

ITEMS RECEIVED AFTER THE PRODUCTION OF THE REPORT
FOR THE PLANNING COMMITTEE
TO BE HELD ON 28 JULY, 2016

Page	Application	Location	Item No.	Description
P.28	2015/01070/RES	Land North of the railway line (West), Porthkerry Road, Rhoose	1.	Amendments to Conditions 3, 22, 27 and 28 at the request of the developer.
			2.	Eleven emails from local residents objecting. All raising concerns to proposed reserved matters.
			3.	Welsh Water comments following re-consultation.
			4.	Letter from adjoining land owner's agent.
			5.	Comments from Network Rail.

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 28 July 2016

Application No.: 2015/01070/RES	Case Officer: Mr. S. D. Butler
Location: Land North of the railway line (West), Porthkerry Road, Rhoose	
Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings)	

From: Laura Williams (Savills) –Planning Agent

Summary of Comments:

A request has been made by the planning agent to re-word a small number of the draft conditions, with some additional commentary on why the changes are considered necessary. The conditions to be amended relate to :

Condition 3

Full engineering details of the new vehicular / pedestrian access to the site and all internal roads shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development.

Condition 22

Prior to the commencement of development, details of a scheme of further bio diversity enhancements shall be submitted

Condition 27

No development shall commence on site until a comprehensive scheme for surface water drainage including a phasing programme is submitted to and approved in writing by the Local Planning Authority.

Condition 28

No dwellings shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

In summary the reasons given are that from experience of their consideration of the s278 agreement for the Porthkerry Rd access and the planning drawings, it is likely to take some time for the detailed engineering layouts of all internal roads to be agreed by your highways team. By only slightly pushing back the timing of submitting these drawings,

there are important site preparation and enabling works (not least the Porthkerry Road access itself) that can be undertaken on the site – which could save significant time for TW's construction programme,

Officer Response:

Following consultation with the relevant service areas, (where applicable) on the suggested amended wording and following slightly suggested amended wording, it is considered that the above referenced conditions can be amended which would still ensure that full engineering details are submitted prior to the construction of the internal access roads, that ecological enhancements are still delivered and Subject to a pre commencement condition (Condition 26) being retained, that there are adequate controls in place in respect of any risk of increase and/or silt laden surface water run-off during construction.

Action required:

Amend wording of the following conditions :

Condition 3

Notwithstanding the submitted plans, full engineering details of all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works on the internal roads (with the exception of the S278 highway agreement in relation to the proposed access onto Porthkerry Road and any temporary internal construction routes) and prior to the construction of any dwellings. The development shall be implemented thereafter in accordance with the approved details.

Reason:

In the interests of highway safety in accord with Policy ENV27 of the Unitary Development Plan.

Condition 22

Prior to the commencement of development (with the exception of land clearance / preparation, or bring onto site materials, equipment, vehicles and machinery and the works associated with the access onto Porthkerry Road) details of a scheme of further bio diversity enhancements shall be submitted to the Local Planning Authority and approved in writing, in respect of the following:

- management of the hedgerows, trees and of the planting within the attenuation basin
- Provision of 100mm gaps under fences.
- Newt friendly drainage. Through the use of SUDS or newt-friendly drainage within the scheme.

Reason:

In order to ensure that Reptiles and habitats are not adversely impacted as a consequence of the development and to ensure compliance with Policy ENV16 of the Unitary Development Plan.

Condition 27

No development shall commence on site (with the exception of the works access onto Porthkerry Road) until a phasing programme for the surface water drainage scheme associated with this phase of development is submitted to and approved in writing by the Local Planning Authority, and the drainage shall be carried out fully in accordance with the agreed phasing scheme.

Reason:

To ensure the proper drainage of the site and to ensure no pollution of or detriment to the environment and to ensure compliance with the terms of Policies ENV7 and ENV 29 of the Unitary Development Plan.

Condition 28

Unless agreed separately under Condition 27, no dwellings shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason:

To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment and to ensure compliance with the terms of Policies ENV7 and ENV 29 of the Unitary Development Plan.

Butler, Stephen

From: Moon, Clive R
Sent: 27 July 2016 12:15
To: Butler, Stephen
Cc: Tomalin, Faye E; Clogg, Michael T
Subject: FW: Rhoose North of the Railway Line - Draft Conditions
Attachments: RM1 Conditions Comments 25 7 16 v2.docx

Steve,

I have no objection to the proposed rewording of conditions 27 and 28, as per the attached, on the proviso that a pre-commencement condition is included to control the risk of increased and/or silt-laden surface water run-off during construction. This condition, condition 26 as discussed earlier, should require the submission and approval of a surface water management plan prior to any construction, including vegetation / site clearance, commencing on site. The SWMP should detail how both the quantity and quality of run-off will be managed during the construction phase. This is to ensure no detriment to the existing flood risk off site and also ensure that appropriate consideration has been given to the performance of the storm drainage system as elements are constructed and commissioned during build out of the site.

We will shortly be objecting to discharge of Condition 18 under the outline planning consent as the CEMP submitted does not adequately address the issues raised above. Please relay to the developer that we require an appropriate period of time to review the SWMP once submitted and advise they contact us directly to discuss the proposed mitigation measures prior to submission.

Regards,

Clive Moon
Principal Engineer (Coastal and Flood Risk Management) / Prif Beiriannydd (Yr Arfordir a Rheoli Risg Llifogydd)
Visible Services and Transport / Gwasanaethau Gweledig a Thrafnidiaeth
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: [REDACTED]
mob / sy [REDACTED]
e-mail / e-bost: [REDACTED]

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From: Laura Williams [REDACTED]
Sent: 25 July 2016 18:26
To: Butler, Stephen
Cc: Moon, Clive R; Tomalin, Faye E; Harrison, Paul D (Agency); Paul Williams - Cardiff
Subject: Rhoose North of the Railway Line - Draft Conditions

Dear Steve

As discussed today, please see attached the proposed revised wording of some of the draft conditions.

Paul / Clive / Faye – Steve is on leave tomorrow and will need to submit the proposed changes as late representations by midday on Wednesday, so please could you provide feedback, if any, on the proposed adjustments before COP tomorrow (Tuesday).

The changes seek to allow some of the conditions, as appropriate, to be discharged further into the development. Please note that condition 11 of the OPP requires the submission of full engineering details of the access onto Porthkerry Road (i.e. the s278 works) to be submitted prior to commencement of these works. The revised wording of the conditions is therefore compatible with this condition.

I am on the mobile tomorrow, but back in the office on Wednesday morning so we'll catch up then.

Kind regards

Laura

Laura Williams BA (Hons) MSc MRTPI AEMA
Associate
Planning

Savills, 12 Windsor Place, Cardiff CF10 3BY



Tel
Mobile
Email
Website



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Cc: Moon, Clive R; Tomalin, Faye E; Harrison, Paul D (Agency); Paul Williams - Cardiff
Subject: Rhoose North of the Railway Line - Draft Conditions

Dear Steve

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Paul / Clive / Faye – Steve is on leave tomorrow and will need to submit the proposed changes as late representations by midday on Wednesday, so please could you provide feedback, if any, on the proposed adjustments before COP tomorrow (Tuesday).

The changes seek to allow some of the conditions, as appropriate, to be discharged further into the development. Please note that condition 11 of the OPP requires the submission of full engineering details of the access onto Porthkerry Road (i.e. the s278 works) to be submitted prior to commencement of these works. The revised wording of the conditions is therefore compatible with this condition.

I am on the mobile tomorrow, but back in the office on Wednesday morning so we'll catch up then.

Kind regards

Laura

Laura Williams BA (Hons) MSc MRTPI AIEMA
Associate
Planning

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Butler, Stephen

From: Harrison, Paul D (Agency)
Sent: 27 July 2016 12:00
To: Butler, Stephen; Howells, Lee M
Subject: RE: Rhoose North of the Railway Line - Draft Conditions

Steve

Following discussions with Lee, the wording of the condition as below, is acceptable.

Regards

Paul

Paul Harrison
Highway and Engineering Services
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: [REDACTED]
mob / sym: [REDACTED]
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From: Butler, Stephen
Sent: 27 July 2016 09:19
To: Harrison, Paul D (Agency); Howells, Lee M
Subject: RE: Rhoose North of the Railway Line - Draft Conditions

Lee,

I have had a chat to Paul and we have agreed the following wording :

Notwithstanding the submitted plans, full engineering details of all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of any works on the internal roads (with the exception of the S278 highway agreement in relation to the proposed access onto Porthkerry Road and any temporary internal construction routes) and prior to the construction of any dwellings. The development shall be implemented thereafter in accordance with the approved details.'

Are you happy with this ??

Thanks

Stephen Butler
Principal Planner (Development Contributions) / Prif Gynllunydd
Regeneration and Planning / Adfywio a Chynllunio
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: [REDACTED]
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From: Laura Williams [REDACTED]
Sent: 27 July 2016 09:05
To: Butler, Stephen
Subject: FW: Rhoose North of the Railway Line - Draft Conditions

Steve

As discussed, revised wording of condition 3 is proposed:

Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access to the site and all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority **before the commencement of works on the internal roads (with the exception of the proposed access onto Porthkerry Road and any temporary construction routes) and prior to the construction of any dwellings.** The development shall be implemented thereafter in accordance with the approved details.'

Thanks

Laura

From: Harrison, Paul D (Agency) [REDACTED]
Sent: 26 July 2016 10:32
To: Laura Williams; Butler, Stephen
Cc: Moon, Clive R; Tomalin, Faye E; Paul Williams - Cardiff; Howells, Lee M
Subject: RE: Rhoose North of the Railway Line - Draft Conditions

Laura

I am not happy with rewording of condition 3. If any issues arise in relation to the internal access roads, they could prove difficult to resolve if the dwellings are constructed. Therefore, the original wording of the condition is required to be maintained.

Regards

Paul Harrison
Highway and Engineering Services
Planning and Transportation Services / Gwasanaethau Cynllunio a Thrafnidiaeth
Vale of Glamorgan Council / Cyngor Bro Morgannwg
tel / ffôn: [REDACTED]
mob / sym: [REDACTED]
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Butler, Stephen

From: Laura Williams [REDACTED]
Sent: 27 July 2016 09:42
To: Butler, Stephen
Cc: Paul Williams - Cardiff
Subject: Rhoose Land North fo the Railway Line - Late Reps
Attachments: RM1 Conditions Comments 27 7 16 v3.docx

Importance: High

Steve

As discussed, please see attached the proposed re-wording of a small number of the draft conditions, with some additional commentary on why the changes are considered necessary.

For draft condition 3 in particular, from experience of their consideration of the s278 agreement for the Porthkerry Rd access and the planning drawings, it is likely to take some time for the detailed engineering layouts of all internal roads to be agreed by your highways team. By only slightly pushing back the timing of submitting these drawings, there are important site preparation and enabling works (not least the Porthkerry Road access itself) that can be undertaken on the site – which could save significant time for TW's construction programme, which has already being delayed as a result of the time taken to determine the Reserved Matters application(s). The proposed wording of the condition requires the drawings to be submitted and agreed before any construction on the dwellings takes place – overcoming Paul Harrison's concerns that any issues arising in relation to the internal access roads would be difficult to resolve if dwellings are constructed.

For the reasons above, and attached, I would be grateful if you are able to propose the small, but important, changes to the rewording of the conditions as late representations to tomorrow's Planning Committee.

Should you wish to discuss further, please do give me a call.

Kind regards

Laura

Laura Williams BA (Hons) MSc MRTPI AEMA
Associate
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Draft Condition Number	Proposed Wording in Committee Report	Proposed Change	Justification
3	<p>Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access to the site and all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of development. The development shall be implemented thereafter in accordance with the approved details.</p>	<p>Notwithstanding the submitted plans, full engineering details of the new vehicular / pedestrian access to the site and all internal roads within the site, incorporating turning facilities and vision splays, and including sections, street lighting and surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of works on the internal roads (with the exception of the proposed access onto Porthkerry Road and any temporary construction routes) and prior to the construction of any dwellings. The development shall be implemented thereafter in accordance with the approved details.'</p>	<p>Condition 11 of the Outline Planning Permission requires full engineering drawings of access onto Porthkerry Road – and so the approval of the detailed design and layout of the access works will be submitted and approved under this condition. These drawings are well advanced (having been already discussed and agreed in relation to the s178 agreement) with the Council. The proposed change of the timing of submission of detailed engineering details of all internal roads is required to allow other advanced works to start on the site whilst the detailed drawings are being considered by the Council. These works are essentially limited to the access onto Porthkerry Road (subject to discharge of outline condition 11) and general construction preparation works. No works on the construction of the dwellings should take place however before the detailed highways drawings are approved and this condition is discharged.</p>
22	<p>Prior to the commencement of development, details of a scheme of further bio diversity enhancements shall be submitted to the Local Planning Authority and approved in writing, in respect of the following :</p> <ul style="list-style-type: none"> • management of the hedgerows, trees and of the planting within the attenuation basin • Provision of 100mm gaps under fences. • Newt friendly drainage. Through the use of SUDS or newt-friendly drainage within the scheme. 	<p>Prior to the commencement of development (with the exception of land clearance / preparation, or bring onto site materials, equipment, vehicles and machinery and the works associated with the access onto Porthkerry Road) details of a scheme of further bio diversity enhancements shall be submitted to the Local Planning Authority and approved in writing, in respect of the following:</p> <ul style="list-style-type: none"> • management of the hedgerows, trees and of the planting within the attenuation basin 	<p>This revised condition allows a limited amount of construction preparation and enabling works to take place before this detail is required.</p>

		<ul style="list-style-type: none"> • Provision of 100mm gaps under fences. • Newt friendly drainage. Through the use of SUDS or newt-friendly drainage within the scheme. 	<p>This revised condition allows the works on the access onto Porthkerry Road to be undertaken in advance of agreeing the drainage phasing programme relating to the wider site. Temporary and construction drainage solutions are required to be submitted and agreed by the LPA by condition 26, prior to any development commencing on the site.</p>
27	<p>No development shall commence on site until a comprehensive scheme for surface water drainage including a phasing programme is submitted to and approved in writing by the Local Planning Authority, and the drainage shall be carried out fully in accordance with the agreed phasing scheme.</p>	<p>No development shall commence on site (with the exception of the works access onto Porthkerry Road) until a phasing programme for the surface water drainage scheme associated with this phase of development is submitted to and approved in writing by the Local Planning Authority, and the drainage shall be carried out fully in accordance with the agreed phasing scheme.</p>	<p>The revised wording of this condition allows flexibility should the phasing programme agreed under condition 27 concludes that it is acceptable for part of the scheme to be occupied in a phased manner.</p>
28	<p>No dwellings shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.</p>	<p>Unless agreed separately under condition 27, no dwellings shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.</p>	<p>The revised wording of this condition allows flexibility should the phasing programme agreed under condition 27 concludes that it is acceptable for part of the scheme to be occupied in a phased manner.</p>

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 28 July 2016

Application No.: 2015/01070/RES	Case Officer: Mr. S. D. Butler
<p>Location: Land North of the railway line (West), Porthkerry Road, Rhoose</p> <p>Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings)</p>	

From: Local Residents (11 No. emails)

Summary of Comments:

The emails received either object to, or raise concerns in respect of the proposed development. The concerns raised are the same as those covered within the Committee Report and generally relate to :

- Lack of local amenities
- Increased traffic congestion
- Drainage
- Flooding
- Overlooking
- Drainage of surface water in Rhoose Point has not been adopted by Welsh Water
- Rhoose needs new infrastructure or additional services

Officer Response:

All of the matters raised above have either been fully considered in the Committee Report or were matters which were considered under the outline planning application.

Action required:

None

Payne, Adrienne J

From: Planning
Sent: 25 July 2016 21:26
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mr MARK BARTLETT [REDACTED]

Address:
52 TORBAY TERRACE,CF62 3HA

Comments:
I object to this planning application on several grounds, most of which have been expressed in the local media appertaining to the lack of local amenities, increased traffic congestion, drainage, flooding etc. On a personal level, my flat has a balcony which will be overlooking the new properties, therefore privacy is a serious concern

Case Officer:
Mr. S. D. Butler

RECEIVED
26 JUL 2016
Regeneration
and Planning

D.E.E.R
RECEIVED
ACTION BY: SDB
NO: 41
ACK:

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 16:18
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mr Fraser Arnot [REDACTED]

Address:
40 Maes Y Gwenyn, Rhoose, Vale of Glamorgan, CF62 3LA

Comments:
Other type details: Drainage.
Comment: Whilst I'm not opposed to the construction of the site in principle, I have concerns over the drainage system being implemented and the resultant impact on my home in Maes Y Gwenyn - noting previous high profile flood issues at another property in the street (42 Maes y Gwenyn). Adequate drainage that does not impact properties south of the railway line should be assured before a decision is made.

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 16:27
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mrs catherine jones [REDACTED]

Address:
25 porthkerry road rhoose,cf623he

Comments:
this is already a very busy road adding the amount of cars and a new turning is an accident waiting to happen.

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 16:31
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Ms Claire Jenkins [REDACTED]

Address:
18 Crib y Sianel, ,Rhoose Point ,CF62 3NB

Comments:

Other type details: Other side of railway line. .

Comment: I wish to raise my concerns surrounding the drainage currently proposed for this new development. I would urge the Committee to ensure that all necessary provisions for safe drainage ensuring the efficient and safe removal of water from this site will be in place and ensured prior to any building being allowed to commence, as well as ensuring the full adoption of Rhoose Point surface water by Dwr Cymru I am particularly concerned about the statement p.56, para 3 starting :

"An appropriate phasing programme for delivery of the drainage strategy has not been submitted for consideration..." Surely the drainage strategy must be delivered from the very start and must be addressed at this early stage? I do not resent anyone being given the opportunity of a home, but I do think that in order to make it both safe for both existing and new residents in the area, this must be addressed.

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 16:33
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mrs Colette Raymond [REDACTED]

Address:
10 Norseman Close, Rhoose ,Cf62 3fy

Comments:

Other type details: Too much congestion already already on the road leading into and out of the village. Lack of facilities in the village to accommodate extra families. I am involved with local scouts in area and we already have waiting lists for children of all ages. Play rangers go to other villages around but not Rhoose and yet the population is ever increasing.

Comment: Seep above in type details

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 17:32
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mr John Jones [REDACTED]

Address:
5, Lon lindys ,Rhoose Point ,Cf623lu

Comments:

I am objecting on the basis of the drainage surface water on Rhoose Ponit has not been adopted by W W so it is my opinion that it is not acceptable for the surface water to be discharged into the lagoons from north of the railway line as this is accident waiting to happen

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 17:45
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mrs Victoria Colston [REDACTED]

Address:
28 Maes Lindys ,Rhoose Point,Cf623ln

Comments:
Rhoose already has house in abundance with no added infrastructure, or additional services to support it

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 20:29
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mrs Denise Cooper [REDACTED]

Address:
Woodside Cottage, Fonmon, CF62 3BJ

Comments:

Other type details: Resident of Fonmon village.

Comment: My objection to this development is that the planners have allowed access to the site off the main road in and out of Rhoose, ie Porthkerry Road. This will cause further congestion and traffic build up on Porthkerry Road and is likely to result in more and more traffic through Fonmon village on the single track lane that is already overused as a rat run from Rhoose village. Why didn't the planners insist that the site link to the very good access road built for Rhoose point access?

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 21:43
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mrs Kathryn Dobbs [REDACTED]

Address:
19 Heol Peartree, Cf623lb

Comments:

Rhoose Point does not currently have suitable drainage solution in place for these additional houses, nor does Rhoose have suitable infrastructure (schools/doctors/dentists/ public transport) for such additional housing.

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 22:05
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mr Matthew Butwell [REDACTED]

Address:
2 Heol Pearetree, Rhoose, Barry, Vale of Glamorgan, CF62 3LB

Comments:

Other type details: Inadequate infrastructure to support development.

Comment: Rhoose has insufficient access, shops, schools and amenities to support this scale of further development. The drainage is the responsibility of Rhoose Point residents and I believe this development will increase the flood risk to the area and my property.

Case Officer:
Mr. S. D. Butler

Edgerton, Elaine

From: Planning
Sent: 26 July 2016 22:56
To: Planning
Subject: New comments for application 2015/01070/RES

New comments have been received for application 2015/01070/RES at site address: Land North of the railway line (West), Porthkerry Road, Rhoose

from Mr Richard Gaskin [REDACTED]

Address:
44 Maes y Gwenyn, Rhoose point, CF62 3LA

Comments:

Lack of infra structure to Rhoose Village and possible flooding issues to those living (including me) to the south of the proposed development.

Case Officer:
Mr. S. D. Butler

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 28 July 2016

Application No.: 2015/01070/RES	Case Officer: Mr. S. D. Butler
<p>Location: Land North of the railway line (West), Porthkerry Road, Rhoose</p> <p>Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings)</p>	

From: Welsh Water (following re consultation)

Summary of Comments:

Welsh Water have stated that if minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets. In relation to sewerage they have requested that an 'either or' condition, to provide the applicant with flexibility in their drainage solution.

In addition to the above, additional conditions have been requested in respect of :

- Foul water and surface water discharges shall be drained separately from the site.
- No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
- Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

In addition WW advise that the site is crossed by a 300mm public rising main

Officer Response:

The comments made are partly additional to those previously made. In respect of foul sewerage, the suggested condition is already imposed on the outline planning permission.

The comments in relation to surface water disposal are noted, however these are standard

informative type comments which are usually imposed where there is no drainage scheme in place. Whilst a drainage scheme has been submitted, for the avoidance of doubt, there is no objection to add the above surface water conditions.

Action required:

Add the following conditions :

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

Reason: To protect the integrity of the public sewerage system and to ensure compliance with the terms of Policies ENV7 and ENV29 of the Unitary Development Plan.

32. 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.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment and to ensure compliance with the terms of Policies ENV7 and ENV29 of the Unitary Development Plan.

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

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment and to ensure compliance with the terms of Policies ENV7 and ENV29 of the Unitary Development Plan.



Dŵr Cymru
Welsh Water

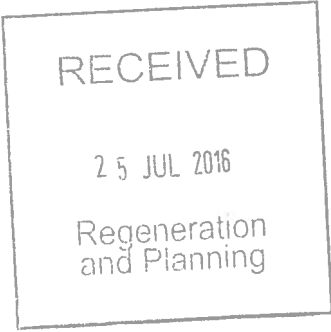
Developer Services
PO Box 3146
Cardiff
CF30 0EH

Tel: [REDACTED]
Ffôn: [REDACTED]
E-mail: [REDACTED]

Gwasanaethau Datblygu
Blwch Post 3146
Caerdydd
CF30 0EH

Ffôn: [REDACTED]
Ffôn Ffôn: [REDACTED]
E-bost: [REDACTED]

Vale of Glamorgan County Council
Dock Office
Holton Road
Barry Docks
Barry
CF63 4RT



Date: 20/07/2016
Our Ref: PLA0021552
Your Ref: 2015/01070/RES

Dear Sir

Grid Ref: ST0680966380 306809 166380
Site: Land North of Railway Line Rhoose
Development: Development of 120 dwellings

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

The applicant has not confirmed whether the development will be drained independently or via the drainage infrastructure to be provided by the development to the east. In the absence of confirmation of their intention, we propose an 'either or' condition, as we believe that this approach will provide the applicant with flexibility in their drainage solution whilst also ensuring that whichever option is progressed, there is no detriment to our customers our assets or the environment. We would therefore request that the Condition and Advisory Notes listed below are included within the approval:

SEWERAGE

Conditions

Prior to the beneficial occupation of the development hereby approved, the developer shall ensure:

- a. That 44m3 of storage volume has been constructed at Porthkerry Sewer Pumping Station (SPS) in liaison with Dwr Cymru Welsh Water (DCWW), and in accordance with details that have been submitted to and approved in writing by the Local Planning Authority in the event that the foul discharges from the development are drained via the development to the east; Or



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
Wales no 2366777. Registered office: Pentwyn Road,
Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pantwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY

b. That a hydraulic modelling assessment has been commissioned in liaison with Dwr Cymru Welsh Water, and the foul sewerage infrastructure works required by the commissioned hydraulic modelling assessment have been completed and approved in writing by Dwr Cymru Welsh Water and the Local Planning Authority.

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

Reason: To protect the integrity of the public sewerage system.

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.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

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

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

The proposed development site is crossed by a 300mm public rising main with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto.

Advisory Notes

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.

Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW.



On the 1st October 2012 the Welsh Government introduced the Welsh Ministers Standards and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on the Developer Services Section of our website - www.dwrcymru.com

Further information on the Welsh Ministers Standards can be found on the Welsh Government website - www.wales.gov.uk

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under Sections 40 - 41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,


Clare Powell
Development Control Officer
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'

We welcome correspondence in
Welsh and English

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Nelson, Treharris, Mid Glamorgan CF46 6LY

Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wadi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pantwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 28 July 2016

Application No.: 2015/01070/RES	Case Officer: Mr. S. D. Butler
<p>Location: Land North of the railway line (West), Porthkerry Road, Rhoose</p> <p>Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings)</p>	

From: Herbert R Thomas

Summary of Comments:

Letter written on behalf of adjoining land owner which is being developed by Bellway and Persimmon.

Concern is raised that the Taylor Wimpey application is supported by an alternative scheme of drainage which is untested and cannot be guaranteed to work. The Bellway and Persimmon scheme deals with surface water in accordance with the planning brief which would resolve future flooding concerns at Rhoose Point.

A request is made that the Council carefully consider the drainage report in details prior to a resolution being granted and that they are 100% confident that the proposed alternative scheme would alleviate any flooding fears to the properties in Rhoose Point.

In addition the letter states that the report assumes that the development land to the east will join up with the development to the west. However it is stated that access between the two sites would only be allowed following a commercial agreement.

Officer Response:

The Council do not hold any records of specific flooding events in respect of land south of the application (south of the railway line in Rhoose Point). The Council is aware that there are existing culverts crossing under the railway line and this has been taken into account when reviewing the drainage strategy proposed.

The matter of drainage has been fully considered in the Committee Report

In respect of access between the two sites, the Council is aware that access between the two sites, would be subject to a commercial agreement. However both sites have been laid out to ensure that the road connects and that linkages between the two sites align so that if a commercial agreement is in place, the sites can link.

Action required:

None

WPT/DLE/D307(4) & H369(d)

Mr M Goldsworthy
Planning Department
Vale of Glamorgan Council
Dock Office
Barry Docks
Barry
CF63 4RT

Date: 22nd July 2016

[REDACTED]
When replying please quote our ref.

Dear Mr Goldsworthy

**Re: Land North of Railway Line, Rhoose – Taylor Wimpey
Application Number: 2015/01070/RES**

I write on behalf of Messrs Hardy and Davies in connection with their land ownership which adjoins the land which is subject to an application for surface water drainage resolution. My clients' land, the Hardy & Davies land, sits to the east of the Taylor Wimpey proposed development.

You will be aware of the history of the site and it was the Council's intention for the whole area of land north of Rhoose Point to be developed out comprehensively. Also in accordance with the Unitary Development Planning Brief for the surface water to be taken out to sea through a tunnelled pipe.

You will be aware that the joint application between Bellway and Persimmon on my clients land deals with the surface water in accordance with the Planning Brief which would resolve all future flooding concerns at Rhoose Point. Taylor Wimpey through their planning consultants Savills have submitted a report with an alternative scheme which is untested and cannot be guaranteed to work.

An engineering report by HLN Engineering was submitted to the Council clearly setting out the reasons why the proposed drainage solutions are flawed (a copy can be seen on page 82 of the Planning Committee Report).

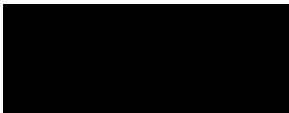
I request that the Council carefully consider the drainage report in detail prior to a resolution begin granted and they are 100% confident that the proposed alternative scheme would alleviate any flooding fears to those properties at Rhoose Point south of the railway line in future years.

The Council Report has been written in such a way that those parties who read it would assume that the development land to the east will join up with the proposed development via roads, footpaths and cyclepaths.

For the avoidance of doubt, we have not been contacted by South Wales Land Developments Ltd or Taylor Wimpey in connection with the possibility of joining the Council's preferred drainage scheme or indeed access to the development site on the east for general passage of traffic or that of an emergency access route.

Any access would have to be made following a commercial agreement being reached. Once the proposed consent is granted the only way the schemes would join would be subject to the Council meeting the terms of any commercial agreement with public funds.

Yours sincerely,



**W. PHILIP THOMAS, Dip (Estate Man) MRICS FAAV
Chartered Surveyor & RICS Registered Valuer
DIRECTOR**

CC: Vale of Glamorgan Council Planning Committee

LATE ITEMS FOR COMMITTEE

COMMITTEE DATE : 28 July 2016

Application No.: 2015/01070/RES	Case Officer: Mr. S. D. Butler
<p>Location: Land North of the railway line (West), Porthkerry Road, Rhoose</p> <p>Proposal: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works (including the demolition of 46 Porthkerry Road and its associated outbuildings)</p>	

From: Network Rail (following re-consultation)

Summary of Comments: Have continued to raise an objection, based on the potential increase of the level crossing and have suggested that the route be diverted or the provision made for a footbridge.

In addition a request has been made that a number of measures would need to be met to ensure that Network Rails assets are protected during construction, in relation the following matters (summarised)

- Foundations
- Drainage
- Ground disturbance
- Fencing
- Site layout
- Children's play area/ open space amenities
- Piling, excavations/earthworks
- Landscaping
- Plant scaffolding, cranes
- Lighting
- Safety barrier
- Access point
- Method statements

Officer Response:

The comments are noted and the issues of intensification of the use of the level crossing has been considered in the officers report and the outline planning application.

The other matters raised are noted and have either been considered and incorporated into the design elements of the scheme (drainage) or would be required to be submitted by conditions (fencing) or are not matters which could be controlled within the application.

Action required: None

Payne, Adrienne J

From: Morgan Barbara [REDACTED]
Sent: 21 July 2016 10:10
To: Planning
Subject: FW: Planning Application: 2015/01070/RES

RECEIVED
21 JUL 2016
Regeneration
and Planning

Network Rail
1st Floor
Bristol Temple Point
Bristol
BS1 6NL

Ask for
Tel [REDACTED]

My Ref : P/TP16/0444/BM
Your Ref : 2015/01070/RES

Date : 21st July 2016

D.E.E.R
RECEIVED
ACTION BY: SDB
NO: 18
ACK:

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

PROPOSAL: The development of 120 dwellings and associated access, roads and footpaths, drainage works, landscaping, public open space and other ancillary works including the demolition of 46 Porthkerry Road and its associated outbuildings. Land North of the railway line (west), Porthkerry Road Rhoose

Thank you for your email dated 7th July, together with the opportunity to comment on this proposal.

After studying the documents submitted and consultation with our Level Crossing Manager, Network Rail objects to the above proposal on level crossing safety concerns.

Due to the excessive number of new houses being constructed at this location by this and other planning applications, the Planning Department along with the Developer should actively consider the safety aspects of the adjoining railway and all aspects need to be fully considered in minimising the higher safety risks which additional users will bring due to the potential increased use of the level crossing as a result of all new residential properties nearby.

This can be through either diversion of the existing public right of way, as recently agreed on the south side of the railway, or the provision of an Equalities Act compliant footbridge to remove the level crossing facility. We recognise that this development in isolation will not viably fund such a structure but, if developer contributions via a S.106 are pooled this infrastructure can be funded. Network Rail will provide any advice and guidance to support this initiative.

If the LPA is minded to approve this application despite Network Rail's objection, then the following measures would need to be met as part of any planning permission granted.

LEVEL CROSSINGS

As there is a level crossing in the vicinity then no part of the development shall cause any existing level crossing signs or the crossing itself to be obscured. Clear sighting of the crossing must be maintained for the construction/operational period and as a permanent arrangement. At no point during construction on site or after completion of works should there be any deterioration of the ability of pedestrians to see the level crossing and its signage. There must be no reduction in the distance that pedestrians have sight of the warning signs and the crossing itself. Network Rail reserves the right to provide and maintain existing railway signals/signs (whistle boards etc) and level crossing equipment along any part of its railway.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land to the public mains system. Soakaways are not acceptable where the following apply:

- Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

CHILDRENS PLAY AREAS/OPEN SPACES/AMENITIES

Children's play areas, open spaces and amenity areas must be protected by a secure fence along the boundary of one of the following kinds, concrete post and panel, iron railing, steel palisade or such other fence approved by the Local Planning Authority acting in consultation with the railway undertaker to a minimum height of 2 metres and the fence should be not able to be climbed.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with driver's vision, signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense.

SAFETY BARRIER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway or damaging the lineside fencing.

ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.

METHOD STATEMENTS/FAIL SAFE/POSSESSIONS

Method statements may be required to be submitted to Network Rail's Asset Protection Engineer for prior approval of works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period of booking of 20 weeks. The applicant will be liable for all costs incurred by Network Rail (including all possession costs, site safety supervision, asset protection presence). The applicant is reminded that Network Rail can refuse any third party works that would impact adversely on its infrastructure.

In order to mitigate the risks detailed above, we strongly recommend the Developer contacts the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works. The initial point of contact is assetprotectionwales@networkrail.co.uk. The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

Please feel free to get in contact if you have any questions.

Yours sincerely,

Barbara Morgan
Town Planning Technician (Western)


Please send all Notifications and Consultations to townplanningwestern@networkrail.co.uk or by post to Network Rail, Town Planning, 1st Floor, Bristol Temple Point, Redcliffe Way, Bristol BS1 6NL