

RECOMMENDATION : REFER TO COUNCIL

REFERENCE: P/15/845/FUL
APPLICANT: VALLEYS TO COAST HOUSING
C/O ASBRI PLANNING LTD UNIT 9 OAK TREE COURT CARDIFF GATE
BUSINESS PARK CARDIFF

LOCATION: LAND WEST END OF LANSBURY CLOSE MAESTEG

PROPOSAL: 12 DWELLINGS AND ASSOCIATED WORKS

RECEIVED: 18th December 2015

SITE INSPECTED: 19th January 2016

APPLICATION/SITE DESCRIPTION

The application seeks consent to construct 4 x 2 bed dwellings, 4 x 1 bed flats and 4 x 2 bed flats on a parcel of sloping scrub land, located at the end of the cul-de-sac of Lansbury Close, Maesteg. The land is privately owned by a housing association.

The four dwellings would be two-storeys in scale and configured in two pairs but based on three different house types.

House Type A (Plot 1), at its largest dimensions, would measure 7m x 9.5m, and would be finished with a hipped roof, reaching maximum heights of 5.5m (eaves) and 7.8m (ridge).

House Types B and C (Plots 2, 3 and 4), at their largest dimensions, would measure 6m x 9.5m, and would be finished with a hipped roof, reaching maximum heights of 5.5m (eaves) and 7.8m (ridge).

The eight flats would be two-storeys in scale and have the appearance of two pairs of semi-detached dwellings. The flats would be based on two types, to reflect the number of bedrooms within each unit.

Flat Type A (2 bed - Plots 5/6 and 7/8), at their largest dimensions, would measure 9m x 11.5m, and would be finished with a hipped roof, reaching maximum heights of 6m (eaves) and 8.3m (ridge).

Flat Type B (1 bed - Plots 9/10 and 11/12), at their largest dimensions, would measure 8.8m x 9m, and would be finished with a hipped roof, reaching maximum heights of 6m (eaves) and 7.8m (ridge).

RELEVANT HISTORY

None.

PUBLICITY

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

Neighbours have been notified of the receipt of the application.

The period allowed for response to consultations/publicity expired on 29 January 2016.

Application Number

P/15/845/FUL



M4



Scale 1:1,750

Date Issued:
03/06/2016

Development-Mapping
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Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
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O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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NEGOTIATIONS

The scheme was subject to a previous application which was withdrawn and extensive informal advice was given on various aspects of the proposal (P/14/421/FUL refers). This resulted in the submission of this latest application.

In assessing this application, the applicant was required to submit details concerning retaining walls and the relationship of the proposed development to the supported housing scheme at Heol Gelli Lenor.

CONSULTATION RESPONSES

Town/Community Council Observations

Notified on 22nd December 2015

No objections to the proposal.

Head Of Street Scene (Highways)

No objections to the proposal subject to conditions and advisory notes.

Destination & Countryside Management

No objections to the proposal subject to conditions.

Head Of Street Scene (Waste & Recycling)

Requested clarification on the width of the proposed roads, to ensure that refuse vehicles can access the site.

Head Of Street Scene (Drainage)

No objections to the proposal subject to a condition and advisory notes.

Natural Resources Wales

No objections to the proposal subject to advisory notes.

Welsh Water Developer Services

No objections to the proposal subject to a condition and advisory notes.

Crime Prevention Design S.Wales Police

Provided a series of advisory notes which has been forwarded directly to the applicant's agent.

REPRESENTATIONS RECEIVED

Objections have been received from the following properties:

18 Brynllwarch
20 Brynllwarch
4 Lansbury Close

Their objections have been amalgamated and summarised as follows:

1. Development out of keeping with the surrounding area
2. Loss of rear access to properties on Brynllwarch, maintenance of walkway and loss of informal paths within the site
3. Overshadowing and loss of privacy
4. Insufficient Parking and Highway safety
5. Noise and Light Pollution
6. Loss of view and development could be occupied by undesirables

COMMENTS ON REPRESENTATIONS RECEIVED

1. Refer to the 'Appraisal' section of the report

2. The site is generally scrub land with informal paths linking to a further informal path which travels along a former railway line. Several properties from Brynlllywarch, which backs onto the site, benefit from rear pedestrian access gates. The plans indicate that access would be maintained, however, they would be redirected along a path which travels between 20 Brynlllywarch and the new supported housing scheme at Heol Gelli Lenor (No.12).

The informal paths within the site provide direct routes to residents on Brynlllywarch to the path along the former railway. However, this is across private land owned by the applicant and not by neighbouring properties. Residents from Brynlllywarch can access the former railway path and a registered public footpath via Lansbury Close, which is an adjacent street. It is, therefore, considered that the proposed development would not be detrimental to neighbouring properties or the wider community.

3. Concerns of overshadowing and loss of privacy have been raised by properties from Brynlllywarch. The rear gardens of 17-20 Brynlllywarch back onto the northern boundary of the site. The Case Officer had the opportunity to view the site from the curtilage of 18 Brynlllywarch. It was noted that the rear gardens of 17-20 Brynlllywarch back onto the northern boundary of the site. These properties benefit from long gardens with the development achieving the 10.5m and 21m recommended distances. Furthermore, the gardens of Brynlllywarch are on a higher level to the application site whilst the northern part of the development site would be mainly for parking and turning purposes, supplemented with landscaping and boundary walls. The proposed dwellings and flats on the application site would not have any habitable room window directly facing properties on Brynlllywarch. Having regard to the above, it is considered that the proposed development would not have any significant adverse impact on the residential amenities, particularly with regards to overshadowing and privacy.

4. The Group Manager Transportation and Engineering (Highways) considered that sufficient parking would be provided to serve the proposed development and there is no objection to the proposal subject to conditions and advisory notes. It is, therefore, considered that the proposed development would not have any significant adverse effect on highway/pedestrian safety.

5. It is acknowledged that the proposal may result in a degree of adverse noise during construction works. However, this is likely to be short-term only and insufficient to warrant refusal of the scheme. Once constructed, it is considered that the residential use of the land would not result in any unreasonable levels of adverse noise. In any case, adverse noise is controlled by separate legislation enforced by the Public Protection Department of the Council.

With regards to light pollution, the majority of the site lies within the settlement boundary of Maesteg, in which urban development is generally acceptable, in principle. Artificial lighting is, therefore, commonplace in such areas and this development and the development of the site for residential purposes would not generate such abnormal levels of light pollution so as to be detrimental to visual or residential amenities.

6. These matters are not material planning considerations and therefore cannot be considered during the determination of the application. However, it is noted that the Police have been consulted and they have no objections to the proposal.

APPRAISAL

The application was deferred from June 2016 Committee for further consideration of highway matters. It is also reported to Committee as part of the proposal is deemed to be out of accord with the adopted Local Development Plan (BLDP) and three objections have been received from local residents.

The vast majority of the application site lies within the settlement boundary of Maesteg, as

defined by Policy PLA1 of the adopted BLDP. Whilst there is a very small strip of land along the southern edge of the site outside the settlement boundary, the proposal would take the development to the nearest defensible and logical boundary, which would be adjacent to an informal footpath which would remain in situ and outside the boundaries of the site.

Whilst the relatively minor extension of the site outside the settlement boundary is within an area of Special Landscape and Sandstone Resource Safeguarding Area (Policies ENV3 and ENV9 of the BLDP respectively), the particular strip of land under consideration by this application is very small and does not unduly undermine or erode the much larger landscape and resource designations. It is considered that the inclusion of this land within the application site boundary would not compromise the integrity of the need to limit urban development within settlement boundaries and protect the countryside and landscape from inappropriate forms of development, as defined by Policies PLA1, ENV1, ENV3 and ENV9 of the BLDP. As such the proposal is considered to be a very minor "technical departure" from the Local Development Plan.

Having regard to the above, it is considered appropriate to assess the application against Policy COM3 of the BLDP which permits residential developments on small-scale sites within settlement boundaries provided that no other BLDP Policy protects the land for an existing or alternative use. In this respect, the vast majority of the site lies within the settlement boundary and is not allocated by the BLDP for any other use. It is, therefore, considered that the proposal, in principle, satisfies COM3 of the BLDP.

The development is subsequently assessed against other Policies within the BLDP. In this respect, the proposal of 12 units triggers the affordable housing target defined by Policy COM5 of the BLDP which, for the Maesteg area, is 15% thus equalling 2 units. The applicant is a housing association and it is understood that all residential units would be used in this manner. However, there will be a requirement for the applicant to enter into a Section 106 agreement to ensure a minimum of 15% affordable housing is provided.

The Principal Section 106 Officer has confirmed that the proposal does not require any financial contributions towards education provision, whilst the proposal does not reasonably require any off-site highway-related infrastructure improvements.

The proposal is also subject to Policy COM11 of the BLDP which states that all new housing developments should provide a satisfactory level of outdoor recreation space. There is adequate provision of public open space in the locality, which includes Tudor Park playing field approximately 200m away from the site. Furthermore the site backs onto open countryside which benefits from a number of informal and formal public footpaths that is accessible to the local community.

Notwithstanding the above, Bridgend County Borough Council's open space audits indicate a lack of children's play provision in this location. In lieu of on-site provision, the proposal requires offsite contribution towards the improvement of an existing facility in the vicinity of the site. In such circumstances, a sum of £470 per dwelling will be required. This contribution does not apply to flats. The development itself would not justify the provision or construction of a play area in itself. The applicant has confirmed that they are willing to provide a financial contribution and the Parks and Playing Fields Department have identified a children's play space within reasonable proximity to the site which is in need of upgrading. The financial contribution is, therefore, justified and would be secured via a legal agreement. As a result of the above, the proposal satisfies Policy COM11 of the BLDP.

The proposal is primarily assessed against Policy SP2 which establishes the criteria for acceptable design of new development and sustainable placemaking.

Lansbury Close and neighbouring streets are mainly characterised by two-storey properties, configured in pairs and finished with hipped roofs. The general scale, bulk and massing of the

proposed dwellings and flats would be compatible with the locality.

The proposal, particularly the design and appearance of the dwelling-units, is deemed to be based on a contemporary interpretation of the existing dwellings within Lansbury Close and nearby streets. It would also be compatible with the contemporary appearance of the supporting housing scheme off Heol Gelli Lenor, which is immediately to the north-west of the application site.

The external finishes of the development would be based on face brick to plinth and smooth and roughcast render for the elevations and grey slate for the roof. These would be compatible with the majority of properties along Lansbury Close and, would result in a proposal that would complement both the urban and rural environments. Subsequently, it is considered that the scheme would not have such an adverse effect on the visual amenities of the area so as to warrant refusal.

Notwithstanding the above, whilst the external finishes are acceptable, in principle, the plans lack specific detail, especially with regards to colours of the elevations of the dwellings. In the interests of visual amenities, it is considered prudent to impose a condition for the external finishes of the development to be agreed.

The main difference between the proposed development and existing properties along the street is that the new residential development would be built with a vertical alignment across the hillside rather the horizontal (sideways) configuration. This would result in each pair having a 'stepped' appearance which does not currently form part of character of the area. Notwithstanding the above, this layout would reasonably relate to the topography of the land, thereby minimising the amount of alterations needed to the existing contours of the land. The finished levels of the site and dwellings indicate that the bulk of the site would be reasonably assimilated within the site, whilst the proposed configuration would make effective use of the site and would provide a more logical termination of the cul-de-sac. It is also acknowledged that the site is located at the very end of the cul-de-sac and would not be a prominent feature in the urban context. Notwithstanding the above, given that the topography of the land is a critical component of the development and that the Highways Authority have also recommended a condition for controlling suitable gradients for parking, it is considered prudent to impose a condition for the finished levels of the site to be agreed.

To complement the dwelling-units and having regard to the urban and rural receptors of the site and topography of the land, extensive boundary treatments and landscaping works are proposed. This is to enhance the setting of the development and to create a sense of space and place. These are considered acceptable in principle, however, it is considered necessary to impose a condition for the materials and all hard and soft landscaping to be agreed.

The plans show small cycle stores within each plot. No specific details have been provided with regards to these structures, therefore, it is necessary to impose a condition for the details of the cycle stores to be agreed.

With specific regard to boundary treatments, whilst the bulk of the proposed development would be carefully assimilated within the hillside, there would be a need to construct retaining walls, especially in areas that would be subject to the greatest changes in levels. Furthermore, given the site context, there is a need for the site to respond to both urban and rural contexts. In addressing this visual transition, extensive negotiation has taken place to secure a 'softer' form of retaining walls, which is of a 'crib-lock' design, along the south-western boundary of the site and to the rear of properties at Heol Gelli Lenor.

Whilst it is acknowledged that the south-western retaining wall would be a relatively substantial feature, it would be in a tapered configuration and complement existing 'crib-lock' walls used as part of the supported housing development off Heol Gelli Lenor (P/12/335/FUL refers). 'Crib-lock'

walls allow planting to be incorporated within the structure, thereby, 'softening' is visual appearance. The boundary treatments, therefore, would not have such an adverse effect on the visual amenities of the area, especially when viewed from open countryside, with well-established residential estates in the background. It is, however, considered necessary, in the interests of safety and given its proximity to an informal footpath, to impose a condition for all retaining walls to be subject to the submission of a certificate from a consulting engineer, confirming that the walls are of appropriate design so as to prevent subsequent ground movement.

The Designing Out Crime Officer from South Wales Police has reviewed the layout of the proposed development and has no objections to the proposal subject to a series of advisory notes to achieve the Secured by Design Award.

Whilst some consideration has been given to hard and soft landscaping works, the details are limited and a full landscaping scheme has not been submitted and a condition is necessary to ensure that the development successfully responds to the urban and rural contexts and reasonably integrates into the connecting part of Lansbury Close.

To further justify the need for the landscaping condition, the site lies within a designated Site of Importance for Nature Conservation (SINC) and there is a need to ensure that any proposed soft landscaping is compatible with the species in its designation.

With regards to the SINC, 'Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'.

This 'duty to conserve biodiversity' has been replaced by a 'biodiversity and resilience of ecosystems duty' under Section 6 of the Environment (Wales) Act 2016 which came into force on 21st March, 2016.

Section 6 (1) states that 'a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.' Section 6(2) goes on to state that 'In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.'

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether 'the three tests' have been met, prior to determining the application. The three tests that must be satisfied are:

1. That the development is 'in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'
2. That there is 'no satisfactory alternative'
3. That the derogation is 'not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range'

An ecological survey has been undertaken and a report of the results submitted with the application. Whilst the report indicates that the site is of moderate ecological value, it is noted that it also contains invasive species and represents a very small part of a much larger designation, with its majority being outside the settlement boundary.

Notwithstanding the above, the report does not suggest that the development of the site would be

unacceptable subject to the sensitive implementation of a series of mitigation measures outlined in Sections 9 and 10 of the report. The Council's Ecologist has reviewed the submitted report and agrees with its conclusion. As such, there is no objection to the proposal subject to conditions. Furthermore Natural Resources Wales have no objection subject to advisory notes. Having regard to the above, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

In terms of the impact of the proposal on the future occupiers of the dwellings and flats, it is considered that the habitable rooms of each unit would receive sufficient outlook, natural light and privacy. The combination of boundary treatments and landscaping, together with views of the wider countryside, would create a pleasant living arrangement to the enjoyment of the future occupiers. The proposed dwellings and flats would benefit from adequate outdoor amenity space, appropriate for units containing either 1 or 2 bedrooms. The flats would not benefit from any permitted development rights, whilst dwellings on Plots 1-4 would have sufficient space in and around the properties with no requirement to remove any permitted development rights.

The amenity space, in general, would be reasonably private and usable. The applicant, who also owns the supported housing scheme off Heol Gelli Lenor (Nos.11 and 12), has acknowledged that there would be overlooking into the garden of Flats 11/12. This would mainly be from a first floor habitable room window of the south-eastern corner of 12 Heol Gelli Lenor which would directly face the garden of Flats 11/12 at a distance of approximately 6.5m. This distance is below the 10.5m recommended distance between a habitable room and the boundary of a residential property and, given its elevated position, it would result in unreasonable overlooking in the amenity space of Flats 11/12. However, through negotiation, the applicant has agreed to obscurely glaze the south-western pane within 12 Heol Gelli Lenor, thereby, overcoming the primary privacy concern and could be controlled via a planning condition.

Whilst there would be secondary overlooking from the fire-escape and elevated private parking of 11 and 12 Heol Gelli Lenor into the garden of Flats 11/12, this would be on an infrequent and casual basis and not too dissimilar to views from other nearby streets due to residential estates built on hillsides. It is, therefore, considered that the proposed development would not have any significant adverse effect on the amenities of the occupiers of Flats 11/12.

Flats 5/6, 7/8 and 9/10 back onto open countryside and would be further away from the supported housing scheme off Heol Gelli Lenor. As such, it is considered that the flats would not generate any overriding residential amenity concerns to neighbouring properties.

With regards to dwellings on Plots 1-4, these would back onto the curtilage of 8 Lansbury Close and its side elevation. It was noted during the site visit that 8 Lansbury Close has one window on its side elevation, however, this has been fitted with obscure glazing. The rear elevation of the four dwellings would achieve an approximate distance of 21m between the main side elevation of 8 Lansbury Close.

Whilst the distance between the rear elevation of the four plots and the boundary of 8 Lansbury Close ranges between 8.5m and the recommended distance of 10.5m, this particular area of the garden of No.8 can already be viewed from the existing turning head of the cul-de-sac. Furthermore, No.8 benefits from a large garden and extensive private space at the rear which would be unaffected by the proposed development. Subject to the agreement of site levels and boundary treatments, it is considered that the overall amenity of the occupier of No.8 would not be unreasonably affected by the proposed development.

9 Lansbury Close is located on the opposite side of the road to No.8 and would be adjacent to the eastern part of the site. This property would not be in the immediate vicinity of the proposed dwellings, whilst its outdoor amenity space along the side elevation would be adjacent to parking,

turning areas, boundary treatments and landscaping. It is, therefore, considered that the proposed development would not have any significant adverse effect on the amenities of this property.

The rear gardens of 17-20 Brynllwarch back onto the northern boundary of the site. These properties benefit from long gardens with the development achieving the 10.5m and 21m recommended distances. Furthermore, the gardens of Brynllwarch are on a higher level to the application site whilst the northern part of the development site would be mainly for parking and turning purposes, supplemented with landscaping and boundary walls. A number of properties on Brynllwarch have pedestrian gates providing access from their rear gardens. The plans indicate that access would be retained, supplemented with a path between 20 Brynllwarch and the adjacent supported housing scheme, connecting to Heol Gelli Lenor. Having regard to the above, it is considered that the proposed development would not have any significant adverse impact on the residential amenities of these neighbouring properties, with particular regards to light, outlook, dominance and privacy.

The proposed flats would not benefit from any permitted development rights and it is not considered necessary to remove permitted development rights concerning extensions and roof alterations to the dwellings on Plots 1-4. This is due to the limitations of each plot within the site and the limited adverse impact that such developments is likely to have on the visual amenities of the area and on the residential amenities of neighbouring properties.

Each dwelling would be provided with 2 off-street parking spaces and these would be located at the front of each unit, supplemented with a degree of landscaping. The 8 flats, (consisting of 4 x 1 bed and 4 x 2 bed) would each contain 1 off-street parking space. Furthermore, 4 communal visitor parking spaces would be provided. New turning facilities would be provided which would also benefit existing properties on Lansbury Close.

Subject to adequate boundary treatments and landscaping, which are matters that would be covered by conditions, it is considered that the proposed parking areas would not have a significant adverse effect on the visual amenities of the area.

The road within the site would be 5.5m, supplemented by 1.5m wide footways either side. This would provide sufficient room for refuse vehicles to enter the site.

The Group Manager for Transportation and Engineering (Highways) has no objections to the proposal subject to several conditions and advisory notes. A number of conditions which have been recommended are not necessary since they are governed under separate legislation. It is, therefore, considered that the proposal satisfies Policies SP2, PLA11 and Supplementary Planning Guidance 17.

The Land Drainage Section of the Council and Welsh Water have no objections to the proposal subject to a condition for the drainage details to be agreed and several advisory notes.

Section 3 of the Act imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (section 5).

The well-being goals identified in the Act are:

- * A prosperous Wales
- * A resilient Wales
- * A healthier Wales
- * A more equal Wales
- * A Wales of cohesive communities

- * A Wales of vibrant culture and thriving Welsh language
- * A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

CONCLUSION

This application is recommended for approval because the development complies with Council policy and guidelines and, notwithstanding the technical departure, the vast majority of the application site lies within the settlement boundary of Maesteg. Whilst there is a very small strip of land along the southern edge of the site outside the settlement boundary, the proposal would not compromise the fundamental principle of limiting urban development within settlement boundaries and protecting the countryside and landscape designations from inappropriate forms of development. Subject to conditions, the proposal would not adversely affect ecology/biodiversity, highway/pedestrian safety, drainage, privacy or visual amenities nor so significantly harm neighbours' amenities as to warrant refusal.

RECOMMENDATION

(A) That the application be referred to Council as a proposal that is a departure from the Development Plan that the Development Control Committee is not disposed to refuse for the following reason:-

The vast majority of the application site lies within the settlement boundary of Maesteg and whilst there is a very small strip of land along the southern edge of the site outside the settlement boundary, the proposal would not compromise the integrity of the need to limit urban development within settlement boundaries and protect the countryside and landscape designations from inappropriate forms of development. The development is fully compliant with policy and guidelines in all other respects.

(B) That if Council resolve to approve the proposal the applicant is requested to enter into a legal agreement to:

- i) provide a financial contribution of £1880 towards children's play provision.
- ii) secure two units as affordable housing

(C) That if Council resolve to approve the proposal the following conditions be included on the consent:-

1 The development shall be carried out in accordance with the following approved plans and documents:

3265/PA/004 Rev.A - Proposed Site Layout (received 7 March 2016)

3265/PA/006 - House/Flat Types (received 18 December 2015)

3265/PA/010 Elevations (received 18 December 2015)

3265/PA/011 - Elevations (received 18 December 2015)

100 Rev.P2 - General Arrangement [Sheet 1 of 2] (received 18 December 2015)

101 Rev.P2 - General Arrangement [Sheet 2 of 2] (received 18 December 2015)

102 Rev.P3 - Drainage Layout (received 18 December 2015)

102 Rev.P1 - Crib Wall Elevation (received 10 May 2016)

SK01 - Crib Walling Proposals (received 11 April 2016)

Sections 9 and 10 of 'A Secondary Ecological Appraisal' [Conducted by Just Mammals Consultancy] (received 18 December 2015)

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of ecology/biodiversity.

- 2 Notwithstanding the requirements of Condition 1, 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 development, 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 Notwithstanding the requirements of Condition 1, no development shall take place until there has been submitted to and agreed in writing by the Local Planning Authority a landscaping scheme which shall include details of both hard and soft landscaping works. The soft landscaping scheme shall include details of all existing trees and hedgerows on land, and details of any to be retained, together with measures for their protection in the course of development. All hard and soft landscape works shall be carried out in accordance with the agreed details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

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

- 4 Notwithstanding the requirements of Condition 1 and 3, 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. Any tree that is planted is removed, uprooted, destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective within the 3 year maintenance period another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

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

- 5 Notwithstanding the requirements of Condition 1, 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 (including colours) and type of boundary treatment (including retaining walls) to be erected. The boundary treatments shall be

completed in accordance with a timetable to be agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the agreed plan and timetable.

Reason: In the interests of visual and residential amenities.

- 6** Notwithstanding the requirements of Condition 1, 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 and in the interests of visual and residential amenities.

- 7** Notwithstanding the requirements of Condition 1, no development shall commence on site until there has been deposited with the Local Planning Authority a Certificate from a Consulting Engineer certifying that any retaining wall to be constructed (including those which would have an influence on the highway) will be designed and constructed so as to prevent subsequent ground movement. Any retaining wall shall be constructed in accordance with the design and constructional details so certified.

Reason: In the interests of safety.

- 8** Notwithstanding the requirements of Condition 1, no development shall commence until a scheme for the comprehensive and integrated drainage of the site, showing how foul drainage, road and roof/yard (surface) water will be dealt with, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the occupation of any of the residential units hereby approved.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

- 9** Notwithstanding the requirements of Condition 1, no development shall take place until full details (including the dimensions, design and external finishes) of the proposed Cycle and Bin Stores, as shown on drawing no. '3265/PA/004 Rev.A - Proposed Site Layout' (received 7 March 2016), have been submitted to and agreed in writing by the Local Planning Authority. The stores shall be installed in accordance with the agreed details prior to the development being brought into beneficial use and thereafter retained as cycle and bin stores in perpetuity.

Reason: In the interests of visual and residential amenities.

- 10** Notwithstanding the requirements of Condition 1, no development shall take place until full details (including the design, dimensions, position, projection and external finishes) of the proposed Solar PV Panels to be installed on the dwelling on Plot 4 and flats 5/6, as shown on drawing nos. '3265/PA11 and '3265/PA10 - Elevations' (received 18 December 2015), have been submitted to and agreed in writing by the Local Planning Authority. The panels shall be installed in accordance with the agreed details.

Reason: In the interests of visual amenities.

- 11** Notwithstanding the requirements of Condition 1, no development shall commence until a scheme has been submitted to and agreed in writing showing the south-eastern window of the premises known as 12 Heol Gelli Lenor, which directly faces proposed flats 11/12, as shown on drawing no. '3265/PA/004 Rev.A - Proposed Site Layout' (received 7 March 2016), being fitted with fixed pane obscured glazing to a minimum height of 1.8m from finished floor level of 12 Heol Gelli Lenor. The window shall be fitted with obscure glazing to a minimum of level 5 on the Pilkington index of obscurity and in accordance with the agreed scheme prior to the beneficial occupation of flats 11/12, hereby approved, and shall then be retained in perpetuity.

Reason: In the interests of privacy and residential amenities.

- 12** Notwithstanding the requirements of Condition 1, no development shall commence until a site clearance method statement has been submitted to and agreed in writing by the Local Planning Authority. The method statement shall include measures to be implemented for the avoidance of harm to reptiles, nesting birds and for detailing the containment, control and removal of invasive, non-native species on site. The site clearance works and development shall be carried out in accordance with the agreed method statement.

Reason: In the interests of ecology and biodiversity.

- 13** Notwithstanding the requirements of Condition 1, no development shall commence on site until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Construction Management Plan shall include:-

- a) Provision of a temporary compound for construction materials and plant and parking for contractor's vehicles during site clearance and the construction of the development; and
- b) Details of a wheel washing scheme to prevent mud and debris from the site clearance and construction traffic being carried out onto the existing maintainable highways;

The agreed Construction Management Plan, shall be implemented for the duration of the site clearance and construction works.

Reason: In the interests of highway safety and general amenities.

- 14** Notwithstanding the requirements of Condition 1 and prior to the occupation of any dwelling or flat, hereby approved, the roads, footways, drives, turning areas and parking spaces, as shown on drawing no. '3265/PA004 Rev.A - Proposed Site Layout' (received 7 March 2016), shall be completed in permanent materials and at gradients that do not exceed 8.33% (1 in 12).

Reason: In the interests of highway safety.

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

a. This application is recommended for approval because the development generally complies with Council policy and guidelines. The vast majority of the application site lies within the settlement boundary of Maesteg and whilst there is a very small strip of land along the southern edge of the site outside the settlement boundary, the proposal would not compromise the fundamental principle of limiting urban development within settlement boundaries and protecting the countryside and landscape designations from inappropriate forms of development. Subject to conditions, the proposal would not adversely affect ecology/biodiversity, highway/pedestrian

safety, drainage, privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

b. To address Condition 8 (Drainage), the applicant/developer is advised to submit the following details:

(1) Information about the method of discharging surface water, including design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures to prevent the pollution of the receiving groundwater and/or surface water.

(2) Provide information concerning the proposed foul drainage system

(3) A timetable for the implementation of surface and foul drainage

(4) A management and maintenance plan, for the lifetime of the development and any agreements to secure the operation of the scheme throughout its lifetime.

c. The applicant/developer is advised that Flood Defence Consent may be required should the scheme involve discharging water into a watercourse.

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

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

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

g. If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru/Welsh Water's Developer Services on 0800 917 2652.

h. An adoption agreement from Dwr Cymru/Welsh Water may be required if a connection to the public sewerage system is required. For further information, please contact Developer Services.

i. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

j. The applicant/developer is advised that under Sections 40-41 of the Water Industry Act 1991, a contribution towards the provision of new on/off-site watermains and associate infrastructure may be required.

k. Rainwater run-off from driveways shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under Section 163 of the Highways Act 1980.

l. It is a requirement under Section 153 of the Highways Act 1980 that any gates must be located and fitted so as not to open out over the highway.

m. The Highway Authority may require the developer to enter into a Section 38 Road Agreement and a Section 104 Sewer Agreement, including appropriate bonds.

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

o. The applicant should be advised that any building materials delivered to the development site shall not be deposited or stored on the highway, without the express PRIOR consent of Bridgend County Borough Council as the Highway Authority.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None