

**ADRODDIAD PENNAETH
CYNLLUNIO,
CYFARWYDDIAETH YR
AMGYLCHEDD**

**REPORT OF THE
HEAD OF PLANNING,
DIRECTORATE OF ENVIRONMENT**

**AR GYFER PWYLLGOR CYNLLUNIO
CYNGOR SIR CAERFYRDDIN**

**TO CARMARTHENSHIRE COUNTY
COUNCIL'S PLANNING COMMITTEE**

**AR 02 HYDREF 2018
ON 02 OCTOBER 2018**

**I'W BENDERFYNU/
FOR DECISION**

*Ardal Del/
Area South*



**Cyngor Sir Gâr
Carmarthenshire**
County Council



Mewn perthynas â cheisiadau y mae gan y Cyngor ddiddordeb ynddynt un ai fel ymgeisydd/asiant neu fel perchennog tir neu eiddo, atgoffir yr Aelodau fod yna rhaid iddynt anwybyddu'r agwedd hon, gan ystyried ceisiadau o'r fath a phenderfynu yn eu cylch ar sail rhinweddau'r ceisiadau cynllunio yn unig. Ni ddylid ystyried swyddogaeth y Cyngor fel perchennog tir, na materion cysylltiedig, wrth benderfynu ynghylch ceisiadau cynllunio o'r fath.

In relation to those applications which are identified as one in which the Council has an interest either as applicant/agent or in terms of land or property ownership, Members are reminded that they must set aside this aspect, and confine their consideration and determination of such applications exclusively to the merits of the planning issues arising. The Council's land owning function, or other interests in the matter, must not be taken into account when determining such planning applications.

COMMITTEE:	PLANNING COMMITTEE
DATE:	02 OCTOBER 2018
REPORT OF:	HEAD OF PLANNING

INDEX - AREA SOUTH

REF.	APPLICATIONS RECOMMENDED FOR APPROVAL	Page No's
S/36993	Construction of 103 no. dwellinghouses, access road and associated infrastructure at land part of former Goodig Hotel, Pwll Road, Burry Port, Carmarthenshire	49-75

APPLICATIONS RECOMMENDED FOR APPROVAL

Application No	S/36993
-----------------------	----------------

Application Type	Full Planning
Proposal & Location	CONSTRUCTION OF 103 NO. DWELLINGHOUSES, ACCESS ROAD AND ASSOCIATED INFRASTRUCTURE AT LAND PART OF FORMER GOODIG HOTEL, PWLL ROAD, BURRY PORT, CARMARTHENSHIRE

Applicant(s)	POBL GROUP, 7-13 THE KINGSWAY, SWANSEA, SA1 5JN
Agent	JCR PLANNING LTD - RICHARD BANKS, UNITS 1-3 BUSINESS WORKSHOPS, HEOL PARC MAWR, CROSS HANDS, SA14 6RE
Case Officer	John Thomas
Ward	Burry Port
Date of validation	27/03/2018

Head of Transport and Engineering – The Head of Transport & Engineering has raised no objection to the application, subject to the imposition of suitable conditions on any permission granted ensuring the required highway improvements and access safeguards are provided.

Natural Resources Wales (NRW) – No objection, subject to the imposition of recommended conditions.

The Coal Authority - No objection, subject to the imposition of an appropriate planning condition(s).

Dwr Cymru/Welsh Water – Awaiting revised observations.

Environmental Protection Section – No objection, subject to the imposition of recommended conditions.

Dyfed Archaeological Trust – No objection, subject to the imposition of a suitable condition requiring the preparation and implementation of a written scheme of investigation.

Local Members - County Councillor L A Fox has made no observations to date, while County Councillor J James is a member of the Planning Committee.

Pembrey and Burry Port Town Council – The council share the following concerns raised by local residents:-

- Impact upon the privacy of residents on the Tan-y-Coed estate;

- The adequacy of the existing sewerage system to cope with the proposed number of houses, and the potential impacts upon existing residents;
- Question the traffic management solutions proposed for the access onto the A484, given existing congestion, and concerns for the safety of both road users and pedestrians;
- Results of the geotechnical investigations into past mining activity in the area should be available for a decision is made;
- The County Council needed to put in place a plan to deal with the impact of such a large development on the existing infrastructure;
- A thorough archaeological WSI needs to be in place, and questions why this has not already been done.

The council also have grave concerns about the development and cannot make a decision on it without being provided with answers to their questions, namely that the Planning Committee of Carmarthenshire County Council are happy with the investigations undertaken to date. They recommended that the application be deferred until all investigations are carried out and the County Council has put in place a plan to deal with the increased sewerage demands. Likewise, the increased road use, infrastructure to deal with surface water run-off, and that privacy issues of Tan-y-Coed residents are addressed.

Neighbours/Public – The application was advertised on site by the posting of site notices and in the local press given the proposal's status as a 'major' development. As amended plans and further information was subsequently submitted in support of the application, a full re-publicising exercise was also undertaken. Eighteen letters of representation have been received to date raising the following concerns and objections:-

- Diminishing public transport service along the route passing the site and loss of a bus stop;
- The extra traffic generated, together with that from other development sites in the area, would only further worsen an already congested A484 road;
- The proposed houses would place further pressure on the public sewer systems;
- Additional hard surfacing will only increase surface water run-off;
- Inadequate local services such as overstretched schools and limited GP services;
- Existing residents find it difficult to exit their driveways onto the A484;
- Over-development on what is challenging site topographically;
- The proposal fails to address the impact of the development on the surrounding area;
- Location of proposed access onto the A484 is dangerously close to a bend in the road;
- Final foundation designs for the embankment should be provided before recommending approval;
- Impact upon on existing wildlife within the site, including protected species, which will be destroyed;
- No ecological surveys;
- The area is of outstanding natural beauty and has a wealthy of ecology;
- Full archaeological survey required;
- The existing bus stop will be lost;
- The impact of shifting thousands of tons of soil will be atrocious;
- Alternative brown field sites available in the area;
- Loss of a view;
- Noise disturbance during construction;
- Long term parking issues in the locality as a result;

- Previous planning permission refused on the site;
- Allocation of the site in the Development Plan does not mean the site is suitable for the proposed number of dwellings;
- The PAC exercise was seen as a fait accompli;
- Criticism of the proposed design of units proposed and garden sizes;
- Risk of flooding;
- Risk of pollution;
- Concern as to the private access drive to the West of the site;
- Question the proposed movement of the existing access further West, nearer Chivers Corner;
- Current proposal for greater no. of houses than stated in the LDP;
- Query whether these proposed houses are needed;
- Question the use of attenuation tanks to cater for surface water;
- Question the practicality of the two pedestrian crossing points;
- Has the proposal been considered together with other proposed developments?;
- Existing surface water problems;
- Proposed dwellings will overlook existing houses opposite;
- Increased pressure on available car parking spaces;
- Incorrect assessment as to the presence of bats on the site;
- A full geological and radar ground survey required;
- Proposed unproven surface water technology;
- Why aren't brown field sites being developed in preference to this greenfield site;
- Proposal will lower house prices and increase insurance premiums;
- Absence of local employment;
- Need to comply with the requirements of the Active Travel Act (Wales);

RELEVANT PLANNING HISTORY

The following previous applications have been received on the application site:-

S/18113	Residential Development Refused Appeal Upheld	27.05.08 27/10/08
S/15996	Residential Development (Outline) Refused	25.05.07
S/00192	Erection of Retail Foodstore, Car Parking and Servicing New Access Refused	13.02.97
D5/15746	Fire Station Refused	31.03.94
D5/12602	Hoarding Withdrawn	17.03.90
D5/9581	16 Dwellings (Outline) Refused Appeal Dismissed	09.04.87 29.09.88

APPRAISAL

This application is subject to a Section 106 Agreement.

THE SITE

The application site comprises the majority portion of the large field enclosure that extends to some 4.42 hectares (11 acres) that forms the foreground setting to the former Goodig Hotel, which stands as a derelict ruin amongst a small range of outbuildings to the Eastern end of the North boundary of the application site. Mainly comprised of semi-improved pasture, with a small number of mature wind-swept trees located centrally, the site ascends in a Northerly direction on a gradient that rises by some 16-17m at its widest point of 110m, with a tree lined embankment along the remaining majority length of its steep Northern boundary.

To the West of the site lies a private access driveway that leads past the detached property Bramble Lodge, and onwards up to the further detached properties of Glyneathin and Goodig Lodge, located to the North-west of the site. To the opposite end of the application site stands the detached property The Grange, a large private house with generous curtilage that is accessed directly off the A484 Pwll Road. The remaining 480m long Southern boundary, defined by a short stone wall along almost its entire 480m length, borders the A484. Apart from the existing driveway entrance that serves the former hotel, located almost midpoint along the frontage, a footway runs along its whole length.

The site has a planning history dating back to the mid 1980's, with a series of refusals for residential development culminating in a planning appeal being upheld against the refusal of outline planning application S/18113, on the 27th October 2008. The reason for refusal, and subsequent Inspectorate's basis for allowing the appeal, hinged upon the unreasonableness of the Council requesting further information in the form of a Noise and Air Quality Assessment. The permission subsequently lapsed 3 years later without the applicant exercising its option to purchase the site.

THE PROPOSAL

The application seeks full planning permission for the development of 103 residential units, together with associated estate roads, new vehicular access, infrastructure, etc. The development is shown to be spread over three ground plateaus, each respecting the prevailing contour levels, not only between each plateau level, but the wider semi-rural landscape off the A484.

The proposal comprises 8 different house types, principally two and three bedroom dwelling houses, albeit there being a minority element of four bedroom house. With the exception of two proposed detached dwellings, the remainder will be semi-detached, mainly 2-storey but with eight split-level dwellings located to the eastern end of the site, and two short terraces in the Western courtyard setting.

A relocated single point of access is proposed at a point 90 m east of the South-western boundary of the application site, designed to provide the required forward visibility, radii and

footway links onto the A484 Pwll Road. The estate road, designed to be to an adoptable standard, is shown to split some 20 metres into the site with the Eastern arm curving right and forming an estate road running almost parallel with Pwll Road. This section of road is shown to be flanked by development to one side only, with the intervening area between both roads serving both as a relief and area of open, as well as accommodating surface water attenuation tanks to the development. A DCWW potable water main is also shown to follow a parallel line through the immediate frontage of the site, which is an acknowledged constraint. The linear row of semi-detached houses would therefore appear off-set behind this area, respecting the existing contours of the land as near as possible.

The other arm of the estate road initially turns West before looping back in an Easterly direction, serving a small proposed courtyard of houses to the Western end of the site and ascending across the steep contours of the site to a higher development plateau. This higher section of estate road would be flanked by development on both sides, with the Southern development flank partly formed by a reinforced earth embankment. The difference in levels between the lower and middle tier of development would be quite pronounced in places, rising to 6.0 metres at its highest, albeit with a separation distance of 40m between development frontages at its widest. The graded face of the embankment would be vested as extended curtilages to the proposed properties below, albeit the proposed planting scheme will take the form of one which requires minimal maintenance.

A similar approach and landscaping proposals are shown for the opposite development flank, with rear curtilage/garden areas graded up to the wooded Northern boundary. To its eastern end the estate road would dissect the existing access road serving the former Goodig Hotel, with access subsequently only possible via the new development. The existing track entrance onto Pwll Road would then be stopped-up, while the remaining section of proposed estate road would serve the eight split-level dwellings proposed to the eastern end of the site. These houses would be well screened from the road, given the retention of the existing mature tree-lined roadside hedge.

The proposed house designs are shown to be symmetrical and traditionally proportioned, with vertically proportioned windows, unbroken eaves and front roof plains in the main, with generous ridged roof and distinct gables. There are a few design variations/exceptions to this theme, while the pallet of materials shows a predominance of render, some timber cladding, and an element of natural stone. The roofs would be clad in flat profile tiles or slate dark grey in colour.

With the exception of only a small number of the split-level houses, there will otherwise be no other garages with car parking predominantly provided to the side of the dwellings, with the full complement of parking to comply with the adopted CSS Parking Standards.

A figure of 21 dwellings of the total 103 proposed dwellings will be retained as affordable dwellings for sale or rent, above the required level of 20% which applies to this part of the County.

In addition to the customary full schedule of detailed plans, the following further documents have been submitted in support of the application:-

- Transport Assessment
- Ecological Appraisal
- Noise Assessment
- Bat Survey

- Site Investigation Report
- Arboricultural Report;
- Air Quality Assessment
- Pre-Application Consultation (PAC) Report.
- Site Investigation Report
- Supplementary Site Investigation Report
- Surface Water Betterment Strategy Note
- Clean Water Hydraulic Modelling Assessment
- Engineering Strategy Report

PLANNING POLICY

Local Development Plan Policies

The Carmarthenshire Local Development Plan (LDP) (adopted December 2014) identifies the application site as a housing allocation (ref. T2/1/h9) within the Tier 2 settlement of Burry Port. The LDP instils the principles of sustainable development through its Strategic Framework and Settlement Hierarchy. This strategic policy seeks to focus development within those settlements which are highly accessible to a range of services and facilities, possess sufficient infrastructure capacity and enjoy convenient proximity and access to existing and potential public transport facilities. These attributes serve to support a sustainable strategic settlement framework.

Burry Port is seen as one such settlement that possesses all the necessary attributes to support sustained growth, situated on and adjacent to two important transport corridors – main South Wales Rail Line, and A484 Llanelli – Carmarthen coast road - while having a range of facilities and services providing for the needs of the town and rural hinterland. The effect of directing new development and investment to such a settlement can only serve to minimise the distances between trip origin and destination, thus reducing the propensity for additional private car travel. Consequently, the LDP has designated Burry Port as a key Tier 2 Service Centre within the County hierarchy of settlements with the capacity to accommodate development and sustain growth.

As such, and in respect of the application's policy context, reference is drawn to the following specific policies:-

Policy SP1: Promotes environmentally sustainable proposals and encourages the efficient use of vacant, underused or previously developed land.

Policy SP2: Supports proposals which respond to, are resilient to and adapt to minimise for the causes and impacts of climate change. Proposals for development which are located within areas at risk from flooding will be resisted unless they accord with the provisions of TAN15.

Policy SP3: Identifies Llanelli as being one of three Growth Areas within the Plan's Settlement Framework for the County which reflects their high population levels and the availability of an extensive range of services and facilities in the strategic context. The settlements are well served by facilities that are vital to support sustainability being on sustainable transport routes and are therefore capable of accommodating a proportionally higher level of growth and development.

Policy SP5: Allocates sufficient land for 15,778 new dwellings within the Plan area in accordance with the Settlement Framework with a high proportion (8,333) of these dwellings being directed towards the Growth Areas.

Policy SP9: Promotes the provision of an efficient, effective, safe and sustainable integrated transport system.

Policy SP14: Requires that development should reflect the need to protect, and wherever possible enhance the County's natural environment in accordance with national guidance and legislation.

Policy SP17: States that development will be directed to locations where adequate and appropriate infrastructure is available or can be readily available.

Policy GP1 Sustainability and High Quality Design: This is a general policy which, amongst others, promotes sustainability and high quality design, and seeks to ensure that development conforms with and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing, elevation treatment and detailing. Developments should also not have a significant impact upon the amenity of adjacent land uses and properties, be served by appropriate access provision and have regard to the safe and efficient use of the transport network. Proposals are also required to have regard to the generation, treatment and disposal of waste.

Policy GP2 Development Limits: Requires that proposals within defined development limits will be permitted, subject to policies and proposals of the plan, national policies and other material planning considerations.

Policy GP3 Planning Obligations: States that the Council will, where necessary seek developers to enter into planning obligations or to contribute via the Community Infrastructure Levy to secure improvements to infrastructure, community facilities and other services to meet the requirements arising from new developments.

Policy GP4 Infrastructure and New Development: Proposals for development will be permitted where the infrastructure is adequate to meet the needs of the development.

Policy H1 Housing Allocations: This policy identifies all sites of five or more dwellings as housing allocations, whether consented or not, as well as those under construction and have yet to be completed.

Policy AH1 Affordable Housing: States that a contribution towards affordable housing will be required on all housing allocations and windfall sites. It goes on to state that the Council will seek a level of affordable housing of 30% in the higher viable areas, 20% in the middle viable areas, and 10% within the Ammanford/Cross Hands sub market areas. The application site falls within the 20% viability area.

Policy TR2 Location of Development – Transport Considerations: Requires that developments which have the potential for significant trip generation should be located in a manner consistent with the Plan's objectives and in locations which are well served by public transport and are accessible by cycling and walking.

Policy TR3 Highways in Development – Design Considerations: Relates to the highway design and layout considerations of developments and states that proposals which do not

generate unacceptable levels of traffic on the surrounding road network, and would not be detrimental to highway safety or cause significant harm to the amenity of residents will be permitted. Reference is also made to the need to meet required access and parking standards as well as promoting the interests of pedestrians, cyclists and public transport as part of proposals.

Policy EQ1 Protection of Buildings, Landscapes and Features of Historic Importance:

Requires proposals for development affecting landscapes, townscapes buildings and sites or features of historic or archaeological interest which by virtue of their historic importance, character or significance within a group of features make an important contribution to the local character and the interests of the area will only be permitted where it preserves or enhances the built and historic environment.

Policy EQ4 Biodiversity: Relates to biodiversity and states that proposals for development which have an adverse impact on priority species, habitats and features of recognised principal importance to the conservation of biodiversity and nature conservation (i.e. NERC & Local BAP, and other sites protected under European or UK legislation), will not be permitted unless satisfactory mitigation is proposed, and in exceptional circumstances where the reasons for development outweigh the need to safeguard biodiversity and where alternative habitat provision can be made.

Policy EQ5 Corridors, Networks and Features of Distinctiveness: Proposals for development which would not adversely affect those features which contribute local distinctiveness/qualities of the County and to the management and/or development of ecological networks (wildlife corridor networks), accessible green corridors and their continuity and integrity will be permitted. Proposals which include provision for the retention and appropriate management of such features will be supported subject to compliance with other relevant policies in the LDP.

Policy EQ6 Special Landscape Areas: Proposals for development which enhance or improve the Special Landscape Areas through their design, appearance and landscape schemes will be permitted, subject to compliance with other relevant policies in the LDP.

Policy EP1 Water Quality and Resources: Requires that proposals will only be permitted where they do not lead to a deterioration of either the water environment and/or the quality of controlled waters. Proposals will, where appropriate, be expected to contribute towards improvements to water quality. The reasoned justification to the policy draws specific reference to the conservation of the CBEEMS and the obligations of the Authority under the EU Habitats Directive to ensure no new developments adversely affect the site. In this regard, reference is made to the partnership approach to safeguarding and improving the environmental quality of the CBEEMS through the Memorandum of Understanding (MoU) and Welsh Water's commitment to undertake improvements in waste water treatment capacities, treatment levels and discharge quality through their AMP programmes.

Policy EP2 Pollution: States that proposals should wherever possible seek to minimise the impacts of pollution. New developments will be required to demonstrate that they satisfactorily address any issues in terms of air quality, water quality, light and noise pollution, and contaminated land.

Policy EP3 Sustainable Drainage: Requires proposals to demonstrate that the impact of surface water drainage, including the effectiveness of incorporating Sustainable Urban Drainage Systems (SUDS), has been fully investigated. Furthermore, Policy EP6 states that

in areas where land instability is known, proposals must be accompanied by a scoping report to ascertain the nature of the instability.

Policy REC2 Open Space Provision and New Development: Requires that all new development of five or more units will be required to provide on-site open space in accordance with the Council's adopted standards.

Regional Planning Policy

The Wales Spatial Plan (WSP) '*People, Places, Futures*' was initially published in November 2004, subsequently updated in 2008, and serves to translate the Welsh Government's policies into visions of how each part of Wales will develop economically, socially and environmentally over the twenty year lifetime of the plan.

The WSP represents a national statement of policy and forms one of a number of strategic policy documents produced by the Welsh Government. The role of the WSP is to:-

Making sure that decisions are taken with regard to their impact beyond the immediate sectoral or administrative boundaries and that the core values of sustainable development govern everything we do

Burry Port is identified as a key settlements within the wider network of interdependent settlements that make up the *Swansea Bay – Waterfront and Western Valleys Plan Area* (see Appendix 4). These settlements are seen as local centres for the provision of essential services and employment which the WSP seeks to build upon as part of the areas' regeneration. Improvements in retail, leisure, community and cultural facilities are seen as instrumental in the aim of attracting investment, which in-turn should lead to growth. Burry Port is seen as a prime example of such a settlement possessing all the necessary attributes for sustained growth, and the opportunities for enhanced linkages across the Plan Area and region.

National Planning Policy and Guidance

Planning Policy Wales (PPW) (Edition 9, November 2016) provides a national overview of planning policy on a wide range of issues relevant to the proposed development. The Welsh Government supports the vision for good quality, mixed housing accessible to all which conforms to sustainability principles which underpin all planning policy guidance.

The document refers to the Welsh Government's approach, as set out in its National Housing Strategy, to provide more housing of the right type and to offer more choice while ensuring that new housing and residential environments are well designed and make a significant contribution to promoting community regeneration and improving the quality of life. Further emphasis is placed on the requirement to ensure that new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical, enhances important landscape and wildlife features in the development.

Para 9.1.2 of PPW goes on to highlight that local planning authorities should, amongst others, promote sustainable residential environments that are easily accessible by public transport, walking and cycling, have good access to employment, retail and other services and make the most efficient use of land.

While planning policy in Wales is set into context by PPW, it is supplemented by a series of topic based Technical Advice Notes (TANs). These are wide ranging and provide an understanding and interpretation of planning policy for specific subject areas. The following are relevant to the consideration of this application:

TAN2: Planning and Affordable Housing - provides guidance on the role of the planning system in delivering affordable housing.

TAN 5: Nature Conservation and Planning - seeks to ensure that protected species, habitats and designated sites are both protected and conserved by the planning system.

TAN11: Noise - Sets out the Welsh Assembly Government's policies on noise-related planning issues. It sets out the overarching policy context for the management of noise within the planning system, in terms of how both noise-generating developments and noise sensitive developments should be considered.

TAN 12: Design - It provides advice and information on a number of related areas including the definition of design for planning purposes, design considerations such as access, local planning authority design policy and advice, the process for preparing design and access statements and information on how to achieve sustainable buildings.

TAN 15 (Development and Flood Risk) aims to direct new development away from those areas that are at high risk of flooding and defines what is considered to be vulnerable development and provides advice on permissible land uses in relation to the location of the proposed development and the consequences of flooding.

TAN 18: Transport - Endeavours to ensure Wales develops an efficient and sustainable transport system to meet the needs of a modern, prosperous and inclusive society. It provides guidance on thresholds above which a Transport Assessment should be required, for housing this is above 100 dwellings. It also lists the means by which transportation planning can help WAG achieve its sustainable development objectives.

TAN 20: The Welsh Language – provides guidance on how the planning system considers the implications of the Welsh language when LDPs are prepared. In essence, the TAN advises that planning applications should not be subject to Welsh language impact assessment as this would duplicate LDP site selection processes where LDP objectives indicated the need for such an assessment.

TAN 24: The Historic Environment (2017) – Provides guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning and listed building applications..

MAIN ISSUES

Procedural Requirements

The applicant has submitted a Pre-Application Consultation report with the application. This details the pre-submission consultation that was carried out by the applicant to accord with statutory legislation. The purpose of this is to obtain feedback from public and statutory consultees on the development proposal and help better inform and influence the final

design. Having assessed the procedures taken to comply with the pre-application guidelines, it is considered the applicant has met its duty in this regard.

Design, Layout and Access

The design and layout of the proposed residential estate comprises a single relocated access onto the A484, positioned further west of the existing access point, with a split estate road layout that links with the existing access track to the former Goodig Hotel. The challenging topography of the site and the design requirements of the proposed site access roads have driven the engineering design to achieve a solution that mitigates the difference in levels between lines of plots and the heights of the embankment separating the middle and lower tiers.

The development as proposed now achieves the required gradients and thresholds both for road adoption purposes, as well as meeting the Lifetime Homes Criteria of the DQR (Design Quality Requirements) standards which stipulate maximum gradients for the curtilages of new dwellings including those for parking bays, pathways, approaches to all dwelling entrances and usable garden areas. The estate road will be constructed to an adoptable standard with a 5.5 metres wide carriageway and flanking footways. The new units are to be arranged and orientated towards the estate road with each having its own off road parking area provided mainly in the form of side driveways. Private garden areas are provided to the side and rear of the dwellings. As a result, the development has had to be laid out across the contours of the site with considerable cut and fill works to achieve such requirements, supported by various cross sections and an Engineering Strategy Report into how the required embankment can be formed.

Apart from the topographical constraints of the site, the presence of a water main crossing the lower southern portion of the site has limited the design options for this area of the site. The associated protection zone has served to sterilize this part of the site, with no allowance from DCWW.

The detailed design and scale of the dwellings respect the vernacular character and appearance of the surrounding area, albeit the subtle and proportionate introduction of more modern and sustainable materials into the elevation treatment of certain of the houses provides for a more innovative design interpretation. External finishes will comprise predominantly rendered exterior walls with timber cladding and some natural stone, maintaining a consistent palette of materials throughout the development.

Highways & Transportation

In line with guidance provided by TAN18 a Transport Assessment was undertaken for the proposed development which assessed the following principal potential impacts, given prevailing traffic numbers and patterns, as well as projected figures inclusive of the cumulative effects of other allocated, consented or implemented developments related to the surrounding network:

- Impact of the proposed site access junction with the A484 on through traffic on the A484.
- Impact on the traffic on the A484, of right-turn manoeuvres.
- Impact of development traffic on the Church Road / A484 junction and B4311 / A484 junction.

- Walking, cycling and public transport facilities in the area and linkages to services and utilities and schools etc.

The A484 is subject to a 30mph speed limit, as it passes through Burry Port and Pembrey, while the design of the proposed relocated access shows the required radii junction dimensions which can easily achieve the necessary forward visibility onto Pwll Road. A further highway enhancement as part of the proposal would be the provision of a central ghost island lane to aid traffic movements into and out of the site. The A484 presently has footways on both sides fronting the site with pedestrian refuges located at appropriate points which caters well for potential walking trips from the proposed development to local services and facilities.

Burry Port is currently served by bus services that run between key areas in West Wales, Carmarthen, Llanelli and Swansea. The development site is well placed to take advantage of the services that currently run along the A484 past the site entrance and through Burry Port. A considerable amount of spare capacity exists on the public transport network, while Pembrey and Burry Port railway station is located within walking distance from the development site and has trains running on an approximate 45 minute average frequency to and from the east and a 70 minute frequency to and from the west.

It is anticipated that the transport impacts of site construction traffic, including the requirements of abnormal loads in conjunction with the construction phase will be negligible.

Foul, Surface Water, & Potable Water

The foul flows from the proposed development is shown to drain into the public sewer system, at a point of connection located in the highway along Pwll Road. Dwr Cymru/Welsh Water have confirmed that capacity exists within the local sewer network to accommodate the foul flows which would be generated by the development without any reinforcement.

The surface water generated by the development would be captured by a separate dedicated surface water system located on site comprising of a gravity fed surface water sewer linked to a series of surface water attenuation tanks. The capacity of these attenuation tanks has been calculated based on a maximum 1 in 100 year rainfall event and return period, inclusive of an additional 30% capacity to account for climate change. The stored water would then be discharged into a culvert on the opposite side of Pwll Road at an agreed greenfield run-off rate of 24l/s. The design and specification of the system would be the required standard for adoption by DCWW.

In accordance with the requirements of Memorandum of Understanding (MoU), entered into between this Council, City & County of Swansea, Natural Resources Wales and Welsh Water for the catchment area of the Burry Inlet. The MoU requires that foul flows generated by a development will only be allowed to connect to the sewerage system for disposal once existing flows (surface water or foul) have been removed from the system to create additional capacity, as well as an additional requirement for betterment.

As there are no existing or historic foul flows from the application site, or other identified opportunity to secure such improvements within the same sub-catchment, the applicants embarked upon an exercise to establish what opportunities existed elsewhere within the wider catchment area. A donor site with the potential to remove surface water from the combined sewer system for an area of 645 m² has been identified and qualified at a site in Llys Penderi, Llanelli. Such a betterment scheme would satisfy the requirements of the MoU

to the tune of x 1.4 betterment, an acceptable level of improvement for such a major development.

As for the potable water supply to the development a hydraulic model of the network was used to assess the impact of the proposed connection on DCWW's assets. This has allowed DCWW the confidence that the network will perform as desired during periods of high demand and provides a worst-case scenario model. The results of this hydraulic analysis of the existing water network infrastructure suggests that the addition of the new 103 dwellings can be supported by the existing networks

Ground Stability & Contaminated Land

In recognition of the application site's location within the geological area of the South Wales Coal Measures, and the legacy of coal mining in the area a site investigation was undertaken by a reputable firm of geological consultants. The initial site investigations identified the potential presence of shallow coal seams in the vicinity of the North-west corner of the application site which inherently required further investigation to establish the presence or otherwise of any associated features or hazards. Rotary boreholes were then drilled to establish the depth of the coal outcrops at or close to the surface, and establish whether they may have been worked in the past.

No voids / evidence of coal workings were found to be present from the intrusive investigations, and consequently the risk to any future development from past mining activity is considered to be low. The Coal Authority have analysed the results and do not object to the granting of planning permission, subject to imposition of an appropriately framed condition.

Meanwhile, colleagues in the Public Protection Section have confirmed that there are no sites in the study area which have been designated as "Contaminated Land" under the Environment Act 1990. However, as a precautionary measure a standard cautionary condition has been requested and is included in the schedule of conditions to the recommendation to grant conditional consent.

In light of the required significant engineering works to form the estate roads and development plateaus, a supporting Engineering Strategy Report has been provided to demonstrate not only the different foundation design options for the site, but also by what means would the not insignificant middle tier structural fill embankment be stabilised. The lower and upper tiers of development (Plots 1 – 42; and 77 – 103) would have traditional strip and trench fill foundations; slit level houses (Plots 45 – 50) piled foundations with RC ground beams and retaining walls; while the middle tier would either have piled or raft foundations.

The proposed central embankment, which would vary in height between 1.5m – 6.0m, and have a gradient of between 1:5 and 1:1 at its steepest, would be reinforced using a specific stability system deployed by a specialist contractor.

Ecology

The ecological appraisal of the site included a Phase 1 Habitat Survey which looked at not only the application site itself, but also the immediate adjoining area up to 50m from the site boundary. While the majority of the site is comprises of semi-improved pasture, it does also

include walls, hedges and mature trees which represent habitats potentially suitable for certain protected species.

The methodology used in the ecological appraisal drew upon various ecological information data sources and field based assessments in respect of habitats and species. While there are no structures on the site, which could otherwise have provided opportunities as bat roosts, it was assumed that the site would offer foraging opportunities for bats and other species. The Habitat Survey is supplemented by both a Bat Survey of the individual trees and wooded areas, as well as a tree survey report.

The conclusions of the ecological appraisal of the site is that it was of limited ecological potential, with no bats confirmed as being present. Subject to site clearance being undertaken in accordance with an approved methodology, this would serve to prevent any harm being caused to recognised ecological interests on the site. Appropriate conditions requiring an ecological management plan to be prepared for the site, coupled with a construction management plan would further serve to safeguard such provisions.

Noise & Air Quality

In acknowledgement of the Inspectors decision letter on the upheld appeal against the refusal of the previous planning application S/18113 and conditions attached thereto, the present application is accompanied by an acoustic assessment, as well as an air quality assessment.

In respect of noise, the ambient sound environment at the site is influenced by road traffic using the A484, qualified by an environmental noise survey conducted at the site. The assessment considered the potential impacts of noise generated during the construction phase of the development, and the Best Practice Means (BPM) specified in BS 5228, which would apply to construction sites. In adhering to such BPM, which would form part of any Construction Environmental Management Plan (CEMP), the deployment of the standard measures should minimise any such disturbance. This is reflected in the response from the Public Protection Division, who do not object.

An assessment of air quality impacts associated with the construction and operational phases of the proposed development has been undertaken, to determine what impacts would be experienced from the main air pollutants. The scope of that assessment was discussed and agreed with colleagues in the Public Protection Division.

For the operational phase, the assessment of potential impacts on air quality due to local traffic emissions included a cumulative assessment of other consented or commenced developments in the immediate and surrounding area. The baseline data indicates that background concentrations of the main group of air pollutants in the vicinity of the site are comfortably below the annual mean objectives and there is no AQMA at or immediately adjoining the application site. The predicted concentrations of these main pollutants are shown to meeting the relevant air quality objectives within the Site and the impact of the proposals in terms of new exposure is considered to be negligible. Concentrations across the Site would therefore meet the relevant objectives and impacts with regards new exposure would be negligible

An assessment of construction related impacts in relation to human receptors has also been undertaken, with no grounds for concern, provided good practice is maintained.

Mitigation for both phases would take the form of, amongst others the implementation of appropriate dust and pollution control measures as set out within the IAQM guidance which would themselves be included in the construction management plan for the site. The proposed measures would then be subject to approval by the council prior to commencement of any work on site. A transport plan would also be required which would incorporate measures aimed at encouraging more sustainable travel such as walking and cycling and use of public transport. Subject to these safeguards it is predicted that the development would result in a negligible impact on local air quality and the residual effects would therefore be negligible.

Community Contributions

The Council has adopted Supplementary Planning Guidance (SPG) in relation to Planning Obligations. The SPG requires financial contributions towards a variety of essential facilities and services, while in this particular instance a financial contribution is only being sought towards education improvements, in accordance with the Council's Modernising Education Provision (MEP) policy. The applicant is aware of this requirement and a provisional figure of £1,3***** has been calculated, which the applicant party has indicated they are prepared to pay, albeit verification of this sum is awaited from the Education Department before any section 106 agreement can be completed.

An onsite contribution towards affordable housing is not required in this case, as the proposal would provide 21 affordable dwellings, which would exceed the 20% requirement under LDP policy AH1 and associated SPG, which applies in the "middle viable areas" which Burry Port lies within. A planning condition will be attached to this permission requiring the dwellings to remain within this housing tenure. The development is considered to represent a significant contribution to social housing numbers.

Similarly, although no response has been received from the Council's Park Officer the proposal does make provision for a LAP (Local Area of Play) within the site, in compliance with LDP policy REC2 which requires the provision of an on-site area of open space.

THIRD PARTY REPRESENTATIONS

The application has attracted a significant number of objections from local residents, while the town council have also raised concerns regarding the development. The issues raised are addressed in the following summary response:

The majority of respondents are concerned that the local highway network within the surrounding area is inadequate to accommodate the additional traffic generated by the development with a resulting impact upon traffic congestion and highway safety. A number draw reference to the cumulative impact with other large housing developments that have been approved, completed or are under construction in the surrounding area while others are of the opinion that the relocated access further west along Pwll Road, nearer the Chivers Corner, will worsen highway safety given the proximity of the proposed access to the corner and the scale of the proposed development. The perceived impact on the limited local parking provision has also been raised.

The Transport Assessment which accompanied the application has been interrogated by officers in the Highways & Transportation Service who have raised no objection to the proposal from a highway capacity and safety perspective, and is satisfied that the likely additional traffic generated can be safely accommodated on the local highway network.

Likewise, they have confirmed their acceptance of the level of parking provision included in the scheme, which meets the adopted CSS parking standards. On the further point of proximity between the proposed new access point and Chivers Corner, there would be 90m separation between both, more than twice the required forward visibility within what is a 30mph speed zone.

As to the related concerns over the possible loss of existing public transport pick-up/drop-off points along Pwll Road, these are unfounded as none are to be lost as a result of the proposed development.

A further common ground of objection is the impact of the development upon the surrounding area with many citing concerns regarding the overdevelopment of the site and wider Burry Port area. A number question the need for additional housing or affordable housing in the area, given the number and size of other consented and allocated sites in Burry Port, as well as the present proposal for 103 dwellings on an allocation with a suggested capacity of 86 units.

The application site is allocated for residential development in the LDP and its suitability for the same was deemed to be acceptable by the Inspector presiding over the examination of the Plan. The allocation of the site and other sites in the wider area is a reflection of their location within the Tier 2 Service Centre of Burry Port as defined in the LDP, with its good range of services and facilities and sustainable transport routes.

Certain of the respondents have suggested that given the significant engineering required to facilitate the proposed development, that the foundation design of the dwellings and embankment should first be sought before recommending approval of the planning application. In response to such concerns the applicant has provided an Engineering Strategy Report covering both the different house foundation design options for the site, as well as the design of reinforcement for the embankment. The latter will take the form of horizontal geogrid mesh reinforcement, prepared by a qualified geotechnical engineer. The retention of material on site as part of the engineering of the development is seen as a positive initiative, in line with the Welsh Government's policy on the circular economy. The aforementioned detail provides the required level of assurance, while the construction of each house will require the requisite Building Regulations Approval.

As to concerns regarding the finishes of the dwellings, namely the introduction of more modern sustainable materials to the exterior of the houses. Such materials are becoming more common and serve to reinforce the sustainable credentials of new developments, in accordance with Welsh Government policy guidance contained in TAN12 Design.

A number of respondents have questioned the adequacy (or otherwise) of the local drainage infrastructure, both foul and surface water, and the impacts the proposed development will have locally. Welsh Water have confirmed their acceptance of the applicant's proposal to discharge foul water to the existing public sewer to the south of the site, while the Authority's drainage engineers have no in principle objection to the attenuated discharge of surface water to an existing SW culvert. The latter will provide a sustainable means of disposal ensuring that no surface water will enter the public sewerage system and no detriment is caused to neighbouring properties. While certain third parties have questioned and challenged such a drainage solution, attenuated surface water storage in its varied forms is a tried and tested form of surface water drainage, while the site itself is shown to be outside of any flood zone..

The issue of the impact of the development upon the residential amenity of surrounding residential properties has been carefully examined as part of officer's assessment of the application. The orientation and separating distances to existing properties adjoining the development site, as well as those to the opposite side of Pwll Road, will be such that no intrusive overlooking or loss of privacy would result from the development. Similarly, the layout will not cause any unacceptable impacts by way of loss of light or overshadowing.

It is not envisaged that the scale of development proposed will result in any adverse impacts in terms of traffic noise, disturbance or deterioration in air quality as the potential impacts of both have been assessed in the supporting Noise Assessment and Air Quality Assessments, and further scrutinised by colleagues in the Public Protection Division who have no objection to the development. Any permission granted will be conditioned to require the submission of a construction management plan (CMP), which will include measures such as a dust and noise mitigation as well as surface water run-off controls designed to minimise the impact of construction works upon local residents and the surrounding environs.

The consideration of the potential impacts upon wildlife and ecology on the site is challenged by a number of respondents, while as can be seen from the schedule of supporting documents not only has a Phase 1 Habitat Survey been undertaken for the site, but also a tree survey and bat survey. The council's own ecologist have no objection to the development, subject to the imposition of appropriate conditions.

A number of respondents have highlighted the perceived lack of services and facilities in the local area of the site while also suggesting that services such as schools and health care facilities don't have sufficient capacity to accommodate the development. As noted previously, the application site is well related to the wide range of services and facilities available in Burry Port as well as nearby public transport facilities. In terms of the impact upon local schools, colleagues in the Authority's education department have confirmed that there are sufficient surplus spaces in the catchment schools of the development to accommodate the likely pupil numbers. Furthermore, it is not envisaged that the range of health care services available in the wider area including doctor's surgeries and hospital facilities will be adversely affected by a development of the scale proposed.

The opinioned view that an archaeological written scheme of investigation (WSI) should be produced prior to determination of the planning application would be contrary to the advice provided by the council's specialist archaeological advisors, and the approach advocated in Welsh Government advice on such matters.

The statutory Pre- Application Consultation (PAC) exercise is criticised as being no more than a fait accompli, while the agent has demonstrated that such a statutory requirement was complied with, as documented in the submitted PAC Report.

A certain number of the respondents to the consultation exercise have raised issues with the potential loss of views, impact on property values, increased insurance premiums which are not material planning considerations to the consideration of this planning application.

CONCLUSION

The application site is located within the defined settlement limits of Burry Port and is allocated for residential use within the Adopted LPD under housing allocation T2/1/h9. As such, and given that planning permission has previously been granted for residential development on the site, there is a policy presumption in favour of granting planning

permission on the site, subject to compliance with other relevant planning policies. In light of the comprehensive detail provided in the submitted application, supplemented by additional technical information and empirical data provided to address the not insignificant objections received in opposition to the proposed development. The recommendation of officers is that planning permission should be granted for this proposed development, subject to the remaining outstanding observations of certain of the statutory consultees, and requirement of the developer to enter into a legal agreement with the council to pay the requisite financial contribution towards improving education provision in the local area.

The recommendation is therefore to grant conditional planning permission.

RECOMMENDATION – APPROVAL

CONDITIONS

- 1 The development hereby permitted shall be commenced before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in accordance with the following approved plans and documents:-
 - Location Plan (1:1250 scale) Ref. 2249-100 Indexed 20-02-2018;
 - Site Layout (1:500 scale) Ref. 2249-101 Rev. D Indexed 19-09-2018;
 - Ghost Island Road Markings (1:500 scale) Drawing SK04 Indexed 15-06-2018;
 - Planting Plan (1 of 2) (1:250 scale) Ref. 399.01 (Catherine Etchell Associates Indexed 24-07-2018;
 - Planting Plan (2 of 2) (1:250 scale) Ref. 399.01 Rev. A (Catherine Etchell Associates Indexed 19-09-2018;
 - Engineering Layout (1 of 4) (1:250 scale) Ref. 2249/520-1 Rev. C Indexed 24-07-2018;
 - Engineering Layout (2 of 4) (1:250 scale) Ref. 2249/520-2 Rev. C Indexed 24-07-2018;
 - Engineering Layout (3 of 4) (1:250 scale) Ref. 2249/520-3 Rev. B Indexed 24-07-2018;
 - Engineering Layout (4 of 4) (1:250 scale) Ref. 2249/520-4 Rev. A Indexed 24-07-2018;
 - Site Sections (1 of 6) (1:500 & 1:200 scale) Ref. 2249/635-1 Rev. B Indexed 24-07-2018;
 - Site Sections (2 of 6) (1:200 scale) Ref. 2249/635-2 Rev. B Indexed 24-07-2018;
 - Site Sections (3 of 6) (1:200 scale) Ref. 2249/635-3 Rev. B Indexed 24-07-2018;
 - Site Sections (4 of 6) (1:500 & 1:200 scale) Ref. 2249/635-4 Rev. B Indexed 24-07-2018;
 - Site Sections (5 of 6) (1:200 scale) Ref. 2249/635-5 Rev. B Indexed 24-07-2018;
 - Site Sections (6 of 6) (1:200 scale) Ref. 2249/635-6 Rev. B Indexed 24-07-2018;
 - Tree Constraints Plan (1:1000 scale) Ref. 363.2 Indexed 24-07-2018;
 - Aerial Tree Constraints Plan (1:1000 scale) Ref. 363.2 Indexed 24-07-2018;
 - Topographical Survey Plan (1:500 scale) Ref. 13422-001 Indexed 20-02-2018;
 - House Type A1 – Elevations (1:100 scale) Ref. 2249-200-04 Indexed 20-02-2018;

- House Type A1 – Floor Plans (1:100 scale) Ref. 2249-200-01 Indexed 20-02-2018;
- House Type A2 – Elevations (1:100 scale) Ref. 2249-200-05 Indexed 20-02-2018;
- House Type A4 – Elevations (1:100 scale) Ref. 2249-200-07 Indexed 20-02-2018;
- House Type A5 – Elevations (1:100 scale) Ref. 2249-200-08 Indexed 20-02-2018;
- House Type A5 – Floor Plans (1:100 scale) Ref. 2249-200-02 Indexed 20-02-2018;
- House Type A5, A7 – Elevations (1:100 scale) Ref. 2249-200-10 Indexed 20-02-2018;
- House Type A5, A7 – Floor Plans (1:100 scale) Ref. 2249-200-03 Indexed 20-02-2018;
- House Type A6 – Elevations (1:100 scale) Ref. 2249-200-09 Indexed 20-02-2018;
- House Type B1 – Elevations (1:100 scale) Ref. 2249-201-04 Indexed 20-02-2018;
- House Type B1 – Floor Plans (1:100 scale) Ref. 2249-201-01 Indexed 20-02-2018;
- House Type B2 – Elevations (1:100 scale) Ref. 2249-201-05 Indexed 20-02-2018;
- House Type B3 – Elevations (1:100 scale) Ref. 2249-201-06 Indexed 20-02-2018;
- House Type B3 – Floor Plans (1:100 scale) Ref. 2249-201-02 Indexed 20-02-2018;
- House Type B4 – Elevations (1:100 scale) Ref. 2249-201-07 Indexed 20-02-2018;
- House Type B5 – Elevations (1:100 scale) Ref. 2249-201-08 Indexed 20-02-2018;
- House Type B5 – Floor Plans (1:100 scale) Ref. 2249-201-03 Indexed 20-02-2018;
- House Type B6 – Elevations (1:100 scale) Ref. 2249-201-09 Indexed 20-02-2018;
- House Type C1 – Elevations (1:100 scale) Ref. 2249-202-03 Indexed 20-02-2018;
- House Type C1 – Floor Plans (1:100 scale) Ref. 2249-202-01 Indexed 20-02-2018;
- House Type C2 – Elevations (1:100 scale) Ref. 2249-202-04 Indexed 20-02-2018;
- House Type C2 – Floor Plans (1:100 scale) Ref. 2249-202-02 Indexed 20-02-2018;
- House Type D12 – Elevations (1:100 scale) Ref. 2249-203-02 Indexed 20-02-2018;
- House Type D1 – Floor Plans (1:100 scale) Ref. 2249-203-01 Indexed 20-02-2018;
- House Type E1 – Elevations (1:100 scale) Ref. 2249-204-02 Indexed 20-02-2018;
- House Type E1 – Floor Plans (1:100 scale) Ref. 2249-204-01 Indexed 20-02-2018;

- House Type F1 – Elevations Plans (1:100 scale) Ref. 2249-205-02 Indexed 20-02-2018;
- House Type F1, F2 – Floor Plans (1:100 scale) Ref. 2249-205-01 Rev. A Indexed 20-02-2018;
- House Type F2 – Elevations Plans (1:100 scale) Ref. 2249-205-03 Indexed 20-02-2018;
- House Type G1 – Elevations Plans (1:100 scale) Ref. 2249-206-02 Rev. A Indexed 20-02-2018;
- House Type G2 – Elevations Plans (1:100 scale) Ref. 2249-206-03 Rev. A Indexed 20-02-2018;
- House Type G1, G2 – Floor Plans (1:100 scale) Ref. 2249-206-01 Rev. A Indexed 20-02-2018;
- House Type H1 – Elevations (1:100 scale) Ref. 2249-207-02 Indexed 20-02-2018;
- House Type H1 – Floor Plans (1:100 scale) Ref. 2249-207-01 Indexed 20-02-2018;

3 A sample/detailed specification of the external finishes to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

4 No development shall be commenced until a construction management plan (CMP) detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority. The details of the CMP shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately. The scheme shall be implemented as approved and shall identify, as a minimum:-

- identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses;
- how each of those watercourses and pathways will be protected from site run off during construction;
- how the water quality of the watercourses will be monitored and recorded;
- how surface water runoff from the site during construction will be managed/discharged;

(Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses)

- storage facilities for all fuels, oils and chemicals;
- construction compounds, car parks, offices etc.;
- details of the nature, type and quantity of materials to be imported on to the site;
- measures for dealing with any contaminated material (demolition waste or excavated waste);

- identification of any buried services, such as foul sewers, so that they are protected;
- details of emergency contacts, for example Natural Resources Wales hotline.

5 Prior to commencement of development a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made;
- ii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iii) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- iv) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing.

6 No dwellings hereby approved shall be occupied until the Llys Penallt surface water removal scheme, as detailed in the SW Betterment Strategy Note dated May 2018 (Spring Design) has been implemented in full, and shall thereafter be retained as such in perpetuity

7 No development shall commence until the water main safeguarded zone has been fenced to a standard agreed with the local planning authority. Throughout the development no works will be undertaken within the area surrounded by the fencing without the written consent of the local planning authority.

8 Prior to the commencement of the development hereby approved a scheme of surface water removal based upon the principles contained in the Drainage Strategy Note [Rev A] December 2017 prepared by Spring Design, shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and to the written approval of the local planning authority prior to the occupation of any of the residential units hereby approved.

9 Prior to its use by vehicular traffic, the new access road shall be laid out and constructed with 5.5 metre carriageway, 1.8 metre footways, and at least 6.0 metre kerbed radii at the junction with the A484 road.

10 Prior to any use of the estate road by vehicular traffic, a visibility splay of 2.4 metres x 43 metres shall be formed and thereafter retained in perpetuity, either side of the centre line of the estate road in relation to the nearer edge of carriageway.

- 11 The access, visibility splays and turning area required, shall be wholly provided prior to any part of the development being brought into use, and thereafter shall be retained unobstructed in perpetuity. In particular, no part of the access, visibility splays, or turning area, is to be obstructed by non-motorised vehicles.
- 12 The parking spaces and layout shown on the plans herewith approved shall be provided prior to any use of the development herewith approved. Thereafter, they shall be retained in perpetuity, unobstructed, for the purposes of parking only. In particular, no part of the parking or turning facilities is to be obstructed by non-motorised vehicles.
- 13 All surface water from the development herewith approved shall be trapped and disposed of so as to ensure that it does not flow on to any part of the public highway.
- 14 No surface water from the development herewith approved shall be disposed of, or connected into, existing highway surface water drains.
- 15 No development shall take place until a detailed Construction Traffic Management Plan is submitted for the written approval of the Local Planning Authority and thereafter implemented in full and as agreed.
- 16 Prior to the commencement of development the written approval of the Local Planning Authority is to be obtained for a scheme detailing the provision and frequency of use of facilities for washing down the wheels of vehicles prior to entering the public highway. The agreed scheme shall be implemented in full and maintained as necessary throughout the construction stage.
- 17 Throughout the construction phase a construction access road shall be provided, at the location of the proposed site access road with the initial 15 metres, measured from the near edge of the highway, surfaced in a bonded material and maintained.
- 18 The existing means of vehicular access into the site (location shown on Site Layout Plan 2249-101 Rev D) shall be permanently stopped up, and the public highway reinstated to the written approval of the Local Planning Authority, prior to the new means of vehicular access herein approved, being brought into use.
- 19 No development shall commence, including any works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall include as a minimum the site specific mitigation measures contained in the submitted Air Quality Assessment (Kairus Ltd) as well as 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) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction; and

vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

20 No development shall take place until a qualified and competent archaeologist has submitted a written scheme of investigation (WSI) for approval in writing by the local planning authority. This WSI will describe the different stages of the work and demonstrate that it has been fully resourced and given adequate time. On behalf of the local planning authority, their archaeological advisors (DAT DM) will monitor all aspects of this work through to the final discharging of the condition. This work will not be deemed complete until all aspects of the WSI have been addressed and the final report submitted and approved.

21 Prior to the commencement of any works associated with the development, proposals for the location, alignment, design, materials and type of all boundary treatments to be erected within and along the site boundary shall be submitted to and approved by the Local Planning Authority. The submitted proposals shall specifically include the following: -

- i) Schedule of remedial works to ensure retention of the existing stone wall to the site frontage with Pwll Road;
- ii) Construction details for integration of the stone wall at the proposed new site entrance.

The proposals shall be implemented as approved within 12 months of the commencement of the development.

22 Notwithstanding the information submitted within the landscape design scheme as defined in the following submitted documents:-

- Planting Plan (1 of 2) (1:250 scale) Ref. 399.01 (Catherine Etchell Associates Indexed 24-07-2018);
- Planting Plan (2 of 2) (1:250 scale) Ref. 399.01 Rev. A (Catherine Etchell Associates Indexed 19-09-2018);

No development shall take place until a revised Detailed Landscape Design Scheme, has been submitted to and approved in writing by the Local Planning Authority. The revised scheme shall specifically deliver proposals to address the following: -

- i) Resolution of conflict between proposed tree planting locations and underground drainage apparatus;
- ii) Provision of additional woodland planting to the north of the site.
- iii) Provision of additional tree planting at appropriate locations throughout the site

The scheme shall be in compliance with recommendations and relevant guidance as provided by the Local Planning Authority.

23 The revised Detailed Landscape Design Scheme, as submitted in accordance with condition no.22 above, shall be implemented in the first planting season following commencement of the development. Any of the hereby scheduled specific landscape elements, as defined in the approved Landscape Design Scheme which, within the lifetime of the approved development are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning

Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for the lifetime of the approved development.

- i) Tree planting to the open space to the site frontage between Pwll Road and plots numbered 80-92
- ii) Tree planting to the west of plots 75-78
- iii) Street trees

24 All new landscape elements constructed, planted or seeded; or existing landscape elements retained; in accordance with the approved Landscape Design Scheme not hereby specifically scheduled, which, within a period of 5 years after implementation are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting or seeding season with replacement elements of similar size and specification.

25 All site operations shall be undertaken in compliance with the approved arboricultural information, as defined in the Arboricultural Report prepared by ArbTS dated 20 July 2018.

Any construction operations and/or access within the construction exclusion zone defined within the Tree Protection Plan (TPP) shall be limited to those undertaken in compliance with the recommendations of BS5837. The approved TPP shall be fully implemented, prior to the commencement of any works associated with the development; and thereafter shall be maintained in its entirety, throughout the duration of all development works and until all equipment, machinery and surplus materials have been removed from the site.

Any existing landscape elements, identified for protection or part thereof, which, within 5 years of are removed; die; become diseased; damaged or otherwise defective, to such extent that, in the opinion of the Local Planning Authority, the function of the existing landscape elements in relation to this planning approval is no longer delivered, shall be replaced in the next planting season with replacement elements of similar size and specification and in such positions as may be agreed with the Local Planning Authority, and thereafter likewise conditioned for a further period of five years.

26 No development shall take place until appropriate and comprehensive Landscape Maintenance and Management (LMM) information has been submitted to, and approved in writing by the Local Planning Authority. The information shall include the following:-

- i) Landscape Maintenance and Management Responsibility Plan which provides clear definition of LMM responsibility for all landscape areas within the application boundary specifically: -
 - Areas subject to future private residential ownership
 - Areas of the site proposed for adoption by the Local Authority
 - Areas within the site boundary not included in the above.

- ii) Landscape Maintenance and Management Scheme (LMMS) for all landscape areas within the application boundary which are not subject to future private residential ownership or adoption by the Local Authority. The LMMS shall include:
- - Plans, specifications and schedules to cover establishment and long term proposals for landscape maintenance and management;
 - Details of the management agent (body or organisation) responsible for implementation of the LMMS; and the legal and funding mechanism(s) with the identified management agent by which delivery of the LMMS will be secured;

All landscape maintenance and management operations shall be fully implemented as approved.

- 27 Works shall not take place until a scheme for the mitigation of dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented during all stages of construction. Vehicles transporting materials which are likely to cause dust onto and off site shall be suitably covered.
- 28 No development or site clearance shall take place until an Ecological Management Plan which provides appropriate and comprehensive maintenance, management and monitoring information covering all elements of the revised Ecological Appraisal Report has been submitted to and approved in writing by the Local Planning Authority. The Management Plan shall provide details which effectively integrate appropriate site specific landscape, ecological and biodiversity objectives and functions; and recommendations provided by National Resources Wales and local authority ecologist in response to the planning application hereby approved.
- 29 Prior to the commencement of development the applicant shall submit for the written approval of the Local Planning Authority a Travel Plan in accordance with the aims and objectives set out in the Active Travel (Wales) Act 2013, and recommendations contained in the submitted Transport Assessment (LvW Highways) and Air Quality Assessment (Kairus Ltd).

The applicant shall implement and monitor the approved travel plan in accordance with the specified timescales and thereafter maintain and develop the travel plan.

- 30 Prior to the commencement of development and in accordance with the recommendations made in the Supplementary Site Investigation Report prepared by Integral Geotechnique (Wales) Limited dated 14 February 2018, the following need to be submitted for the written approval of the Local Planning Authority:-
- Proof drilling investigations on a plot by plot basis, as per the recommendations of the Supplementary Site Investigation Report, to establish the risk from coal mining activity within the western part of the site;
 - The submission of a report of findings arising from the probe hole investigations and any remedial works and/ or mitigation measures considered necessary; and
 - Subsequent implementation of the remedial work and/or mitigation measures.

REASONS

- 1 Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
- 2 For the avoidance of doubt as to the extent of this permission.
- 3 & 21 In the interest of visual and residential amenity.
- 4 In the interests of environmental protection.
- 5 To ensure the delivery of affordable housing on the site.
- 6 To prevent pollution of the environment and ensure compliance with the MoU
- 7 To protect Welsh Water assets and the delivery of essential services
- 8 To ensure a satisfactory means of surface water disposal and to prevent localised flooding
- 9-18 In the interest of highway safety
- 19 To prevent pollution of the environment.
- 20 To protect historic environment interests whilst enabling development.
- 22-26 To retain and protect features of landscape and biodiversity value.
- 27 To ensure that the amenity of local residents/businesses is adequately protected from dust during demolition/construction.
- 28 To ensure an appropriate level of environmental protection.
- 29 To encourage sustainable means of transport;
- 30 To protect against ground instability.

NOTE(S)

- 1 The applicant/developer is advised that this consent is subject to the applicant entering into a legal agreement with the local planning authority under Section 106 of the Town and Country Planning Act 1990. This agreement shall cover the requirement for the applicant/developer to pay a financial contribution to the Council in respect of improvements to educational facilities in the locality.
- 2 Further advice and guidance from consultees is provided in their consultation responses which can be viewed on the Authority's website. This may include reference to other relevant permissions and legislation.
- 3 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the

approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any Conditions which the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers') responsibility to ensure that the terms of all Conditions are met in full at the appropriate time (as outline in the specific condition).

The commencement of development without firstly meeting in full the terms of any Conditions which require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other Conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.