont Road.

The moratorium was, however, in place in 2005 when the Council considered an application by Bovis Homes to develop the site for housing. The Traffic Impact Assessment (TIA) that accompanied that application sought to demonstrate that new development would not have a greater impact on the highway network than the former industrial use and this was accepted by the Council. A similar assessment accompanies this application, and reaches a similar conclusion that the number of vehicular trips generated by 47 dwellings is of a lesser quantum when compared to the person and freight trips generated by the site's former use. On the basis that the findings of the Traffic Impact Assessment have been accepted by the Transportation Section and the development will not generate a net increase in vehicular traffic on the Pencoed-Pyle transport corridor, the 'principle' of developing this site for residential purposes is found to be acceptable.

In accordance with Policy SP14, new development often creates a need for additional or improved community services and facilities, without which the development could adversely affect amenity, safety, or the environment. Such infrastructural requirements are secured by means of planning obligations and are considered below:

As a proposal of over 5 units, the application triggers Policy COM5 of the LDP regarding affordable housing. The applicant has indicated that all 47 units will be provided as social rented accommodation. In order to safeguard compliance with the LDP, the affordable housing target of 20% for the Pencoed housing market area will be secured through a Section 106 Agreement.

With regards to education, the scheme meets the threshold of 5 or more residential units identified in SPG16 as being large enough to place increased pressure on local educational facilities. The Children's Directorate have confirmed that there is sufficient capacity in local secondary schools but there are no surplus places in local primary schools. Given the lack of capacity, a contribution will be required and calculated and this has been calculated as £114, 191. This again will be secured through a S106 Planning Obligation.

As indicated in the previous section of the report the impact of the development on the highway network has been thoroughly examined by the Transportation and Engineering Section as has the submitted layout, to establish whether it accords with both national and local guidance. The impact of the development on the immediate and surrounding road network, the adequacies of

the proposed off and on street parking arrangements have been the focus of the objections received from local residents. In applying the aforementioned guidance (Manual for Streets and the Car Parking Guidelines refers) the layout and associated highway works are considered to be generally in compliance. Accordingly no objections to the development have been received from the Group Manager Transportation and Engineering.

The character of the area from the perspective of the residents of Heol y Geifr and Redlands Close has changed. For many years the Bayswater Tubes operation dominated the area in terms of the scale of the buildings and the general movement of vehicles to and from the site. The closure of the business created a quieter environment but has left a large, unsightly vacant site which has been the subject of previous applications for housing which the Council was minded to approve. The proposed development would represent a further change to the character of the area and undoubtedly during the construction phases it will result in noise and disturbance but these are short term problems. The residential use of the land will, in a general sense, be a more compatible use than the former, albeit it will generate the movement of vehicles and pedestrians but on a network that can accommodate the scale of development proposed. Furthermore, it is a brownfield site that both national and local policies promote for such a use.

In visual terms, it is considered that the appearance of the area will improve with the architectural design of the dwellings, enhancing and complementing the existing housing. The scale of development, particularly where it adjoins the existing properties are appropriate being two storeys. The proposed three storey units are sited so as to have no significant impact on the existing adjoining neighbours. The scale and density of the scheme is compatible with its surroundings.

The designer has also sought to safeguard the amenities of existing residents with reference to the siting of the dwellings to ensure that privacy will be protected, outlook not dominated or overshadowed. Admittedly, the front to front relationship of units 1-14 to Heol y Geifr has drawn some criticism but generally across a highway the normal privacy standard can be reduced. It is considered that the layout addresses the safeguarding of the amenities of neighbours appropriately. In general, the proposal accords with Council policies and guidance with regard to the effects of the development on the character and the amenities of the neighbours and the area.

No adverse representations have been received from consultees in terms of site drainage, flood risk and site ecology. The noise assessment has been examined by the Public Protection Section and subject to the implementation of planning conditions to safeguard the amenities of the future occupiers the proposal is considered acceptable.

Whilst determining this application Policies PLA1, COM2(7), COM4, COM5, COM11 & SP2 of the Bridgend Local Development Plan and Notes 1,2,6,8,9,10,11 & 12 of Supplementary Planning Guidance 02 were considered.

CONCLUSION

The proposed development accords with both national and local policy and represents an opportunity to utilise a brownfield site for the delivery of housing (including affordable housing). The development should not be detrimental to highway safety and will not adversely affect the character of the area or the amenities of residents to warrant a refusal of planning permission.

RECOMMENDATION

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

(i) Provide for a minimum 10 units of affordable housing, with the type of units, location within the site and affordable tenure to be agreed by the Council.

(ii) Provide a financial contribution of £114,191 on the commencement of development towards the provision of additional primary school places in the schools serving the development;

(iii) Provide a financial contribution of £22,090 on the commencement of development towards the upgrading of an existing play area in the Pencoed West Area;

(iv) Provide a financial contribution of £10,850 on the commencement of the development towards the provision of a Westbound and an Eastbound Bus stop on Hendre Road in the vicinity of the junction of Heol y Geifr / Hendre Road.

(v) Provide a financial contribution of £7,000 on the commencement of development for the preparation of Legal Traffic Orders for a 20mph zone within the development site.

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting outline consent in respect of this proposal, reserving landscaping for future consideration, once the applicant has entered into the aforementioned Section 106 Agreement, subject to the following conditions in addition to the standard outline conditions:-

1 The development shall be carried out in accordance with the following approved plans and documents: plan numbers 2085-100, 101 (Revision A), 200, 201, 202, 203, 204 and 205 and the following documents: Transport Assessment & Figures - Asbri Transport; Transport Assessment Appendices Pack - Asbri Transport; Preliminary Ecological Appraisal and Code for Sustainable Homes Report - Wildwood Ecology; Flood Consequences Assessment - JBA Consulting; Environmental Noise Survey - Hunter Acoustics; Pre-Development Tree Survey & Assessment - Tirlun Design Associates
Tree Constraints Plan - Tirlun Design Associates; Geoenvironmental Assessment - Earth Science Partnership

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

2 No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.

3 No development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation. Development shall be carried out in accordance with the agreed plan and timetable.

Reason: To ensure that the general amenities of the area are protected.

4 No development shall take place until details of the proposed floor levels of the buildings in relation to existing ground levels and the finished levels of the site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

- 5 No development shall take place within the area indicated until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the Local Planning Authority.

Reason: To secure the provision of archaeological excavation and the subsequent recording of non replaceable archaeological assets.

- 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 dwelling being occupied.

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

- 7 No development shall commence on site until a scheme has been submitted to and agreed in writing by the Local Planning Authority for the provision of noise mitigation and ventilation works to ensure that the habitable rooms in the properties achieve internal noise level of 35 dBA Leq 16 hour during the day (07.00 to 23.00 hours) and 30 dBA Leq 8 hour at night (23.00 to 07.00 hours). The scheme shall be able to achieve the standard of mitigation measures recommended in the Environmental Noise Survey 3612/ENS1_revision 1. 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 scheme shall also ensure that the following requirements are met as specified in section 6.3 Environmental Noise Survey 3612/ENS1_revision 1:

* All habitable rooms on facades highlighted in red require mechanical ventilation at ground, first and second floor levels or a whole house ventilation system.

* All habitable rooms on facades highlighted in orange require mechanical ventilation at first floor levels or a whole house ventilation system.

* Do not include trickle ventilation within window frames on critical facades.

* Bedrooms on facades highlighted in green require acoustic trickle ventilators in order to control regular L_{Amax} events from rail movements during the night. Acoustic trickle ventilators should achieve the specification detailed in table

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.

- 8 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.

- 9** 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.

- 10** 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.

- 11** No piling or any other foundation designs using penetrative methods shall be permitted on site unless otherwise agreed in writing by the Local Planning Authority and where it has been demonstrated that there will be no risk to protected groundwaters.

Reason: To prevent pollution of controlled waters.

- 12** Notwithstanding the approved plans the ground floor side facing lounge window on the side elevation of Plot 14 facing 1 and 2 Redlands Close shall be fitted with obscure glazing to level 3 of the Pilkington scale of obscurity prior to the beneficial use of the dwelling commencing and shall be retained as such in perpetuity.

Reason: In the interests of residential amenity.

- 13** No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to, and agreed in writing by, the Local Planning

Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel washing facilities
- v. haulage routes

Reason: In the interests of highway safety.

- 14** Construction works shall not take place outside 07:30 hours to 17:30 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities

- 15** Notwithstanding the submitted plans, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the Western site frontage boundary being set back and a widening of Heol y Geifr to 6.8m with a 1.8m wide segregated footway, which shall appropriately link into the existing footways abutting 1 Heol y Geifr and 1 Redlands Close. Such a scheme shall be fully implemented in accordance with the agreed details before the first dwelling is brought into beneficial use.

Reason: In the interests of highway safety.

- 16** Notwithstanding the submitted plans, no development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority showing the extents of on-street parking bays along the Western side of Heol y Geifr. Such a scheme shall be fully completed in permanent materials with the bays clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

- 17** Notwithstanding the submitted plans, no development shall commence until details of a junction awareness scheme at the site access has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include for surface treatment/plateaux and traffic signing including 20 mph traffic signing for the new development and shall be fully implemented in accordance with the agreed details before the development is brought into beneficial use.

Reason: In the interests of highway safety.

- 18** The proposed means of access shall be laid out with 5 metre radius kerbing on either side of the entrance, constructed and retained in permanent materials as agreed in writing by the Local Planning Authority with vision splays of 2.4m x 43m frontage before any of the development is brought into beneficial use. All plot boundaries should be set back so as not to impinge upon the splay and the area between plot boundary and back of splay shall be completed in permanent materials as approved by the Local Planning Authority.

Reason: In the interests of highway safety.

- 19** No structure, erection or planting exceeding 0.6 metres in height above adjacent

carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

- 20** No dwelling shall be occupied until the individual or shared driveway and parking bays serving the dwelling concerned have been laid out as approved and completed in permanent materials in accordance with details to be agreed with the Local Planning Authority at gradients that do not exceed 8.33% (1 in 12).

Reason: In the interests of highway safety.

- 21** Details of surface water drainage to prevent surface water run-off from driveways, parking bays and private access roads discharging onto the highway shall be submitted to and agreed in writing by the Local Planning Authority before the works commence and shall be completed in materials as agreed by the Local Planning Authority before the associated dwelling is occupied

Reason: In the interests of highway safety.

- 22** No development shall take place until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall necessary due to differences in level including that between estate road and plots will be designed and constructed so as to prevent subsequent ground movement. Any retaining wall shall then be constructed in accordance with the agreed details prior to the development being brought into beneficial use.

Reason: In the interests of highway safety.

- 23** A "Private Road" sign shall be erected at the entrance to the access road serving Plots 39 - 47 in accordance with details to be agreed with the Local Planning Authority before any dwelling served by the road concerned is brought into beneficial use. The sign shall then be retained as agreed in perpetuity.

Reason: In the interests of highway safety.

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

a. The proposed development accords with both national and local policy and represents an opportunity to utilise a brownfield site for the delivery of housing (including affordable housing). The development should not be detrimental to highway safety and will not adversely affect the character of the area or the amenities of residents to warrant a refusal of planning permission.

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

c) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system.

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

e) The development site is crossed by a public sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No development (including the raising or lowering of ground levels) will be permitted within 3m either side of the

centreline of the public sewer.

f) The roof construction of the plots highlighted in red as identified in the Environmental Noise Survey 3612/ENSI revision 1 shall be upgraded to achieve the standards specified in section 6.2 of the report.

g) There shall be no rooms in the roof/mansard sections included on critical plots identified in the Environmental Noise Survey 3612/ENSI_revision 1.

h) A 1.8m closed boarded fence shall be erected around the site boundary and between gardens. The fence height shall be increased to 2.1m around and between Plots 19 & 20 in order to achieve the 55dB garden area criteria. These recommendations will need to be included in the scheme to be submitted to agree condition 3 of planning consent P/15/110/OUT.

i) Network Rail's advisory notes are attached to this planning permission for your consideration.

j) Private access roads can limit accessibility by the Council's waste contractor. This may result in residents having to deposit waste and recyclates for collection beside the nearest adopted footpath. The Developer should consider provision of a suitable collection point to avoid inconveniencing other residents.

K) The Highway Authority will require the Developer to enter into legally binding Agreements (Section 38 Road Agreement and Section 104 Sewer Agreement) including appropriate bonds to secure the proper implementation of the proposed highway and sewer works.

l) The applicant is advised that the development should be designed and constructed in accordance with the January 1993 Mid Glamorgan County Council Design Guide for Residential and Industrial Estate Roads which has been adopted by Bridgend County Borough Council.

m) The Geoenvironmental Assessment report refers to the removal of floor slabs and foundations associated with the former factory, the potential for sinkholes to materialize, the possibility of the presence of expansive slag, the need for engineered fill and the likelihood of low CBR values. All of the above will influence the road design.

n) The shared surface access streets including the abutting pedestrian footways shall be laid out close to the same level to create a shared surface environment for safe use by pedestrians and vehicles and the carriageway and footway surfaces shall be finished in Street Print creating a paviours block effect or similar approved with a granite sell rumble strip at each entrance to the shared surface street for driver awareness of entering a different environment where pedestrians will be encountered in the carriageway.

o) Details of any retaining walls within the site to be submitted to the Authority shall comprise location, finishes, structural calculations and constructional details proving that the structures concerned have been designed and will be constructed so as to prevent subsequent structural failure and ground movement. In addition, in respect of any retaining wall or embankment supporting or having an influence on the abutting highway, the design details shall be duly certified by a professional structural engineer in accordance with the requirements of BD2/05 - Technical Approval Highway Structures as well as qualification that the structure will achieve a 120 year life span.

p) Commuted sums to cover the extraordinary long term maintenance costs of any highway structures will be a prerequisite of the adoption of the road works as highways maintainable at the public expense.

q) In accordance with the Bridgend County Borough Council Design Guide road gradients shall be such that the maximum gradient of 1:12 is not exceeded. A 10m near level platform (1:20 or

1:25 maximum) shall apply at junctions. Access roads shall have a minimum gradient of 1:125.

r) The scheme submitted to satisfy Condition 13 should comprise details of a mechanically operated wheel wash including a temporary access road completed in permanent materials (concrete or tarmac) that shall be located at least 15 - 20 metres from the edge of carriageway to ensure that when mud is washed off the wheels it can also be washed off the wash station.

s) The developer should consider the provision of cycle spaces to serve the flats.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None