



PLANNING & DEVELOPMENT COMMITTEE

13 JUNE 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0363: OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED) FOR A PROPOSED RESIDENTIAL DEVELOPMENT (RE-SUBMISSION). BODWENARTH QUARRY, BEDW ROAD CILFYNYDD.

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application

2. RECOMMENDATION

That Members consider the proposals and my report thereon and determine the application having regard to the advice given.

3. BACKGROUND

This application was originally reported to the meeting of the Planning and Development committee held on 16th August 2018 with a recommendation that planning permission be granted subject to conditions and the applicants entering into a Section 106 agreement to secure 20% affordable housing within the proposed development. A copy of the original report is attached as **APPENDIX A**. At the meeting Members resolved that they were minded to refuse the planning application on the basis that the site is located outside of the settlement limits defined by the adopted Local Development Plan and because of concerns expressed relating to the stability of the quarry faces had not been fully addressed. Members also instructed that a further report be prepared on the potential strengths and weaknesses of a refusal of planning permission on such grounds, (minute no 72 refers).

Following Members initial resolution, the applicant requested that they be allowed time to address the concerns that Members had expressed relating to the safety and stability of the quarry faces before the matter is finally determined. As a result a further report was provided by the applicants in February of this year which has been independently assessed by WSP at the request of the Council and subsequently further clarification was sought and provided and WSP now advise that

all residual concerns have been adequately addressed. In light of the additional work undertaken, Members are advised that uncertainty relating to the stability and safety of the quarry rock faces has been adequately addressed and that as such this issue could no longer constitute a reasonable reason for refusal.

Given the additional work that has been undertaken on rock face safety and stability, If Members resolve to approve the proposals in accordance with the original recommendation from officers, there is a need to reconsider conditions 21 and 22 in the original report. Condition 21 should be reworded to read as follows –

The development hereby approved shall be carried out in accordance with the conclusions of the original Groundsure report submitted with the planning application as subsequently amended/supported by the submitted GSL report received 1st February 2019 and letter dated 10th April 2019.

Condition 22 can then be deleted.

The second issue raised by Members was that the development as proposed lies outside of settlement limits as defined by the adopted Local Development Plan and as such granting planning permission would be contrary to the planning policies contained in the LDP. The issues raised around planning policy were fully discussed in the initial report to Members where on balance officers were of the view that the development of the site would be justified despite the apparent conflict with policy. Members though have quite legitimately resolved to reject the development on that basis and as such, should Members be of a mind to ratify their initial resolution in this matter it is considered the following would reflect accurately their reason for refusal –

1. The submitted planning application represents unjustified residential development located outside of settlement limits as defined in the adopted Rhondda Cynon Taf Local Development Plan, and as such is contrary to the requirements of Policy AW2(1) of that Plan.

Members will no doubt be aware that since this matter was first considered the latest iteration of Planning Policy Wales (PPW 10) has been issued. However, it is not considered that this revision of national policy would have led to an alternative conclusion or recommendation in this instance.



PLANNING & DEVELOPMENT COMMITTEE

16 AUGUST 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 18/0363/13
(GD)
APPLICANT: The Cosslett Family Discretionary Trust
DEVELOPMENT: Outline planning application (with all matters reserved)
for a proposed residential development (re-submission).
LOCATION: BODWENARTH QUARRY, BEDW ROAD,
CILFYNYDD, PONTYPRIDD
DATE REGISTERED: 03/04/2018
ELECTORAL DIVISION: Cilfynydd

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development having regard to planning policy and all other material planning considerations is considered acceptable. The proposed development if allowed would secure the removal of a non conforming use from a residential area and would make a small contribution to addressing the current housing land supply shortage.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Outline planning permission with all matters reserved is sought for residential development in Bodwenarth Quarry, Cilfynydd.

The illustrative plan accompanying the planning application shows the site having a single point of access from Bedw Road running directly in to the site to form a cul de

sac with a series of private drives from it forming access to a total of 9no. dwellings. The illustrative plan shows 5no. detached properties and 4no. semi detached properties.

The indicative layout shows a strip of land that forms part of the quarry edged in blue around the outer edge of the red line site boundary. In addition, the indicative layout does not show the layout filling the whole site within the red line boundary. The Design and Access Statement suggests that it will be a “landscape and biodiversity element of the overall development”, which includes the existing waterfall and that it will also form a safety/buffer zone between the proposed houses and the faces of the quarry.

The application is accompanied by the following:

- Planning Statement;
- Design and Access Statement: etc
- Preliminary Land Quality Risk Assessment and Stability Assessment.
- Ecological Appraisal
- Transport Statement

SITE APPRAISAL

The site is a disused quarry, and it does not appear that it has been worked as a quarry in the post-war period. It is 0.56 hectares in size and is currently occupied by a civil engineering business. There are an office building and several construction vehicles on the site. It is understood the business has occupied the site since the 1960s.

The site contains an office building in the north and apart from that is an open yard. The quarry is surrounded by well vegetated rock faces in the south, east and north. No information has been submitted to indicate the height of these, but they represent a substantial sheer drop. There is a waterfall in the south east of the site, which falls over the quarry side and into a culvert. There is a smaller rock face and some stone storage in the north west adjacent to Bedw Road. The indicative layout suggests work will be required to reduce this to accommodate plot 2.

The access to the quarry is from Bedw Road and is on the western tip of the site. It is also used to access a rear lane behind properties on Cilfynydd Road. The north western side of the quarry is bound by Bedw Road, the house Bryn Bedw lies immediately to the north, and there is residential development at a higher level at the top of the rock face to the east.

PLANNING HISTORY

17/0538	Residential development of 9no. dwellings (outline application)	Refused
		06/11/17
04/1421	Variation of condition 1 of planning permission 99/2960	Approved

		22/10/04
99/2960	Two storey office block and associated improvements.	Approved 22/10/99
79/0417	Construction of a single storey office block	Approved 05/06/79
78/1255	Office workshop and storage (outline application)	Approved 10/07/79
78/0255	Stores extension	Approved 07/03/78
77/1299	Workshop and storage extension	
77/0667	Workshop and storage extension (outline application)	Approved 20/09/77
76/0973	Office extension	Approved 21/09/76

PUBLICITY

The current application has been advertised by means of site notices and neighbour notification letters and two letters of objection have been received expressing the following concerns and objections in respect of the proposed development.

- In planning policy terms the capacity of the southern strategy area to absorb further growth at existing rates without social and environmental degradation is being tested.
- The site is not allocated in the Local Development Plan for residential development, and the plan makes no provision for new housing in Cilfynydd. The site is also located outside of the settlement boundary.
- There are many homes available for sale and rent in Cilfynydd at the moment.
- The waterfall is described by the applicants as small and they need to survey this feature during a period of persistent wet weather so as the full potential of the cascade is appreciated. The noise produced by the waterfall when in spate offers a potential nuisance to any new resident. This factor needs to be seriously considered if building new homes nearby especially with regard to foundation work/noise/flooding.
- Will occupants be able to obtain home insurance given the location within the quarry and the proximity of the waterfall?

- Many residents take the view that the site is not unsightly and want the site to remain as it is. They see no need for further residential development and point out that the site is peaceful at evenings and weekends.
- No indication is given as to how plant and lorries will access and egress the site during the course of construction works and the claim that heavy vehicles currently access and egress the site with ease is disputed citing damage to a boundary wall near a post box.
- The application does not make clear who will take responsibility for maintenance and repairs during the course of construction works or post development
- Will the current metal boundary fence remain in place or will it be replaced?
- Additional properties will cause further congestion on a busy road in close proximity to the acute junction of Bedw Road and Cilfynydd Road which is also a bus route.
- Additionally the Trojan Garage is a busy and popular facility.
- Japanese knotweed has been recorded on site how will this be dealt with?
- What measures will be put in place to ensure that the access road to the rear of the houses on Cilfynydd Road will not be blocked during the course of construction or before the new access is put in place. This lane is well used by established residents to access the rear of properties and garages.
- The applicants it is alleged have caused a great deal of damage to the cliff face.
- The site has been quarried in recent years and the process has undermined properties in King's Hill.
- The applicant it is alleged have extended the boundary fence on to land in the ownership of a third party.
- The noise from recent quarrying was unbearable and could be heard at the top of the village.
- The cliff face is now dangerous and the applicants have no intention of rectifying the damage done
- The quarry has become a danger and an eyesore and where there once were trees on an incline there are now steep dangerous drops
- Razor wire has been erected without any signs

CONSULTATION

Highways – no objections subject to conditions.

Drainage – no objections subject to conditions.

Public Health & Protection – no objections subject to conditions.

Natural Resources Wales – no objections subject to the imposition of appropriate conditions on any consent that might be issued.

Dwr Cymru/Welsh Water – no objections subject to conditions

Western Power Distribution – the applicants will need to apply to Western Power Distribution if they require a new connection or service diversion.

Wales & West Utilities – raise no objection to the proposed development and advise with regard to the position of their apparatus in the vicinity of the application site and safe working practices to be adopted when working in proximity to it.

Countryside – there are no records of statutory protected species in the immediate vicinity of the site however an appropriate bat informative note will be needed on any planning permission. The application is accompanied by an ecological assessment and the mitigation measures proposed should be a requirement of planning permission if consent is to be granted and any development of the site should also require that a management plan be put in place for the long term maintenance of the quarry faces and waterfall/culvert.

Housing Strategy – the adopted Local Development Plan requires the provision of 20% affordable housing on sites of 5 or more units in the southern strategy area. In this instance and based on the findings of the Local Housing Market Assessment 2017/18, two of the three bedroom houses on site should be made available for low cost home ownership.

Corporate Estates – advise that the Council benefits from an easement across the site for the purpose of maintaining the culverts watercourse and any development would need to take account of this.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan (LDP)

The site is outside but adjacent to the settlement boundary.

The following policies are considered relevant to this development:

Policy CS2 - Development in the South

Policy AW1 - Supply of New Housing

Policy AW2 - Sustainable Locations

Policy AW5 - New Development

Policy AW6 - Design and Placemaking

Policy AW8 - Protection and Enhancement of the Natural Environment

Policy AW10 - Environmental Protection and Public Health

Policy AW11 - Existing Employment and Retail Uses

Policy SSA11 - Housing Density

Policy SSA12 - Affordable Housing

The following Supplementary Planning Guidance (SPG) is considered relevant:

- Affordable Housing
- Nature Conservation
- Planning Obligations
- Access, Circulation and Parking

National Guidance

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

Chapter 2 – Development Plans

Chapter 3 – Making and Enforcing Planning Decisions

Chapter 4 - Planning for Sustainability

Chapter 7 Economic Development.

Chapter 8 - Transport

Chapter 9 - Housing

Chapter 12 – Infrastructure and Services

Chapter 13 – Minimising and Managing Environmental Risk and Pollution

are considered relevant to this development.

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development.

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

The key consideration in the determination of this planning application are the acceptability or otherwise of the principle of development in this case, the impact of the proposals on the character and appearance of the area, the impacts of the proposed development on residential amenity and privacy, the impact and implications of development on the management of the rock faces, and the impact of the proposals on highway safety.

Principle of the proposed development

As residents have pointed out, It is noted that the development is outside the settlement boundary and therefore the proposed development is considered a departure from the Development Plan.

However, the development is within a largely residential area, with residential development to the north, west and east of the quarry. The development is on brown field land. It is therefore considered that the location is sustainable under Policy AW2 of the Local Development Plan. It is also considered that in principle the use of the site for residential development would be more suited to the surrounding residential area than the current or last use. It is not considered that the proposal causes any significant issues with the availability of employment sites. Therefore the proposal is considered acceptable under Policy AW11 of the Local Development Plan.

Residents have also raised the point that the capacity of the southern strategy area to absorb further development without further social and environmental degradation is being tested. In this instance though consideration of the proposals against social and environmental factors relevant to the determination of the planning application demonstrates that the current proposals are acceptable and indeed in some instances offer the potential for improvement e.g. the development of the site would reduce pollution risk in the long term through decontamination of the site itself.

Given the above, the principle of developing the site for a residential use is considered acceptable, subject to other material considerations being satisfactorily addressed.

Impact on the character and appearance of the area

As this is only an outline planning application the impact of the proposed development on the character and appearance of the area is difficult to fully assess. However the removal of a non conforming commercial use with a relatively modest residential development with improved access arrangements would do nothing but

improve the character and appearance of the area particularly when the relatively enclosed nature of the site is taken into account.

Impact on residential amenity and privacy

The indicative layout plan illustrates how the site may be developed given the constraints that confront its development which are principally the need for a buffer zone to be established between the rock faces and any new housing and the presence of the waterfall and culverted watercourse on the southern side of the site. Any development would have to have regard to these constraints and that would limit the type of development that could be brought forward to something in appearance that would resemble the submitted illustrative layout. This together with the semi enclosed nature of the site would result in a development sitting within itself with a negligible impact on the established residential development that surrounds it. Furthermore; the removal of a non conforming use from a residential area could only have a beneficial impact on residential amenity in the long term. As such it is considered that the impact of the proposed development on residential amenity and privacy is acceptable in planning terms.

Management of the rock faces.

The Preliminary Land Quality Risk Assessment and Stability Assessment submitted in support of the planning application has been subject to independent scrutiny by WSP on behalf of the Council. The work undertaken by WSP offers a critical analysis of the work undertaken on behalf of the applicants by Geosolve Ltd. and covers site setting, evidence of instability, failure mechanisms, rock fall modelling approach and outlook, consideration of mitigation measures, design and ongoing maintenance and a series of conclusions and recommendations. As a solution to the threat of rock fall and any failure in the quarry faces the Geosolve Ltd. report advocates the creation of an ecological zone of varying depth (between 3m and 7m) creating soft catch areas and fencing between the quarry faces and any residential property that might be built, this WSP indicate is a reasonable approach to take to the development of the site. However WSP also identify concerns regarding the western end of rock face D which might involve potential toppling failure of the face and this would have consequences for the development of plot 2 as shown on the indicative layout plan. WSP then proceed to identify that there are a number of solutions to this problem including removing plot 2 from the scheme, the potential widening of the ecological protection zone, further treatment of the rock promontory to remove the danger or anchoring of the existing rock face to prevent failure. Notwithstanding the above concerns Members should keep in mind that this is an outline planning application and that the submitted work and independent analysis provides sufficient evidence that the site could be safely developed but not in the manner envisaged in the illustrative layout unless further work is undertaken to address the concerns raised in respect of the western end of rock face D identified in the geological work. WSP also rightly identify that if an ecological zone comes forward as a necessary element in the residential development of the site a management plan for maintenance and upkeep will also have to be put in place for the long term.

In conclusion on this issue sufficient evidence has been provided to demonstrate that the site could be safely developed for residential purposes however, it may not take

the form shown on the illustrative layout without further analysis of the rock face D and its potential effect on the built form of the site.

Access and highway safety

Concerns expressed by local residents in respect of highways tend to focus in highway terms on the management of the site through the development process, which are matters that can be adequately addressed through the agreement of a construction management plan if Members are minded to approve the proposals. It is acknowledged that Cilfynydd Road is a busy route and an additional nine dwellings will not add substantively to that in terms of trips generated, particularly when the existing use of the site is also factored into consideration. The proposals though submitted in outline, provide enough information to demonstrate that a suitable junction with Bedw Road is achievable. These issues and all other relevant highway related considerations have been the subject of full and proper consideration by the Highways Development Control section and they advise that the proposals are acceptable subject to conditions

Other Issues:

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

On the issue of drainage of the site Members should note that neither the Council's own drainage engineers or Dwr Cymru Welsh Water have raised any issues or concerns subject to the imposition of appropriate conditions on any consent issued.

On the issue of the ecology of the site Members are advised to note the comments of Natural Resources Wales and the Council's own ecologist both of whom raise no objection to the proposals subject to conditions that will ensure that those areas of the site that are ecologically sensitive are appropriately managed.

Whether or not any future resident will be able to get home insurance is not a planning consideration, though it would be careless of any developer not to ensure that was the case prior to building out the site.

Maintenance and repair to the existing street through the course of construction will be the responsibility of the highway authority if the street is adopted or that of those who front the street if it is not. The exception being if the developer causes any damage in which case it will be their responsibility to put right and the Council has power under Section 59 of the Highways Act to enforce should that prove necessary.

Whether or not the current boundary treatment will remain in place or be changed is a matter of detail that can be determined at the submission of reserved matters should this application prove successful

A number of allegations have been made in respect of the recent quarrying at the site and it is claimed that this has made the rock faces of the site unstable and has undermined properties on King's Hill. This is not supported by any evidence from the

objector and the information provided by the applicant, which has been independently verified clearly indicates otherwise.

If the site boundary has been extended on to third party land then that is a matter for the parties involved to resolve and it cannot influence the outcome of the planning application.

The claim that Japanese knotweed is present on site has not been corroborated and in any event if it is present then it will have to be appropriately dealt with before development can take place. If it is the source of nuisance to other residents then other legislation is available to deal with the issue.

The proximity of the Trojan Garage to the site is noted as is its popularity this though forms no basis for resisting the current planning application.

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 CIL liable under the CIL Regulations 2010 (as amended).

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.

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:

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

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to

contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

- The provision of two affordable housing units in accordance with the recommendations of the Council's housing strategy division.

Conclusion

Members will note from the planning history of the site that residential development was refused as recently as 2017. However the reasons for refusal given at that time related to highway issues and uncertainties around safety relating to the quarry faces. Both of these issues have now been addressed and overcome though the latter will require further work as recommended by conditions below. Whilst the application site lies outside of the defined settlement limits in the Local Development Plan it is in every other respect policy compliant as outlined above and the site lies within an otherwise sustainable location. Additionally the site could make a small contribution to addressing the current housing land supply shortage. In light of the above support for the current application is recommended subject to the conditions below and the conclusion of a Section 106 agreement in the terms described above.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto 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 layout, scale and appearance of any building to be erected, the means of access to the site 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 shall be carried out in accordance with the following approved plans unless otherwise agreed in writing by the Local Planning Authority;

- Application plan 002 (site location plan)

Reason: For the avoidance of doubt as to the approved plans.

3. Before the submission of the application for the approval of reserved matters, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimize any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

5. Prior to their construction a plan indicating the positions, design, materials and type of boundary treatment to be erected (including any protective fencing marking the extent of the ecological/safety zone) shall be submitted to and approved in writing by the LPA. The boundary treatment shall be completed before the building(s) are occupied. Development shall be carried out in accordance with the approved details.

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

6. Before any works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. 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 proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan .

8. 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.

9. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 8 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.

10. 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.

11. Any topsoil (natural or manufactured) or subsoil to be imported into the site shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to the approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing with the Local Planning Authority. Only material approved by the local Planning Authority shall be imported.

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

12. Prior to commencement of the development, the developer shall provide, detailed information that indicates the glazing and ventilation specifications offered as noise mitigation throughout the residential development, so as to achieve internal noise levels in compliance with BS8233:2014. The agreed details shall be implemented prior to the first occupation of any dwelling that it is intended to serve.

Reason: in the interests of residential amenity and to comply with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

14. Notwithstanding the submitted detail other than for works of site clearance and remediation, development shall not commence until full engineering design and details of the new access off Bedw Road, and internal road layout, including sections, street lighting details, surface water drainage details, and the provision of a 2m wide footway along the north western boundary of the site, have been submitted to and agreed in writing with the Local Planning Authority. The details shall be implemented in accordance with the agreed plans prior to the first occupation of any dwelling hereby approved.

Reason: To ensure the adequacy of the proposed development in the interests of highway safety.

15. Notwithstanding the submitted plans, development (other than site clearance and remediation) shall not begin until details of any private shared drives , including drainage details, have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of any dwelling served by an agreed private drive.

Reason: In the interests of highway safety.

16. Off street parking provision shall be in accordance with Rhondda Cynon Taf's Supplementary planning Guidance on delivering design and placemaking; access, circulation and parking requirements (March 2011).

Reason: To ensure that adequate parking facilities are provided within the development in the interests of highway safety.

17. No HGV deliveries during construction shall take place between 07:30 and 08:30 hours and between 16:30 and 17:30 hours Monday to Friday

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

18. Surface water runoff from the proposed development shall not discharge on to the public highway or connect to any highway drainage system unless otherwise agreed in writing with the Local Planning Authority/

Reason: To prevent overloading of the existing highway drainage system and potential flooding and in the interests of highway safety.

19. Prior to the commencement of any works on site detailed proposals for the creation of the ecology/safety zone around the approved development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but are not limited to, sections and levels existing and proposed for the ecology safety area, details of the final finished surfacing for the ecology/safety zone and details of any catch fencing to be installed.

Reason: In the interests of ecology and the safety of future residents of the development hereby approved and so as to accord with the requirements of policy AW10 of the Rhondda Cynon Taf Local development Plan.

20. Prior to the substantive completion of the development hereby approved the applicant/developer shall provide for the agreement of the Local Planning Authority written details of a management plan for the ecology/safety area. The plan shall include management responsibilities and maintenance schedules for the ecology/safety zone. The management plan shall be carried out as approved.

Reason: In the interests of ecology and the safety of future residents of the development hereby approved and so as to accord with the requirements of policy AW10 of the Rhondda Cynon Taf Local development Plan.

21. Prior to the commencement of any works whatsoever (other than any necessary clearance of the quarry faces), the applicant/developer shall undertake a full kinematic analysis of all quarry faces, such detail to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of securing a safe development in accordance with the requirements of Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

22. Should the Kinematic analysis required by condition 21 above reveal a need for further works to any of the rock faces to make them secure and safe then details of all required works shall be submitted to and approved in writing by the Local Planning Authority and fully implemented prior to the commencement of any other site clearance or building works on site.

Reason: In the interests of securing a safe development in accordance with the requirements of Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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