

**APPLICATION NO:** 14/1205/10 (GD)  
**APPLICANT:** Persimmon Homes East Wales  
**DEVELOPMENT:** Re-plan of phase 2 of planning permission 12/1313 to include residential development (213 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works (Amended plans received 15/01/15 (site layout) 27/10/14 (Landscaping); 29/10/14 and 15/01/15 (house type details))  
**LOCATION:** DUFFRYN BACH FARM, STATION ROAD, CHURCH VILLAGE, PONTYPRIDD, CF38 1AH  
**DATE REGISTERED:** 18/09/2014  
**ELECTORAL DIVISION:** Church Village

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**RECOMMENDATION:** Approve subject to a Section 106

**REASONS:**

The site forms part of a housing allocation within the adopted Local Development Plan therefore the principle of housing is acceptable. Furthermore the granting of planning application 12/1313/10 for residential development (276 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works) on 21<sup>st</sup> February 2014 has established the residential use of the site.

The application is located within the settlement development limits of Church Village and is in keeping with the requirements of the policies of the Rhondda Cynon Taf Local Development Plan and National Policy in that it is acceptable in terms of layout, design, and density its impact on residential amenity, highway safety impact on trees and ecology and drainage.

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**APPLICATION DETAILS**

The site was previously granted planning permission via application 12/1313/10 for the development of 276 houses. The development was split over two parts: Area 1 to the south, adjacent to Station Road comprising 108 dwellings, on which work has commenced and Area 2 to the north, to the rear of the properties in The Ridings which contained 168 dwellings, connected to area one by a short link road in the middle.

The current application seeks full planning permission to re-plan Area 2 to provide 213 houses along with revised areas of open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works. The application proposes to increase the number of 1 bedroom flats, 2 and 3 bedroom houses,

provide fewer 4 bedroom houses and remove all 5 bedroom houses from this part of the wider site. If granted consent this application would be independent of the previous approval.

The development of Area 1 by virtue of application 12/1313 would provide 108 units. The development of Area 2 in line with the current application would provide 213 giving a cumulative figure of 321 dwellings.

Like Area 1 and approved scheme 12/1313 the buildings would be largely two storey, with some two and half storey dwellings also proposed. Externally the dwellings would be finished with a mix of brick, render and reconstituted stone and would have concrete tile roofs. 42 of the units would be affordable homes, with a mix of social rented houses and houses and flats for low cost ownership.

Vehicular access would be as originally proposed: by a single point of access from Station Road, to the south of Duffryn Bach Farmhouse, leading through Area 1. A second access, for pedestrian, cyclist and emergency vehicular use only via Meadow Brook and a Locally Equipped Area of Play (LEAP) (approved as part of application 12/1313/10 and within the boundaries of Area 1) would remain unaffected by the current proposal. It is also proposed to enhance an existing Public Right of Way that passes through the site from The Ridings, to provide a pedestrian and cyclist access to the Church Village Bypass Community Route to the south.

The documents submitted in support of the application provide the following information:

*“Following approval of planning permission 12/1313/10 it has become apparent that the development of Phase 2 would be problematic to implement due to constraints associated with site levels. Furthermore it has also become apparent that there is a lack of demand for large 4 and 5 bed units within the location area...The current proposal seeks to respond to existing site levels by minimising cut and fill / earth work operations and minimise the level of engineered retaining structures required throughout the site.”*

The application is accompanied by:

- An Environmental Statement, which comprises a number of studies including Ecology, Landscape and Visual Impact, Hydrology, Air quality, Noise and Mitigation etc;
- A Planning Statement;
- Transport Assessment Addendum Note and “Highways Brochure”;
- A Design and Access Statement.

## **SITE APPRAISAL**

The site comprises an irregularly shaped parcel of land measuring 6.07 ha in area. The topography of site is undulating in nature and is currently greenfield land divided by hedgerows of varying maturity and quality. Woodland is located adjacent to the north-eastern boundary. Power-lines, supported by a pylon, run through the site from south-west east to north-east. As specified above, there is also an existing Public Right of Way passing through the site, connecting The Ridings in the north to the Church Village Bypass Community Route in the south.

To the south and east of the site is the Tonteg Marsh Site of Importance for Nature Conservation (SINC). This is characterised as a complex mosaic of wet and drier grasslands, wet scrub and species-rich woodland. Marshy grassland is a major habitat feature of the SINC. The SINC has a very high potential for invertebrates, including Marsh Fritillary Butterfly. The development does encompass part of the SINC at the point where the access road crosses from one parcel of land to the other.

The site is also bound by Station Road and the Meadow Brook housing development to the west; the remainder of the land forming part of the housing allocation in the Local Development Plan to the north-west; and the residential area: The Ridings, a residential street with houses backing onto the site, lies to the north.

## PLANNING HISTORY

The relevant planning history in respect of this site is as follows:

|            |   |                       |
|------------|---|-----------------------|
| 14/0290/15 | Variation of Conditions 3, 5, 16, 18, 19, 26, 27, 30, 31, 35, and 42 of planning approval; 12/1313/10 to allow for a phased development of the site (Residential Development of 276 houses) (Amended description 02/04/2014 to accommodate additional conditions 3 (landscaping details), 30 (boundary treatment) and 31 (external materials) | Granted<br>11/08/14   |
| 12/1313/10 | Residential development (276 houses) along with associated open space, landscaping, access (vehicle, cycle and pedestrian), drainage and highways works   | Granted<br>21/02/14   |
| 94/0843    | Residential development at Tyn Y Waun (Outline)   | Withdrawn<br>17/03/95 |
| 92/0837    | Provision of 4 sports pitches with ancillary changing facilities, car parking, roundabout and access roads (full)   | Refused<br>19/04/93   |
| 91/0479    | Golf course, sports pitch, tennis courts, bowling green, public open spaces, residential development at Tyn y   | Refused<br>15/10/91   |

Waun

|         |   |                     |
|---------|---|---------------------|
| 91/0210 | Residential development (outline) proposed golf course (full) at Tyn y Waun | Refused<br>24/06/91 |
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## **PUBLICITY**

The application has been advertised by direct neighbour notification, the erection of site notices and publication of a press notice.

24 letters of objection have been received In addition, one Community Councillor has raised a separate objection. The concerns are summarised as follows:

### **Highways/Traffic**

- The development will increase already substantial traffic flows and congestion along Station Road and on the new bypass;
- Concerns with regards to increased number of vehicle movements onto Station Road with no traffic control measures causing highway safety issues and lengthy delays;
- At peak times local roads including Station Road, Main Road and St Illtyd's Road become grid locked;
- Request a deferral until such time that a Traffic Impact survey has been carried out;
- The bypass will be completely ineffective following the Council's decision to allow this and other developments along the route. In 10 years the congestion will be as bad if not worse than before;
- A complete review of the highway network needs to be undertaken;
- The development will result in traffic moving back towards levels seen in Church Village prior to the bypass being built and would exacerbate existing problems;
- The development will cause an increase in traffic and will cause extra noise, disturbance and pollution in the area.

### **Residential Amenity**

- Concern that the layout plan is inaccurate as it does not accurately show the boundaries of gardens in The Ridings, many of which extend to the boundary of the site preventing the provision of a green buffer;
- The former railway corridor does not provide a green edge to the boundary. There is no railway corridor and some of the photographic evidence included in the application is at least 10 years old and does not reflect the current position;
- The gardens of The Ridings will be 'divorced' by a wooden fence;
- The scale and form of the development will have a major effect on the surrounding areas. The photographs and statements provided are misrepresentative, misleading and do not reflect the true impact to the local area;

- Concerns that the significant re-profiling of the land on the northern boundary, in association with the design of the dwellings proposed (particularly the 2 & 1/2 storey units) will result in the development having a greater ridge height than the existing houses in The Ridings and will appear out of scale with the existing dwellings;
- The current working practices of the site contractors and the frequency of the various delivery vehicles already cause a nuisance and disturbance and at regular intervals have blocked the highway whilst awaiting access to the site. Site workers also park in limited spaces that should only be made available for resident's parking;
- The contractors regularly flout hours of operation, starting before 7am in the mornings and on weekends;
- The development works have created significant dust issues for residents which will only be made worse;
- The houses and garages to the rear of The Ridings will cause loss of light and overshadowing to gardens, and development will cause loss of light to the area in general;
- The development would impact on privacy of local residents, including in The Ridings, due to houses looking directly into existing properties;
- The development will increase noise levels in the area due to the loss of the fields to development, increased people and traffic, and will destroy the tranquillity of the area.

#### **Wildlife/ Ecology/ Trees**

- There would be detrimental impacts on wildlife;
- Trees would need to be cut down;
- The development would take away countryside widely used by local people that is of outstanding natural beauty.

#### **Education Places**

- Class sizes have increased owing to extra demand and several local schools have had to introduce mobile classrooms. Research shows such arrangements are detrimental to the life chances of pupils. The compensatory sums offered to address this problem are inadequate;
- Most schools in the area are full, so there are no places for children from this development;
- An email from the Head of School Organisation Planning and Governance dated 7<sup>th</sup> February 2013 states: *“This development sits in an area where there is very little surplus capacity in either the English or Welsh Medium Primary school sectors and limited scope to extend some of the existing schools...My main concern would be whether the 282 houses planned (reference to application 12/1312) is just the first phase of a much larger scheme, if this is the case the requirements would be for a new school to serve the whole site, which would be a dual-language provision (the LDP suggests the site could accommodate 500+ houses.”*

- A new school should be provided on the site, and this is suggested by the Local Development Plan.

### **Other**

- The Council should mandate a significant amount of social and affordable housing, and open spaces, be included in the development to encourage families from modest backgrounds to settle there and make the area more diverse.
- Residents currently experience long waits to see a GP, which will only get worse with the provision of more housing.
- Community health care services are stretched to maximum.
- A&E services at Glamorgan Hospital are due to close.
- Existing infrastructure and local services cannot cope with the increased demand resulting from excessive house building in the Llantwit Fardre area.
- There is insufficient amenity provision in the area with the impending closure of Llantwit Fardre Sports Centre
- Concerns regarding the accuracy of documents submitted in support of the application and discrepancies within.
- The original planning report acknowledged that the Local Equipped Area of Play (LEAP) provision did not meet the Supplementary Planning Guidance (SPG) requirements and only provided for 55% of the requirement. Given that the requirement for a LEAP is based on occupancy levels of household types and then area per person. Information as to how this re-plans affects this percentage and failure to comply with the SPG requirements is requested.
- The infrastructure of the area is not designed for such a big increase in people and vehicles.
- Church Village has been swamped with new housing developments and this will exacerbate existing problems caused by this.
- Concerns regarding noise, disturbance, debris and mess caused by construction.
- Health and safety concerns relating to the power lines crossing the site, especially with informal public open space and parking be provided underneath the cables

### **Non-planning related concerns**

- Loss of views;
- Concerns that flats on the site may be occupied by some antisocial tenants
- Devaluation of existing properties.

### **CONSULTATION**

Transportation – no objections subject to conditions. Recommended the provision of a Transportation Tariff of £501,548 be paid via a Section 106 Agreement.

Land Reclamation and Engineering –raise no objections subject to conditions.

Countryside - are unsure of how the management of the SINC and Public Open Space will be implemented and have concerns that the loss of boundary trees will be greater than suggested by the plans. In respect of drainage, measures to try and mimic existing hydrological inputs to the SINC are an important mitigation issue, but again there is concern about the level of drainage detail submitted.

Public Rights of Way Officer - a Diversion and an Extinguishment Order will be required for the Public Right of Way running through the site, and that if opposed it may be difficult arguing that this is necessary.

Public Health and Protection – have requested conditions in respect of restricting hours of construction and a site investigation, and suggested that proposals for the minimisation of dust and noise should be submitted.

Strategic Housing - the provision of 42 units of affordable housing, comprising both houses for social rent and houses for low cost home ownership meets the requirements of policy SSA12 of the LDP. The amendments received on the 15th January 2015 overcome the previous concerns raised with regards to tenure and compliance with Welsh Government's Design Quality Requirements and Welsh Housing Quality Standards. However concerns remain with regard to the equity split offered with regards to the Low Cost Home Ownership Products.

Education and Children's Services - require a contribution of £1,262,471 for the provision of additional school places at local primary schools.

Natural Resources Wales – no objections subject to conditions with regard to biodiversity, drainage and preventing pollution of the water environment.

Dwr Cymru Welsh Water – no comments received during the Statutory Consultation Period.

South Wales Police – no comments received during the Statutory Consultation Period.

South Wales Fire and Rescue Service – no comments received during the Statutory Consultation Period.

Western Power Distribution – no comments received during the Statutory Consultation Period.

National Grid - no comments received during the Statutory Consultation Period.

Glamorgan Ramblers – raise no objection but suggest that footpath Llantwit Fardre 48 be the subject of a part extinguishment order. Suggest that part of the path south of the estate be given a hard surface.

Open Spaces Society – no comments received during the Statutory Consultation Period.

Wales and West Utilities – raise no objections but highlight that apparatus may be at risk during construction work.

Welsh Government Economy Science and Transport – raise no objections. There is no direct access to the trunk road network. The County Roads will continue to operate within operational capacity.

Llantwit Fardre Community Council – no comments received during the Statutory Consultation Period.

Glamorgan Gwent Archaeological Trust - there are no archaeological sites within the proposed development area. At the time of the previous application, it was our opinion that the developer may wish to undertake an archaeological desk-based assessment, this remains unchanged.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The site is within the Southern Strategy Area, within the settlement boundary and is allocated for residential development by Policy SSA 10.18 of the Local Development Plan.

A large area of the allocated site is a designated Site of Importance for Nature Conservation (SINC).

The relevant policies in the Local Development Plan are as follows:

**Policy CS2** - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services promoting residential development with a sense of place and focusing development within defined settlement boundaries.

**Policy AW1** defines the housing land supply, to be met partly by development of unallocated land in Key Settlements.

**Policy AW2** promotes development in sustainable locations, which includes site within settlements boundaries, benefiting from existing services and sites that support the roles and functions of Key Settlements. The locations should not unacceptably conflict with surrounding uses.



**Policy AW4** lists community infrastructure and planning obligation contributions which the Council may seek in respect of new development.

**Policy AW5** lists amenity and accessibility criteria that will be supported in new development proposals.

**Policy AW6** outlines design and placemaking criteria that will be supported in new development proposals

**Policy AW8** seeks to ensure that the area's distinctive natural heritage will be preserved and enhanced by protecting it from inappropriate development.

**Policy AW10** seeks to ensure that development proposals will not be permitted where they would result in a risk of unacceptable harm to heath or local amenity

**Policy SSA5** specifies that land will be made available within allocated site as defined by SSA10 for the provision of new educational facilities.

**Policy SSA10** allocates land south of The Ridings, Tonteg and east of Station Road, Church Village for the provision of 500 dwellings.

**Policy SSA11** seeks a minimum housing density of 35 dwelling per Hectare and gives criteria for accepting lower densities.

**Policy SSA12** seeks the provision of 20% affordable housing on residential development of 5 dwellings or more.

**Policy SSA13** gives further criteria for suitable housing development within settlement boundaries.

The following SPG is also relevant to this proposal:

- Design and Placemaking;
- Affordable Housing;
- Planning Obligations;
- Nature Conservation;
- Access Circulation & Parking Requirements.

## **National Guidance**

In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.

Planning Policy Wales (Edition 7 July 2014), Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions) Chapter 4 (Planning for Sustainability) Chapters 5 (Conserving and Improving Natural Heritage and the Coast), 8 (Transport) and 9 (Housing) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 12: Design;

- PPW Technical Advice Note 15: Development and Flood Risk;
- PPW Technical Advice Note 16: Sport Recreation and Open Space;
- PPW Technical Advice Note 18: Transport;
- Manual for Streets.

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

Therefore, in considering and determining applications of this nature, the key considerations are considered to be:

- Local Development Plan Housing Allocation
- Impact on highway safety;
- Impact on neighbour amenity;
- Housing numbers;
- Site layout and design;
- Impact on trees and ecology;
- Provision of suitable drainage arrangements.

These matters are addressed in turn below:

### **Local Development Plan Housing Allocation**

The site forms part of the allocated housing site SSA 10.18 within the adopted Local Development Plan. Therefore the principle of housing on this site is considered acceptable. Furthermore the granting of planning permission 12/1313 for the development of 276 units has established and confirmed the residential use of the site as acceptable.

### **Impact on Highway Safety**

As specified above, access to the site would remain via the existing access, through Area 1 and onto Station Road. No new or additional accesses, relative to those approved as part of application 12/1313 are proposed as part of the application.

Following consultation, the Transportation Section has provided the following response:

*"It is proposed to increase the number of dwellings in Area 2...by 45 dwellings to 213. This results in the total number of dwellings within the site increasing to 321. The previous Transport Assessment (TA) submitted in December 2012 considered the effect of 300 dwellings on the local and strategic highway network. Based on the previously agreed trip rates used in the TA (for 300 units)... an additional 22 units at the site would result in an additional 15 two-way traffic movements in the AM peak period (08:00-09:00 hours) and an additional 16 two way vehicles movements in the PM peak period (17:00-18:00 hours). This would equate to an additional vehicle every 4 minutes in both the AM and PM peak periods. The Trip Rate Information Computer System (TRICS) which is a database of trip rates for developments used in the UK for transport planning purposes has been tested for an additional No. of 22 dwellings at the site and confirms that the trip generation figures provided are reasonable and therefore acceptable.*

*With regard to the TA submitted in December 2012, the effect of the proposed development was assessed at the following junctions:*

- St Illtyds Road/ B4595 Main Road/ Station Road;*
- Station Road/ Coed Dowlais; and*
- Station Road/ A473 Church Village Bypass*

*The results of the assessment showed that there is sufficient capacity at each junction in the 2022 Design Year + with Development Flow scenarios to accommodate the original (12/1313/10) proposal. The Transport Assessment Addendum Note submitted in support of the current application states that the additional vehicle movements associated with an additional 22 dwellings will have a negligible effect on the capacity at these junctions and on the maximum Ratio of Flow to Capacity at the site access junction.*

*However, there is concern that the proposal will have a detrimental impact on highway safety along the B4595 where the Council is currently considering traffic management to maintain lower vehicles speed and improve highway safety. Therefore, it is on this basis that a financial contribution of £12,000 from the developer is required for a Traffic Management Feasibility Study."*

With regards to the internal road layout the principle of the layout and provision indicated of the primary, secondary, tertiary and shared surface roads is deemed acceptable in principle subject to detailed design and layout. Concerns are raised in relation to the lack of deliniation and limited turning facilities. As a result the Transportation Section have advised that the design and construction of the private shared accesses would not be to adoptable standard and these accesses will remain private in perpetuity.

With regards to parking the following comments have been provided:

*“Although there is a concern that a reduced level of parking is provided, this on its own does not warrant a highway objection to the proposal. Considering that the proposal incorporated future public transport and is within walking distance to existing public transport and local amenities, on balance, the proposal is considered acceptable.”*

In conclusion the Highways Officer advises:

*"The increase in the number of residential units by 45 from the previous approval has a negligible impact on the local highway network capacity. However, it will exacerbate highway safety along the B4595 due to higher speeds along this road. The Council is considering a traffic management feasibility study with a view to reduce vehicles speeds and therefore, a financial contribution of £12,000 would be required to mitigate the impact of this development. Furthermore in line with the SPG a Transport Tariff contribution of £501,584 would be required to mitigate the impact of the proposed development on the strategic highway network.*

*The proposal provides for satisfactory access and circulation. The parking provided is less than the maximum required in accordance with the Council's adopted SPG. However considering that the site has public transport provision and is within walking distance to existing public transport facilities, on balance it is considered that the proposal is acceptable subject to conditions."*

Whilst the objectors have requested enhanced traffic assessment of the wider network area, no concerns with regards to the details submitted have been raised by Transportation Section. In respect of whether there is a need for a Transport Assessment covering the whole of the Bypass route and a complete review of the transport network, the capacity of the highway network, including the Bypass, was considered when sites were allocated during the production of the Local Development Plan. Therefore, it is considered that no further assessment should be requested in this respect.

Although the Highways Department have requested a £12,000 contribution towards a traffic management feasibility study and a Transport Tariff contribution of £501,584 to mitigate the impact of the proposed development on the strategic highway network, these requests have been superseded by the implementation of the Community Infrastructure Levy and will not be taken forward as part of the Section 106 agreement for the site.

On the basis of the above, subject to conditions it is considered that the development proposed would not have a significantly detrimental impact on the highway safety or free flow of traffic and the application is considered compliant with the requirements of the relevant policies of the Rhondda Cynon Taff Local Development Plan.

### **Impact on Neighbour Amenity**

It is considered the development is acceptable in terms of its impact on existing neighbours, with distances between the rear of existing houses and the proposed houses being sufficient not to unacceptably impact on privacy, light or be significantly overbearing.

It is acknowledged that most of the existing properties within The Ridings do adjoin the development site as gardens have been extended through purchase of the former railway route. The proposed site layout plan indicates that the dwellings along the northern boundary of the site would predominantly be two storey in design and would be 'back to back' with the dwellings in The Ridings. A minimum garden length of 9m would be maintained between the proposed dwellings and the boundary of the site, with a minimum distance of 29m being maintained between the elevations of the existing and proposed dwellings. Whilst the topography of the site does undulate it is considered that the layout proposed and distances maintained would prevent the proposal from having a significantly detrimental impact on the residential amenity of those living closest to the site as a result of increased overlooking, loss of privacy, loss of light or overshadowing.

In respect of the concerns regarding the height of proposed dwellings and ground level of the houses to the rear of The Ridings, being mindful of the distances to be maintained between the proposed dwellings and existing houses in The Ridings it is not anticipated that ground levels will cause a significant issue in terms of neighbour amenity.

In respect of landscaping, the current layout offers little opportunity for a landscape buffer between the new houses and The Ridings. While it is acknowledged that the site will significantly alter the outlook of residents within The Ridings, it is considered the distances between new and proposed houses are sufficient to prevent unacceptable impacts on neighbours without such planting.

The use of the site for residential purposes in comparison to the existing fields, will obviously generate some increased level of noise disruption and disturbance not currently experienced by existing residents. However, notwithstanding the construction phase, it is considered that such increased disruption would not be so significant to warrant refusal of the application.

On the basis of the above, whilst the development proposed would significantly alter the outlook of residents within The Ridings, it is considered that the layout and house types proposed, in association with the distance maintained would not have a significantly detrimental impact on the residential amenity of those living closest to the site. In light of the above the application is considered compliant with the relevant policies of the Rhondda Cynon Taff Local Development Plan.

## **Housing Numbers**

This site and the land to the north west are allocated for 500 houses in total by policy SSA 10.18 of the Local Development Plan. However, due to the constraints on the site, mainly the power lines and the trees surrounding and on the site, it is estimated that the whole allocated site will yield 480 dwellings.

Policy SSA 11 requires a minimum density of 35 dwellings per hectare unless it can be demonstrated that a reduction in density can be justified. The number of dwellings proposed on the application site is 213, and the area of the application site is 6.07 ha, which provides an overall density of 35 dwellings per hectare. As such the application is considered compliant with the requirements of the policy SSA11 of the Rhondda Cynon Taff Local Development Plan.

## **Site Layout and Design**

The layout and design proposed has been the subject of negotiations between the Council's Urban Designer and the applicants and is now considered acceptable. The key changes to the proposed layout in respect of Urban Design are detailed below.

The general aspects of the layout are similar to the approved scheme in Urban Design terms and reflects the principles set out in the Design Brief, in particular in terms of retaining a sense of legibility through the route of the mains and secondary streets, retaining the tree belt, the Public Right of Way as a green corridor and maintaining a sense of permeability through the layout of other residential streets. The layout retains a similar sense of connection to the neighbouring residential areas to the north and to the Church Village community route to the south, and retains future connection to the remaining allocated land to the west.

In a number of instances, buildings on corners have been rearranged or altered to avoid the dominance of blank gable walls in prominent or highly visible locations. This has included inserting gable windows into some buildings to ensure that buildings turn corners well and provide a sense of natural surveillance over surrounding streets. In some cases, houses have been reoriented or the house type changed in order to ensure that long vistas are closed in an appropriate manner.

The street hierarchy and design of streets has been refined to create a balance between highway movement and place creation.

As part of the original application the Parks Section indicated that they were satisfied with the play space proposed although the amount of equipped play space proposed fell short of the standard set out in the Planning Obligations SPG. The SPG requires that the site should provide 2,247.5 square metres of

equipped play space, but the LEAP is approximately 1,226 square metres of such space.

No new or additional areas of formal play space are proposed as part of the current application. Given the above, the amount of informal open space on the site, including the pathway along the power line corridor and alongside the Public Right Way, and access to the open space within the adjacent SINC from the site, the amount of equipped play space provided is considered acceptable. In addition, it is noted there is a children's play facility in close proximity in The Ridings.

At this time no comments have been received from the Parks Sections with regards to the new application. Any update or observations will be provided orally.

### **Impact on Trees and Ecology**

Within the boundary of the Local Development Plan residential allocation there is a large Site of Importance for Nature Conservation (SINC). The intention for this SINC has always been to protect it and it was specifically included in the allocation boundary to allow for its effective management and enhancement as part of the residential development. This is recommended to be secured via a Section 106 Agreement.

In order to facilitate the development including the provision of the access point to Area 1 and the principle highway network beyond, the applicants propose to develop designated SINC land within the site boundary, as described above.

As part of the 2012 application the Council's Ecologist agreed to allow these areas to be developed subject to the appropriate mitigation being secured, however it is recognised that in line with policy AW8 of the Local Development Plan, this loss of SINC requires robust mitigation to off-set drainage impacts, tree and hedgerow loss, light pollution, physical disturbance and the urban edge impacts which will be associated with the proposed development. Whilst the current application does not propose to include any more of the SINC than that indicated as part of the 2012 application, being mindful that the granting of this development would approve a new independent consent, securing the management of the rest of the SINC and mitigation for the SINC land lost and associated impacts of development is of vital importance if the planning application is to satisfy policy AW8. It is proposed the mechanism for management will be addressed via the Section 106 Agreement. The Council's Countryside Section is keen to ensure that the establishment and management of all parts of the SINC are delivered to a recognised and appropriate standard which can illustrate through Local Development Plan monitoring that the SINC and other features have not deteriorated through the granting of planning permission, the Maintenance Companies employed are of a competence and

capability to undertake the different management functions, that sufficient funding is available, and that if works are not satisfactory, the Council is able to ensure compliance with the S106 agreement. As recognition of their ecological, landscape and amenity importance, the SINC and compensation area are proposed to become a Nature Reserve. Because these details have not yet been established or agreed as part of the current or previous consent, these matters will be addressed via clauses in the section 106 Agreement. There is therefore a very important requirement for robust and controllable mechanisms to be delivered through the S106 negotiating process.

As specified above, there are numerous trees and hedgerows across the site. These are distinctive elements of the site and form the traditional field boundaries, which play an important role in the wider landscape. These trees and hedgerow are not subject to any Tree Preservation Orders (TPOs), however, they are considered to be ecologically important and form important landscape features. Their protection, where practically possible, is considered to be a key element of the design and layout of the proposed development.

Although it is accepted that trees will be lost, negotiations have taken place with the applicants to ensure that as many trees as possible are retained. However, Countryside Section have raised concerns that more mature trees are likely to be lost than shown when the scheme is built and as such have requested conditions with regards to landscaping, tree management and protection measures at the site. It is considered that these conditions, in association with ecological management plan will provide some mitigation against further tree loss than is shown by the plans and allow for additional vegetation planting.

While such potential tree loss is regrettable, it is considered this should be weighed against the allocation for residential development in the Local Development Plan and that due to site constraints the number of houses delivered on the allocated site is already likely to be marginally less than the site is allocated for in the Local Development Plan. Therefore, on balance, the risk of this additional tree loss is accepted, and conditions will be used to try and mitigate this as far as is possible.

Concerns are also raised by the Countryside Section regarding the landscaping plan, but it is considered these can be addressed through conditions.

In respect of bat survey work, the applicants have stated that all trees within the survey boundary were subject to ground-based bat inspections, including all trees identified as being retained. This is considered satisfactory.

Following consultation the Council's Ecologist is of the view that sufficient ecological survey work has been done. A condition is recommended for the protection of wildlife during construction will require a method statement to be



submitted in respect of working practices to ensure the protection of any protected species should they be found on site, including dormice.

It is noted that Natural Resources Wales have requested a condition for the provision of compensatory habitat given that the development does encroach on to the designated Tonteg Marsh SINC. However, being mindful of the extent of the encroachment, it is considered that this matter is most appropriately dealt with through the Ecological Management Plan recommended as part of the Section 106 Agreement.

### **Provision of Suitable Drainage Arrangements**

The proposed development area is largely set on higher ground relative to the SINC and as such will have an impact on the hydrology of the SINC. Following negotiations with the Council's Drainage Engineers, as part of the original 2012 application, drainage proposals were put forward to try and replicate as far as possible the existing pattern of water discharging into the SINC. As part of the current application, the Council's Drainage Team have raised no objection to the application subject to the imposition of conditions.

Part of the LDP residential allocation falls within the C2 flood risk zone, although this is within the area of SINC land and does not include the land proposed for development. Land Reclamation and Engineering have not objected in respect of flood risk more generally on the site subject to conditions being imposed, which have been recommended below.

In respect of the potential impact on the hydrology of the SINC, Countryside have raised concerns that the level of information submitted in respect of drainage is not enough to understand how the drainage will function, particularly in respect of its impact on the SINC. The concerns relate to:

- The construction and maintenance of drainage features;
- That the drainage features may lead to further loss of trees;
- Being unsure of how successful the drainage solutions will prove in mimicking the existing hydrological conditions of the SINC, resulting in a need for strict conditioning and long- term provision for after care in the S106 Management Plan.

It is therefore suggested that conditions and a Management Plan be imposed to address the above concerns.

### **OTHER ISSUES**

Policy SSA5 in the Local Development Plan indicates new educational facilities will be provided on this site, i.e. a new primary school. However, this is based on the provision of 500 houses on the whole of the allocated site. Due to site constraints, it is unlikely that these two principal sites and the land to the north

west, which is also allocated for housing in the Local Development Plan, would provide enough units to justify requesting the provision of a school on the site.

Following consultation the Education Department have provided the following information:

*“The land available for development appears to be substantial, and the new development could very well increase in size in the future. The need for a new school will only become necessary if the adjacent land is developed as well. A new school for a development under 500 houses in total would not be financially or educationally viable.*

*This is an area where both English and Welsh Medium school places are at a premium and where additional school places would have to be provided to cater for a development of this site. There is no requirement to provide any Secondary School places.*

*A cumulative provision of 321 houses would potentially generate 103 children of Primary age. This figure will reduce if any of the properties are 1 bed. Using the calculation in the SPG, the S106 requirement for this site is £1,262,471 (103 x £12,257). This money would be used to construct an extension to an existing school in the catchment area and to remodel existing provision to create additional teaching accommodation.”*

Whilst the development of the land to the north-west of the current site could take the site as a whole very close to its allocation figure (the developer has previously inferred that the remaining land could accommodate 159 units, yielding a total of 480), at this time and as specified above the Council's Education Section have advised the provision of a new school is not justified in this case, and an appropriate financial contribution will allow for the educational need arising from the proposal to be met. However, as in the case of the Transport Tariff and contributions towards off site traffic management studies, the request for a financial contribution towards education provision has been superseded by the implementation of the Community Infrastructure Levy and will not be taken forward as part of the Section 106 agreement for the site.

Due to there being a policy in the Local Development Plan for the provision of a school on the site, the application is considered a departure to the Development Plan as one is not being provided, even though this is not requested by Education. However, following discussions with representatives in the Welsh Government, it has been confirmed that as the whole site was previously considered as part of application 12/1313/10, there is no need to resubmit the current application for consideration.

There are overhead power lines and associated pylons running across the site, and a 20 metre buffer zone has been allowed for in the layout. Although Western

Power Distribution have not responded to the current application at the time of the 2012 application they indicated that the layout proposed was acceptable. Being mindful that the layout plan proposed broadly reflects that or the approved scheme it is considered unlikely that Western Power Distribution will raise an objection to the application. Moving the power lines away from the application site was considered, as part of the original application but discounted due to the likelihood that they would have to be diverted via the SINC, which would not be considered acceptable on ecological grounds.

In respect of the visual impact of the development, the Landscape and Visual Impact Assessment compiled for the original 2012 application concluded that there would be significant impacts from some public viewpoints, including Dryskoed, Efail Isaf; Heol y Parc, Efail Isaf; The Church Village Bypass Community Route; Station Road; and from the Public Right of Way within the site itself. It is considered that this is to be expected due to the changing character of the site from agricultural fields to a housing development. In respect of the closest of those viewpoints, i.e. Station Road and the Public Right of Way, it is considered that landscaping will reduce the visual impact as it matures. Although the current proposal involves an increased number of dwellings, the boundary of the site is the same as that approved for area 2 of application 12/1313 and as such it considered that the visual impact would be no greater than that associated with application 12/1313.

In respect of the concerns raised by the Council's Public Rights of Way Officer, a Diversion Order is required in the north of the site for the Public Right of Way as its route will be altered. An Extinguishment Order is required through the rest of the site as the Public Right of Way will effectively become part of the Highway. The Public Rights of Way Officer is concerned that if these orders are opposed it may be difficult to argue that they are necessary as the site could be designed around keeping the Public Right of Way on its existing route with a more "green" setting. However, this would potentially reduce the number of houses provided further which would be unacceptable in terms of meeting the Council's targets for provision of houses.

Given this, and that it is unknown if the orders will be opposed, it is considered that this matter can be dealt with at a later date by the separate procedures outlined above. It is noted that the Glamorgan Ramblers have not objected.

The Local Development Plan requires that all residential developments of 5 units and over in the Southern Strategy Area provide a minimum of 20% affordable housing units. The application proposes that 42 of the units in the development be will be affordable, which meets the requirement of the Plan. However, the Authority's Housing Officer and representative Housing Association raised concerns and objections with regards to the type and size of the properties proposed in association with the tenure mix, in comparison to those to dwellings provided as part of the scheme approved under application 12/1313/10.

Following negotiations the Developer has replaced a number of the proposed affordable units with an alternative property type and revised the tenure mix proposed. This in turn has resulted in the Housing Officer and Housing Association removing their objection in part.

Following discussions the Housing Officer has provided the following information:

*"The new Local Housing Market Assessment 2014/15 - 2019/20 which analysed the incomes and house prices to determine affordability in the area specifies:*

*"a large proportion of households would need a 60% of market value Low Cost Home Ownership (LCHO) product. It is thus recommended that, depending on sale price, any LCHO products secured in South Taf be made available from 60% of market value to ensure the product remains affordable to the client group."*

*I do have some concerns with regards to the price points associated with this development. The three bed properties proposed for affordable housing as part of this development would be in the region of £120,000 even after the 30% discount. This would price a large proportion of our client group out of the market. Having a number of LCHO properties with a 60:40 equity split would enhance the range of affordable options on-site and allow us to allocate the less expensive properties to those on the margins".*

As part of the original application and Section 106 for the site, the Authority agreed an ownership equity split of 70:30 on the LCHO properties. However, in light of the evidence provided as part of the recently approved Local Housing Market Assessment report it is considered necessary to request a 60:40 split in order to make the units affordable and policy compliant. For reference and comparative purposes a number of 2 bedroom LCHO properties were recently secured on a development in Church Village with a equity split of 65:35. It is considered reasonable that the larger and more expensive properties proposed as part of this application be secured with a 60:40 equity split.

Turning to other concerns raised by neighbours not addressed above, it is considered concerns regarding the impact of construction on neighbours can be addressed through conditions. Public Health and Protection have recommended that a Remedial Method Statement be sought via condition to provide for the removal of the old coal gas main.

It is acknowledged there have been some inaccuracies in the submitted documents, but these have been assessed by the relevant officers who will have highlighted where errors are considered to be pertinent to the decision on the submitted scheme.

## **COMMUNITY INFRASTRUCTURE LEVY (CIL) LIABILITY**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of £85 / sqm for residential development (including extensions to dwellings over 100 sqm).

The CIL charge (including indexation) for this development is expected to be £1,637,817.84. However, social housing relief may be claimed on the social housing element of the development.

## **PLANNING OBLIGATIONS**

Irrespective of the CIL liability referred to above, Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any, on site, unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and,
- fairly and reasonably related in scale and kind to the development.

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

In this case the developer will be required to enter into a Section 106 agreement to

1. Provide an ecological management plan to ensure appropriate long term management of the Tonteg Marsh Site of Importance for Nature Conservation and the provision of compensatory habitat, the details of

- which shall be submitted to and approved in writing by the Local Planning Authority; and
2. To secure the provision of 42 affordable houses on-site in accordance with the agreed schedule.

It is considered that this requirement meets all of the above tests and is compliant with the relevant legislation.

## **CONCLUSION**

In conclusion the development of this site for a residential scheme is considered acceptable. The site is allocated in the Local Development Plan, is within the settlement boundary and will contribute to the Council's overall housing provision. It is considered that the other matters above have been addressed to a satisfactory extent for approval to be recommended.

On the basis of the above the application is recommended for approval. Therefore planning permission is recommended.

## **RECOMMENDATION: Approve subject to:**

1. **The Section 106 Agreement as detailed above; and**
2. **The conditions below**

## **RECOMMENDATION: Grant**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the following plans(s):

- Site location plan drawing number: SL-01.
- Site layout plan drawing number: SP-01 Rev H.
- Street scene plan drawing number: SS-01 Rev A.
- The one bed flat (2.1.1) drawing number: 2.1.1-WD10.
- The two bed house (4.2.1) drawing number: 421DQR-WD10.
- The two bed house (Clwyd) drawing number: 2BH-WD10 Rev A.
- The Ainwick house type drawing numbers: AN-WD10 Rev C and AN-WD11 Rev C.
- The Chedworth house type drawing numbers: CD-WD10 Rev L and CD-WD12 Rev L.
- The Clayton house type drawing numbers: CA-WD10 Rev B; CA-

WD16 Rev B; CA-WD15 Rev B and CA-WD11 Rev B.

- The Clayton Corner house type drawing numbers: CCA-WD10 Rev E; CCA-WD16 Rev E; CCA-WD13 Rev E; and CCA-WD14 Rev F.
- The Clayton V1 Stone house type drawing: CA-WD14 Rev B.
- The Hanbury house type drawing numbers: HB-WD10 Rev M; HB-WD15 Rev M; HB-WD11 Rev M and HB-WD12 Rev M.
- The Hatfield house type drawing numbers: HT-WD10 Rev K; HT-WD15 Rev K; HT-WD11 Rev K; and HT-WD12 Rev K.
- The Hatfield V1 house type drawing number HTV1-WD10 Rev K; HTV1-WD16 Rev K; HTV1-WD15 Rev K; and HTV1-WD13 Rev K
- The Leicester house type drawing numbers: LR-WD10 Rev A; LR-WD15 Rev A; LR-WD11 Rev A; and LR-WD12 Rev A.
- The Longthorpe house type drawing number: LG-WD10.
- The Rufford house type drawing numbers: RF-WD10 Rev M; and RD-WD11 Rev M.
- The Souter house type drawing numbers: SU-WD10 Rev M; SU-WD15 Rev M; SU-WD12 Rev M; and SU-WD14 Rev M.
- The single garage –SG-Go1 drawing number: RSG-GO1.
- The double garage/ semi-DG-G02- shared owners drawing number: RSG-G02.
- The 700mm /900mm/1100mm Ball Top Railings drawing number: D06 Rev A.
- The 1.8m close board fences and gate drawing numbers: D02 Rev A; D17 Rev A; D24 Rev A and D07.
- The Retaining Walls with Railings drawing number: D28
- The 1.2m Timber post and two rail fence drawing number: D32.
- The 0.9m timber pose and 2 wire fence drawing number: D12 Rev A
- The 0.45/0.6m Timber Knee Rail drawing number: D13.

Reason: To ensure compliance with the approved plans and clearly define the scope of the permission.

3. Notwithstanding the submitted details, no development shall take place until a landscaping scheme and management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, has been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme and management plan shall be carried out as approved and any subsequent variations shall be approved in writing by the Local Planning Authority. The scheme and management plan shall include the following elements:
  - A review of the plans landscape and ecological potential and constraints;
  - Species composition;
  - Indications of all existing trees (including spread and species) and

hedgerows on the land and details of any to be retained together with measures for their protection during the course of development (employing BS: 5837 'Trees in Relation to Construction');

- Pre-construction tree and hedgerow works;
- Detail, extent and type of new planting;
- Method statements for site preparation and establishment of target habitat features;
- Techniques and methods of vegetation establishment;
- Personnel responsible for the work;
- Timing of the works;
- Disposal of waste arising from the works;
- Details of maintenance and monitoring regimes;
- Details of any new habitat created on site;
- Details of treatment of site boundaries and/ or buffers around water bodies;
- Details of management responsibilities and provision of appropriate funding.

Reason: To ensure that the new development will be visually attractive in the interests of amenity, to ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

4. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to their use on site, details of the surfacing material proposed to be used on any roadway, footpath, car park, lay-by, play areas or other paved or metalled areas shall be submitted to and approved, in writing, by the Local Planning Authority and the part of the development served by that area shall not be occupied until the works have been completed in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the



Rhondda Cynon Taf Local Development Plan.

6. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:
- a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
  - b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
  - c. A timetable to show phasing of construction activities to avoid where possible periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles etc), along with measures to avoid impacts where this is not possible;
  - d. Details of specific species and habitat mitigation measures (including nesting birds, reptiles and amphibians);
  - e. Persons responsible for:
    1. Compliance with legal consents relating to nature conservation;
    2. Compliance with planning conditions relating to nature conservation;
    3. Installation of physical protection measures during construction;
    4. Implementation of sensitive working practices during construction;
    5. Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
    6. Specific Species and Habitat Mitigation Measures;
    7. Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority.

Reason: To afford protection to animal and plant species in accordance with policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

7. No development shall take place until a detailed method statement for removing or the long-term management / control of Himalayan Balsam on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Himalayan Balsam during any operations such as mowing, strimming, or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds/ root/ stem of any invasive plant covered under the Wildlife and

Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: To prevent the spread of Himalayan Balsam and avoid harm occurring to the environment, in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge downwards into the bund. The above details shall be complied with, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Construction works on the development shall not take place other than during the following times:
- Monday to Friday 0800 to 1800 hours;
  - Saturday 0800 to 1300 hours;
  - Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall commence until a method statement addressing how noise and dust will be minimised on site during construction has been submitted to and approved in writing by the Local Planning Authority. This shall include a programme for construction and the name of the person who will be responsible for dealing with environmental issues. The development shall be carried out in accordance with the approved details.

Reason: To minimise the impact of construction on local residents, in accordance with policy AW10 of the Rhondda Cynon Taf Local

Development Plan.

11. Notwithstanding the submitted details, the development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:
- A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
  - A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
  - A written method statement for the remediation of contamination affecting the site

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. No dwelling, hereby permitted, shall be occupied until the measures approved in the scheme (referred to in Condition 11) for the relevant area of development have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. No development shall commence until all relevant matters outlined on the Planning Requirements Relating to Flood Risk Management have submitted to and approved in writing by the Local Planning Authority. Specifically the details will include the requirement for surface water regimes to mirror pre-development water quality and greenfield conditions, at the previously agreed storm durations. The details shall indicate how the development is to comply with the requirements of Section 8.3 of Technical Advice Note 15.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site and maintain representative flows to the SINC. The storm periods previously agreed are QBAR, Q5, Q10, Q30, Q50 and Q100 within 30% climate change for the assessment of the developed site.

15. No development shall commence until measures to control groundwater issues from retaining walls have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that groundwater issues associated with the retaining wall cut features do not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

16. No development shall commence until the Planning Authority has received and approved in writing a Hydrological Impact Assessment including proposed mitigation, design details and a development programme with respect to:

- a) protection of open and culverted sections of the existing watercourse during and after construction;
- b) Protection of properties downstream of the development from increased flood risk during and after construction owing to the development;
- c) Protection of properties within the development from flood risk.

Reason: To ensure that the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties and environment with respect to flood risk.

17. No dwelling shall be occupied until the drainage works relating to that dwelling have been completed in accordance with the approved plans.

Reason: To ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

18. No development shall commence until an approved method statement for excavation, installation and restoration of drain runs through the Site of Importance for Nature Conservation has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To minimise adverse impacts to the Site of Importance for Nature Conservation, ensure sympathetic working practices, restoration and monitoring of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

19. Prior to the commencement of development details of the construction and surfacing of the shared footway and cycleway along the route of the existing Public Right of Way crossing the site and that passing between numbers 33 and 52 The Ridings and a timetable for carrying out and completing such works, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the construction is satisfactory to serve this purpose, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

20. Notwithstanding the submitted plans, infrastructure work shall not commence until full engineering design and details of the internal road layout including sections, street lighting, surface water drainage, highway structures, traffic management measures including junction plateaus, turning facilities, shared pedestrian cycle facilities, public transport infrastructure, footways, link footpaths, hard margin strips and associated works have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the adequacy of the proposed development, in the interests of the safety of all highway users, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

21. Notwithstanding the submitted plans, the private shared accesses including turning facilities shall be laid out, constructed and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the safety of all highway users, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

22. The parking areas shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

23. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for;

- the means of access into the site for all construction traffic,
- the parking of vehicles of site operatives and visitors,
- the management of vehicular and pedestrian traffic,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- wheel cleansing facilities,
- the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

24. Surface water run-off from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

25. No works shall commence on site until a geotechnical report incorporating any mitigation measures required to be dealt with ground conditions, mine workings and mine shafts have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to any building works commencing on site.

Reason: In the interests of the safety of all highway users.

26. Notwithstanding the submitted details, prior to any dwelling or garage hereby approved being constructed, samples of all the external finishing materials, including colour, to be used on houses and garages shall be submitted to and approved in writing by the Local Planning Authority. The

works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity, in accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

27. Notwithstanding the details of the approved plans, details of the boundary finishes of plots 186 and 199 shall be submitted to and approved in writing. The boundaries shall be completed in accordance with the approved details prior to the occupation of the relevant dwellings and shall be maintained as such thereafter.

Reason: In the interests of the residential amenity of the dwellings.

28. Notwithstanding the submitted details, no development shall take place until a plan showing retained trees has been submitted to and approved in writing by the Local Planning Authority. This plan shall form part of a Tree Management Plan in which provision for protection of retained trees during construction (to accord with BS 5837: Trees in Relation to Construction) and agreed tree works (to accord with BS 3998: Tree Works) is provided and details of the personnel responsible for the provision of such measures are identified and agreed. All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority'.

Reason: To ensure that the new development will be visually attractive in the interests of amenity, to ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

29. No development shall take place until details of a Construction Environmental Management Plan (in conjunction with Condition 23) have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved plan.

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

30. No development shall take place until details of site lighting mitigation to minimise light fall impacts on adjacent SINC habitat and flight lines/foraging areas, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the protection of wildlife and the habitat which supports it and secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 31. Development shall not commence until a scheme for providing bat roosting features is submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

Reason: To secure opportunities for the enhancement of the nature conservation value of the site, in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

