

RECOMMENDATION : SECTION 106

REFERENCE: P/15/62/FUL

APPLICANT: PERSIMMON HOMES WEST WALES
C/O MRS SARAH EDWARDS DRAGON HOUSE, PARC Y DDRAIG
PENLLERGAER BUSINESS PARK PENLLERGAER, SWANSEA

LOCATION: FORMER OGMORE COMP. SCHOOL PLAY FIELDS ABERGARW
ROAD BRYNMENYN

PROPOSAL: RES. DEV. FOR 108 DWELLINGS & ASSOC. WORKS INCL.
DEMOLITION OF FORMER CARETAKERS COTTAGE

RECEIVED: 3rd February 2015

SITE INSPECTED: 10th March 2015

APPLICATION/SITE DESCRIPTION

The application proposes the construction of 108 dwellings on land to the eastern side of Abergarw Road, Brynmenyn that was formerly used as playing fields serving Ogmore Comprehensive School. As part of the Borough Council's school modernisation programme, the Comprehensive School has now closed with pupils relocated to a new purpose built school at Ynysawdre (Coleg Cymunedol Y Dderwen). Part of the former school buildings are occupied by a special school/pupil referral unit and pupils attending this facility do so in a secure environment and are not permitted to leave the premises.

The application site extends to approximately 4 hectares and is largely on a flat plateau area created for use as playing fields although a steep slope runs along the south eastern site boundary that effectively segregates the site from the retained educational facility. It was also noted that the land slopes gently towards the western boundary with the A4065 Abergarw Road and also along the northern boundary towards the Trading Estate exit road.

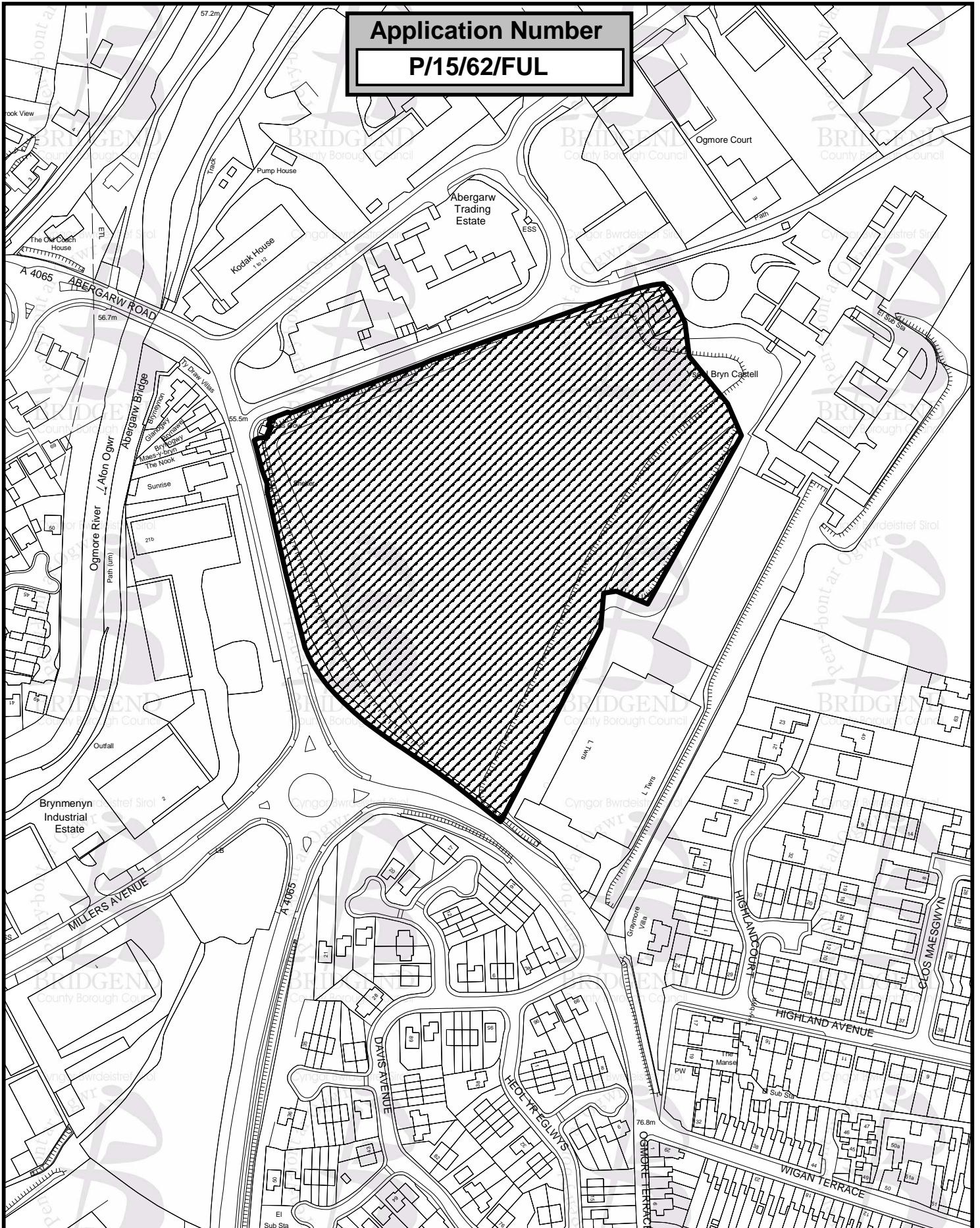
The original application proposed 132 no. dwellings but following prolonged negotiation with the applicants regarding noise mitigation measures to address noise levels generated by the occupiers of factories on the Abergarw Trading Estate that lie opposite the northern site boundary, the scheme has been significantly amended. The initial revised layout included a bund with acoustic fencing reaching an overall height of 4.5m along the majority of the northern boundary to partially address the identified noise sources. That feature resulted in the loss of a number of plots and a reconfiguration of the layout of the development so that only 111 units were then proposed. The development initially included a mixture of 2 and 2.5 storey buildings accommodating 2, 3 & 4 bedroom dwellings.

A further amendment to the layout to address the impact of noise from some of the industrial units on the neighbouring Trading Estate was then undertaken, which has reduced the number of residential units to 108. This final, revised layout retaining the bund and acoustic fencing but replaces the previously proposed 15 detached and semi-detached two storey dwellings with 12 bungalows. The bungalows are two bedroom properties, which have been designed with the living accommodation to the rear and bedrooms to the front facing the internal estate road with the main entrance located at the side of the building.

The layout retains the site entrance in a reasonably central location along the Abergarw Road frontage, with a hierarchy of streets leading to the residential units. The primary streets will run west/east with secondary streets leading off in a north/south direction. Tertiary routes (private drives) of reasonably short lengths will lead from a number of the secondary routes. The external

Application Number

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Scale 1:2,500

Date Issued:
22/03/2016

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



finishes of the proposed dwellings will comprise grey or dark brown roof tiles and facing brickwork with two contrasting bricks identified. Other than the bungalows along the northern boundary adjacent to the acoustic bund, the proposed dwellings will be predominantly two storey in scale with a small number (6) of 2.5 storey units. These larger scale units are located either side of the main entrance to form a strong and balanced frontage onto Abergarw Road. Landscaping details, boundary treatments and a drainage scheme have not been provided in respect of this final layout and will be the subject of conditions.

RELEVANT HISTORY

88/1651 CC 24-FEB-89
2 NO. DOUBLE MOBILE CLASSROOM UNITS

P/14/10/BCB APPROVED 18-02-2014
UNDER REG 3
REFURB & MINOR ALTS INC INT & EXT DOORS & WINDOWS, RECEPTION CANOPY,
REMOVE CLASSROOMS & PROVIDE ADDITIONAL PARKING

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 will expire on 28 March 2016.

NEGOTIATIONS

As indicated in the description of development, there has been prolonged negotiation to address noise issues emanating from industrial units, which lie on the opposite side of the road that abuts the northern application site boundary. This has resulted in the submission of potential revisions to the layout prior to the finally amended layout being received on 11 March 2016.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 12th February 2015

St Brides Minor Community Council opposes this development because the local infrastructure and public services are inadequate to support a further 132 homes, together with the several hundred additional new dwellings already built and occupied in Brynmenyn, Bryncethin and Sarn/Bryncoch. The highways are already heavily overloaded and to take a few hundred additional traffic movements a day will add to the enormous traffic flow already on the A 4061 through Bryncethin. It is likely that the local primary schools will be unable to accommodate the considerable number of extra places required at the local primary schools.

Head Of Street Scene (Highways)

In initial observations concerns were expressed in terms of cars dominating the street scene in parts of the layout and non compliance with the Authority's parking standards in relation to both resident and visitor parking.

An amended layout for 111 was received on 6 January 2016. A further revised layout reducing the number of units to 108 was received on 11 March 2016. In addition, an updated Transport Assessment, to reflect the revised number of units, was also provided.

Any additional formal comments will be reported to Members as part of the Amendment Sheet.

Destination & Countryside Management

It is considered that there is a risk of encountering bats during the development. It is therefore considered reasonable to require an initial bat survey and report.

Head Of Street Scene (Waste & Recycling)

No objection.

Natural Resources Wales

No objection subject to a condition seeking a pollution prevention method statement.

Welsh Water Developer Services

No objection.

Crime Prevention Design S.Wales Police

General advice in respect of security measures is provided for the developer's consideration and information.

The Coal Authority

No objection.

Group Manager Public Protection

No objection subject to conditions.

Wales & West Utilities

Raise no objection to the proposals.

Glamorgan Gwent Archaeological Trust

There are no archaeological assets within the development site.

Head Of Street Scene (Drainage)

No objection subject to condition.

REPRESENTATIONS RECEIVED

Janice Lewis (Councillor For Bryncoch), 30 Park Place

The A4061 already has an average of 20,000 cars per day and that is without the new developments taking place within the area at this present time which surely has increased. There are problems with residents crossing this road and parents accessing the school. There have been numerous accidents on this road. My objection is to the increase of traffic and that there has not been any allowances for any traffic calming/crossing facilities which are greatly needed in the application. I would also wish to advise that this section of road is used to commute to the M4 East and West from the Rhondda Valleys, Ogmore/Garw Valley and Bettws.

Michael Bennett, (On Behalf Of Weddel Swift And Pin It)

Objects to the application and registers a request to address the Development Control Committee when the matter is considered.

The grounds of objection can be summarised as follows:-

- The introduction of housing close to industrial premises is unacceptable.
- The noise levels and the remediation measures have not been adequately assessed.
- The proximity of new housing may affect the adjoining businesses leading to potential restrictions.
- The development is a departure from the allocation PLA3(12).

Further comments in respect of the amended layout, reducing the number of units to 108, are awaited and will be included on the Amendment Sheet.

Objections Have Been Received From The Occupiers Of, .
Sunrise Bungalow, 30 Leyshon Way, The Nook and Mawr Fryn.

The objections can be summarised as follows:-

- All the tree plantation should be retained and further infill planting undertaken so that proposed dwellings will be screened from view.
- Traffic related problems and highway safety.
- Potential overlooking.
- Noise pollution.

COMMENTS ON REPRESENTATIONS RECEIVED

The following observations are provided in response to the objections raised during the consultation process:-

Overlooking & Loss of Privacy - Whilst the unit on Plot 1 will be sited partially opposite the front elevation of Sunrise Bungalow, there will be an intervening distance of approximately 30m between the respective properties. It is therefore considered that the degree of overlooking will be minimal and there is no infringement of the Authority's privacy standard.

Tree Felling - There are approximately four conifer trees to the south of the existing gas governor compound located at the junction of Abergarw Road with the Abergarw Trading Estate access road. None of these trees are protected by a preservation order nor are they considered to constitute specimens of such quality and public amenity value as to warrant the creation of a new Order for their preservation. It is anticipated that it will be necessary to remove these trees in order to facilitate the construction of the dwellings on Plots 1 & 2 and also preserve their residential amenity due to the close proximity of the trees to these plots.

Noise Pollution from Proposed Pumping Station - The final details of the drainage scheme in respect of the current layout have yet to be compiled and therefore the requirement for a pumping station for foul drainage flows has not yet been confirmed. In the event that it is established that such a facility will be necessary, appropriate sound-proofing will ensure that no disturbance is occasioned to existing properties or future occupiers of the proposed development.

Increased Traffic Causing Adverse Impact on Royal Oak Junction at Bryncethin - The application has been accompanied by a Transport Assessment which identifies that, whilst there is an impact on this junction, it is not so significant as to warrant refusing the application on this basis. This has been ratified by the Highways Department.

Noise - Noise surveys have been undertaken, which the Public Protection Department consider robustly assess the sources of noise generated by the industrial units adjoining the application site. On this basis, the planning layout has been amended to incorporate a substantial acoustic

bund and fence along this section of the northern boundary. In addition, the house types in this area of the development have been amended to bungalows, which have been designed with their bedrooms on the elevation facing the internal estate road rather than the bund. Public Protection considers that this arrangement would achieve a noise level that would provide a satisfactory level of residential amenity for future occupiers of these bungalows. However, the operation of a pressure washer at Weddel Swift may still cause an intermittent issue, potentially during the early hours of the morning. In light of this, an appropriately worded condition requiring mechanical ventilation to serve the bedrooms within these units has been recommended although it has been verbally indicated that discussion with the industrial operators will continue with the aim of overcoming this specific issue.

Non Compliance with the Local Development Plan - It has been highlighted that the application has been allocated within the adopted Local Development Plan for a regeneration and mixed use development scheme by Policy PLA3(12) whereas the application proposes entirely residential development on the land. Whilst the allocation sought to deliver a mix of uses comprising residential, transport network improvement, small scale convenience goods and education provision, it is considered that, given the limited nature of the potential retail element within this site and the fact that this could be provided elsewhere to serve the wider area in addition to this new residential development site, the development of the entire application site for residential development would be acceptable. Furthermore, market testing revealed little prospect for a retail facility, at this location, coming forward. The market testing also indicated that siting the proposed retail element in that area of the site adjacent to the northern boundary so that it would mitigate noise from the industrial estate would be unsuitable as potential retailers would require a frontage plot so as to cater for passing trade. Other than this element of convenience goods retailing, all other aspects of the development are considered to satisfy the requirements of the Development Brief, which aims to promote the delivery of a high quality scheme.

APPRAISAL

The application is referred to Committee to consider the numerous objections lodged in respect of the submission.

The application now seeks consent for residential development of 108 units together with associated works. The development includes for the demolition of the former caretaker's property located in the north eastern corner of the site.

The application site is located within the Valley Gateway Strategic Regeneration Growth Area (Policy SP1) and is allocated for a regeneration and mixed use development scheme under Policy PLA3(12) of the Bridgend Local Development Plan (LDP). The allocation proposed to deliver a mix of uses comprising residential development (COM1(33)), improvements to the transport network (PLA8(6)), small scale convenience goods provision (REG5(5)) and reconfigured education provision COM10(6).

In February 2014, the Development Control Committee adopted the Ogmores Comprehensive School Playing Fields Development Brief which reflected the requirements of Policy COM4 of the LDP. This Policy requires new residential development on sites larger than 0.15 hectares to be developed at a minimum density of 35 dwellings per hectare. It acknowledges, however, that a lower density may be acceptable where design, physical or infrastructure constraints restrict the development or where it can be demonstrated that there is a particular lack of choice of housing types within a local community. In this case, the now proposed 108 units on the site, equate to 27 dwellings per hectare, with the layout incorporating an acoustic bund and fencing along the northern boundary to mitigate noise emanating from the industrial units within the Abergarw Trading Estate. It is therefore considered that the reduced density is justifiable partially on the basis of the noise constraint but also because 11% of the units will be bungalows, the availability of which, are extremely limited on new build residential development sites. The proposed residential development is therefore considered to be at a scale and of a type that is compatible

with the Brief and the density is justified in terms of its compliance with Policy COM4 of the LDP.

With regards to the provision of small scale convenience goods provision, Policy REG5 recognises the important role local shopping facilities play in serving their communities, especially in areas of housing growth. Policy REG5 specifically identifies the potential for small scale local retail provision at a number of mixed use site allocations in the LDP, including at Ogmores Comprehensive School, for a very limited development of up to 100sq.m. At the time that the Ogmores Comprehensive School Development Brief was brought forward, this local retailing element was varied and increased to incorporate the retail provision of the nearby Bryncethin Depot site. This was justified on the basis that Bryncethin Depot was the preferred location of the South Wales Police and the Council's joint Fleet Depot.

The Joint Fleet Depot, however, has subsequently relocated to Brackla Industrial Estate and the potential therefore still exists for future local convenience goods retailing at Bryncethin Depot, which could also serve the wider area. There is also the potential to develop such a facility on an alternative site within the vicinity, which would be in accordance with Policy REG5.

Given the fact that alternative provision could be made elsewhere to serve the wider area and new residential development and also that the marketing exercise revealed very little prospect of a facility coming forward at this particular location, it is considered acceptable, in principle, for the whole of the application site to come forward for residential development.

The original proposal comprised 132 new dwellings, which satisfied the requirements of Policy COM1(33) of the LDP, which estimated 130 residential units be delivered on this site. The development at this scale would also fulfil the anticipated levels of development proposed in the Development Brief of between 100 and 130 new homes, however, in order to safeguard the amenities of future occupiers of the dwellings in the northern sector of the development it has proved necessary to revise the layout to include a bund and acoustic fencing, which has resulted in a reduction in the number of units that the site can reasonably accommodate. On the basis that the aim of the Development Brief is to promote the delivery of a high quality scheme, it is considered that the reduction in dwelling numbers to 108 is compatible with both the Brief and the Development Plan.

As the site exceeds 0.15hectares in size, the application is subject to Policy COM5 of the LDP requiring an appropriate element of affordable housing. The site lies within the Bridgend Housing Sub Market, where a target of 20% applies, which would equate to 22 dwellings. However, the Brief states that, having considered the need in the area, the Council's preference would be to secure an offsite contribution. Having consulted the Housing Strategy Manager, it has been confirmed that this is still the preferred option and a specific off site affordable housing scheme has been identified. As such a contribution of £637,728.00 has been requested and will be secured through a Section 106 Agreement.

The residential development of the site is also subject to the requirements of SPG16 Educational Facilities and Residential Development. The brief states that due to capacity issues at all local Primary Schools, a financial contribution would be required towards additional Primary School facilities. The Children's Directorate have confirmed that this is still the case and as such a contribution of £391,512.00 should be provided to enable additional capacity in the local Primary School provision to cater for children generated by the development. In order to comply with CIL Regulations, it will be necessary to specify how the contribution will be used within the Section 106 Agreement.

The development is also subject to the provisions of Policy COM11 of the LDP which requires all new housing developments to provide a satisfactory level and standard of public open space. The Development Brief provides further detail by stating that, if no children's play facilities are provided on site, a financial contribution of £470 per dwelling, totalling £50,760.00, should be sought from the development to contribute towards the provision, or improvement of a suitable

facility off site. Provided the applicant agrees to this contribution, it will again be necessary to specify how the contribution will be used for inclusion within any Section 106 Agreement.

With respect to the delivery of Policy PLA8(6), the requirement for improvement to the local highway network, active travel linkages and junction improvement works will be considered. The applicant's Transport Consultants have undertaken a study of cycle/pedestrian facilities in the vicinity of the application site. The study reveals that, along the site frontage with the A4065 together with the opposite side of Abergarw Road, a 3m wide shared cycle/pedestrian facility should be provided in order to comply with the above Policy and the requirements of the Active Travel Act. It is considered that the section of this proposed facility along the site frontage can be required by condition as part of the works necessary to achieve the central vehicular access to the site. The element of the scheme beyond this frontage section will be secured by a requirement for a financial contribution of £75,000.00 within the necessary Section 106 Agreement.

As indicated in the previous section of this report providing observations on representations received, the Transport Assessment that accompanies the submission demonstrates that the impact of increased traffic generated by the proposed development on the Royal Oak Junction at Bryncethin is not so significant as to cause the junction to fail. Notwithstanding the pre-existing queuing of traffic at this traffic light controlled junction at peak times, the impact of the proposed development does not warrant refusal of the scheme nor can a financial contribution to improvement works to this junction be justified on the 2% reduction in its existing capacity. It is anticipated that the formal observations from the Highways Department will confirm this assessment.

In terms of the details of the scheme, Policy SP2 of the LDP requires all development to contribute to creating high quality, attractive, sustainable places, which enhance the community in which they are located whilst having full regard to the natural, historic and built environment and establishes fifteen criteria against which development proposals should be assessed.

As a new residential development of 108 dwellings, it is considered that the layout and dwelling designs are compatible with criteria 2 & 3 (design quality and scale) and, given the constraints of the site, maximises the density at which land can be developed to meet criterion 4 (efficient use of land). The Highways Officer considers that, subject to conditions and the inclusion of a planning obligation in respect of provision of active travel linkages, the submitted proposals satisfy criterion 6 (transport connections and access). South Wales Police Crime Prevention Design Advisor has provided a number of recommendations for the development, which can be attached to the decision notice for the developer's information and consideration thereby ensuring compatibility with criterion 7 (minimising crime).

Criterion 8 requires development proposals to avoid or minimise pollution and identifies noise in addition to air, soil and water. In this case, as described earlier in the report and confirmed in the observations received from the Public Protection Department, there have been prolonged negotiations to overcome noise from the industrial units located to the north of the application site. On the basis that the layout includes an acoustic bund and fence along the northern site boundary and proposes bungalow units on the adjoining plots, the proposals are considered to be acceptable subject to conditions. The Public Protection Department has also suggested conditions to require mitigation measures to address noise nuisance to plots overlooking Abergarw Road which fall within Noise Exposure Category C as identified in the Noise Report, 'Environmental Noise Survey 3582 ENS1 - Rev 3' dated 22nd June, 2015. Whilst such measures to mitigate traffic noise would be beneficial to the residential amenities of future occupiers of these frontage plots, it is considered that this not essential as such future residents would have chosen to live in close proximity to the highway. However, an advisory note can be included to recommend the developer consider such provision.

The Ecologist has advised that, due to the nature of the caretaker's house, its location and the

proximity of known bat roosts and suitable habitats, it is reasonable to require an initial bat survey prior to its demolition. A survey undertaken by Hawkeswood Ecology on behalf of the developer found that there was no direct evidence of bats using the loft space nor was there any direct evidence externally, although there was some potential for bats to gain access to the space between the roof tiles and the underfelt. The Report includes a recommendation that a further survey is undertaken during the appropriate season (Mid May to September) to assess whether the building supports a summer roost. A condition requiring such a survey can be imposed to confirm the initial survey's findings. In the event, that this further survey contradicts the conclusions of the initial survey, the developer will be required to seek a Derogation Licence which will include any mitigation measures. In addition, the inclusion of a condition requiring landscaping of the site will enhance the biodiversity of the proposed development in accordance with the Borough Council's duty under the Natural Environment and Rural Communities Act 2006.

Criterion 12 seeks to ensure that the viability and amenity of neighbouring uses and their occupiers will not be adversely affected. As indicated above, conditions, recommended in respect of noise mitigation measures to address criterion 8, will safeguard the viability of the industrial units along the northern site boundary. Notwithstanding the concerns expressed by the occupiers of some of the dwellings on the opposite side of Abergarw Road, it is considered that the proposed layout does not significantly impact on the amenities of these residents. A condition requiring agreement of land levels particularly along the Abergarw Road frontage will, however, further reduce the impact of these plots on the existing properties.

The final Criterion (13) considered to be relevant requires development proposals to incorporate appropriate drainage arrangements. A detailed drainage scheme is not yet available but it is believed that a condition requiring a comprehensive and integrated scheme for the future agreement of the Authority will address this issue.

During the processing of the application, Policies SP1, PLA3(12), COM1(33), PLA8(6), REG5(5), COM4, COM10(6), COM11 & SP2 together with the Former Ogmores Comprehensive School Playing Field Brief and SPGs 13 (Affordable Housing), 16(Educational Facilities & Residential Development) and 17 (Parking Standards).

CONCLUSION

The application can be recommended for approval as a development that is compatible with National and local planning policies and guidelines and does not adversely affect privacy or visual amenities or highway safety nor so significantly harms neighbours' amenities as to warrant refusal.

The proposed development on an allocated regeneration site would provide 108 dwellings towards the Authority's strategic aim of providing 2,888 dwellings for the period 2011-2016, and will include proportionate financial contributions towards affordable housing, education facilities, public open space and active travel. Legislation and national policy dictates that planning applications must be determined in accordance with the approved development plan unless material circumstances suggest otherwise. In this case, notwithstanding the objections received, it is considered that there are not any material reasons why planning permission should be refused.

RECOMMENDATION

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

- (a) Provide a financial contribution of £637,728.00 affordable housing.
- (b) Provide a financial contribution of £391,512.00 towards additional Primary School facilities.

(c) Provide a financial contribution of £50,760.00 towards the provision of off site recreation facilities within the area.

(d) Either provide a financial contribution of £75,000.00 to cover the cost of the provision of an active travel route from the application site to link with existing on road cycle routes and routes for pedestrian to the north and south of the application site or, alternatively, provide the route themselves in accordance with a scheme to be agreed with the Local Planning Authority in conjunction with the Highway Authority.

(B) The Corporate Director Communities be given plenary powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, as follows:-

1 The development shall be carried out in accordance with the following approved plans and documents: plan numbers Layout SK-09 received 11 March 2016 together with the following house types plans and elevations for which were submitted on 2 February 2015:-

- * Clayton Corner (Village)CCA-WD16
- * Hanbury (Village)HB-WD16
- * Hatfield (Village)HT-WD16
- * Morden (Village)MR-WD16
- * Moseley (Village)MS-WD16
- * Roseberry (Village)RS-WD16
- * Rufford (Village)RF-WD16
- * Souter (Village) SU-WD16
- * Chedworth Corner Special CDC-WD06
- * Unnamed CD-WD10
- * Garages SGD-01

Together with the Tunstall Bungalow as shown on the plans and elevations received on 11 March 2016.

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, including a layout confirming how the materials will be used throughout the site, has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and layout.

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 details of the proposed floor levels of the buildings in relation to existing ground levels at the adjoining public highway known as A4065, Abergarw Road 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.

4 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 the difference in level between estate road and plot 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 and thereafter retained in perpetuity.

Reason : In the interests of highway safety and to ensure a satisfactory form of development.

- 5 No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, detailing how road and roof/yard water and land drainage run off will be dealt with, including future maintenance requirements, has been submitted to and agreed in writing by the Local Planning Authority. The drainage scheme shall thereafter be implemented in accordance with the agreed details before the development is brought into beneficial use.

Reason : To ensure that effective drainage facilities are provided for the development and that flood risk is satisfactorily managed.

- 6 Prior to the commencement of development to provide the dwellings on Plots 97-108 inclusive and Plots 14-18 inclusive, details of a 4.5m acoustic bund, to be provided along the northern site boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The details to be submitted shall include a location plan showing the precise siting of the barrier, construction details and evidence to confirm that the barrier will achieve the level of attenuation identified by Hunter Acoustics Ltd in its report predicting the noise from the industrial units at the closest residential receptors. Thereafter the barrier shall be provided in accordance with the agreed details prior to the dwellings on these plots being brought into beneficial use and be so retained in perpetuity.

Reason : In the interests of residential amenity.

- 7 The bedrooms to the dwellings on Plots 97-108 and Plots 14-15 shall be provided with standard thermal double glazing together with mechanical ventilation and so retained in perpetuity.

Reason : In the interests of the residential amenities of future occupiers of these Plots to mitigate potential noise nuisance from nearby industrial units.

- 8 Details of a 2.5m high close boarded fence, with any fence having a minimum mass of 7kg/square metre, or other means of enclosure to be erected along the south eastern site boundary adjacent to the sports fields shall be submitted to and agreed in writing by the Local Planning Authority. The agreed fence/enclosure shall thereafter be erected on the top of the embankment bordering the sports fields prior to any of the dwellings on Plots 49- 53 inclusive, Plots 57 & 58, Plots 77 -79 inclusive and Plots 94&95 being brought into beneficial use and thereafter retained in perpetuity.

Reason : In the interests of residential amenity by reducing noise impact from the sports fields.

- 9 No development shall commence until a Pollution Prevention Method Statement detailing all necessary pollution 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 Method Statement shall identify as a minimum:-

- * Storage facilities and emergency containment for all fuels, oils, chemicals and explosive and any other polluting substances;
- * Construction compounds, car parks, offices etc.;
- * Details of surface water drainage arrangements to be installed to intercept and treat contaminated surface water run off;
- * Details of maintenance of site access/haulage roads to ensure no polluting discharge;
- * Measures for dealing with any contaminated material (demolition or excavated);
- * Details of emergency contacts
- * Works timing;
- * Phasing of works/responsible proactive construction methods;
- * Environmental monitoring schemes;
- * Removal of waste - duty of care; and
- * Details of any imported waste materials.

The agreed Method Statement should thereafter be efficiently communicated to all contractors and sub-contractors and any deficiencies rectified immediately.

Reason : To prevent pollution.

- 10** Prior to any works to demolish the Caretaker's House being commenced, a further bat survey shall be undertaken during the appropriate season (Mid May-September) to assess whether the building supports bats during the summer season and a report, which shall include any mitigation measures if considered necessary, submitted to and agreed in writing by the Local Planning Authority.

Reason : To ensure that a full assessment of the building's potential to support this European Protected Species has been completed.

- 11** Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking and re-enacting that Order with or without modification), no buildings shall be erected other than those expressly authorised by this permission.

Reason : In the interests of visual and residential amenities.

- 12** 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.

- 13** No development shall take place until full details of both hard and soft landscape works have been submitted to and agreed in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant. The agreed landscaping works shall be carried out prior to the occupation of any part of the

development or in accordance with a programme agreed by the Local Planning Authority prior to any development commencing on site.

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

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

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

- 15** Details of a scheme for waste collection point facilities, to facilitate the collection of refuse and recyclates for the future residents of properties accessed via a private driveway, shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed waste collection point facilities shall be provided in accordance with the agreed scheme prior to the occupation of any such dwelling.

Reason : In the interests of highway safety.

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

(a) The application can be recommended for approval as a development that is compatible with National and local planning policies and guidelines and does not adversely affect privacy or visual amenities or highway safety nor so significantly harms neighbours' amenities as to warrant refusal.

The proposed development on an allocated regeneration site will provide 108 dwellings towards the Authority's strategic aim of providing 2,888 dwellings for the period 2011-2016, and will include proportionate financial contributions towards affordable housing, education facilities, public open space and active travel. Legislation and national policy dictates that planning applications must be determined in accordance with the approved development plan unless material circumstances suggest otherwise. In this case, notwithstanding the objections received, it is considered that there are not any material reasons why planning permission should be refused.

(b) The developer is advised that in order to satisfy the drainage condition, it will be necessary for the following information to be provided:-

- * Written agreement of the discharge rates to the main river from Natural Resources Wales.
- * Approval in principle of the foul and surface water drainage system being adopted under a Section 104 Agreement with Dwr Cymru/Welsh Water.
- * The proposed surface water drainage system, in accordance with the agreed discharge rate, must show how the 1:30 probability and how the up to 1:100 probability will be managed including +30% allowance for climate change.
- * A management and maintenance scheme for the lifetime of the development for all non adoptable (private) drainage system to secure the operation of the scheme throughout its lifetime.
- * Submission and agreement of how the land drain shown, noted on the eastern boundary, is to be managed without conflict to the adoptable system.
- * Acceptance that any elements of the surface water attenuation system, which falls within the private areas will require removal of all permitted development rights associated in order to ensure the integrity of the system.

(c) The developer is reminded that in the event that the further bat survey in respect of the Caretaker's House confirms that the building supports bats, it will be necessary for a Derogation Licence to be obtained.

(d) The developer is requested to consider the inclusion of acoustic glazing and ventilation systems to the properties fronting onto Abergarw Road to ensure that appropriate internal noise levels both during the day (35dBA LEQ 16) and night (30dBA Leq8) is achieved in the interests of the amenities of future occupiers.

(e) The observations received from Dwr Cymru/Welsh Water are attached for the developer's information and consideration in respect of sewers, drainage and provision of water supply.

(f) The observations from the Crime Prevention Design Advisor and Wales & West Utilities are attached for the developer's information and consideration.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None