



## **PLANNING & DEVELOPMENT COMMITTEE**

**9 MAY 2019**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1361/13  
**(EL)**  
**APPLICANT:** Mr Rossiter  
**DEVELOPMENT:** Outline construction of 4 detached dwellings with associated works (Amended site layout plan received 18/02/19)  
**LOCATION:** QUARRY ROAD, MAESYCOED, PONTYPRIDD, CF37 1JT  
**DATE REGISTERED:** 10/12/2018  
**ELECTORAL DIVISION:** Rhondda

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**RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS.**

#### **REASONS:**

The site is a parcel of land within settlement limits. Whilst the application is made in outline, the accompanying details demonstrate that the site is capable of being developed without resulting in an adverse impact upon highway safety and the character of the surrounding area. The application also demonstrates that the site may be developed without resulting in the loss of the existing public right of way which crosses the site. Furthermore, any potential impacts on amenity would be limited to a point that is considered acceptable in planning terms.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

- Three or more letters of objection have been received; and
- a request has been received from Councillor Smith for the matter to come to Committee for the reason that impacts relating to potential, overlooking, highway safety impacts, the presence of a culverted watercourse and the stability of the land may be considered.

## APPLICATION DETAILS

Outline planning permission is sought for the construction of 4 dwellings, associated access and parking on a parcel of land accessed off Quarry Road, Maesycoed, Pontypridd.

The parcel of land upon which the proposed dwellings would be situated is linear in form and measures approximately 3700m<sup>2</sup>. The site is accessed from Quarry Road and is bounded to the north east by dwellings fronting Bryn Eglwys and to the south west by dwellings fronting Danylan Road.

The application is made in outline with some matters reserved for future consideration. The application seeks approval of matters relating to access and layout. Matters relating to appearance, landscaping and scale are reserved for future consideration.

The application is accompanied by a range of supporting information, including a site layout plan, and illustrative elevation outlines of four dwellings which would occupy the site. The site layout plan also provides an indication of the anticipated finished floor levels for the dwellings.

The site layout indicates that the dwellings would be arranged in a linear form, following the length of the plot. The four dwellings would be served off a private drive, which would connect with the adopted highway (Quarry Road) at the eastern extent of the site. Off street car parking would be provided within each plot. The illustrative layout suggests that the dwelling on Plot 1 (eastern most plot) could be orientated to face east, addressing the access onto Quarry Road. Plots 2, 3 and 4 could be orientated to face into the site overlooking the internal access road, although plot 2 would sit at an oblique angle. The illustrative design suggests the development of a two storey ridge roof dwelling for plots 1 and 4. The illustrative details suggest that to take account of the changes in levels on the site the use of a split level design (two storeys to front and single storey to the rear) could be employed on plots 2 and 3.

As scale is a matter reserved for future consideration, a minimum – maximum range is provided for the height of the dwellings as follows:

	Height to Eaves		Height to Ridge	
	Minimum	Maximum	Minimum	Maximum
Plot 1	5.10m	5.10m	9.10m	9.10m
Plot 2	5.10m (front) 2.45m (rear)	5.10m (front) 2.45m (rear)	9.45m (front)	9.45m (front)
Plot 3	5.10m (front) 2.45m (rear)	5.10m (front) 2.45m (rear)	9.45m (front) 6.80m (rear)	9.45m (front) 6.80m (rear)
Plot 4	5.10m	5.10m	9.10m (front)	9.10m (front)

The application is accompanied by a preliminary ecological appraisal and preliminary roost assessment report undertaken by Wildwood Ecology.

## SITE APPRAISAL

The application site consists of a parcel of land that extends to approximately 3700m<sup>2</sup>. The site is broadly linear in form and sits between Bryn Eglwys, to the north east and Danylan Road to the south west. The site connects with the adopted highway, of Quarry Road at its eastern extent. The site itself is an area of mown grass, public access to the majority of the site is restricted by post and wire fencing. A large garage style building with a ridge roof, constructed from profile sheeting sits broadly within the centre of the site. There are some variations in level across the site, with the land rising from north east to south west. A footpath runs along the north western site boundary and connects with woodland located to the north west of the site; this footpath is a public right of way (PON/71/1). The land which immediately adjoins the site, to the north, east and south is predominately residential in character. A variety of housing styles at differing scales were observed in the vicinity of the site, these include a number of large detached modern properties, with many on Danylan Road being split level and more traditional terrace dwellings on Quarry Road.

## **PLANNING HISTORY**

18/0813/13	Land off Quarry Road, Maesycoed	Outline application with all matters reserved for the construction of 4 detached dwellings together with all associated works.	Refused 12/09/18
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## **PUBLICITY**

The application was advertised by direct neighbour notification and site and press notices. A total of 11 letters of representation (some from the same authors following the re-advertisement of the application following the submission of amended plans) have been received, along with comments from a representative of the Open Spaces Society, which are summarised as follows:

### Amenity

- Concerns are raised that the elevated position and proximity of the dwellings would result in a loss of privacy and overlooking to the rear of the dwellings and gardens of properties on Bryn Eglwys.
- Concerns are expressed that the dwellings on plots 2 and 3 would be overbearing.
- It is commented that the plans do not take account of the fact that some of the properties on Bryn Eglwys have been extended.
- It is commented that some existing conifers currently provide screening for properties on Bryn Eglwys but these would be removed as part of the development.

### Drainage

- It is commented that gardens on Bryn Eglwys are often 'boggy' and questions are raised with regard to how matters relating to drainage would be dealt with.

- Assurances are sought that any future development would not result in surface water run-off discharging onto properties on Bryn Eglwys.
- It is commented that a culvert crosses the site (between 9 and 10 Bryn Eglwys) and the development does not take account of this.

#### Character

- It is commented that the whole area is already becoming '*unsightly, with different houses built in different directions*'. It is commented that the main objective is to build as many houses as possible without regard for the visual impact on the area.
- The plans include the provision of a fence along the site boundary but it commented that this would be extremely high when viewed from Bryn Eglwys.

#### Highway Safety

- Concerns relating to highway safety are raised. It is noted that the access is close to a sharp bend in the road and that cars parked on this road create a 'blind spot'. It is also noted that the access is on a bus route and carries a lot of pedestrian activity.
- Concern is expressed that the access is close to a bus stop and is a route used by children on their way to school.
- Questions are raised with regard to the measures that may be used to prevent vehicles from crashing into the fence that defines the rear boundary of properties on Bryn Eglwys and entering their gardens.

#### Other matters

- Concern is expressed that the development would potentially obstruct the well-used public right of way that crosses the site.
- It is commented that the bats have been observed in the vicinity of the existing building on the site.
- Assurances are sought that any future development would not cause damage to the retaining walls along the rear boundaries of the properties (on Bryn Eglwys)
- Questions are raised with regard to the stability of the ground upon which the development is proposed.
- It is suggested that the application contains inconsistencies in the information provided, in particular with regard to the loss of trees and proximity of a watercourse.
- It is commented that previous observations from Public Health & Protection identified the potential for contamination to exist on the site but no such report accompanies the application.
- Concern is expressed from an adjacent land owner that the public right of way is their only means of access to their land and if this is blocked or relocated then they will have no access to their site.

#### Open Spaces Society

- Correspondence from a representative of the Open Spaces Society highlights the need to safeguard pedestrian priority on the footpath (PROW) and ensure off-road parking is provided in order to protect the footways.
- Concern is expressed with regard to the width of the footpath and it is suggested that the footpath may need to be diverted if planning permission is approved.
- It is commented that the footpath is part of circular walks in the area and should be kept open at all times.

## **CONSULTATION**

Transportation Section – no objections raised (conditions suggested).

Land Reclamation and Drainage – no objections raised (condition suggested).

Public Health and Protection – no objections raised, conditions relating to site investigations recommended.

Countryside, Landscape & Ecology – the ecological report that accompanies the application gives consideration to the key potential ecological issues, and confirms that no evidence of bat usage was found following an inspection of the building. The report includes a number of mitigation measures, which can be conditions as part of any permission approved. No objections area raised, however a wildlife protection plan condition is recommended.

Natural Resources Wales – no objections raised.

Dwr Cymru/Welsh Water – conditions suggested.

Western Power – Should the developer require a service diversion or a new connection they will be required to make a separate application to Western Power Distribution. An informative note to this effect is recommended.

Wales & West Utilities – apparatus may be located in the vicinity of the site, as such safe digging practices must be observed. The applicant is also advised to contact Wales & West Utilities directly to discuss their requirements.

## **POLICY CONTEXT.**

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

Indicates that the site is within the defined settlement limits of Pontypridd.

**Policy CS2** sets out that in the Southern Strategy Area the emphasis will be on sustainable growth that benefits Rhondda Cynon Taf as a whole. CS2 (1) promotes residential development with a sense of place which respects the character and context of the Principal Towns and Key Settlements of the Southern Strategy Area.

**Policy AW1** sets out the criteria for new housing proposals, commenting that the provision of new dwellings will be met by a number of methods, including the development of unallocated land within the defined settlement boundaries.

**Policy AW2** promotes development in sustainable locations.

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

**Policy AW6** sets out the criteria for new development in terms of design and place-making.

**Policy AW10** sets out the criteria for environmental protection and public health

**Policy SSA11** requires residential developments to provide a density of 35 dwellings per hectare.

**Policy SSA13** sets out the criteria for new development within Settlement Boundaries.

## **National Guidance**

### **Planning Policy Wales**

The Welsh Government published Planning Policy Wales 10 on 5<sup>th</sup> December 2018, and the document aims to incorporate the objectives of the Well-being of Future generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generation's goals and is consistent with the relevant key principles and requirements for each of the Chapters those being:

Chapter 2 People and Places: Achieving Well-being Through Placemaking,

Chapter 3 Strategic and Spatial Choices (including good design)

Chapter 4 Active and Social Places (including Transport)

Chapter 5 Productive and Enterprising Places (including the economy, energy, minerals and use of material resources)

Chapter 6 Distinctive and Natural Places (including historic environment and landscapes)

## **REASONS FOR REACHING RECOMMENDATION.**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

## **Main Issues**

The application proposes (in outline) the construction of four residential dwellings, associated vehicular access and parking areas, on a parcel of land that is located inside of the defined settlement limits. As such, the key consideration in the determination of the application is whether the principle of residential development is acceptable upon the site. In addition, it will also be necessary to consider whether the site is capable of accommodating the dwellings, associated means of access and

parking facilities, without resulting in a detrimental impact upon both the amenity and privacy of neighbouring dwellings and the character and appearance of the area. The implications of the development upon highway safety in the vicinity of the site are a further consideration.

### **Principle of Development**

In the assessment of any application for residential development, the first consideration must be the location of the site in planning policy terms. In this case the plot is located inside the defined settlement limits, in a sustainable location, where the principle of residential development may be regarded as acceptable. However, in accordance with the requirements of policies SSA13 and AW5, proposals for residential development may only be considered acceptable, providing no adverse impacts result in terms of amenity, character and highway safety.

It is noted that the current application has been submitted following the refusal of an earlier scheme on the site. The earlier application (18/0813/13) was refused planning permission on the grounds that, at the maximum parameter range, it was considered the dwellings would have the potential to appear overbearing and that insufficient information was provided to demonstrate how the Public Right of Way, which crossed the site, would be taken into account. As such, the current application attempts to overcome the earlier reasons for refusal.

These matters will be considered in detail in the following sections.

### **Character and Appearance**

In terms of physical area, the site extends to 3700m<sup>2</sup>, an area which is large enough to accommodate the proposed number of dwellings and associated access road. It must be noted however that the topography and shape of the site, limit the potential layout opportunities. Whilst the application is made in outline, with some matters reserved for future consideration, the submission seeks approval of layout and access at this stage. As such, the application is accompanied by a site layout plan. This indicates that the access would connect with Quarry Road (to the east) and the dwellings would be arranged in a linear fashion, with each served off the internal access road. As noted, given the constraints of the site, it is considered that this is a feasible way in which to accommodate the proposed access and dwellings. It is acknowledged that in this arrangement the proposed dwellings would be located to the rear of those that front Quarry Road (no.'s 10-12), effectively occupying a back land position. However, it is considered that the resulting layout would be similar in form to the pattern of development of neighbouring schemes, including Bryn Eglwys and Golygafa'r Eglwys, which are linear residential cul-de-sacs that are accessed off main roads. It is also noted that proposed modifications to the means of access would result in the removal of existing features (such as boundary fences) which partially screen the site from Quarry Road, the result being that the site frontage would be 'opened up' and the proposed dwelling, identified on the layout plan as Plot 1, would clearly be visible from and have a visual connection with Quarry Road. As such, overall it is not considered that the general layout would be out of keeping with the character of the immediate area.

It is noted that policy SSA11 requires residential developments to provide a density of 35 dwellings per hectare. However, provision is made within the policy to allow lower density levels where it can be demonstrated that; they are necessary to protect the character of the site or the surrounding area; or they are necessary to protect the amenity of existing or future residents; and they still make adequately efficient use of the site. Given the location and topography of the site in question it is considered that the lower density proposed (9.52dph) in this case is acceptable, particularly when coupled with the need to protect the amenity of both existing and potential future residents.

As the application is made in outline, matters relating to appearance and scale are reserved for future consideration. Nevertheless, the submission is accompanied by a series of 'outline elevations' which provide an indication of the anticipated scale of the dwellings proposed. These drawings suggest that the dwellings would be conventionally designed dwellings with ridge roof designs, similar to the modern properties on Bryn Eglwys. As set out in the 'site appraisal' the site is subject to variations in level, with the level of the land rising from north to south (away from Bryn Eglwys to the north). The earlier application sought to take advantage of these level changes in the design (albeit illustrative) of plots 2 and 3. The illustrative details indicated the development of larger split level properties, potentially being three storeys to the front and two storeys to the rear. Concern was expressed that dwellings of this scale, in this position would have the potential to appear overbearing. Whilst the current application is still made in outline, the submission seeks to address this matter by reducing the maximum height parameters for plots 2 and 3. The result is that the illustrative elevations (and maximum parameters) for plots 2 and 3 now depict a property that is still split level, but would have the appearance of a conventional two storey dwelling to the front and a single storey construction to the rear.

As set out the 'site appraisal' the area surrounding the application is varied in character, with a mix of traditional terraced housing to the east, modern two storey dwellings to the north (on Bryn Eglwys) and large modern 'self-build' split level properties on Dan-y-Lan Road. Given this variation in housing styles, overall, it is not considered that the proposed layout or range of parameters proposed would result in the formation of a development which would be out of keeping with or harmful to the varied character of the area.

### **Residential amenity**

As the site is located within settlement limits, in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

As set out above, it is considered that the site is large enough to accommodate the dwellings and associated parking and amenity areas. Furthermore, the illustrative layout plan demonstrates that the dwellings could be laid out in a linear form, which shares some of the characteristics of the existing pattern of development to the north east (Bryn Eglwys).

Nevertheless, consideration must be given to the relationship between existing and proposed dwellings. It is considered that the greatest potential impacts would result to the dwellings to the north east on Bryn Eglwys, as these properties occupy a lower



ground level than the application site. As set out above, the earlier planning application was refused partly for the reason that, at the maximum parameters it was considered that the development, notably plots 2 and 3, would have the potential to result in an overbearing impact and a loss of privacy. As such, efforts have been made in the current application to reduce these potential impacts.

As set out in the preceding section of the report, the maximum height of the dwellings proposed on plots 2 and 3 has been reduced (with a maximum ridge height of 9.45 metres proposed). Whilst the illustrative house designs, which accompanied the earlier application, indicated a split level dwelling, being three storeys to the front and two to the rear on these plots; under the current application this has been amended to illustrate a two storey dwelling (fronting the access road) and single storey dwelling to the rear. It is considered that these changes would result in a reduction in the overall scale and mass of the proposed dwellings on plots 2 and 3.

In terms of layout, the proposed dwellings are positioned as far away from the boundaries with the dwellings on Bryn Eglwys as possible, being separated by the internal access drive that would serve the site and the public right of way.

Under the previous submission, the dwellings on plots 2 and 3 would have been orientated in order that their front elevations directly addressed the proposed access drive, and as a consequence would also have directly addressed the rear elevations of existing dwellings on Bryn Eglwys. The current application has sought to address this by making changes to the position and orientation of the dwellings on plots 2 and 3. The proposed dwelling on plot 3 has been moved slightly north west (by approximately 3.0 metres), so as its front elevation would effectively look through a 'gap' in the street below (Bryn Eglwys) where the turning head for the road is positioned. Whilst there is little scope to re-position the proposed dwelling on plot 2, its orientation has been amended by rotating the dwelling on its axis by 25°. It is considered that this change would reduce the potential for direct overlooking of properties on Bryn Eglwys; whilst there would still be some outlook from the front elevation of the proposed dwelling on plot 2, it is considered that views from this property would be oblique rather than direct. In assessing the application, consideration must also be given to the separation distances between the existing and proposed dwellings. In terms of plots 2 and 3, at its closest point the proposed dwellings would be off-set from the nearest dwellings on Bryn Eglwys by 26 metres.

Whilst the separation distances between dwellings on plots 1 and 4 would be less, this takes account of their orientation, whereby the proposed dwellings on these plots would face south east, looking into the application site and access road.

Overall, it is considered that the reduction in the (maximum) height of the proposed dwellings would result in a reduction in the visual mass and bulk of the proposed dwellings. Furthermore, the amendments to the siting of the dwellings, when combined with the separation distances that exist between the existing and proposed, limit the potential for overlooking to the properties on Bryn Eglwys. Therefore, on balance, it is not considered that the impacts which would result would be so great as to warrant the refusal of the planning application on amenity grounds.

## **Highway Safety**

With regard to the potential impact upon highway safety, following consultation with the Council's Transportation Section, no objections to the proposal have been raised.

Their assessment comments that the proposed development site is served off Quarry Road, Maesycoed. Quarry Road has a carriageway width of 7.3m, a 1.8m wide footway on its development side and a 1.6m wide footway opposite. There is an existing private access off Quarry Road providing access to a bungalow.

The submitted site plan indicates that the existing access is to be altered to provide a private shared access to the proposed four dwellings and existing bungalow. This will bring the total number of dwellings served off the access to five, which is acceptable to be served via a private shared access.

The private shared access shown on the illustrative site plan is in excess of 45m in length. As such, the private shared access would have to be designed in accordance with the Council's Design Guide Standard Detail 102 – Private Drive Serving up to five dwellings, with provision of a turning head and appropriately placed passing bays.

It is noted that the junction shown on the submitted site plan indicates junction radii. The Transportation Section comment that in this location and arrangement this would not be acceptable, instead should planning permission be approved, the junction should be constructed as a vehicular footway crossover, to give priority to pedestrians travelling along the footway on Quarry Road. Similarly, it would be necessary for a 'rumble strip' illustrated on the plan to be re-positioned closer to the junction with Quarry Road. It is noted that all of the above requirements can be secured via the use of a suitably worded condition, should planning permission be approved.

In terms of vision splays, in accordance with Technical Advice Note 18: Transport, the proposed development has vision splay requirements of 2.4m x 40m. Concern is expressed with regard to the available vision to the right at the proposed junction, that being 2.4m x 20m.

However, the applicant commissioned and submitted a 7 day speed survey which identified an 85<sup>th</sup> percentile speed of 22.1mph for vehicles approaching from the right. This results in a vision splay requirement of 24 m to the right. Considering the proposed access has a shortfall of only 4m, the concern is not significant enough to warrant highway objection on this occasion.

The submitted site layout plan indicates a degree of off-street parking to serve the proposed dwellings. However, there is insufficient information at this stage to determine whether the parking provided is in accordance with the Council's adopted Supplementary Planning Guidance: Access, Circulation and Parking Requirements (March 2011). Notwithstanding this, should outline planning permission be approved then any future reserved matters application would need to demonstrate that off-street parking can be provided in accordance the requirements of the Council's Supplementary Planning Guidance.

Overall, their observations conclude by confirming that the means of access to the site and internal circulation is considered acceptable in principle; as such no objections are raised to the proposal, in highway safety terms, subject to a number of conditions.

## **Public Right of Way**

As identified above, the application site is crossed by a Public Right of Way (PON/71/1). The footpath in question runs along the north western site boundary and connects the woodland located to the north west of the site with Quarry Road. Publicity of the planning application has revealed this is a well used route by both adjacent land owners and nearby residents who use the route for recreational purposes.

Under the previous application, concern was expressed that the submission failed to adequately take account of presence of the route, with it not being clearly illustrated on the layout plan.

Under the current submission, the layout plan clearly identifies the route of the Public Right of Way in a position that aligns closely with the route as it currently lies on the ground. The layout plan illustrates a footpath that is separate from the access road (rather than a shared surface) to avoid any potential for conflict between vehicles and pedestrians using the Public Right of Way. The route crosses through the site and continues to connect with the woodland to the north west. It is also noted that in order to offer a greater degree of privacy to residents on Bryn Eglwys, from users of the Public Right of Way, the layout plan illustrates the provision of a 1.8 metres fence along the north west site boundary.

Following consultation with the Council's Public Rights of Way Officers, they have raised no objections to the application. However they note that although the footpath would align closely with the route of the existing PROW, there is some variation from the existing legal line of the path. Therefore, the applicant may need to formally apply for a public path diversion. However, it is noted that this would be considered under a separate application, outside of the planning process.

Overall, it is considered that the design of site layout takes account of and incorporates the well-established public right way, without compromising the public's ability to utilise the route. As such, it is considered that the scheme is compliant with the requirements of policy AW7 the Rhondda Cynon Taf Local Development Plan.

## **Drainage**

It is noted that consultation with Dwr Cymru has revealed that the development site is crossed by a public sewer, which travels in a north – south direction through the centre of the site. Their response does not raise an objection to the application, but comments that no development will be permitted within 3 metres either side of the centre line of the sewer.

It is also noted that whilst the Council's Land Drainage Section have raised no objection to the principle of residential development on the site, should Members be minded to approve planning permission, they recommend the use of a condition, which would require a detailed drainage strategy for the development. It is noted that a

neighbouring resident on Bryn Eglwys refers to the presence of a culverted watercourse that runs between numbers 9 and 10. They comment that this also crosses the application site. The site layout illustrates the location of a culverted watercourse (described on the plans as a sewer and storm drain) and comments that this will be retained. Whilst a connection to the culvert referred to by the resident on Bryn Eglwys is not illustrated, its assumed line would lie to the east of the proposed dwelling on plot 1. To conclude the Council's Land Drainage Section do not object to the application but comment that any culverted watercourse which conveys through the site should be retained. They also comment that should any alterations to this be required as part of the development, such works would require Ordinary Watercourse Consent, which is a process that is independent of the planning system; as such, an informative note to this effect is also recommended.

## **Ecology**

In order to assist in the assessment of the proposals upon ecology, the application is accompanied by a preliminary ecological appraisal and roost assessment report, undertaken by Wildwood Ecology, the report includes an addendum which refers to a second site visit and internal inspection of the building on site (in October 2018) to assess its roosting potential. This report has been reviewed by the Council's Ecologist who confirms that the report concludes by finding no evidence of bat use at the building on site.

It is commented that the ecology report does not raise any concerns in respect of adverse impacts upon protected species, however it does include a number of mitigation measures covering water pollution control, nesting bird mitigation, and precautionary measures for reptiles, bats and dormouse. As such, should Members be minded to approve planning permission, then a condition is recommended which would require the submission of a Wildlife Protection and Mitigation Plan which incorporates the recommendations in Appendix V of the Wildwood Ecology Survey.

Overall, it is considered that matters relating to protected species and ecology have been adequately considered and with the recommendations proposed, the development would accord with the requirements of policy AW8 of the Local Development Plan.

## **Community Infrastructure Levy (CIL) Liability – Outline applications**

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

As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage, but will be calculated for any reserved matters or full applications.

## **Conclusion**

Having taken account of all of the issues outlined above, it is considered that the site is located in a sustainable location, an access can be provided without adversely affecting highway safety and it is physically large enough to accommodate the

dwellings. It is also considered that the layout proposed would not appear out of keeping with the varied character of the area and that the scheme incorporates the retention of the existing public right of way in a position that aligns closely with the existing. It is acknowledged that the proposed dwellings would occupy a position that would be elevated above those on Bryn Eglwys, however given the amendments to the orientation and position of the proposed dwellings, combined with the separation distances, it is considered that any impacts on amenity would be limited to a point that is considered acceptable in planning terms.

Therefore, the application is considered to comply with the requirements of planning policy and as such, is recommended for approval for the reasons specified below.

**RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

1. (a) Approval of the details of the scale and appearance of the building(s) and 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 scale and appearance of any building to be erected and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
  
(c) Applications for the approval of 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 development hereby approved shall be carried out in accordance with the approved plan(s) no(s)

Drawing no. 2159-100 Location Plan 1:1250  
Drawing no. Ref: 2159-101E Rev. E (08/02/19) Site Layout

and documents received by the Local Planning Authority on 11/12/18 and 18/02/19 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

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

4. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plans.

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

5. Building operations shall not be commenced until samples of the 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.

6. 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.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the submitted plans, the reserved matters application shall be accompanied by details of existing and proposed ground levels, along with details any retaining structures which may be required in connection with the proposed development. These shall include cross-sections illustrating the height and position of the structures in relation to the proposed dwellings.

Reason: In the interests of visual and residential amenity of the development. In accordance with policy AW5 of the Rhondda Cynon Taf Local Development Plan.

9. Notwithstanding the submitted plans, the reserved matters application shall be accompanied by a detailed specification for the public right of way which crosses the site, including details of its construction and surfacing materials, along with a programme for its future maintenance.

Reason: To protect the existing public right of way which crosses the site, in the interests of amenity in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan

10. Notwithstanding the submitted plans, development shall not commence until details providing for a private shared access including passing bays and a turning area have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site in accordance with the approved details prior to the beneficial occupation of any dwelling.

Reason: In the interests of highway safety.

11. Notwithstanding the submitted plans, development shall not commence until details of the proposed vehicular crossover have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to beneficial occupation of any dwelling.

Reason: In the interests of highway safety.

12. Off-street parking shall be provided in accordance with the Councils Supplementary Planning Guidance: Delivering Design and Placemaking: Access, Circulation and Parking Requirements.

Reason: To ensure vehicles are parked off the public highway, in the interests of highway safety.

13. Surface water drainage from the proposed development shall not discharge onto the public highway or connect to any highway drainage system.

Reason: To prevent hydraulic overload of the highway drainage system and in the interests of highway safety.

14. All HGV deliveries during the construction period shall only take place between the hours of 09:00 am and 16:30 pm on weekdays to and from the site.

Reason: In the interests of the safety and free flow of traffic

15. No development shall commence, 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.

16. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
2. A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

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

17. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 16) have been implemented



and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.

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

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

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

19. No development shall take place until a Wildlife Protection Plan for Construction, incorporating recommendations in Appendix V of the Wildwood ecology Survey (November 2018), has been submitted to and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season).
- d) Persons responsible for:
  - i) Compliance with legal consents relating to nature conservation;
  - ii) Compliance with planning conditions relating to nature conservation;
  - iii) Installation of physical protection measures during construction;
  - iv) Implementation of sensitive working practices during construction;
  - v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
  - vi) 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.

20. The development shall be carried out in accordance with the conclusions and recommendations set out in Section 5 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment Report completed by Wildwood Ecology (Ref WWE18024 PRA Rev C). The recommendations shall be implemented prior to beneficial occupation of the dwellings, unless agreed otherwise 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.

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