



PLANNING & DEVELOPMENT COMMITTEE

5 DECEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0387/10 (MF)
APPLICANT: Newydd Housing Association
DEVELOPMENT: Construction of 17 no. bungalows and associated landscaping, SUDs and works (amended plans received 18/09/19).
LOCATION: FORMER CWMBACH PRIMARY SCHOOL, BRIDGE ROAD, CWMBACH, ABERDARE, CF44 0LS
DATE REGISTERED: 16/04/2019
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Approve, subject to Section 106 Agreement

REASONS: The redevelopment of the site for residential purposes is acceptable in principle. Furthermore, it is considered the site is capable of accommodating 17 bungalows as proposed without resulting in a significant impact upon the character and appearance of the surrounding area or the amenity and privacy of the surrounding residential properties. It is also considered the proposed development would have no undue impact upon highway safety in the vicinity of the site.

The application therefore complies with the relevant local and national planning policies and is considered acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The application is reported to Committee as the proposal is not covered by determination powers delegated to the Service Director, Prosperity and Development.

APPLICATION DETAILS

Full planning permission is sought for the construction of 17 bungalows at the former Cwmbach Primary School site along with all associated development works. Whilst the scheme is submitted by a Registered Social Landlord, the proposed development would provide a mix of both market (15 units) and low cost home ownership (2 units) housing.

The scheme proposes the 17 bungalows form a new cul-de-sac across the site, arranged in an 'L' shape around a central access road. 5 different house types are proposed, a mix of detached (7) and semi-detached (10) bungalows, all of which would accommodate 2 bedrooms and associated living space. Each unit would incorporate off-street parking spaces to the front or side, with the units located along the eastern and southern side of the street having their associated amenity space located to the front of the properties, and the units located along the western side of the street having small areas of amenity space to the front and larger, terraced areas of amenity space at the rear.

With respect to external appearance, whilst 5 differing house types are proposed, each of the properties would be finished in the same external materials. This would comprise buff face brick, pennant grey cast-stone cills, imitation slate roof tiles, and composite doors, windows and rainwater goods. Boundary treatments would comprise a mix of 1.8m high timber fencing and brick walls.

Both vehicle and pedestrian access would be gained off Bridge Road at the south-eastern corner of the site. The majority of the new street would form adoptable highway, however small sections at the northern and southernmost extents would form private drives.

The westernmost extent of the site would be utilised for the site's necessary Sustainable Urban Drainage (SUDs) system.

SITE APPRAISAL

The application site is a roughly 'L' shaped plot that amounts to approximately 0.76ha. It was formerly occupied by Cwmbach Primary School which was demolished in 2018. The site has been cleared and is now vacant, with only the original stone boundary walls remaining (which would remain following development). The site rises gradually from south to north, following the natural topography of the area. As such the northern element is sited between 1-2m above that of the lower, southern element. It is noted however the westernmost extent of the site forms a steep bank down towards a small area of woodland beyond.

Given the sites location within the heart of the village, it is bound by the rear gardens of neighbouring residential properties along Bridge Road at the southern and eastern boundaries, and the rear gardens of neighbouring residential properties along Cwmbach Road at the northern boundary. A small area of woodland is located directly to the west of the site, beyond which is large area of public open space, both of which are sited at a considerably lower ground level. Access is gained off Bridge Road at the south-east corner.

The surrounding area is generally residential nature, comprising a mix of dwelling types and relationships between properties. It is noted however that there are a number of commercial uses located throughout.

PLANNING HISTORY

Previous planning applications submitted at the site:

18/0028	Application for prior notification of demolition of the former Cwmbach Primary School to enable residential development	Prior Notification Required	08/02/18
15/0581	Outline planning for 1 no. detached bungalow and 16 no. semi-detached bungalows (8 no. pairs), off-road parking, access road and associated works	Granted	06/06/17

PUBLICITY

The application has been advertised by means of direct neighbour notification, site notices and a press notice. Two letters of objection have been received from occupiers of neighbouring properties, making the following comments (summarised):

- Bridge Road is a narrow, terraced, residential street which is busy and oversaturated with on-street parking. Further vehicles using the street to access the development site would exacerbate these issues.
- The proposed site access is located at a bend in Bridge Road. As such it has limited visibility and is not suitable for the proposed development.
- The footpath along the development side of Bridge Road is narrow. Development at the site could worsen the situation.
- Construction and associated traffic will result in noise and disturbance to existing, surrounding residents.
- The contractors involved with the demolition of the former school buildings caused various nuisance to surrounding residents and have left the site in a poor condition. There are concerns that future development at the site would result in similar issues.
- There is no need for new residential units in this area.
- Additional residential units at the site would put further pressure on the already limited health care provision in the area.

CONSULTATION

Transportation Section – No objection, subject to conditions.

Public Health and Protection – No objection, subject to conditions.

Flood Risk Management – No objection, subject to condition.

Countryside, Landscape and Ecology – No objection.

The Coal Authority – No objection.

Dwr Cymru Welsh Water – No objection, subject to conditions.

Wales and West Utilities – No objection, subject to conditions.

Western Power Distribution – No objection.

South Wales Police – No objection, subject to conditions.

South Wales Fire and Rescue Service – No objections, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the settlement boundary for Cwmbach, but is not allocated for any specific purpose.

Policy CS1 – sets out the criteria for development in the Northern Strategy Area.

Policy AW1 – sets out the criteria for new housing proposals.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including the Community Infrastructure Levy.

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

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

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy NSA10 – requires housing developments in the Northern Strategy Area to have a net residential density of at least 30 dwellings per hectare, subject to certain exceptions.

Policy NSA11 – seeks a provision of 10% affordable housing on sites of least 10 units or more within the Northern Strategy Area.

Policy NSA12 – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries in the Northern Strategy Area.

Supplementary Planning Guidance

- Design and Placemaking;
- A Design Guide for Householder Development;
- Affordable Housing;
- 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.

Planning Policy Wales (Edition 10) sets out the Welsh Government's current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the Welsh Government's policy on planning issues relevant to the determination of planning applications.

It is considered that this proposal meets the seven goals set out within the Well-being of Future Generations (Wales) Act and the site has been brought forward in a manner consistent with the five ways of working set out in the Act. Furthermore, it is also considered that the proposed development is consistent with the key principles and requirements for placemaking set out in Chapter 2 (People and Places: Achieving Well-being Through Placemaking) of Planning Policy Wales (Edition 10), and is also consistent with following chapters of the document insofar as they relate to the development proposed: Chapter 3 (Strategic and Spatial Choices); Chapter 4 (Active and Social Places); Chapter 5 (Productive and Enterprising Places); and Chapter 6 (Distinctive and Natural Places).

Other relevant policy guidance consulted:

- PPW Technical Advice Note 1: Joint Housing Land Availability Studies;
- PPW Technical Advice Note 2: Planning and Affordable Housing;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport.

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.

Principle of the Proposed Development

Full planning permission is sought for the construction of 17 bungalows at the application site, 15 of which are to be sold as open market housing, with the remaining 2 occupied under a low cost home ownership scheme.

The site is unallocated and located within the well-established settlement of Cwmbach, inside the village's defined settlement boundary. As such it is not considered the proposed use of the site for residential purposes would conflict with surrounding land uses which are predominantly residential in nature. The proposal therefore meets the key criteria set out in Policies AW1 and AW2 of the Local Development Plan (LDP) which aim to support residential development on unallocated land within settlement boundaries.

The site is also situated close to the town centre of Aberdare and all of its associated facilities/amenities, as well as a number of public transport links including both bus and train with services to Aberdare town centre, Pontypridd and Cardiff. There are also a number of local services and facilities in the village that are within walking distance. It is therefore considered the site is located within a highly sustainable location and the proposed scheme complies with the primary objectives of Policies AW2 and NSA12 of the LDP which aim to support sustainable development; and the overarching sustainable development and placemaking aims of Planning Policy Wales (PPW). Additionally, the proposed development would make use of a Brownfield site which is promoted by Policy CS1.

It is also noted that Local Authorities are required by PPW and Technical Advice Note 1: Joint Housing Land Availability Studies to ensure that there is a 5 year land supply for housing. The Council does not presently have a 5 year land supply with the Rhondda Cynon Taf Joint Housing Land Availability Study (April 2019) calculating the current supply to be 1.3 years, a deficit of 3.7 years. As such, with the site free from planning, physical and ownership constraints and confirmation from the applicant that it would be economically viable to develop in the near future, the proposed development would go some way to increasing the Council's housing land supply.

Furthermore, the proposal is compliant with Policy NSA11 in that it proposes more than 10% of all properties on site as affordable units, and whilst it is acknowledged the development would not result in 30 dwellings per hectare as prescribed by Policy NSA10, the reason for this is due to a large section of the site along the western boundary, roughly 0.16ha, being required for the necessary SUDs system in accordance with national policy. Subsequently there is no objection in respect of the reduced density.

Finally, as detailed above, the site has a history of planning permission for residential development. It is therefore considered that the principle of residential development at the site has already been established.

Consequently, in light of the above, the redevelopment of the site for residential use is considered acceptable in principle, subject to compliance with the other relevant material considerations set out below.

Visual Impact

It is considered the proposed site layout forms an appropriate design given the shape of the plot and the relationship it has with the adjacent neighbouring streets. As such the application site is considered to be of a scale capable of accommodating the number of units proposed without leading to overdevelopment of the plot, and further, the proposed layout will ensure the new street sits comfortably between the existing properties to the north, south and east. Additionally, whilst a degree of levelling work will be required throughout the site, given the minor changes in level across the plot no significant engineering works would be required. Consequently it is not considered the general redevelopment of plot and layout proposed would have a detrimental impact upon the character and appearance of the site or the surrounding area.

With respect to the proposed buildings themselves, the new bungalow units would be of a modern, contemporary design, unlike that of the majority of buildings in the surrounding locality which form traditional, two-storey, Victorian terraced dwellings. As such the proposed development would inevitably introduce a distinct alteration to the current character and appearance of the immediate area. However, replacing what has been a vacant/derelict site since the closing of the school, it is considered the scheme will significantly improve the site's current character and appearance. Furthermore, the contemporary and modern design of the proposed bungalows is considered to be attractive and it is noted that the developer proposes traditional finishing materials and a colour palette comparable to that of the neighbouring properties which help to ensure the units are not overly prominent within their surroundings. Finally, the majority of the bungalows would be located to the rear of the existing properties along Bridge Road and therefore would not be readily visible from outside the site, other than from the rear of the existing, immediate neighbouring properties.

It is therefore considered the proposed development would appear as an appropriate infill between the existing surrounding properties and is consequently considered to be in accordance with the relevant planning policy in respect of its potential visual impact.

Residential Amenity

Whilst it is acknowledged that any development at the site would inevitably result in a degree of impact to the amenity and privacy standards currently enjoyed by surrounding residents, it is considered that the site layout proposed

will allow sufficient distance between the new properties and the existing to ensure that any potential impact would not be significant enough to warrant refusal of the application.

The proposed site layout illustrates that Plots 11 – 16, along the eastern boundary of the site, would be located only 2m from the boundary with the adjacent properties to the rear along Bridge Road, resulting in their amenity space being sited to the front. This is also the case for Plots 1 and 2 along the southern boundary of the site, albeit that these units would be located between 3 and 4m from the boundary with the adjacent neighbours. Consequently the new units would inevitably form visible features from the rear of the existing, adjacent dwellings. The applicant has detailed that the site layout has been determined by the requirement to provide the necessary SUDs system at the western extent of the site, and the number of units proposed is the only viable option at the site.

Whilst the distance between the rear of Plots 11 – 16 and the boundary is considerably less than that which would normally be proposed on a development scheme of this nature, the adjacent, existing properties have long rear gardens resulting in a minimum separation distance of approximately 30m between the rear elevations of the new and existing properties. As such it is considered that the separation distance combined with the fact that the new units would form single storey bungalows with no habitable windows in the rear elevations would ensure that no undue overlooking would occur, and there would be no overbearing impact.

It is acknowledged however that Plot 16 would be sited in close proximity of the rear of the existing, adjacent property 6 Bridge Road, an approximate separation distance of only 7m which would inevitably result in a degree of both overlooking and overbearing impact. However, the new unit would be sited approximately 1.5m below the ground level of 6 Bridge Road and be separated from it by the existing stone boundary walls that would remain following development. It is therefore considered that these factors along with the fact that the new unit would form a single storey bungalow with no habitable windows in the rear elevation would ensure that any potential impact would not be significant enough to warrant refusal of the application. It is also noted that no objections were received from the occupiers of the neighbouring property following the consultation process.

Plots 1 and 2 would have a similar relationship with their immediate neighbouring property, 2 Greenhill Cottages to the south, however, given the topography of the area they would actually sit approximately 1m higher than the ground level of the existing dwelling, again, inevitably resulting in a degree of both overlooking and overbearing impact. Nevertheless, as with Plot 16, as the new units would form single storey bungalows with no habitable windows in the rear elevations, and the fact that the existing boundary walls would remain, it is not considered that any potential impact would be significant enough to warrant refusal of the application. Furthermore, it is also noted that no objections were received from the occupiers of the neighbouring property following the consultation process.

Given the relationship of Plots 3 – 10 with the existing surrounding properties, it is not considered that these units would result in any undue impact to the existing amenity or privacy standards currently enjoyed by the occupiers of the surrounding dwellings.

Finally, the plot was last occupied by a primary school which would have resulted in a degree of noise and distance, albeit during the day time, Monday to Friday only. Therefore, whilst surrounding residents would have become accustomed to the vacant nature of the site in recent years and it is accepted the introduction of 17 residential units will obviously intensify its current use, it is not considered the relative increase in disruption generated by the proposed development would be significantly greater than that which would have historically occurred.

It is acknowledged that an objector has expressed some concern with regard to the additional use of Bridge Road by construction traffic, commenting that the vehicles associated with the development of the site will cause nuisance and disturbance to neighbours by way of increased traffic movements and associated noise. Whilst unfortunate, it is inevitable that during the course of construction residents may observe an increase in traffic movements resulting from deliveries associated with the construction. However, it is considered that this would occur over a limited period of time. Furthermore, Members are advised that should they be minded to approve the application, a condition is suggested below to control the days and hours during which deliveries associated with the construction may attend the site, thereby avoiding disturbance during the evenings, weekends and peak traffic times which will ensue any potential impact in this regard in minimised.

Therefore, in light of the above, whilst it is acknowledged that a degree of impact would inevitably occur to the amenity and privacy standards currently enjoyed by existing surrounding residents, it is not considered any impact would be so detrimental as to warrant refusal of the application. The application is therefore considered acceptable in this regard.

Highway Safety

It is noted that the Transportation Section originally raised a number of objections to the scheme, specifically in respect of the site access and associated vision splays on to Bridge Road; the pedestrian footway at the site frontage; the private drives and turning areas within the site; and the off-street parking provision at a number of properties. In light of the highway concerns an amended site layout plan was received on 18/09/2019 whereby the site access, vision splays, private drives and footway layouts were amended, and additional off-street parking provided. Following assessment of the amended scheme the Transportation Section removed their objections, subject to a number of relevant conditions being added to any consent.

In their assessment of the scheme the Transportation Section commented that a Transport Statement (April 2019) (TS) has been submitted and provides details

of trip generation, accessibility and sustainability. Trip generation is shown to be significantly less than the former use of the site as a primary school with the trips more evenly distributed throughout the day and with morning and evening peak periods corresponding to the highway peak periods rather than associated with the school start and finish times. The TS also highlights that no accidents have been recorded along Bridge Road in the immediate vicinity of the development site over the most recent 5 year period.

With respect to access, it was commented that Bridge Road is a residential street with the majority of dwellings being terraced in nature with limited off-street car parking facilities. The carriageway along Bridge Road measures 5.4m at the proposed access and up-to a maximum of 7.3m. The footways leading to the site measure 1.4m which are below current standards required by current guidance and the Active Travel (Wales) Act 2013. The existing carriageway in the vicinity of the proposed access retains zig-zag 'Keep Clear' road markings associated with the former school which are no longer required and must be removed, therefore a condition requiring the developer to arrange for the traffic regulation to be amended and the markings removed is suggested, the cost of which (£3500) would be passed to the developer. The removal of the zig-zag markings would also increase opportunities for parking by the existing residents of Bridge Road.

The proposed site access would measure between 5.5 – 6m with 2m wide footways provided on each side to tie into existing pedestrian facilities at Bridge Road. The new access road will require the re-alignment of a section of Bridge Road to provide for a safe and satisfactory access which is acceptable subject to detailed design, which can be conditioned accordingly. In the absence of a speed survey and in accordance with Technical Advice Note 18: Transport (TAN18) for a 30 mph speed limit the new proposed access requires a visibility splay of 2.4m x 40m onto Bridge Road which can be provided. As such this element of the scheme is considered acceptable.

Previous concerns regarding the private drive/turning heads have been addressed by the provision of turning facilities for cars and light vehicles within the private shared access serving Plots 9 – 13 and the provision of a bin collection point close to the turning head. Concern does remain however with regard to the extended private drive at the north of the site which will result in increased reversing movements here. However, in light of the mitigation measures provided, the remaining concern does not warrant a highway objection and therefore, on balance, the scheme is considered acceptable in this regard.

With respect to parking, the proposed 17 no. 2 bedroom bungalows require up to a maximum of 2 off-street spaces per unit and 1 visitor space per 5 units in accordance with Supplementary Planning Guidance (SPG): Access, Circulation and Parking, a total of 38 spaces. The submitted site layout plan illustrates that 2 off-street spaces are provided at all plots other than Plot 15, which only accommodates 1 space, and no visitor spaces are proposed. Therefore the development scheme would provide a total of only 33 spaces, 5 below the maximum standards. However, considering that short term visitor parking could

be accommodated on street; the nature of the proposed development, consisting of modest 2 bedroom bungalows; the lower level of car ownership associated with social housing; and the highly sustainable location of the site; the shortfall in off-street parking provision is not considered significant enough to warrant a highway objection in this instance.

Finally, PPW and the Active Travel (Wales) Act 2013 set out walking and cycling as well as public transport at the top of the hierarchy of sustainable modes of travel. A specific assessment of walking and cycling routes within the vicinity of the site has not been provided within the TS, however, considering the previous use of the site as a primary school, footways within the immediate area would be adequate to accommodate children and parents walking to and from school, which would satisfy the requirements in terms of Active Travel/Safer Routes in Communities.

Consequently, in light of the above highway assessment, whilst the concerns raised by the objectors in this respect are acknowledged, the application is considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site, subject to the conditions detailed below.

Historic Mining Activities

The application site lies within a defined Development High Risk Area and consequently there is a potential for historic mining activities to have an impact upon any future development at the site. In light of this issue Geo-Environmental Desk Study and Site Investigation and Assessment reports have been submitted with the application and consultation with the Coal Authority (CA) undertaken.

The CA commented that there is a coal outcrop running through the site which may have been subject to historic unrecorded coal workings at shallow depth, and there is also a recorded mine entry to the northern edge of the site with a zone of influence which abuts the site boundary, which are both highlighted and assessed within the supporting site investigation reports.

The supporting reports have been informed by a range of sources of information including the findings of intrusive site investigations. The reports state that there are no shallow coal workings underlying the site. The borehole investigation was designed and carried out to establish the depth to rock in order that the likely influence from the recorded off-site mine entry could be properly established. Based on these findings, the report concludes that there is negligible risk posed should the off-site mine entry collapse and no particular measures are needed in the construction of the development to take account of the mine shaft.

On the basis of the information submitted, and the professional opinion of the author of the supporting site investigation reports, the CA have no objection to the planning application and no conditions are suggested.

Public Health

No objections have been received from the Council's Public Health and Protection Division. They did however note that a search of their records relating to potentially contaminating past land uses has shown that potential hazards associated with land contamination may exist on site given that it lies on the periphery of the former Cwmbach Colliery site. As such a condition is suggested requiring site investigations be undertaken at the site and the results be submitted to and approved by the Local Planning Authority prior to any development works being undertaken.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Land Drainage and Flood Risk

Following consultation no objections have been raised by the Council's Flood Risk Management (FRM) Section. The FRM Section noted that the developer has proposed to discharge the surface water via multiple discharge points and has indicated a complex drainage layout, however, no relevant details in relation to the surface water discharge rates or the pre-existing drainage arrangement for the site have been provided. As such, whilst the drainage scheme is acceptable in principle, a condition is suggested requiring this information be submitted to and approved by the Local Planning Authority prior to any development works commencing on site.

It is also noted that no objections were received from Dwr Cymru Welsh Water, subject to standard conditions and advice.

Ecology

The Council's Ecologist commented that as the site is cleared it has no prospect of accommodating any wildlife of value; and with the trees/vegetation within the adjacent area of woodland not being affected by the proposed development, there are no ecology issues in this instance.

Other Issues

It is noted that no objections were received from Wales and West Utilities, Western Power Distribution, South Wales Police, or South Wales Fire and Rescue Service, subject to standard conditions and advice.

Neighbour Consultation Responses

Where the issues raised by the objectors are not addressed above, the following additional comments are offered:

- An objector has commented that contractors involved with the demolition of the former school buildings caused various nuisance to surrounding residents and have left the site in a poor condition. Consequently they are concerned that future development at the site would result in similar issues. Whilst these comments are noted, the behaviour of previous contractors has no bearing on any future contractors that may be employed at the site. As such this issue cannot be taken in to consideration during the determination the application.
- An objector has commented that the additional residential units in the area would put further pressure on existing local healthcare facilities. Whilst there may be some merit to this point, no evidence is offered to support this claim or that there is any demonstrable need for further healthcare provision in the area.

Section 106 Contributions / Planning Obligations

Section 106 (S106) 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 against any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6th April 2010, state that a planning obligation, under S106, may only legally constitute a reason for granting planning permission if it is:

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

Welsh Office Circular 13/97 (Planning Obligations) provides procedural guidance on the role of planning obligations in mitigating the site-specific impacts of unacceptable development to make it acceptable in planning terms. The Welsh Government Development Management Manual also advises planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition and when it meets the three tests above. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the LDP and the Council's adopted SPG: Planning Obligations, however, it is made clear that this is intended to form the basis of negotiations between all parties.

In this case the developer will be required to enter into a S106 agreement with the Council for the following:

- Affordable Housing – the provision of at least 10% of the units on site as affordable housing in line with Policy NSA11 of the LDP.

It is considered that these requirements meet all of the above tests and are compliant with the relevant legislation.

Community Infrastructure Levy Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however the application site lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones where a £nil charge is applicable. Therefore no CIL would be payable.

Conclusion

The redevelopment of the site for residential purposes is acceptable in principle. Furthermore, it is considered the site is capable of accommodating 17 bungalows as proposed without resulting in a significant impact upon the character and appearance of the surrounding area or the amenity and privacy of the surrounding properties. Additionally, it is not considered the proposed development would have any undue impact upon highway safety in the vicinity of the site.

The proposed development therefore complies with the relevant local and national planning policies and is considered acceptable, subject to the S106 agreement set out above and the conditions detailed below.

RECOMMENDATION: Approve, subject to Section 106 Agreement

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans ref:

- 3692/SK/01 – Site Location Plan;
- 3692/SK/03 Rev. I – Proposed Site Plan;
- 3692/SK/10 Rev. A – Dwelling Type 1;
- 3692/SK/11 Rev. C – Dwelling Type 2;
- 3692/SK/12 Rev. C – Dwelling Type 3;
- 3692/SK/13 Rev. A – Dwelling Type 4;
- 3692/SK/14 Rev. A – Dwelling Type 5;
- 3692/SK/15 Rev. A - Sections
- 3692/SK/16 Rev. A – Sections 2;
- 3692/SK/21 Rev. A – Street Scene;
- 231A/18 – Site Survey;

- 18254 PL-001 Rev. 3 – External Works Engineering Layout;

and documents received by the Local Planning Authority on 10/04/19, 17/10/19, 24/04/19, 07/05/19 and 18/09/19 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. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:
 1. A desk-top study carried out by a competent person 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 by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (i) above.
 3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

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

4. The dwellings hereby approved shall not be occupied until the measures approved in the scheme referred to in Condition 3 have been implemented and a suitable validation report of the proposed scheme is submitted to and approved 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.

5. If during development works any contamination should be 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 revised contamination proposals shall be submitted to 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.

6. No development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be fully implemented on site in accordance with the approved details and to the satisfaction of the Local Planning Authority prior to beneficial occupation of the first dwelling on site.

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

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

8. Notwithstanding the submitted plans, no work shall commence on site until full engineering design and details of the internal access road and junction with Bridge Road, including sections, street lighting, vision splays, highway structures, traffic management measures, turning facilities, footways and highway surface-water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

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

9. Prior to beneficial occupation of the first dwelling on site, the vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4 x 40 metre vision splays with no planting or obstruction above 0.9m placed within the vision splay area.

Reason: To ensure that adequate visibility is provided, in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. No dwelling shall be occupied on site until the Traffic Regulation Order along Bridge Road has been completed.

Reason: In the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Prior to the beneficial occupation of the first dwelling on site, the existing vehicular footway crossing on Bridge Road shall be reinstated in full footway construction in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development works commencing on site.

Reason: In the interests of highway and pedestrian safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. Prior to the occupation of each dwelling the developer shall provide the owner/occupier 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 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;
- e. Any other measures that would encourage the use of sustainable modes of travel.

Reason: To ensure reduction of road traffic and to promote sustainable modes of travel, in accordance with the relevant sustainable transport objectives of Planning Policy Wales and the Rhondda Cynon Taf Local Development Plan.

13. All HGV deliveries during the construction period shall only take place between the hours of 09:30am and 16:00pm on weekdays to and from the site, with no deliveries on Saturdays, Sundays and Bank Holidays, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent overloading the existing highway drainage system and potential flooding and in the interests of highway safety, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.