

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017-2018:

**PLANNING & DEVELOPMENT
COMMITTEE
7 SEPTEMBER 2017**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 8 (1)
<p>APPLICATION NO: 16/0660 33 DWELLINGS AND ASSOCIATED HIGHWAYS AND DRAINAGE INFRASTRUCTURE, LAND TO REAR OF DELWEN TERRACE, BLAENCWM.</p>	

1. PURPOSE OF THE REPORT

Members are asked to consider the report and determine the application in accordance with the advice given.

2. RECOMMENDATION

To **APPROVE** the application in accordance with the advice given

3. BACKGROUND

This application was originally reported to a meeting of the Development Control Committee on 20th April 2017 with a recommendation from the Service Director, Planning that planning permission is granted (see **APPENDIX A**). At that meeting Members resolved to approve the application subject to conditions and the applicant (and other interested parties) first entering into a Section 106 Agreement to secure 10% Affordable Housing provision in accordance with the Policies AW4 and NSA11 of the Rhondda Cynon Taf Local Development Plan.

Since that resolution was made, and ahead of a legal agreement being prepared, a Viability Report prepared by a Chartered Surveyor has been submitted by the applicant. The Report presents information and evidence that the development site cannot sustain the costs associated with Affordable Housing provision without being made unviable. Indeed, the Viability Report asserts that the development site faces viable challenges before the addition of the costs of Affordable Housing provision, and this requirement will merely exacerbate the viability problem and make the costs of development balanced against gross development value untenable. The previous applications for residential development of this site have been the subject of similar viability evidence that has been accepted by the Council and therefore none of

the previous consents has been made subject to a requirement for similar Planning Obligation provisions.

The supporting text to Policy AW4 states that 'where it is submitted that a requirement to deliver appropriate planning obligations would result in a site being economically unviable, the Council will require verifiable objective evidence of the adverse financial appraisal, taking into account any grant availability. Whilst the planning obligations sought would enhance the quality of development, if the evidence demonstrates conclusively that requiring them would result in a proposal being unviable, the Council may conclude that the benefits of the development outweigh the benefits of seeking to secure a higher quality scheme, in preference to refusing planning permission.'

The viability report submitted by the applicant has been examined and its conclusions about the extent of the disparity between the costs of development and the gross development value of the site are not disputed. There are significant viability challenges confronting the development of the site, the additional cost to the developer of affordable housing provision merely exacerbates the disparity.

On this basis, and having regard to Policy AW4 of the LDP, it is recommended that planning permission be granted subject to the conditions included in the report attached as **APPENDIX A** (save for condition 11, which is no longer suggested) and without the need for the applicant to enter into a Section 106 Agreement to secure Affordable Housing provision in accordance with Policy NSA11 of the LDP.

APPENDIX A

APPLICATION NO: 16/0660/10 (PB)
APPLICANT: Glaister Russell Developments Ltd
DEVELOPMENT: Proposed residential development of 33 dwellings and associated highway drainage and infrastructure (amended site layout plan received 21/03/17)
LOCATION: LAND TO THE REAR OF DELWEN TERRACE, BLAENCWM, TREORCHY, CF42 5ED
DATE REGISTERED: 10/06/2016
ELECTORAL DIVISION: Treherbert

RECOMMENDATION: APPROVE

REASONS: Although the Local Development Plan (LDP) is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the LDP period. Moreover, the proposed development is considered sympathetic to the character and appearance of the locality and the Special Landscape Area, and is acceptable in terms of its consequences for management and mitigation of flood risk, ecological interests, highway safety and affordable housing provision in accordance with relevant LDP policies.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to Service Director Planning.

APPLICATION DETAILS

Full planning permission is sought for the construction of 33 houses and associated highways and drainage infrastructure on land rear of Delwen Terrace, Blaencwm. The development will be laid out as two comparatively spacious cul-de-sacs branching off a new access road into the site from the existing highway at Delwen Terrace. The housing mix will comprise 5 four-bed detached houses, 6 three-bed detached houses, 8 three-bed semi-detached houses, 1 three-bed terraced house, 7 two-bed terraced houses and 6 two-bed bungalows. Tree-planting and landscaping will figure prominently in the development and an area of open space/village green will remain in the south-west corner of the site save for a narrow strip along the highway frontage of Delwen Terrace required for highway widening.

The application is accompanied by the following:

- Preliminary Ecological Appraisal Update and Ecological Assessment (May 2016)
- Update Bat and Otter Surveys (July 2016)
- Wildlife and Habitat Protection and Mitigation Plan (October 2016)
- Design and Access Statement
- Flood Consequences Assessment (March 2017)
- Drainage Strategy
- Phase 1 Site Investigation Report (November 2016)

SITE APPRAISAL

The application land is situated on the northern edge of the village of Blaencwm and is currently undeveloped, with little visible evidence of its former use as colliery and railway land. The site boundary is defined by the Nant y Gwair to the north and the vacant land to the east. To the west is open countryside whilst immediately to the south are the residential areas of Chapel Street, Glanselsig Street and Delwen Terrace.

The majority of the site is grassed over and open in character. The site is crossed by several informal footpaths, which connect with public rights of way beyond the site.

PLANNING HISTORY

11/0644	Land to rear of Delwyn Terrace, Blaencwm, Treorchy, CF42 5ED	Application for approval of reserved matter (landscaping) pursuant to planning permission for phase 1 residential development of land	Granted 29/12/11
11/0134	Land to rear of Delwyn Terrace, Blaencwm, Treorchy CF42 5ED	Residential development (Phase 2)	Granted 20/11/14
11/0133	Land to rear of Delwyn Terrace, Blaencwm, Treorchy	Residential development (Phase 1)	Granted 12/10/11
10/0884	Land to the rear of Delwyn Terrace, Blaencwm, Treorchy, CF42 5ED.	Highway and pedestrian access to approved development site (engineering operation).	Granted 13/06/11
08/1282	Land to the rear of Chapel Street and Delwen Terrace,	Residential development - 22 units.	Granted 27/05/09

Blaencwm

07/1594	Land adjacent to Delwen Terrace, Blaencwm, Treherbert. CF42 5ED.	Residential development (Outline). (Amended site boundary received 5/11/07).	Refuse 11/02/08 Appeal: Allowed 11/06/08
91/0818	Blaencwm	Environmental Improvement Scheme	Granted 22/01/92
90/925	Rear of Delwen Terrace, Blaencwm	Residential development	Granted 08/03/91
80/0821	Land in the Vicinity of the Abandoned Glenrhondda Colliery	Drainage improvements	Granted 30/09/80

PUBLICITY

Neighbours have been notified of the application, which has also been publicised via site notices and a press notice.

Arising from the above procedures there has been no response to the proposals from members of the public.

CONSULTATION

Transportation Section – no objection subject to conditions

Land Reclamation & Engineering – no adverse comment.

Public Health & Protection - no adverse comments, recommendations made in respect of previous land use, noise, dust, disposal of waste, and lighting.

Natural Resources Wales – no objection in relation to ecological issues. Also, subject to the recommendations and layout within the FCA (March 2017) being implemented the proposal is acceptable in terms of flood risk in line with TAN15. A condition specifying minimum finished floor levels for Plots 23 (including garage), 26 and 27 is recommended.

Dwr Cymru/Welsh Water – no adverse comment, though full details of foul, surface and land water drainage to be submitted and approved prior to commencement of development.

Parks, Ecology & Countryside – no adverse comment provided the development proceeds in accordance with the submitted Wildlife and habitat Protection and Mitigation Plan.

Housing Strategy – LDP Policy NSA 11 requires 10% affordable housing provision on sites of 10 units or more in the Northern Strategy Area. Therefore, 4 units of affordable housing should be secured. Based on the LHMA two of the two-bedroom terraced houses and two of the three-bedroom terraced houses on the site should be made available for sale as Low Cost Home Ownership to Council nominated first time buyers from the Homestep Register. The developer's contribution should equate to 25% of the open market value for each unit, in other words the nominated purchaser should pay no more than 75% of the open market value per unit (see Paragraph 4.2 of the Affordable Housing SPG)

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

In the adopted LDP the application site lies approximately 0.5 miles outside the nearest settlement boundary and in the Rhondda Fawr Northern Cwm & Slopes Special Landscape Area (policy reference NSA25.7). The site also lies in the designated Rhondda Historic Landscape.

Policy CS1 - sets out criteria for achieving strong, sustainable communities in the northern strategy area including the provision of high quality, affordable accommodation that promotes diversity in the residential market.

Policy AW2 – promotes development in sustainable locations, which in the northern strategy area are sites that accord with Policy NSA12 (sites within or adjoining the settlement boundaries) (1) and are justified if they are in a flood risk zone (5).

Policy AW4 – provides for planning obligations to be sought, including affordable housing (1) and open space provision (3).

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW8 – seeks to protect and enhance Rhondda Cynon Taf's distinctive natural heritage from inappropriate development.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of factors such as flooding.

Policy AW14 – requires safeguarding of mineral resources, including coal.

Policy NSA10 – seeks a minimum density of 30dph and gives criteria where lower densities may be acceptable.

Policy NSA11 – requires 10% affordable housing provision on site of 10 or more units in the northern strategy area.

Policy NSA25 – requires the highest standard of design in the special landscape areas.

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 Chapter 2 (Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 6 (Conserving the Historic Environment), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 9 (Housing), Chapter 12 (Infrastructure and Services), Chapter 13 (Minimising and Managing Environmental Risks and Pollution), 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 2: Planning and Affordable Housing;
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

SPG *Affordable Housing*, March 2011.
SPG *Planning Obligations* March 2011.

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.

Main Issues:

Principle of the proposed development

In the first instance it is important to consider the planning policy context of the proposal and planning history of the site to which the application relates. In this regard, the application site is defined by the Local Development Plan (LDP) as outside any settlement boundary. The thrust of LDP policy is to direct development to sustainable locations, namely settlements that have a range of facilities and amenities. Blaencwm is not one of those settlements; hence it no longer has a settlement boundary. However, Policy AW1 of the

LDP defines the housing land supply to be made up of, inter alia, sites where planning permission for housing has been granted since 1 June 2006. Therefore, whilst the LDP does not support the principle of residential development of this site, a key material consideration is the planning history of the site. In particular, it is important to have regard to the fact that since June 2006 planning permission has been granted and renewed for the residential development of the application land to the rear of Delwen Terrace. Moreover, planning permission was granted in June 2011 for engineering operations to form the pedestrian and vehicular accesses to serve the development of the site (application ref: 10/0884). Although on the one hand the LDP is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, on the other hand the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the Local Development Plan period. Accordingly, it is considered that there is a policy presumption in favour of the current application proposal unless other material considerations (discussed below) indicate to the contrary.

Impact on the character and appearance of the area

The proposed development consists of a mix of 2, 3 and four bedroom houses and bungalows, with a variety of house types. The layout presents a comparatively simple, low density form of development characterised by a strong east/west street scene, with mews style terraces running north/south linking to the footpaths and bridleways to the north. At an average density of about 22dph (dwellings per hectare) the proposed development requires justification in accordance with Policy NSA10, especially as the thrust of Planning Policy Wales is towards higher densities to encourage a more efficient use of scarce development land resources. In this regard the current proposal is consistent with the last approved development on the site which had an average density of 22dph and was justified on the following grounds:

- The need for flexibility to enable the provision of new development in an uncertain development market;
- The need for a lower density than the existing settlement having regard to the peripheral location of the land on the edge of the village adjacent to the countryside;
- To respect the landscape setting and character of the surrounding area;
- To reduce the perceived impact of the development in terms of traffic movements compared to the previously approved development;
- To help ensure that the residential amenity of existing residents is preserved whilst also ensuring a high level of amenity for the residents of the new properties.

Planning Policy Wales reaffirms that the approach to residential density of proposed development must take into account local amenity, and the character and appearance of the area as a whole. It is considered that the comparatively low density of the proposed development responds to the

prevailing local circumstances and therefore is justified against prevailing planning policy.

The design concept of the proposed development provides a clear structure of the public and private realm, with dwellings enclosing the public space and creating a street frontage and a strong sense of identity through the streetscape. Also, the proposed development will have clear access routes and enhanced links with its surroundings. The scale and massing of the development and appearance of the dwellings are carefully explained and justified in the Design and Access Statement and considered appropriate in the context of neighbouring residential development and the countryside, including the Special Landscape Area and Rhondda Historic Landscape.

Access and highway safety

The principal consideration is the effect of the vehicular traffic generated by the proposed development on the highway safety on the streets close to site. The proposed site access point from the existing highway would be located on the outside of the bend where Chapel Street and Delwen Terrace meet. A one-way system is proposed along Delwen Terrace and the section of Chapel Street from Glanselsig Terrace to Delwen Terrace. The proposal also includes speed restriction measures on Delwen Terrace, carriageway widening on the western side of Chapel Street, and additional footway provision on both Delwen Terrace and Chapel Street. These measures were formulated and included in, and ultimately considered acceptable as part of the earlier approved proposals for the residential development of this site. Moreover, full planning permission was granted as recently as June 2011 for the engineering operations to construct the access and internal pedestrian footway and vehicular carriageway layout (application reference 10/0884).

The Transportation Section has offered no objection to the proposal subject to conditions. The proposed road widening and one-way system should assist in mitigating some of the pressure arising from the additional vehicles using Chapel Street and Delwen Terrace. The installation of a pavement on the west side of Chapel Street would facilitate pedestrian access from the development to the nearest bus stops whilst avoiding the narrow bridge on Delwen Terrace. The development caters for its own parking needs in accordance with the Council's SPG, therefore should not cause overspill parking in the streets neighbouring the site. Whilst the widening of Chapel Street would result in the loss of a strip of green space registered as a Village Green, the applicant proposes mitigation through the provision of an extension to the western side of the Village Green at least equivalent in area to that required for highway widening.

The application site benefits from satisfactory routes to school which have been assessed as available and safe. Blaencwm has limited local facilities and amenities, however, the village benefits from a half hourly bus service providing links to amenities and facilities in nearby Treherbert and the wider area, with rail links from Treherbert Station serving destinations to Cardiff with a half hourly service. Roads between Treorchy and Blaencwm carry only local

traffic and therefore provide an attractive route for multi-modal journeys such as cycling to Treherebert railway station. The sustainability of the site has been established in previous planning applications and appeals relating to housing development on this land.

In light of the above there is no highway objection to the proposed development, subject to conditions requiring approval of highway engineering design details, a construction method statement, and travel plan / welcome pack to encourage sustainable travel. The proposal therefore satisfies policies AW5 and AW6 in respect of its consequences for highway safety and accessibility.

Flood Risk

The application site lies between two watercourses, the Nant y Gwair and Nant Selsig, which flow in an easterly direction north and south of the site respectively. The application proposes highly vulnerable development, namely residential dwellings, within Zone C2 of the Development Advice map (DAM) contained in TAN 15. NRW's Flood Map, which is updated quarterly, confirms that site to be at risk from the 1% (1 in 100 years) and 0.1% (1 in 1000 year) annual probability fluvial flood outline of the Nant Selsig, a designated main river.

Applicant has submitted an up-dated Flood Consequences Assessment (March 2017) supported by a Hydraulic Model. The results were used to determine the design flood extents and show the majority of the site to be in Flood Zone A (low risk), with only areas along the banks of the watercourse in Flood Zone C2 (high risk) of fluvial flooding from this source. The FCA shows the site to be at low risk of flooding from all other sources.

Building finished floor levels are to be raised so as to be a minimum of 600mm above the 0.1% (1000 year) Annual Exceedance Probability (AEP) levels at the buildings or 150mm above the 0.1% (1000 year) AEP with 80% blockage scenario, or 150mm above the immediate surrounding ground levels (whichever is higher) to mitigate against the residual risk of flooding and ensure any exceedance flows are directed away from any buildings.

Given the known issues of debris entrainment during high flow, the FCA notes that a maintenance scheme is to be put in place with clearance checks annually and after high flows. This will minimise the risk of fluvial flooding resulting from the blockages. The FCA also notes there will have to be a safe access and egress route in a 0.1% (1000 year) AEP event, leading from the proposed development to an area outside the floodplain. The FCA concludes there will be no loss in floodplain storage within the 0.1% (1000 year) AEP extent, and no development that could disrupt floodplain flow paths (such as garden fences) within the 1% (100 year) AEP plus Climate Change flood extent. In addition, the proposed surface water and foul drainage strategy will ensure there is not an increased flood risk elsewhere as a result of the proposed development through the loss of floodplain storage, impedance of flood flows or increase in surface water run-off.

The up-dated FCA concludes that the proposed development will meet the requirements of TAN15.

NRW has reviewed the hydraulic model which has been developed to support the findings of the up-dated FCA. Subject to the recommendations and layout within the FCA being implemented, NRW advise that the proposal is acceptable in line with the guidance set out in TAN15. In offering no objection to the development NRW does recommend that planning permission be made subject to a condition which specifies minimum finished floor levels for plots 23 (including garage), 26 and 27 to ensure that flood risk is minimal.

Ecology

The application is supported by a preliminary ecological appraisal and subsequently up-dated with specific surveys and assessment in relation to bats and Otter, which are European Protected Species. These reports provide evidence of use of the Nant-y-Gwair by Otters and that the watercourse is important for bats. Both NRW and the Council's Ecologist have offered no objection to the proposed development provided that it proceeds in accordance with the recommendations of the submitted Wildlife Protection and Mitigation Plan that accompanies the application.

Other Issues:

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Drainage

Aside from the issue of fluvial flood risk, the drainage strategy for the proposed development, submitted by the applicant, has been considered by the Council's Flood Risk Management team and is satisfactory. In this regard the application proposal therefore satisfies policy AW10 of the LDP.

Contamination/ground conditions

Public Health and Protection has advised their records show that Glenrhondda Colliery formerly occupied the application site as well as an old railway and tramway, engine house and an old tank. Accordingly, it is considered that there is potential for contamination to exist on site. In this regard the application is accompanied by a site investigation report that acknowledges the potential for there to be buried structures at the site and areas of contamination associated with past industrial use. The report recommends that to evaluate this risk, a phased intrusive site investigation should be undertaken, commencing with trial pits at locations and sampling of soils. Appropriately worded conditions are therefore suggested in the event of planning permission being forthcoming.

Affordable housing

LDP Policy NSA 11 requires 10% affordable housing provision on sites of 10 units or more in the Northern Strategy Area. Therefore, in line with this policy the proposed development requires 4 units of affordable housing to be secured. Based on the Local Housing Market Assessment two of the two-bedroom terraced houses and two of the three-bedroom terraced houses on the site should be made available for sale as Low Cost Home Ownership to Council nominated first time buyers from the Homestep Register. The developer's contribution should equate to 25% of the open market value for each unit, in other words the nominated purchaser should pay no more than 75% of the open market value per unit (see Paragraph 4.2 of the Affordable Housing SPG).

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 however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

Conclusion

Although the LDP is clear that the application site is no longer allocated for residential development and falls outside the nearest settlement boundary, the land has consistently benefited from outline planning consents for residential development and a subsequent full permission for associated highway operations, all granted since June 2006, and therefore deemed to contribute to the proposed supply of new housing over the Local Development Plan period. Moreover, the proposed development is considered sympathetic to the character and appearance of the locality and the Special Landscape Area, and is acceptable in terms of its consequences for management and mitigation of flood risk, ecological interests, highway safety and affordable housing provision in accordance with relevant LDP policies. The proposal is therefore recommended for approval subject to the conditions set out below.

RECOMMENDATION: Approve

RECOMMENDATION: Grant

1. The development shall not begin later than five years from the date of this decision.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

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

- Site Location Plan – Drawing no: 001 Rev A, dated 20.05.16.
- Site Layout and Schedule – Drawing no: UG1559-011 Rev E, dated 21.03.17.
- 2 Bed Terrace Elevations and Floor Plan – Drawing no: UG1559 – sk 013 Rev A, dated 18.05.16.
- 2 Bed Bungalow Elevations and Floor Plan – Drawing no: UG1559 – sk014 Rev A, dated 18.05.16.
- 3 Bed Semi-detached Elevations and Floor Plan – Drawing no: UG1559 – Sk012 Rev A, dated 18.05.16.
- 3 Bed Semi-detached Elevations and Floor Plan - Drawing no: UG1559 – sk015 Rev A, dated 18.05.16.
- 3 Bed Detached Elevations and Floor Plan – Drawing no: UG1559 – sk011 Rev A, dated 18.05.16.
- 3 Bed Detached Alternative Elevations and Floor Plan – Drawing no: UG1559 – sk021 Rev A, dated 18.05.16.
- 4 Bed Detached Elevations and Plan: Drawing no: UG1559 – sk0101 Rev A, dated 18.05.16.
- 4 Bed Detached Alternative Elevations and Floor Plan – Drawing no: UG1559 – sk020 Rev A, dated 18.05.16.
- Drainage and Site Level Strategy – Hydrock Plan Ref: C161250-C0001 Revision E .
- Preliminary Ecological Appraisal, Rev 1, Eco Vigour, May 2016.
- Phase 1 Site Investigation Report – EcoVigour report dated November 2016.
- Update Bat and Otter Surveys – EcoVigour report dated July 2016.
- Wildlife and Habitat Protection and Mitigation Plan – Celtic Ecology dated October 2016
- Flood Consequences Assessment – Hydrock report dated March 2017.
- Design and Access Statement, The Urbanists, May 2016.

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

3. No development shall take place until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- (a) A site investigation shall be carried out by a competent person 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 completed satisfying the requirements of paragraph (a) above.

- (b) A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interest of health and safety and to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The development hereby permitted shall not be occupied until the measures approved in the scheme (referred to in condition 3 above) 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 to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. 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 and approved in writing by the Local Planning Authority prior to the work recommencing.

Reason: In the interest of health and safety and to prevent pollution of the water environment in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

6. 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
 - Nor 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

7. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the off-site highway improvements as shown on layout plan DD06 Rev D, including longitudinal and cross sections, street lighting details, parking bay layout/allocation, secure cycle storage and surface-water drainage and construction details have been

submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with the approved details prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the delivery of the proposed highway improvements to facilitate safe access and egress from the proposed development in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the internal road layouts including longitudinal and cross sections, street lighting details, parking bay layout/allocation, secure cycle storage and surface-water drainage and construction details have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with the approved details prior to beneficial occupation unless otherwise agreed in writing by the Local Planning Authority.

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

9. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted 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 highway safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. The Developer shall provide the occupier of each dwelling with a Travel Plan / Welcome Pack which shall contain the following:-
- Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;

- Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
- Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
- Local and national cycle routes; and
- Any other measures that would encourage use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- The number, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units;
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- The arrangements for the transfer of the affordable housing to an affordable provider;
- The arrangements to ensure that such provision is affordable for both first time and subsequent occupiers of the affordable housing; and
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of affordable housing in the locality in accordance with Policy NSA 11 of the Rhondda Cynon Taf Local Development Plan.

12. The development permitted by this planning permission shall only be carried out in accordance with the Flood Consequences Assessment (FCA), produced by Hydrock dated March 2017, and the following mitigation measures detailed within the FCA:

- The finished floor level of Plot 23 shall be set at 225.15m AOD;
- The finished floor level of Plot 27 shall be set at 225.15m AOD;
- The finished floor level of Plot 23 shall be set at 225.85m AOD
- The finished floor level of the garage associated with Plot 23 shall be set at 224.15m AOD.

Reason: To ensure that flood risk to the proposed development is minimal in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

=====

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

PLANNING & DEVELOPMENT COMMITTEE

7 SEPTEMBER 2017

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 16/0660
33 DWELLINGS AND
ASSOCIATED HIGHWAYS AND
DRAINAGE INFRASTRUCTURE,
LAND TO REAR OF DELWEN
TERRACE, BLAENCWM.**

OFFICER TO CONTACT

**MR P BRISTOW
(Tel. No. 01443 494763)**

See Relevant Application File