



PLANNING & DEVELOPMENT COMMITTEE

21 MARCH 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0334/16
(DJB)

APPLICANT: **Persimmon Homes West Wales**

DEVELOPMENT: Reserved Matters application for 1st phase of Parc Llanilid (10/0845/34) to include 216 residential dwellings and associated landscaping, re-profiling, access and highway works and subsequent discharge of conditions (16/20/21/25/26/31/35/36/37/48 as imposed on 10/0845/34). Amended application site red line plan (PL01 Rev 'E') received 14/08/2018. Revised description 03/09/2018.

LOCATION: **LAND TO THE NORTH OF THE A473, LLANILID**

DATE REGISTERED: **14/05/2018**

ELECTORAL DIVISION: Brynna

RECOMMENDATION: Approve, subject to a S.106 Agreement (Deed of Variation) and Infrastructure Payment Agreement (IPA)

REASONS:

The application site constitutes part of one of the Council's Strategic Sites (Policy SSA9 refers) as identified in the Rhondda Cynon Taf Local Development Plan. This scheme represents the first submission of reserved matters pursuant to the outline element of the 'hybrid' permission granted for up to 1850 new dwellings across the Llanilid site.

The principle of the development of this site for residential purposes was accepted by the Council in the granting of the hybrid application 10/0845 in January 2016.

The proposed scheme will deliver 216 modern, high quality new homes in an area of high demand.

The proposal is considered to comply with the relevant policies of the Council's LDP as well as national planning policy and guidance.

REASON APPLICATION REPORTED TO COMMITTEE

The application seeks reserved matters approval for 10 or more dwellings and therefore is for a scale of development for which powers are not delegated to the Service Director Planning.

APPLICATION DETAILS

Wider Context and Background to the Application

In 2010 an application (10/0845) was submitted to the Council for a far larger area than the area covered by this 'first phase' of reserved matters. That 'hybrid' planning application sought a combination of both outline and full planning permission for a large scale development on a site which incorporates part of the former Llanilid Open Cast Coal Site (OCCS), together with land to the north of the A473. The whole 10/0845 site has an area of 75.35 hectares, of which approximately 50 hectares is considered to be developable.

Application 10/0845 sought planning permission for a comprehensive development, comprising residential development of up to 1850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3 retail/services/food and drink floorspace; Class B1 office/commercial floorspace.

That application was initially presented to the Council's former Development Control Committee on 10 November 2011, where Members resolved to grant the application, subject to conditions and the applicant first entering into a Section 106 Agreement.

The purpose of the S.106 Agreement was to secure:

- the provision of a new primary school;
- a Transport Tariff financial contribution;
- a leisure/recreation and ecology biodiversity contribution;
- the provision of affordable housing across the site;
- a 'Local Road Contribution' (£170k) for Bridgend CBC;
- a 'Rail Contribution' (£350k - for works to establish a bridged crossing over the main London – Swansea railway line that runs immediately to the north of the boundary of the site) for Network Rail
- the provision of the village/district centre;
- the employment of local people for landscape management;
- provision of the Community Building; and,
- the provision of Changing Rooms.

Following Members resolution the applicant, Cofton (Wales) Limited failed to complete the Section 106 Agreement before 31 December 2014. The 31 December 2014 date is important as this is the date that the Council's Community Infrastructure Charging (CIL) Levy came into effect and elements of provision such as transport tariff payments and education provision were covered by CIL.

Given the fact that the S.106 had not been completed (further to the November 2011 resolution to grant) and the implications of CIL as it related to this development a further, updated report was presented to the 16 July 2015 meeting of Development Control Committee when Members were asked to reconsider the application under the CIL regime.

The updated report made it clear that the transport tariff contribution (of £6.3m) identified within the original draft S.106 Agreement could no longer lawfully be required as a payment in the S.106 Agreement. Further, it was confirmed that the Council could accept an early CIL payment of circa £5.5m (this being the cost, at the time, of the primary school building and the first 7 classrooms). This amount would in effect be off-set against future CIL payments until the cost of the provision had been met. After this time CIL would be charged and paid as normal. In addition it was confirmed that the £2m secondary education contribution required within the terms of the draft S.106 would however, not be incorporated within the 'new' S.106 Agreement and no contribution would be required.

Following consideration of the updated report at the 16 July 2015 meeting Members again resolved to grant the application, subject to conditions and the applicant first entering into a S.106 Agreement (which this time removed the transport tariff and education financial contribution elements, as these were now covered under CIL).

The S.106 Agreement was subsequently completed and the planning permission granted on 28 January 2016.

The current reserved matters application represents the first submission of reserved matters pursuant to the granting of application 10/0845.

The current application

This application seeks reserved matters (access, appearance, landscaping, layout and scale) approval for a scheme of 216 new dwellings, a development which represents the first phase of residential development on the Llanilid Strategic Site. *(Note for Members: somewhat unhelpfully the most recently submitted layout plan PL01 rev 'H' indicates plot nos. up to plot 237. However the 216 units are indicated as follows – plots 1-67 (67 units), plots 72-127 (56 units), plots 131-163 (33 units), plot 170 (1 unit) and plots 179-237 (59 units))*

In addition the scope of the application seeks to agree details for a number of conditions (nos, 16, 20, 21, 25, 26, 31, 35, 36, 37 and 48) as imposed on the 'parent' hybrid (part full/part outline) planning application (10/0845).

The proposed scheme confirms a development of 216 new dwellings, comprising:

- 151no. Persimmon house types (spread across 9 different house type styles/designs of 2 bed (29 units), 3 bed (83 units) and 4 bed (39 units) size);
- 43no. Charles Church house types (spread across 7 different house type styles/designs of 4 bed (27 units) and 5 bed (16 units) size); and,
- 22no. Affordable Housing house types (spread across 4 different unit types – providing 1bed (8 units), 2 bed (9 units), 3 bed (4 units) and 4 bed (1 unit) accommodation)

The entire site lies on the northern side of the A473 at the western extent of the wider Llanilid outline permission (10/0845) site on what is currently 'green field' land.

Two new points of access will be created to/from the A473. The eastern most of these will also incorporate the provision of a new roundabout feature within the A473 carriageway, with a '4th' spur giving access to the south, which will then be used to provide access for a later phase of development, which will be the subject of a separate future submission. The western most access, serves only 9no (plots 82-90) of A473 frontage properties within the Charles Church part of the scheme and in essence creates a hammerhead entrance, with private drives accessing from both sides.

Between the two new vehicular access points referred to above a third point of vehicular access already exists. This is an un-named lane that currently provides access to 6 residential properties - 5 at the southern end (on the site of the former property Rhyd y Gofer Bungalow) in close proximity to the A473 and one (Rhyd Lethin) at the far, northern end of the lane near the railway line. This lane will be upgraded in terms of carriageway width, provision of footpaths, visibility splay, entrance apron etc.

SITE APPRAISAL

The site the subject of this submission of reserved matters lies entirely within the much larger site, which was subject to a hybrid application 10/0845 (part full/part outline) approval in January 2016. The site identified by this current submission of reserved matters comprises green field land on the northern side of the A473 and lies at the western end of the wider site defined by the 10/0845 permission.

The whole of the wider 10/0845 site had an area of just over 75 hectares (185 acres). The area of the site defined by this reserved matters submission amounts to 9.34 hectares (23.1 acres) and represents the first phase of residential development.

In general the topography of the site is gently sloping/undulating across its extent. Across the depth of the site (approx 285m) from the southern end of the un-named lane to its northern end the site levels fall by around 10m (59mAOD to 49mAOD).

The site has a frontage to the northern side of the A473 of some 620m. The site is currently green field grazing pasture with tree/hedge defined field boundaries. The northern extent of the scheme is largely defined by the course of the Nant y Gofer, albeit the red line boundary does deviate around the curtilage of the residential property known as Rhyd Lethin at the northern end of the un-named lane and does extend across onto the northern side of the Nant y Gofer in order to facilitate the provision of a drainage attenuation lagoon.

A single residential property, Tyn-y-pwll Cottage lies on the southern side (approximately 70m away) of the A473, opposite plots 88/89/90 at the western end of the proposed development. A short distance of less than 50m to the west lies the roundabout on the A473 which provides an access spur to the Llanilid film studio/silent stages buildings.

PLANNING HISTORY

18/1177	Discharge of condition 22 (as imposed on 10/0845)	Pending
18/1095	Discharge of condition 27 (as imposed on 10/0845)	Pending
18/1065	Discharge of conditions 32, 41, 42, 43 and 44 (as Imposed on 10/0845)	Pending
10/0845:	Comprehensive development comprising residential development of up to 1850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3 retail/services/food and drink floorspace; Class B1 office/commercial floorspace; new drainage services, transport and highways infrastructure, strategic landscape areas and public open space.	Cond Perm, subject to a S.106 28/01/16

PUBLICITY

The application has been advertised by means of direct neighbour notification letters, site notices and the insertion of a press notice.

In response 8no. letters/emails have been received raising objections to the proposals. One objector has requested that their second email, which raises further/more detailed points be considered and considered as an appendix to their original letter. Since then the objectors have submitted a third email, with further comments/objections. The objections raised are summarised as follows:

- The 'brownfield' area of the site should be developed before the 'greenfield' areas;
- Concern is raised with regard to the proposed access arrangements for plots 76-81 and that these be served via the access that serves plots 81-85. This could be achieved if plots 81/82 were moved back;
- The provision of bollards is required adjacent to Ty Alaw, plot 1 Rhyd y Gofer to prevent vehicular access beyond the 5 existing houses and the lane being used as the main access to the site;
- Changes should be made to the orientation of plots 74/75 as they are out of character with existing properties;
- There are no extra community facilities within these first phase of building, with the consequence that there will be additional pressure on already overstretched services, such as doctors, schools etc..;
- Inadequate consultation on the application;
- The Llanharan bypass should be built before any further development is allowed;
- The application does not make clear what will happen to existing mature trees on the northern boundary of the site and without this information it is not possible to assess the visual impact of the scheme from the north;

- The proposal is contrary to the LDP's Core Strategy policy to prioritise the re-use of 'brownfield' land over 'greenfield' land;
- The outline proposals for this part of the site suggested the area would be developed for a limited amount of high quality premium housing, not an estate of 217 town houses;
- The removal of trees and hedgerows is contrary to sustainable development;
- The development will result in serious congestion on the A473;
- As the ground levels are higher the development would result in overshadowing and loss of privacy for Rhyd Y Gleddyn Farm;
- The developer must ensure that Japanese Knotweed is not spread;
- There is no scheduled time frame for the development;
- Access needs to be maintained for neighbouring properties at all times during construction;
- The hedgerows, which also contain some large mature trees and Bluebells, to be removed act as important green corridors for wildlife (including hazel dormice, a UK and European protected species, bats and birds) and three of the hedgerows to be lost are 'ancient hedgerows';
- A 1.8m strip of pavement and 1.8m strip of road outside the front of the 5 houses at the southern end of the un-named lane is in private ownership;
- The principles and aspirations, as set out in the applicant's Urban Design Statement do not appear to translate to the actual proposed layout;
- The existing 5 properties have joint ownership of a private sewage treatment plant on land which is shown as being to the rear of plot 72, with pipes leading to the Nant y Gofer (with NRW environmental/discharge permits in place);
- Notwithstanding assurances given by the applicant/developer at a site meeting in respect of the existing access, the submitted plan does not reflect this;
- Additional traffic going past our house will have an adverse impact on our amenity;
- The Council has a legal responsibility to protect the hedgerow/s;
- The applications fails to provide green corridors to the benefit of fauna, flora, existing residents and the potential occupiers of the proposed new houses.

CONSULTATION

Transportation Section – Initially highway objections (dated 14/06/18) were raised to the application. However, following the receipt of revised plans it is now confirmed (in further observations dated 31/08/18 and 11/12/18) that **no objections** are raised to the proposed development, subject to conditions.

Within their consultation response the Transportation Section make comments are made in respect of issues of:

- Site location and the application red line boundary;
- Internal estate roads;
- Levels of parking provision;
- Phasing Plan;
- Site Investigations Report;
- Travel Plans and Safe Routes in Communities; and,
- Commuted Sums.

It is also noted that the Highway Authority will require the Developer to enter into legally binding agreements (S38 and S278 of Highways Act 1980 and S111 of the Local Government Act 1972) to secure the proper design and implementation of the proposed works to the existing highway and the internal roads, footways and highway drainage including an appropriate bond. In addition, the Highway Authority will require the developer to undertake Statutory Consultations in respect of any Traffic Orders associated with the proposed development including the implementation of such orders granted.

Natural Resources Wales (NRW) – following several rounds of consultation with NRW they confirmed in their last response (dated 30 January 2019) that subject to the imposition of appropriate conditions (as detailed in their letter), which would address significant concerns that they have identified then would raise **no objection** to the application

Dwr Cymru/Welsh Water – raise **no objection** to the application.

It is confirmed that DCWW are not the current water or sewerage undertaker for the area, the subject of this application. Consequently we would not normally comment on this application and would suggest you re-direct any enquiries referring to this particular application and/or any future applications that fall within the area identified to Scottish and Southern Energy (SSE) who are the appointed water and sewerage undertaker for the area shown. Although SSE are the inset appointee for this area Dwr Cymru Welsh Water (DCWW) still have public assets within the inset curtilage and retain statutory rights over the public sewers and watermains that cross the area of land in question. Accordingly your attention is drawn to the location of the attenuation lagoon annotated on the Planning Layout drawing no. PL-01 which is in close proximity of a strategic asset. Due to the strategic nature of these assets more information on the design and proposed location of this lagoon to the East of the Nant Y Gofer, South of the Ewenni Fach is required to establish that no detriment is caused to our assets and / or the environment. Therefore, in the interest of all parties concerned, if any development is to impact within the safety zones please continue to liaise with us on any development that is proposed within close proximity to any DCWW public assets.

Scottish & Southern Energy – confirm that SSE Water is the licensed water and sewerage service provider for this area. SSE Water has no assets within the proposed development area. We have **no comments** to make at this stage.

Public Health & Protection – raise **no objections** to the application. Comments are made in respect of issues of noise, air quality, contaminated land, dust, disposal of waste and lighting.

Countryside Section (Landscape & Ecology) - following the additional work undertaken and mitigation works proposed **no objections** have been raised.

Flood Risk Management Section (Drainage) – raise **no objections** to the application.

The Coal Authority – has **no objection** to the reserved matters submission.

Glamorgan Gwent Archaeological Trust Ltd – raise **no objections** to the application. We have considered the detailed information contained on your website. Included in this information is a Written Scheme of Investigation (WSI) for an archaeological watching brief, prepared by Rubicon Heritage (dated January 2018, ref. OCQL 17). The WSI sets out an appropriate programme of work for an archaeological watching brief at Land to the North of A473, Llanilid. The requirements for archaeological mitigation as set out in the submitted WSI need to be fulfilled; *archaeological work on site must now be undertaken and a report on that work produced*, as such we recommend you *partially discharge* condition 37 of 10/0845/34.

South Wales Police (Designing Out Crime Officer) – raises **no objection** to the application. However, comments/recommendations are made in respect of the need to carefully consider issues such as; lighting, the provision of defensible space to the front of dwellings, the location and design of parking areas, maximum speeds on estate roads, location and design of pedestrian routes/links, location and design of areas of public open space (inc. play areas) and ‘Secured by Design’ status.

Bridgend County Borough Council (adjoining LPA) – have **no objections** to the application.

Llanharan Community Council – have indicated neither support for, nor objection to the application within their response. However, they do identify a list of specific points. These include: the location and design of the play area and the speed of the internal estate at this point, the location and size of new landscaping/planting (trees should be mature, not saplings), provision of adequate lighting, existing trees/hedgerows to be retained should be protected during construction, provision of a pedestrian crossing on the A473, provision of a footpath to link with Trenos Gardens on the northern side of the A473, access along the un-named lane should be blocked beyond the existing 5 houses, remove plot 73 so as not to interfere with existing drainage arrangements, design of hard surfaced areas, provision of bin collection points and affordable housing provision.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. Key criteria that will be considered in seeking to achieve this aim are identified.

Policy CS3 - in order to promote sustainable growth this policy allocates a number of specific ‘Strategic Sites’ across the County Borough for the development of a mixture of large scale residential, employment, retail and recreational purposes (Former OCC Site, Llanilid, Llanharan is identified as site no. 8 (Policy SSA9)).

Policy CS4 – sets down the requirement for the development of new dwellings within the County Borough during the LDP plan period. Of the 5,000-5,450 units identified to be provided across the Strategic Sites the Llanilid site should provide 1,950-2,100. *(Note for Members: 248 dwellings have already been approved, as ‘enabling development’, on a different part of the Llanilid site under ref: 06/1485 (outline) and ref: 07/2152 (reserved matters). Hence the reason that the hybrid (part outline/part full) application sought to gain permission for the balance of 1,850 dwellings).*

Policy CS5 – confirms the need for the housing requirements identified in Policy CS4 to contribute to the provision of affordable housing over the plan period.

Policy AW4 – confirms that the Council may seek planning obligation contributions in association with new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making.

Policy AW7 - seeks to protect and enhance the built environment.

Policy AW8 - seeks to protect and enhance the natural environment.

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

Policy SSA6 - identifies criteria for new development in the key settlement of Llanharan.

(Supporting paragraph 6.125 states “Through the identified Strategic Site at Llanilid, which includes large-scale residential and commercial proposals, Llanharan will continue to experience significant new development. The Council recognises that new development must be supported by appropriate local services and infrastructure in order to meet the needs of the existing and future community.”)

Policy SSA9 - allocates the site (as a Strategic Site, as identified under Policy CS3) for the residential development of between 1,950-2,100 dwellings, together with provision of 2500sq.m. (net) of retail floor space, a medical centre, library/community centre, a new primary school and associated public open space.

Policy SSA11 – identifies the need for new residential development to achieve satisfactory levels of build density. (Justification has to be provided for a build density of <35 dwellings per hectare).

Policy SSA12 – identifies the need for new developments of 5 dwellings or more to provide 20% affordable housing.

Supplementary Planning Guidance (SPG)

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

Rhondda Cynon Taf LDP SPG – Affordable Housing (March 2011)

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

National Guidance

Planning Policy Wales (Edition 10, December 2018)

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. PPW (Edition 10) sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Wellbeing of Future Generations Act in to planning.

It is considered that the current proposals meet the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and the site is being brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by Chapter 2, People and Places: Achieving Wellbeing Through Placemaking of the new policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 - Managing New Development.

Chapter 3 - Strategic and Spatial Choices.

Chapter 4 - Active and Social Places

Planning Policy Wales Technical Advice Notes (TANs):-

TAN 2: Planning and Affordable Housing (2006)

TAN 5: Nature Conservation and Planning (2009)

TAN 11: Noise (1997)

TAN 12 Design (2016)

TAN 15: Development & Flood Risk (2004)

TAN 16: Sport, Recreation and Open Space (2009)

TAN 18: Transportation (2007)

Government Circulars

Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

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 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.

Principle of the proposed development

This application is a submission of reserved matter details, which represent the first phase of residential development at the Llanilid site that benefits from an outline permission for up to 1850 new dwellings. In addition the application also seeks to agree details in respect of conditions imposed on the 'parent' hybrid (part full/part outline) consent.

It should be recognised that the principle of residential development has already been established, by the Council's granting of the hybrid application 10/0845 in January 2016. The consideration of this application relates to the details submitted pursuant to the outline element of that permission.

The reserved matters scheme proposed

The proposed development layout incorporates 216 new dwellings.

Plots 74 – 116 (43 units) will be Charles Church house types, comprising 7 different house type designs and all are 4 (27 units) or 5 (16 units) bed detached houses.

Plots 1 – 67, 72/73, 117 – 127, 131 – 163, 170 and 179 - 237 will be Persimmon house types, within which 22 plots (nos. 138 - 141, 189/90 and 222 - 237) will comprise the units of affordable housing. The Persimmon house types comprise 1 bed (8 units) 2 bed (38 units), 3 bed (87 units) and 4 bed (40 units) within detached, semi-detached and link style house type designs.

In respect of external finishes the proposed dwellings across the whole site will incorporate the use of red stock and buff stock brickwork, grey coloured reconstituted stonework and Marley smooth grey roof tiles.

The whole site lies on the northern side of the A473 (Bridgend Road) towards the western end of the larger Llanilid site for which the hybrid permission 10/0845 granted consent for up to 1850 units in January 2016.

A Local Equipped Area for Play (LEAP) is proposed within the development. This will be to the front of the houses on plots 212 – 217.

It is considered that the proposed design and layout of phase 1 complies with policies AW5 and AW6 of the LDP and the broad principles established under the outline element of permission 10/0845.

Highways/access/parking

The development will be served by three points of vehicular access to the A473. Two of these are new access points and one is an upgraded access. The use of private drive arrangements is incorporated throughout the proposed layout.

Towards the western side of the scheme frontage to the A473 it is proposed to create a new access point which will lead to a very short hammerhead road, giving access from either side of the of hammerhead to a limited number of properties, plot nos. 82 – 90 (9 houses in total). All these houses are within the Charles Church part of the development and they face towards the A473, with the exception of plots 82 and 90. In the case of plot 82 an attached double garage is sited between the side elevation of the house and the A473 frontage; whilst in the case of plot 90 the southern side elevation fronts the A473 frontage. The Transportation Section has raised no objections to this proposed access arrangement.

Approximately 75m to the east of the un-named lane and A473 junction it is proposed to create a new roundabout junction on the A473. The east/west spurs will be the A473, with the northern spur providing a 6.5m wide 'distributor' road access (with 2m footway on one side and a shared pedestrian/cycle on the other side) into the proposed development and a proposed southern spur providing access to a later phase of residential development.

The internal estate distributor road, towards its upper (northern) extent curves to the north-east over the Nant y Gofer, thereby providing a source of access to extend through into a following phase of development on the adjoining land. This northern spur and a further eastern spur off this road will in effect provide access to the properties (plots 1 – 65) on the eastern side of the development.

A western link approach road off the distributor road links to the currently un-named lane which is to be significantly upgraded.

Between the two new proposed vehicular access junctions to the A473 is the existing un-named lane junction with the A473. This lane runs directly north from the A473 and currently serves 5 detached properties at the southern end and the single detached property known as 'Rhyd Lethin' at the far northern end. This lane also provides vehicular access to a pumping station facility at the northern end of the lane and pedestrian access to the 'at grade' pedestrian crossing over the London –

Swansea mainline railway and to Brynna Woods beyond, on the northern side of the railway.

It is proposed to significantly upgrade this lane in order to provide a 5.5m wide estate approach road (with a 2m footway on each side) and junction to the A473. These works will require the removal of lengths of existing hedgerow along the lane. It is acknowledged that this will alter the existing character of the lane, as it will become a modern housing development internal estate road, with new housing either side.

Plots 72 - 75, 117 – 124, 127, 131, 191, 193 – 199 and 205 – 207 will be served directly from the upgraded road. In addition private drives taken from this road will serve plots 76 – 81 and 200 – 204.

Objections have been received from occupiers of some of the existing properties at the southern end of the existing un-named lane in respect of the siting of plots 74/75 and also the private drive plans serving plots 76 – 81. However, the Transportation Section has raised no objections to these proposed arrangements.

In respect of car parking provision across the scheme the maximum requirement as set out in the Council's adopted SPG would be 588 spaces (not including any provision for visitors, which it is accepted can be accommodated within the highway itself). The proposed layout provides for 560 spaces. Specific concern is raised regarding the provision of only 5 spaces to serve the 3 bed 'Souter' house types on plots 160/161/162, as the maximum requirement would be 9 spaces. At this location it is considered that additional vehicles parked on street could interfere with turning manoeuvres at the adjacent turning head. However, the Transportation Section have recognised that the development is within walking distance of public transport and local amenities and have accordingly, on balance assessed that the parking provision is of an acceptable level.

Impact on residential amenity and character of the area

The proposed development comprises the first phase (216 dwellings) of a much larger site (for up to 1850 new dwellings) which has the benefit of outline planning permission and allocation as a Strategic Site (SSA9) within the Council's LDP.

It is accepted that the character of this (phase 1) site and the wider Llanilid site will change. However, this impact and consequence was fully and properly considered at the outline stage (under 10/0845). The principle of residential development on this site is established.

It is accepted that there will be an inevitable impact on the occupiers of those 5 properties at the southern end of the un-named lane which runs north-south to/from the A473. These properties currently stand surrounded on 3 sides by green fields and as a consequence of this development will be surrounded on 3 sides by new housing (plots 55-61 and 72-76). Whilst necessary privacy distances are maintained between proposed new houses and the existing 5 properties there will clearly be a change to the character of the immediate locality, as it currently exists.

It is considered relevant to note however, that the developer/s of the site occupied by the 5 relatively new houses (Ty Alaw, Ty Gwlad, Gwaun Hir, Rhyd-y-Gofer and

Chads Place) was/were well aware of the wider Llanilid allocation and proposals when applying for the redevelopment of the site, which was formerly occupied by Rhyd y Gofer Bungalow. An application submitted in 2004 (04/0939) to extend Rhyd y Gofer Bungalow was refused because of the adverse impacts given its countryside setting. However, the current LDP incorporated the site, as well as all the surrounding land, within settlement limits and the Strategic Site (SSA9) allocation. Following this change in policy circumstance a further application (12/0743) was made to demolish Rhyd y Gofer Bungalow and redevelop the site in order to erect 4 new houses, which was approved on 29 November 2012. A further application (16/0723) followed in 2016 seeking permission for a 5th house at the site, which was approved on 30 November 2016.

In addition there will be impacts on the property, Rhyd Lethin at the northern end of the un-named lane. The access to Rhyd Lethin will be via the new estate road (which will in effect replace the current lane) and new houses (plots 187-191) will be built to the southern boundary of the property curtilage.

Whilst acknowledging the consequences of the development on the occupiers of these identified properties it is not considered that the impacts of this submission reserved matters are so significant as to justify a refusal of consent.

In considering the wider area the next nearest properties lie on the other (northern) side of the London-Swansea mainline railway which runs to the north of the site (Fern Bank House) and Tyn-y-pwll Cottage, which lies on the southern side of the A473. It is not considered that the proposals will have a significant impact on the levels of residential amenity currently enjoyed by those occupiers or the amenity of any occupiers of properties standing a further distance from the application site.

Accordingly it is therefore considered that the proposal will comply with Policy AW5 of the Council's LDP.

Trees/Hedgerows and Ecology/Biodiversity

During the course of the planning consideration process issues of ecological importance at the site have been identified by NRW, the Council's Ecologist and objectors to the application. In addition, concerns regarding the impact of the development on protected species and habitat have been raised by objectors to the application.

As a consequence the applicant has been required to undertake further pre-construction survey and assessment work undertaken in order to address the issues and concerns raised. This further work has fed into updated versions of the submitted Management and Maintenance Plan (MaMP) (with the most recent version now being v.6). *(This document is also submitted in respect of separate application 18/1065, which seeks a discharge of conditions, including conditions 32, 43 and 44 as imposed on 10/0845).*

The site currently features irregularly shaped fields, defined by mature trees with groundcover comprising in the main grassland and scrub. A woodland belt stands

along the northern boundary, south of the railway line. There is also a woodland area in the south western part of the site.

The MaMP includes a plan (ref: A106819 TRR.01(F), at Appendix G of the document which confirms which trees and hedgerows are to be retained and which are to be removed.

The significant majority of trees and hedgerows are to be retained, with the majority of these being around the western periphery of the site, standing around the site boundary and along the northern boundary, together with those trees and lengths of hedgerow that follow the course of the Nant y Gofer.

It is inevitable, however, that in order to accommodate the development some trees and lengths of hedgerow will be lost as a consequence. There are six locations where there will be the loss, either completely or in part, of some trees/hedgerows, these being:

- a run of some 6 trees that form part of the existing tree lined field boundary towards the north eastern part of the site (in the proposed layout occupied by new highway and plots 143, 144 and 183);
- a field boundary towards the western extent of the site occupied by a short length of hedgerow and approximately 22 trees (in the proposed layout occupied by new highway and plots 104, 110, 111, 112, 122 and 123);
- the lengths of hedgerow (and some individual trees) either side of the existing narrow access lane that runs north-south through the site (in the proposed layout this lane is to be upgraded/widened to adoptable highway standards);
- with the exception of 3 trees to be retained, the field boundary trees to the east of the existing access lane (in the proposed layout where the new roundabout junction to the A473 is to be created, together with an area to be occupied by plots 214, 215, 216 and 217). In addition a number of trees will be removed on the southern side of the A473 in order to create the southern access spur to the new roundabout, facilitating a point of access to serve a later phase of development;
- approximately half of the trees along a field boundary within the eastern half of the site (in the proposed layout occupied by new highway and plots 29, 30 and 31);
- the loss of 4 trees along the route of Nant Y Gofer in order to facilitate new access through to the land (outside the current reserved matters application site, but within the wider site benefiting from outline planning permission) to the east. The number of trees now lost at this point is less than was originally proposed as the applicant has looked again at the engineering layout of the road design at this point and as a consequence more trees will be retained. In addition, it is proposed to provide additional Oak and Hazel planting in order to strengthen the boundary feature at this point.

Moving forward the applicant has outlined within the submitted MaMP mechanisms for the future maintenance and management of the trees and green spaces (formal and informal) within the development. The proposal is to establish an Estate Management Company, which will be funded by annual contributions by the homeowners will be used to manage the habitats created.

As well as positively contributing in terms of visual landscape the trees/hedgerows also have an important role as green habitat corridors which enable connectivity and functionality.

Initially some concerns were raised by both the Council's ecologist and NRW and in order to address these concerns the applicant was asked to undertake further survey work to establish the likely presence and potential impacts on European Protected Species (dormice, bats and otter) at the site.

In seeking to address these concerns the applicant undertook a more expansive pre-construction survey at and around the site in order to establish the likely presence, or not of dormice. The conclusion following this additional survey work was that dormice are highly probable to be absent from the site. In respect of otter the MaMP has been revised to include provision of an otter ledge within the culvert along the Nant y Gofer stream.

Following submission of the MaMP (v.6) NRW have confirmed that the Habitat Management Land can be managed to provide an appropriate green open space resource that will provide sufficient future connectivity for dormice and bat populations to the north and south of the site and that the development will not be detrimental to the maintenance of the favourable conservation status of European protected species.

Provision of Affordable Housing

At the time the hybrid application (10/0845) was considered the Council, having regard to a report produced by the applicant outlining site development viability and affordability issues, agreed (notwithstanding the fact that the site lies within the southern Strategy Area of the LDP where a 20% provision requirement) an affordable housing provision of 10% for the first 1000 dwellings to be developed across the site. *(After the 1000th dwelling the S.106 requires that a further market assessment is undertaken to establish whether the development can support the 20% provision requirement as identified in the LDP).*

The layout incorporates the provision of 22no. Affordable Housing house types (spread across 4 different unit types – providing 1bed (8 units), 2 bed (9 units), 3 bed (4 units) and 4 bed (1 unit) accommodation) on plots 138-141, 189/190 and 222-237.

The mix of the affordable housing units proposed has been at the request of the Council's Housing Strategy team. Accordingly, given that the mix of units is as the Council has sought and the required 10% is incorporated it is considered the application is acceptable in this regard.

Drainage

The proposed drainage system for the development consists of a traditional pipe and gully system which will discharge to the Ewenni Fach watercourse, subject to the relevant permission (via a Flood Risk Activity Permit) being granted by NRW.

Prior to discharge it is proposed that water attenuation will be via an open

basin/ lagoon located to the eastern side of the Nant Y Gofer, to the south of the Ewenni Fach, which is within the north eastern part of the defined application site.

No objections to the proposed drainage arrangements have been received from DCWW, SSE, NRW or the Council's Flood Risk Management section.

Discharge of condition details

As noted earlier in this report the current submission also seeks the LPA's approval to discharge conditions as imposed on the outline part of the 'hybrid' planning permission 10/0845.

Condition 16 (reserved matters details)

The condition requires the submission of reserved matters (details of access, appearance, layout and scale and landscaping) to accord with the principles, parameters and objectives of the illustrative masterplan and design codes document considered with the hybrid application.

It is considered that the current 'phase 1' submission does accord with the illustrative masterplan and is in broad compliance with the design codes document. Accordingly, it is considered that the condition can be partially discharged, in as much as it relates to this particular phase of the overall development.

Condition 20 (overall site phasing plan)

The condition, notwithstanding the Phasing Plan submitted at the outline stage, requires phasing details for the whole site to be submitted for the approval of the LPA.

The indicative phasing of the overall development, at the time that the hybrid application (10/0845) was considered and approved, anticipated that the phase covered by the current submission would be phase 7, i.e. towards the end of the overall development. Clearly, the phasing proposals have now changed and the current scheme is presented as phase 1 of the overall development.

Since submission of the application the proposed phasing arrangement has been the subject of further revision (Drwg No. PHP02 Rev A – received 19/09/18). This has altered the location of later phases 2 and 5. Where the initial PHP02 plan indicated phase 2 as being adjacent to the phase 1 area, on the green fields to the north of the A473, this has now in effect been swapped with phase 5 and so phase 2 will be on the brown field element of the overall site on the southern side of the A473.

In terms of how dwelling numbers will be apportioned across the whole development site the phasing proposed indicates (with numbers expressed in 'circa' terms) as follows:

- Phase 1 (the current application) – 220 dwellings;
- Phase 2 – 420 dwellings
- Phase 3 – 180 dwellings
- Phase 4 – 280 dwellings
- Phase 5 – 500 dwellings
- Phase 6 – 240 dwellings

(total of 1840 dwellings, which accords with the outline consent for 'up to 1850 dwellings' and the requirements of condition 19 of the 10/0845 consent that the site deliver no less than 1700 new dwellings).

It is acknowledged that objectors to the application have been raised concerns to the fact that the current proposal promotes the development of an area of 'greenfield' on the northern side of the A473 before areas to the south of the A473, as was originally anticipated at the outline (10/0845) stage. However, there is no planning objection to the proposed phase 1 arrangement or the phasing details submitted indicating how the wider development is anticipated to come forward within future submissions.

Condition 21 (phase specific plan)

The submitted plans and accompanying documents/reports identify the extent of the proposed phase 1 of development. Within this initial phase it is proposed to develop under 'two flags', these being the Persimmon brand and 'Charles Church' (Persimmon's premier product brand name).

The phase build has an anticipated duration of approximately 2.5 years. Time scales per house can range depending on the size but the average is 15-20 weeks and it is anticipated that in the region of 100 houses per year will be built on this site.

Construction of the Charles Church houses will start first with temporary access off the western end of the A473 (in the location of the existing farm gate) for approximately 4 weeks. Within the Charles Church part of the phase the initial build area will be plots 76-90, with plot 78 being indicated as the show house (with a show house/site office accommodated within what will be the garages serving plots 77 and 78).

The initial build area within the Persimmon part of the site will for plots 42-54, with the Persimmon show house indicated as being plot 53 with the show house/site office within the adjacent two garages.

The submitted details are considered to be acceptable and accordingly a discharge of the condition, in as much as it relates to this 1st phase of development, is recommended.

Condition 25 (urban design statement)

The condition requires an urban design statement to accompany each reserved matters submission and within the document demonstrate how the design complies with the DAS and Design Codes documents considered at the outline stage (10/0845). The submission package includes a document titled 'Urban Design Statement – Project: Phase 1, Parc Llanilid' (Final Report March 2018).

The 2011 Design Codes document identified that the aspirations were to deliver clear design guidance for the planning of the Parc Llanilid scheme in order to achieve legible and coherent development within clearly defined parameters.

The main aims of the 2011 Design Code are:

- establish a clear framework for future development when implementing the vision for the site;
- be the starting point for dialogue and interaction between housing developers and the Council;
- illustrate what is anticipated in each of the identified character areas without prejudicing innovation and adapting to changing needs and available technologies;
- ensure coordination between each of the housing developers and character areas, providing a level of certainty as to the quality, legibility and character of adjacent development;
- provide a level of confidence between all parties engaged in this large urban extension;
- inspire housing developers to innovate and look for solutions towards delivery of an exemplary development.

The 2011 Design Code identified the area covered by the current reserved matters submission as lying within a 'Village Edge' character area. The Village Edge areas were identified on the outer edges of the overall development with an anticipated higher proportion of larger detached houses than the other character areas (Village Centre, Middle Village and Park Edge).

Village Edge areas would seek to integrate features such as streams, trees and hedgerows into the residential layouts and provide a low to medium density of 30-35 dph (although this could reduce to <30dph should interests of landscape and ecology dictate). It is indicated that houses should be predominantly be detached and of 2-2.5 storey in design/height. Boundary treatments should incorporate trees and hedges and areas for car parking should be predominantly in garages and on driveways.

The area of the current reserved matters submission is identified in the 2011 Design Code as 'Parcel 4'.

It is acknowledged that the 2011 Design Code does refer to the need to 'carefully integrate trees and hedges into residential areas' and this point is further picked up in the submitted Urban Design Statement, which states that "sensitive landscape features such as streams, trees and hedges need to be carefully integrated into the residential area". This is a point which objectors to the application have highlighted in that the removal of the hedgerows either side of the un-named lane do not adhere to this stated aim and intention. It is

It is considered that the submitted Urban Design Statement is in broad compliance with the aims and objectives of the 2010 DAS and 2011 Design Code. However, it is acknowledged that the 2011 Design Code does refer to the need to 'carefully integrate trees and hedges into residential areas'

Condition 26 (finished floor levels)

Site wide engineering plans have been provided which confirm the finished floor levels (FFL) for each property. It is considered that the proposed property FFL's reflect the existing topography contours ranging from 59-61m AOD for the houses along the western end A473 frontage of the site down to 54-55mAOD for the houses towards the rear of the site at the western end. Existing site levels are generally

slightly lower at the eastern end of the site and this is reflected in the proposed FFL's between 54-59m AOD.

The submitted levels details are considered to be acceptable and accordingly a partial discharge of the condition, in as much as it relates to this 1st phase of development, is recommended.

Condition 31 (details of areas of formal and informal recreation areas)

The proposed layout incorporates areas of both formal and informal open space.

The formal open space includes a LEAP (to the front of plots 212-217), which will offer a range of largely timber play equipment. Large retained trees adjacent to the LEAP are to be retained and these will be supplemented with new hazel coppice and shrub planting.

Areas of informal open space provide for areas of long and short grass, together with the planting of trees, ornamental shrubs and spring flowering bulbs. The grassland around the attenuation pond will be allowed to naturally regenerate with sowing and/or plug planting of devil's-bit scabious. Mature retained trees around the edge of the development are included as green corridors and will be managed for their biodiversity value.

Details of planting, setting out of the LEAP and subsequent future management of the areas of public open space are set out within the submitted MaMP referred to earlier in this report. These details are considered acceptable and a discharge of the condition, in the first part, in as much as it relates to phase 1 of the development is recommended.

Conditions 35 (provision for SuDS) and 36 (foul and surface water drainage arrangements)

Provision is made within the phase layout for a sustainable urban drainage system (SuDS) and a Drainage System, with supporting run-off and flow calculations have been submitted.

The layout for this phase of development incorporates the provision of an Attenuation Pond/Lagoon at the north eastern extent of the site, on the eastern side of the Nant y Gofer stream.

The Council's Flood Risk Management section have confirmed that based on the information provided they are satisfied that the surface water flood risk associated to the site has been accommodated and as such the conditions can in the first part be discharged, in regard to phase 1 of the development.

Condition 37 (programme of archaeological work)

In response to the requirements of this condition the applicant has submitted a 'Written Scheme of Investigation (WSI) for Archaeological Watching Brief' (prepared by Rubicon Heritage, dated January 2018).

The report confirms that there are no known archaeological assets present on the development site. An assessment of the historic maps for the area shows that the nearby settlements of Brynna, Llanharan, Brynnau Gwynion, Dolau and Bryncae evolved post 19th century in tandem with the coal and tin extraction industries in the area. Llanharan at the turn of the 18th and 19th centuries was a small agricultural settlement situated at the crossroads of the old A473 and Brynna Road. The current field boundaries within the proposed development area are unchanged from those recorded on the first edition OS map of 1888.

The aims of the archaeological investigation proposed in the WSI are to:

- establish the presence/absence of archaeological remains that may affect the detail of the development proposals;
- determine the extent, condition, nature, character, date and significance of any archaeological remains encountered;
- establish the nature of the activity on the site;
- identify any artefacts relating to the occupation or use of the site; and,
- provide further information on the archaeology of the site from any archaeological remains encountered.

Glamorgan Gwent Archaeological Trust (GGAT), as the provider of specialist archaeological advice to the LPA, have been consulted in respect of the application and they have confirmed that the WSI sets out an appropriate programme of work for an archaeological watching brief. Their advice is that as the requirements for archaeological mitigation as set out in the submitted WSI need to be fulfilled that the LPA partially discharge (in the first part) condition 37.

Condition 48 (noise assessment and details of mitigation)

A Noise Assessment report (produced by WYG, dated March 2018) has been submitted with the application.

Condition 48 was required in order to give the LPA the opportunity to secure appropriate noise mitigation for any new residential properties proposed within 100m of the mainline railway, to the north of the site. However, the scope of the report also includes noise assessments in respect of road traffic noise and noise from other sources.

This report presents the findings of a noise assessment and concludes that the recommended WHO/BS 8233 standard internal noise levels are generally met across the site during the daytime and night-time, assuming a windows-closed scenario. A glazing and ventilation strategy has been provided which achieves both ventilation and internal ambient noise level requirements at daytime and night-time in all residential bedroom and living spaces of the proposed development.

Standard double glazing is sufficient across the majority of the site in order to achieve the target internal noise levels when windows are closed. However enhanced glazing is required for buildings facing the A473 to the south of the site and the railway line to the north of the site. Alternative ventilation is required for all

habitable areas (living rooms and bedrooms) across the site in order to meet internal targets for noise levels.

Further to the submission of the Noise Assessment report the Council's PH&P officer had subsequent discussions with WYG and additional information was provided in the form of a Glazing and Ventilation Strategy drawing (SK07) which provided property specific mitigation specifications. P&PH have concluded that the report provides an accurate assessment of the position and that the proposed mitigation strategy is acceptable. Accordingly, they advise that the condition can be discharged, in the first part. Full discharge of the condition will only be given when the first phase of the development has been completed and the suggested mitigation confirmed as being in place.

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 (including indexation) for this development is expected to be £2,589,459.59 however, social housing relief may be claimed on those 22 dwellings that comprise the affordable housing element of the development.

(The social housing relief on the 22 AH dwellings is expected to be £160,621.51. This leaves a payment of £2,428,838.08 in respect of the market dwellings).

As is referred to below (under the 'Section 106 Contributions / Planning Obligations' heading) the approval is to be accompanied by a Section 106 Deed of Variation and Infrastructure Payment Agreement (IPA). The CIL that will be payable in respect of phase 1 will be taken off the £figure (still to be confirmed) within the IPA (to be agreed by the Council, Persimmon Homes having asked the District Valuer to undertake a valuation exercise). This figure will represent the expected cost of building the school extension element, which is required to be delivered as part of whole Llanilid scheme consented under 10/0845.

(It should be noted 15% of the £2,428,838.08 chargeable amount for the market housing must be passed to the Community Council (In this case Llanharan Community Council) (Regulation 59A – duty to pass to local council) and therefore £364,325.71 will be required to be paid in cash. Accordingly, the market housing balance of £2,064,512.37 will then be taken from the Infrastructure Payment Agreement total/balance). Phase 2 etc will follow the same process as phase 1 until the total Infrastructure Payment Agreement balance is £0. Payments will then be in cash.

At the time of preparing this report Persimmon have not, as yet submitted the necessary forms accepting CIL liability for the whole site. However, they are aware

of the need to do this before the IPA can be agreed and any approval of reserved matters consent issued.

Section 106 Contributions / Planning Obligations

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 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:

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

Planning Policy Wales 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.

The Section 106 and IPA requirements in this case

As indicated earlier in this report the Section 106 Agreement which accompanied the hybrid permission (10/0845) ensured that the whole Llanilid development (up to 1850 new dwellings, with village centre) delivered the following elements:

- the provision of a new primary school;
- a Transport Tariff financial contribution;
- a leisure/recreation and ecology biodiversity contribution;
- the provision of affordable housing across the site;
- a 'Local Road Contribution' (£170k) for Bridgend CBC;
- a 'Rail Contribution' (£350k - for works to establish a bridged crossing over the main London – Swansea railway line that runs immediately to the north of the boundary of the site) for Network Rail
- the provision of the village/district centre;
- the employment of local people for landscape management;
- provision of the Community Building; and,
- the provision of Changing Rooms.

The proposed S.106 Deed of Variation acknowledges that it is now proposed that the developer (Persimmon) build the school provision, unlike the previously proposed arrangement (when the applicant was Cofton (Wales) Ltd) that a financial sum of £5,784,092 (paid as a CIL contribution) be paid at the outset and the Council be responsible for building the school.

(As Members may well be aware the Council have in recent months undertaken formal consultation and served the necessary statutory notice (giving opportunity for objection to be made) with regard to the proposed new school provision which is being progressed as an extension to the existing Dolau Primary School. As the wider Llanilid site develops, however, it is anticipated that the two elements may be separated to create two separate schools. However, further consultation and statutory process would be need to be gone through in the future should this be the case).

Persimmon have indicated that they would intend to build the school provision in a single 540 pupil place build phase, unlike previously when the provision was anticipated to come forward in two phases of construction.

The other elements of provision required (as identified above) remain as set out in the initial S.106 Agreement.

The required IPA between the Council and Persimmon Homes relates to the new school element of the whole Llanilid scheme and effectively acts as a safety net. It will identify a £figure (currently to be agreed, but independent valuation advice has been sought from the District Valuer) to be payable to the Council should Persimmon not provide the Infrastructure (the 'school') by the identified (to be agreed) Infrastructure Date then they should pay the agreed amount (as identified in the IPA) in CIL, plus interest in cash. This CIL cash amount however, could only be used by the Council to provide the identified infrastructure, ie the new school provision.

Conclusion

Having taken into account all of the issues identified above, it is considered that the proposed 1st phase of development of this important wider residential allocation site, will make an important contribution to increasing housing land supply, in an area of high demand, without having any significant adverse impact on highway safety, the character and appearance of the area, residential amenity or on ecology. The proposed development is therefore considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance within the following approved plans/drawings/documents:
 - PL01 Rev H - Planning Layout
 - LP01 Rev B – Location Plan
 - SS01 & SS02 - Site Sections
 - PHNAB01 Rev B – Phasing Plan
 - SH-01 – Street Hierarchy Plan
 - Housetypes
 - AN-WD10 REV L – Alnwick Plans and Elevations
 - MS-WD10 REV T – Moseley Plans and Elevations
 - HB-WD10 REV W – Hanbury Plans and Elevations
 - CT-WD10 REV D – Chatsworth Plans and Elevations

- HT-WD10 REV U – Hatfield Plans and Elevations
 SU-WD10 REV X – Souter Plans and Elevations
 CA-WD10 REV G – Clayton Plans and Elevations
 RS-WD10 REV U – Roseberry Plans and Elevations
 CD-WD10 REV T – Chedworth Plans and Elevations
 KB-WD10 REV G – Knightsbridge Plans and Elevations
 ST-WD10 REV L – Strand Plans and Elevations
 MY-WD10 REV J – Mayfair Plans and Elevations
 HY-WD10 REV N – Harley Plans and Elevations
 ME-WD10 REV H – Marylebone Plans and Elevations
 FH-WD10 REV J – Fenchurch Plans and Elevations
 OX-WD10 REV K – Oxford Plans and Elevations
 MR-WD10 REV P – Morden Affordable Plans and Elevations
 CLB-01 – Chedworth Landmark Building Plans and Elevations
 SLPD-01 – Souter Landmark Building Plans and Elevations
- LA100 Rev G – Landscape Proposal Sheet 1
 - LA101 Rev B – Landscape Proposal Sheet 2
 - LA102 Rev B – Landscape Proposal Sheet 3
 - LA103 Rev B – Landscape Proposal Sheet 4
 - LA104 Rev B – Landscape Proposal Sheet 5
 - LA105 Rev B – Landscape Proposal Sheet 6
 - LA106 Rev B – Landscape Proposal Sheet 7
 - LA107 Rev B – Landscape Proposal Sheet 8
 - LA108 Rev B – Landscape Proposal Sheet 9
 - LA109 Rev B – Landscape Proposal Sheet 10
 - LA110 Rev B – Landscape Proposal Sheet 11
 - LA111 Rev B – Landscape Proposal Sheet 12
 - LA112 Rev B – Landscape Proposal Sheet 13
 - Llanilid Lot 1, Phase 1 Management and Maintenance Plan, conditions 32, 43 and 44 (White Young Green - A.106819, v.6 January 2019)
 - 10210-100-01D – Engineering layout Sheet 1
 - 10210-100-02H – Engineering layout Sheet 2
 - 10210-100-03D – Engineering layout Sheet 3
 - Phase 1A Llanilid – Drainage Statement
 - Land North of A473, Llanilid - Pre-construction Surveys Rev 5
 - Land North of A473, Llanilid – Noise Assessment (WYG March 2018)
 - Land North of A473, Llanilid – Written Scheme of Investigation for Archaeological Watching Brief (Rubicon Heritage 29/01/18)
 - Transport Note: Proposed Residential Development (Phase 1) Parc Llanilid (Corun, January 2019)

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with

the approved plans.

2. Building operations shall not be commenced until samples of the external finishes 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 buildings within the approved 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.

3. Notwithstanding the submitted plans, no works (other than initial site setting up works) shall commence on site until full engineering design, details and Road Safety Audits of the off-site highway improvements consisting of the following (as identified a-d below) have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to the beneficial occupation of any dwellings.

- (a) New priority junction serving Plots 82 to 90.
- (b) Existing priority junction of Rhyd y Gofer with A473.
- (c) New Roundabout on A473.
- (d) Shared 3m wide cycle and footway to the south of A473 and 2m wide footway to the south of A473.

Reason: To ensure the adequacy of the proposed development, in the interest of highway safety, free flow of traffic and encouraging sustainable modes of travel, having regard to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. Notwithstanding the submitted plans, no works (other than initial site setting up works) shall commence on site until full engineering design and details of Rhyd y Gofer/Un-named Road, the internal roads, traffic calming, footpath links, highway structures, street lighting, surface water drainage including longitudinal and cross sections and construction details 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: To ensure the adequacy of the proposed development, in the interest of highway safety, having regard to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Surface water run-off from the proposed development shall not discharge onto the public highway or connected to any highway drainage system unless otherwise agreed in writing by the LPA.

Reason: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety, having regard to policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. A Safe Routes in Communities Assessment shall be carried out in accordance with the relevant Local Authority Road Safety Officers' Association (LARSOA) guidelines/Learner Travel and Active Travel Wales (Guidance) 2014, to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved mitigation measures required shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial occupation, unless otherwise agreed in writing by the Local Planning Authority.

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

7. 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) loading and unloading of plant and materials,
 - e) storage of plant and materials used in constructing the development,
 - f) wheel cleansing facilities,
 - g) 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 policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. The Developer shall provide the occupier of each dwelling with a Travel Plan/ Welcome Pack which should contain the following:-
 - a) 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;

- b) Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
- c) Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
- d) Local and national cycle routes; and
- e) 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 and national planning policy.

9. The development hereby approved shall be carried and managed out in full compliance with the methodology and recommendations set out in the Management and Maintenance Plan, Conditions 32, 43 and 44 (White Young Green ref: A.106819, v.6 dated January 2019), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ecology and maintaining ecology in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

10. 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.

11. The Local Equipped Area Play (LEAP) shall be laid out and landscaped and made available for use within a timetable to be first agreed in writing with the Local Planning Authority. The LEAP shall thereafter be maintained in accordance with a Management Plan which shall be submitted to and approved in writing by the Local Planning Authority within one month following beneficial occupation of the first dwelling within the 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.

12. No dwelling within phase 1 shall be occupied until the drainage works have been completed in accordance with the plans as submitted and approved in

respect of conditions 35 and 36, as imposed on hybrid permission 10/0845.

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

13. Prior to the commencement of the construction of any dwellings and associated highways hereby approved, there shall be deposited with the Local Planning Authority an appropriate report, containing a certificate from a Consulting Engineer certifying that proper site investigations have been carried out at the site sufficient to establish what ground precautions (which should have consideration and regard to coal mining legacy issues) are necessary in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground conditions. The certificate shall include details of such precautions and these precautions shall be adopted in full in the carrying out of the development for which planning permission is hereby granted.

Reason: To ensure that proper account is taken of the construction requirements on this site which lies in close proximity to land previously used for open cast mining purposes in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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