

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2017-2018:**

**PLANNING & DEVELOPMENT  
COMMITTEE  
7 SEPTEMBER 2017**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No. 8 (2)</b>
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<b>APPLICATION NO: 12/1282 PROPOSED RESIDENTIAL DEVELOPMENT AND ASSOCIATED WORKS. FORMER TREHERBERT HOSPITAL, TREHERBERT</b>
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**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 **REFUSE** the application in accordance with the advice given below.

**3. BACKGROUND**

This application was last reported to a meeting of the Development Control Committee on 17<sup>th</sup> October 2013 with recommendation that it be approved subject to conditions and the applicant, and any other interested parties, first entering into a Section 106 covering the heads of terms listed as follows:

- A Transport Tariff financial contribution of £58,656 towards improving the strategic highway network;
- A leisure / recreation contribution in accordance with the Local Development Plan requirement ;
- Affordable housing provision across the whole site at a minimum level of 10% in accordance with Local Development Plan requirements (the means of delivery and on-site / off-site splits of these units to be the subject of further discussions and negotiations).

At that meeting Members resolved to approve the application on the above terms, and a copy of the officer report is attached as **APPENDIX A**.

Subsequent to Members' resolution the Legal and Democratic Services Officer is instructed to prepare a draft Section 106 Agreement in these terms. However, despite repeated attempts to the progress the draft Agreement towards conclusion the applicant has failed to respond to the Council's communications and an Agreement has not been reached.

It is acknowledged that since Members' resolution the Community Infrastructure Levy (CIL) has been introduced in Rhondda Cynon Taf, which means that a Transport Tariff contribution can no longer be sought via a Section 106 Agreement. However, leisure / recreation contributions and affordable housing provision can still be sought in accordance with relevant LDP Policies where necessary. Therefore, in the case of this planning application the latter two contributions listed above are still necessary to make the development acceptable in planning terms in accordance with relevant LDP Policies and capable of being sought by Section 106 Agreement. But, as the applicant has not responded to the Council's communication over a considerable period of time, it is assumed he is not prepared to enter into an Agreement on the heads of terms set above. In the absence of agreement to make a leisure / recreation contribution and affordable housing provision in accordance with relevant LDP Policies the proposed development is considered unacceptable in planning terms and is accordingly returned to Committee with an amended recommendation that it be refused for the reason set out below:

*The proposed development is contrary to Policies AW4 and NSA11 of the Rhondda Cynon Taf Local Development Plan because it lacks adequate provision for recreational and leisure facilities and affordable housing to make the development acceptable in planning terms.*

## APPENDIX A

### RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

#### MUNICIPAL YEAR 2013-2014: REPORT NO. ....

	Part 1	Agenda Item No. ....
<p><b>DEVELOPMENT CONTROL COMMITTEE</b>  <b>17 OCTOBER 2013</b></p> <p><b>REPORT OF: SERVICE DIRECTOR PLANNING</b></p>		<p><b>APPLICATION NO: 12/1282 -  OUTLINE PLANNING APPLICATION  FOR RESIDENTIAL DEVELOPMENT  AND ASSOCIATED WORKS, LAND  AT FORMER TREHERBERT  HOSPITAL, TREHERBERT</b></p>

#### 1. PURPOSE OF THE REPORT

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

#### 2. RECOMMENDATION

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

#### 3. BACKGROUND

This application was originally considered at a meeting of the Development Control Committee on 15 August 2013 with a recommendation that it be approved (see **APPENDIX A**). At that meeting Members resolved to defer determination of the application for a site visit that subsequently took place on 28 August 2013 and the application was reported back to Development Control Committee on 19 September 2013 (see **APPENDIX B**). At that meeting Members were minded to refuse the application contrary to the recommendation of the Service Director Planning because they expressed highway safety concerns about the adequacy of the proposed highway access to serve the development. As a consequence it was resolved the application be deferred to the next appropriate meeting of the Development Control Committee for a report on the strengths and weaknesses of taking a decision contrary to recommendation.

The highway considerations in this case are discussed in detail in the report attached as **APPENDIX A**. Members are respectfully advised to consider the following key points:

1. The application site is allocated for residential development in the Rhondda Cynon Taf Local Development Plan which conveys a very strong presumption in favour of the proposed development.
2. The proposed highway access, including the length of shared surface at the site<sup>185</sup> entrance/exit, comfortably meets the

requirements of *Manual for Streets* (highway design guidance) in terms of both its design and anticipated traffic capacity. The proposed access is the only suitable one to serve the development.

3. The proposed shared highway surface at the site access is an acceptable alternative to a conventional highway design as it safeguards all bar one of the trees which are the subject of a Tree Preservation Order at the site. A more conventional highway access design involving vehicular and pedestrian segregation will necessitate the removal of the TPO trees along the site access.

### Summary

**Taking the above comments and the original report at APPENDIX A into account it is concluded that this application is acceptable in land use planning terms and therefore recommended for approval.**

If, however, after further consideration Members are still minded to refuse planning permission then the following wording is suggested which reflect their concerns:

*In the opinion of the Council the proposed development conflicts with Policy AW5 of the Rhondda Cynon Taf Local Development Plan for the following reasons:*

- (i) the proposed shared access off the unnamed off the road leading to the proposed development site will generate vehicular reversing movements to and from the highway creating traffic hazards to the detriment of the safety of all highway users;*
- (ii) the proposed internal road layout is inadequate to cater for safe and satisfactory vehicular access that would result in reversing movements to the detriment of highway safety;*
- (iii) the proposed access serving Plots 36 – 43 lacks an adequate turning facility to cater for all calling vehicles that will result in vehicular reversing movements, creating traffic hazards to the detriment of safety of all highway users;*
- (iv) in the absence of a segregated footway link along the sub-standard carriageway leading to the proposed development site and lack of pedestrian connectivity that relates to adjacent residential development the proposed development would create hazards to the detriment of pedestrian safety as well as being contrary to national advice and policy in terms of sustainable development that would encourage the greater use of private car.*

## APPENDIX A

**APPLICATION NO:** 12/1282/13 (PB)  
**APPLICANT:** Mr D George  
**DEVELOPMENT:** Proposed residential development and associated works (outline).  
**LOCATION:** FORMER TREHERBERT HOSPITAL AND SCHOOL YARD SITE, TREHERBERT, CF42 5PR  
**DATE REGISTERED:** 13/12/2012  
**ELECTORAL DIVISION:** Treherbert

### APPLICATION DETAILS

This is an application for planning permission for the residential development of land at the site of the former Treherbert Hospital, Treherbert. It is submitted in outline, though the appearance, layout and scale of the development and the access to the development are to be considered at this stage, with landscaping of the development reserved for future submission and consideration.

The key features of the proposal are the construction of 43 dwellings and associated works in a layout with development either side of a proposed access road which leads to smaller courtyard areas in the north-eastern and north-western corners. The density of the development is 23 dwellings per hectare. The dwellings will be a combination of detached, semi-detached and link properties, contemporaneously designed, with 88 car parking spaces. The dwellings will be a mix of 3 and 4-bedroomed houses in six different design types.

Access is proposed via a single point of access off the northern arm of the unnamed road/Dumfries Street junction. The access is to be a shared-use facility, aimed to encourage lower vehicle speeds. The access has a pinch point and in order to overcome this 'give way' markings and a single lane priority is proposed on the northern arm of the access.

Landscaping is not a matter submitted for consideration at this stage, however, the application proposals make clear that existing protected trees on the site will be retained, except for one Lime tree which is dead. The majority of the remaining trees will be retained, only those considered by the applicant to be of low-medium value will be removed, whilst additional tree planting and areas of open space are proposed to be provided in mitigation.

The application is accompanied by the following:

- Planning Statement.
- Design and Access Statement.
- Transport Statement.
- Arboricultural Assessment.
- Ecological Assessment.
- Drainage statement.
- Statement of community consultation.

### SITE APPRAISAL

The application site is located within the settlement boundary of Treherbert north of Abertonllwyd Street/Bute Street in an elevated position of the valley side. The site has two access points: one off the A4061 Rhigos Road and another off Abertonllwyd Street/Bute Street which serves Dumfries Street.

The application site comprises two plateau, which are the former hospital site and the former school yard site. The hospital site sits in the northern part of the application site and is an irregularly shaped area of land measuring 1.34 hectares. From the site boundary to Rhigos Road the site falls away through trees and undergrowth to a level plateau which forms the footprint of the former hospital.

The application site falls away again to the south-west to the boundary with the vacant school yard site, which is 0.4 hectare in area, and has some degraded hard surfaces and boundary trees, shrubs and undergrowth. This plateau is mostly level though towards the southern boundary the site falls towards the rear of terraced houses in Dumfries Street, but to the north it rises steeply via two stepped retaining walls to the former hospital site. The site is bounded on three sides by trees, some of which are protected by Tree Preservation Order (TPO no. 58).

## PLANNING HISTORY

09/0816	Former Treherbert Hospital, Dumfries Street, Treherbert, Treorchy	Residential development comprising 2 No. 5 bed houses, 6 No. 4 bed houses and 18 No. 3 bed houses including attached garages/off street car parking spaces and retaining wall structures	Withdrawn 14/01/13
08/1345	Land at Dumfries Street, Treherbert	Residential development comprising 5 No. 4-bed houses, 6no. 3-bed houses, 6 No. 1-bed flats including shared access road	Refused 29/10/09
	Land off Dumfries Street, Treherbert	Appeal against refusal of above application ref 08/1345	Dismissed 27/08/10
08/1322	Land off Rhigos Road Treherbert Treorchy	Proposed development for 28 dwellings and a new access road including the removal of some of the existing trees	Withdrawn 24/11/08
07/2244	Schoolyard site, off Dumfries Street, Treherbert	New Residential development comprising 18 houses and 2 flats	Withdrawn 01/04/08
03/0217	Former Treherbert Hospital Dumfries Street, Treherbert Treorchy.	Proposed alteration to access road & Development of 5 No. Building plots (outline) (revised scheme retaining avenue of mature elm trees)	Granted 07/01/05
02/0689	Former	Outline for Residential Development	Granted

	Treherbert Hospital Dumfries Street, Treherbert Treorchy.	for 24 plots with formation of access road (not reserved for subsequent approval)	14/07/00
00/6182	Treherbert Hospital Dumfries Street, Treherbert Treorchy	Erection of 10 detached houses and garages	Granted 14/07/00

## **PUBLICITY**

Neighbouring properties notified of the application, site notices erected and notice published in the Press.

One letter of objection received from occupiers of a neighbouring property at Cwrt yr Ysgol on the following grounds:

- Close proximity of dwelling on plot 43 to existing property at Cwrt yr Ysgol.
- Loss of privacy, overlooking, over-bearing impact, potential damage to boundary retaining wall, nuisance from car headlights.
- Impact of increased demands on community facilities, such as schools, dentists, GP surgeries.
- Over concentration of affordable housing in one location on site.

## **CONSULTATIONS**

Transportation Section - objects to the proposed development for the following reasons:

1. The proposed shared access off the unnamed road leading to the proposed development site will generate vehicular reversing movements to and from the highway, creating traffic hazards to the detriment of the safety of all highway users.
2. The proposed internal road layout is inadequate to cater for safe and satisfactory vehicular access that would result in reversing movements to the detriment of highway safety.
3. The proposed access serving Plots 36 – 43 lacks an adequate turning facility to cater for all calling vehicles that will result in vehicular reversing movements, creating traffic hazards to the detriment of safety of all highway users.
4. In the absence of a segregated footway link along the sub-standard carriageway leading to the proposed development site and lack of pedestrian connectivity that relates to adjacent residential development, the proposed development would create hazards to the detriment of pedestrian safety as well as being contrary to national advice and policy on transport in terms of sustainable development that would encourage the greater use of private car.

Notwithstanding the above, in the event of the application being approved, based on the requirements set out in the SPG guidelines, a transport tariff

contribution towards improving the strategic highway network is required. This equates to £58,656 and allows for 10% of the development (4 houses) being affordable, therefore excluded from the tariff.

Land Reclamation and Engineering - no adverse comment subject to drainage conditions.

Education - Sufficient surplus capacity in Primary and Secondary schools in this area. No Section 106 contribution required.

Public Health and Protection - no adverse comment though makes suggestions and recommendations in respect of noise, dust, disposal of waste and lighting.

Dwr Cymru/Welsh Water - no adverse comment

Parks and Countryside Section - no record of Statutory Protected Species from immediate site vicinity.

## **POLICY CONTEXT**

### Rhondda Cynon Taff Local Development Plan

Application site within the settlement boundary of Treherbert and allocated for residential development of 50 dwellings (policy NSA 9.15).

Policy CS1 promotes residential development in the north, including development that provides high quality affordable accommodation.

Policy CS4 identifies the new housing requirements that the LDP is to provide.

Policy CS5 identifies the number of affordable housing to be provided.

Policy AW4 lists community infrastructure and planning obligation contributions to be sought in respect of new development.

Policy AW5 and AW6 list amenity, accessibility, design and placemaking criteria that will be supported in new developments.

Policy NSA10 requires a minimum of density of 30 dwellings per hectare on new development sites unless a deviation justified.

Policy NSA11 seeks provision of 10% affordable housing on developments of 10 dwellings or more.

### National Guidance

Planning Policy Wales, Chapter 9 Housing sets out the Welsh Government's policy on housing and planning.

Other relevant policy guidance consulted:

PPW Technical Advice Note 12: Design  
PPW Technical Advice Note 18: Transport



## Manual for Streets

### PLANNING CONSIDERATIONS

The main issues in the consideration of this application are:

- Principle of residential development of the site.
- Access and highway safety.
- Protected trees.
- Planning history.

#### Principle of residential development of the site

As a matter of principle, and unless there are any other material considerations to indicate to the contrary, this proposal is acceptable because it complies with policy NSA9.15 of the Rhondda Cynon Taf LDP, which allocates the site for residential development.

#### Access and highway safety

The highway layout is generally acceptable, but for key two issues which form the substance of a highways objection from the Transportation Section. These relate to the width and shared surface arrangement of the access leading to the site, and width of part of the internal road layout. The main access off the unnamed road into the site has a carriageway width that varies between 4.3m to nearly 5.0m over a distance of 32m and is would be a shared surface catering for two-way vehicular movements and pedestrians. Similarly, the internal road layout has a width of 4.5m for Plots 36 to 43 and 4.8m for Plots 1 to 21.

The Transportation Section consider the main access is unacceptable because it has a substandard carriageway width for two-way vehicular movements and shared pedestrian usage, which would result in reversing movements taking place on a gradient that will create hazards to the detriment of all highway users. They consider a continuous footway link must be provided at this location that ties in with the footway network within the development to provide safe and satisfactory pedestrian access at all times. Also, the Transportation Section consider widths of parts of the internal road layout inadequate to cater for the movement of large vehicles to pass, such as delivery, emergency and service vehicles, particularly when on-street parking takes place. They consider that the internal roads must have a carriageway width of 5.5m to ensure adequate circulation space is provided to cater for safe and satisfactory two-way traffic movements.

The applicant contends the minimum widths of the access leading to the site and of parts of the internal road layout are sufficient to allow two cars to pass simultaneously, in accordance with *Manual of Streets*, figure 7.1, page 79), where it states 4.1m is sufficient width to allow two cars to pass and 4.8m to allow a car and HGV to pass. In addition, the access leading to the site has been designed as a low-speed shared surface road, to encourage motorists entering the area to drive more cautiously and negotiate the right of way with pedestrians on a more conciliatory level.

*Manual for Streets* says that shared surface streets are likely to work well in short sections, or where they form cul-de-sacs; where motor traffic volume is below 100 vehicles per hour, and where parking is controlled or takes place in designated areas. In these regards, the applicant contends the shared surface is acceptable because it is no greater than 50m in length and can be reduced if necessary, the predicted volume of traffic generated by the proposed development is 33 vehicles per hour in the morning peak and 35 in the afternoon peak, and it is anticipated Traffic Regulation Orders will prevent unauthorised parking along the access.

In arriving at a view on the acceptability of the proposal from these conflicting standpoints the following matters have been considered. Firstly, it is evident that the proposed access leading to the site, including the shared surface, and the internal road layout meets the advice of what is considered acceptable highway design in *Manual for Streets*, having regard to estimated peak traffic flows and despite the concerns expressed by the Transportation Section. Secondly, a previous proposal for a similar shared surface to serve a development of 19 dwellings on the former schoolyard site was considered acceptable by a Welsh Government Planning Inspector at appeal in August 2010. Thirdly, provision of a segregated pedestrian access leading to the site would necessitate highway works infringing upon the root protection area of the protected trees, which risks compromising the health of these trees. Fourthly, it is acknowledged that on-street parking is likely to occur on the roads within the development, which may not be ideal from the point of view of traffic flows; nevertheless it is a common and often an unavoidable feature of urban streets.

Taking the above into account it is concluded the proposals would not have a significantly harmful effect on highway safety both at the proposed access and on the roads serving the site, therefore is not incompatible with transport considerations in policies AW5 and AW6 of the LDP.

### Protected trees

The access to the site off the unnamed road at the southern boundary, intended to be laid out as the principal access to the development, is flanked by Lime trees that are the subject of the *Former Treherbert Hospital Site Tree Preservation Order 58 2003*. The protected trees form an avenue although there is a substantial gap on the left hand (west) side of the access where one of the protected trees, number 118 in the Order, has died. Several of the protected trees have been vandalised by ring marking, though appear to remain in reasonable health apart from tree number 118. It is evident from their inclusion with a TPO that the protected trees have significant public amenity value.

The proposed development safeguards the protected trees, part from Tree number 118, which is dead and therefore intended to be removed. The proposed access to the development is designed as a shared surface in accordance with *Manual for Streets* that avoids the necessity of removal of any of the live protected trees.

It is concluded that the proposals would not have an unacceptable effect on the protected trees on the site and, therefore, is not incompatible with policy AW5 of the LDP.

### Planning history

It is acknowledged the application site has a chequered planning history and that the last proposal for residential development of the former schoolyard site was refused planning permission and a subsequent appeal dismissed solely on grounds of the effects on the protected trees. However, it is important to consider that the present application has adequately addressed the key issues, namely the consequences for highway safety and the protected trees, which have caused some of the previous applications to fail.

### Other issues

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

Privacy and residential amenity: The layout meets the generally acceptable standards for space between existing and proposed dwellings such that there is little prospect of the development affecting the privacy of neighbours. The occupier of a property at Cwrt yr Ysgol has made representations to the contrary, but it is considered the design and orientation of the nearest proposed dwellings to Cwrt yr Ysgol will not be unduly close and over bearing nor will it cause undue overlooking despite the difference in levels between the two adjacent sites.

Appearance of the development: This is considered satisfactory and has attracted no adverse comment from consultees or members of the public.

Ecology: The proposal does not affect any wildlife habitat designations and protected species.

Construction noise, dust suppression, site drainage and landscaping: These are matters that can adequately addressed by conditions in the event of planning permission being granted.

Planning obligation contributions: In accordance with Policy AW4 of the LDP these are required to make the development acceptable, and relate to the consequences of the proposal for the strategic highway network, public open space and affordable housing. These are matters that so far have not been negotiated in great detail with the applicant, though it is recommended they be made the subject of a Section 106 Agreement to be negotiated in the event of a resolution to grant planning permission.

To summarise, therefore approval of the application is recommended because, as a matter of principle, residential development of the land is in accordance with the LDP, in which it is an allocated housing site. The other key material considerations are the consequences of the proposal for the highway safety and protected trees, together with the planning history of the site. The proposal incorporates a shared surface access leading to the site and internal road layout, which in the view of Highway Officers lack both adequate width for safe two way passage of vehicles and separate footway provision for pedestrians to the detriment of highway safety. However, the proposed access meets the criteria for shared surfaces and highway design in

*Manual for Streets* and avoids affecting the protected trees along the site access, therefore on balance is considered acceptable. All of the protected trees on the site, subject to a Tree Preservation Order, are to be retained, other than one specimen which is dead. Therefore, the proposal has satisfactorily addressed the chief issues that have caused previous planning application proposals to fail. In all other regards the proposal is considered acceptable, or capable of being made so by suggested conditions and a legal agreement.

## RECOMMENDATION

That Committee resolve to APPROVE the application subject to:

- The recommended conditions set out below in this report;
- The applicant (and any other interested parties) first entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 to secure a minimum package of Planning Obligations contributions comprising:
  1. a Transport Tariff financial contribution of £58,656 towards improving the strategic highway network;
  2. a Leisure/Recreation contribution in accordance with LDP requirements;
  3. Affordable housing provision across the whole site at a minimum level of 10% in accordance with LDP requirements (the means of delivery and on-site/off site splits of these units to be the subject of further discussions and negotiations).
- That the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the development or permission;
- Dependant on Members' resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussion with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations

## RECOMMENDATION: Grant

1. (a) Approval of the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.
 

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Application for the approval of the reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

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

2. The details of landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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.

3. 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.

4. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon. If any trenches for services are required in the fenced-off areas they shall be excavated and back-filled by hand and any tree roots encountered with ~~100~~ a diameter of 5cms or more shall be left

unsevered.

Reason: To protect the existing trees on the site during the course of building work 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:

An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;

Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;

A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).

Persons responsible for:

- Compliance with legal consents relating to nature conservation;
- Compliance with planning conditions relating to nature conservation;
- Installation of physical protection measures during construction;
- Implementation of sensitive working practices during construction;
- Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- 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. Building operations shall not be commenced until samples of the external materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until drainage works have been implemented 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.

10. Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering design and details of the road layout, traffic calming, footpath links street lighting, surface water drainage and highway structures including longitudinal and cross sections have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be fully implemented in accordance with the approved engineering to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

11. Surface water run-off from the proposed parking areas shall not discharge onto the public highway. No part of the development shall be occupied until drainage works to the development's parking areas and driveways have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

12. Off-street parking shall be in compliance with Rhondda Cynon Taf Supplementary Planning Guidance on Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure adequate parking facilities are provided within the curtilage of the site in the interest of highway safety and policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

13. 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;

- a) the means of access into the site for all construction traffic;
- b) the parking of vehicles of site operatives and visitors;
- c) the management of vehicular and pedestrian traffic;
- d) wheel cleansing facilities;
- e) the sheeting of lorries leaving the site.

throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interest of the safety and free flow of traffic in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

14. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

15. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5<sup>th</sup> Edition) November 2012.

16. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5<sup>th</sup> Edition) November 2012.

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**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: 12/1282  
PROPOSED RESIDENTIAL  
DEVELOPMENT AND  
ASSOCIATED WORKS. FORMER  
TREHERBERT HOSPITAL,  
TREHERBERT**

**OFFICER TO CONTACT**

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**See Relevant Application File**

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