



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: 18/1402/13 (GD)
APPLICANT: Walters Land Ltd
DEVELOPMENT: Outline application for Residential Development (All matters reserved save for access) with associated public open space, landscaping and other associated works.
LOCATION: FORMER CLARIANT SITE, LLANTRISANT ROAD, LLANTWIT FARDRE
DATE REGISTERED: 20/12/2018
ELECTORAL DIVISION: Llantwit Fardre

RECOMMENDATION: Approve subject to a Section 106 Agreement

REASONS:

The principle of the proposed development is considered acceptable, and the proposed development represents a further opportunity to address the current shortfall in housing land supply and to provide much needed private and social housing. The proposal also represents the opportunity to reclaim this former industrial site and to bring it back into beneficial use.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Head of Planning.

APPLICATION DETAILS

The application seeks outline planning permission with all details other than the point of access reserved for future consideration with regard to the residential development of the former Clariant site in Llantwit Fardre. The application is accompanied by an illustrative masterplan, which illustrates 95

no. dwellings on the site though a housing scheme a with a capacity to accommodate up to 120 no. dwellings, as a mix of flats and houses could potentially be delivered given the size of the site.. The point of access to the site is not reserved for future consideration and the expressed intention of the applicant is that the development would make use, with any necessary improvements of the existing access to the site located at its northernmost corner on Llantrisant Road.

In accordance with statutory requirements the agent has indicated that the following maxima and minima dimensions will be applied to the proposed housing at the detailed design stage should the current application prove successful.

Building Type	Width (m)	Depth
Terrace	4 - 7	6 - 11
Semi	4 - 10	6 - 11
Detached	5 - 17	6 - 12

Building Type	Floor to Floor Height	Height to Eaves	Roof Pitch
2 Storey	2 - 3.5	4.5 - 6	30 - 50
2.5 Storey	2 - 3.5	5 - 7.5	30 - 50
3 Storey	2 - 3.5	5.5 - 9	30 - 50

The application is accompanied by the following:

- Planning Statement;
- Design and Access Statement.
- Pre Application Consultation report
- Preliminary Outline Reclamation & Remediation Strategy – Road map Document
- Transport Assessment
- Ecological Appraisal
- General arrangement proposals for the access junction
- Possible internal highway arrangement
- Tree Survey
- Interim Travel plan
- Environmental Noise Assessment
- Masterplan
- Site Plan

- Framework Plan

SITE APPRAISAL

The application site is comprised in a rectangular area of land of some 3.13 hectares located southeast of Llantrisant Road in Llantwit Fardre. The site slopes downwards from Llantrisant Road towards the Nant Dowlais. The site was formerly occupied by the Clariant laboratories (and Nipa laboratories before that) and the buildings associated with that have been demolished and all associated plant removed because of the reclamation of the site that was undertaken for licencing purposes. Only the slabs of buildings now remain on site. The site boundaries including the site frontage, are reasonably well wooded for the most part though the boundary with the Newtown Industrial Estate is a little thin in places.

Access to the site is directly from Llantrisant Road at the northernmost corner of the site approximately 50m from the Duffryn Dowlais light controlled junction.

Other than for the presence of the Newtown Industrial Estate and its associated businesses, the wider area is entirely residential in character with a mix of modern and traditional homes of varying types, ages and sizes punctuated by areas of broadleaved woodland.

PLANNING HISTORY

The site has an extensive planning history including hazardous substance consents relating to the former use of the site as a chemical/manufacturing plant. As the manufacturing use has ceased the following represent only the planning history following the closure of the plant.

18/5123	Pre application Enquiry – residential development 100 – 120 units	Consent required and advice provided October 2018	and 4 th
18/5089	Residential development screening opinion	EIA not required August 2018	29 th
14/1682	Soil remediation works	Approved 1 st June 2015	
12/0942	Prior notification of proposed demolition of	Permission not required 11 th September 2012	

chemical manufacturing
buildings

12/0787

Prior notification of Permission required 17th
demolition of chemical August 2012
manufacturing buildings

PUBLICITY

The current proposals have been advertised by means of press notice, site notice and neighbour notification letters. This in turn has led to the submission of 2no letters expressing the following concerns in respect of the proposals.

- There will be a need for a further clean up operation on the site and concern is expressed for the effect that would have on air, land and water locally.
- Flood risk associated with residential development on low-lying land.
- Concern is expressed at the amount of proposals coming forward in Llantwit Fardre and the immediate locality referencing not only this application but those at Heol Criegiau, Ystrad Barwig and Cwm Isaf and potentially Beddau Halt as well.
- Concern is expressed at the capacity of the road network to cope with further development.
- The existing road through Llantwit Fardre becomes a one way system in the evening as residents come home and park up – narrowing the carriageway.
- RCT are unconcerned at the situation and are not prepared to put in place measures that will resolve the problems currently being experienced on the main road.
- Congestion issues associated with all of the developments currently under consideration need to be properly evaluated, particularly with regard to major routes and access to the M4.
- Concerns that the local schools will not be able to cope with additional pupils.
- The capacity for health infrastructure to cope with the proposed development in terms of GP and dentist practices and waiting times at local A&E departments.

CONSULTATION

Highways – No objections subject to conditions and the developer entering into a S106 agreement to secure a £10K contribution towards the

implementation of RCT active travel schemes to improve access to local amenities and facilities by non-motorised means.

Flood Risk Management – No objections subject to conditions.

Public Health & Protection – No objections subject to conditions

Countryside – No objections subject to conditions and the developer entering into a S106 agreement to deliver the long term management and maintenance of the attenuation features, Public Open Space/SINC mitigation areas to effectively integrate ecological, drainage and landscape requirements into a single management regime.

Education – No objections – CIL monies will be required to offset the impact of the development on the provision of education in the locality

Natural Resources Wales – No objections subject to conditions

Dwr Cymru Welsh Water – No objections subject to conditions

Western Power Distribution – Advise that the applicant be made aware that if they require a new electricity connection or a service alteration that they will need to make a separate application to Western Power Distribution

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

South Wales Fire & Rescue Service – Raise no objections to the proposed development subject to any developer making available adequate water supplies for firefighting purposes and the site being designed with appropriate access for emergency firefighting vehicles.

The Coal Authority – Advise that the site does not fall within a high-risk coal mining area and that standard advice applies to the redevelopment of the site

South Wales Police – No response received

Llantwit Fardre Community Council – No response received

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

Policy AW1 – defines how housing demand will be met including amongst other things the development of unallocated land within defined settlement limits

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

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 AW8 – aims to protect and enhance the natural environment.

Policy AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy AW11 – sets criteria for the consideration of proposals aiming to promote alternative uses for employment and retail sites.

Policy SSA11 – requires housing development at a minimum density of 35 dwellings per hectare unless mitigating circumstances dictate otherwise.

Policy SSA12 – requires the provision of 20% affordable housing on development sites.

Policy SSA13 – sets criteria for the consideration of housing proposals within settlement limits.

Supplementary Planning Guidance

- Design and Placemaking
- Affordable Housing
- Nature Conservation
- Planning Obligations
- Access, Circulation & Car parking
- Development of Flats
- Employment Skills.

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, which incorporates the objectives of the Wellbeing of Future Generations Act in to planning.

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

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as defined by chapter 2 people and places: Achieving Wellbeing through Placemaking of this policy document and that the proposal is also consistent with the following insofar as they relate to the development proposed –

Chapter 1 managing new development.

Chapter 3 strategic and spatial choices.

Chapter 4 active and social places

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 5: Nature Conservation and Planning;

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:

In considering the determination of the current planning application the key issues to be considered and addressed in terms of their acceptability or otherwise are

- the principle of residential development of the site in planning policy terms,
- the impact of the proposed development on the character and appearance of the area,
- the impact of the proposed development on local amenity and privacy,
- the impact of the proposals on local ecology and
- the impacts of the proposed development on highway safety.

Principle of the proposed development

The application seeks outline planning permission for residential development on a former industrial site. The proposals are in general conformity with much of what planning policy requires in that it lies within settlement limits and unallocated for any specific use. The site is known to have been vacant for some years and despite active marketing, no alternative use for the site has been found. The site is considered a brownfield site given the previous industrial use. The site also has the potential to help address the current housing land supply shortage in the County Borough, a fact that weighs heavily in its favour. Given the above, it is considered that the proposed development performs well against the matrices contained in Annexe B of Planning Policy Wales 10 particularly in the areas relating to facilitating accessible and healthy environments and making the best use of resources.

Though expressed in outline only, the proposal seeks consent for up to 120 dwellings on a site of just over 3.1 hectares. This would meet the policy requirement of achieving 35 dwellings per hectare but may prove optimistic given the ecological constraints on part of the site, (see below). The provision of affordable housing would be secured through a Section 106 agreement should Members be of a mind to support the proposals, due to the constraints that the site presents in terms of dealing with contamination in particular only 7% affordable housing can be delivered on this site. This though disappointing, has been thoroughly investigated through a n independently prepared and verified viability report.. As the site would be reasonably well served by public transport with good access to services and amenities, the development of the site for housing would be sustainable and would satisfy the requirements of Local Development Plan policies CS2, AW2 and SSA13 in that regard.

The dis-application of paragraph 6.2 of Technical Advice Note 1 Joint Housing Land Availability Studies by the Minister in July 2018 has resulted in local planning authorities being able to determine for themselves the weight to be given to proposals that would increase housing land supply. In this instance given that the Council currently only has a 1.3 year supply of housing land and that completion rates of housing within the County Borough continue to

fall, this issue is a significant material consideration in favour of the current proposals.

The application site lies within settlement limits and is therefore by definition in a sustainable location. It will benefit from, and itself support the varied social infrastructure and fabric of the wider Llantwit Fardre area. As such, it is compliant with Local Development Plan policy AW2. Additionally given the circumstances and the location of the site the current proposals also align well with the key requirements in PPW10 in respect of placemaking.

Impact on the character and appearance of the area

The immediate locality is characterised for the most part by a variety of housing types of varying age comprising both houses and flats. The exception to this being the buildings of the Newtown Industrial Estate which lie immediately west of the application site This delivers a wide variety of design in the building stock and indeed within the housing stock of the area, which lacks any consistency in visual appearance.

It is within the wider urban mix described above that the site would be developed as a discreet development set within its own well defined boundaries. The redevelopment of Clariant would have a positive impact on the character and appearance of the area as a currently unused site that presents an air of dereliction would be replaced with modern housing.

The need to deal with residual contamination at the site is likely to involve the provision of clean cover and this might have an impact on the levels of the site. This means that it is likely that levels across the site could be raised but the size of the application site and its currently relatively low lying nature would mean that such a change could be accommodated without it having any adverse impact on the character and appearance of the area.

As this is an outline application with all matters other than the means of access reserved for future consideration, it is difficult to address this issue in anything other than the broadest of terms. However, the indicative layout is sufficient to indicate that a layout with a reasonable impact on the character and appearance of the area could be achieved following the further reclamation of the site. Particularly in this case, as the declared intent outlined in the design and access statement is to construct conventionally built two, two and a half and three storey flats, terraced, semi-detached and detached dwellings. In this respect, the proposal is considered compliant with the requirements of policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

As this is an outline planning application with all matters other than the principal means of access reserved for future consideration, it is difficult to assess what the impacts on residential amenity and privacy will be as that is highly dependent on detailing. It is noticeable though that some residents

have chosen to comment on the proposals and that amenity and privacy have not arisen as concerns. This is a product of the discreet nature of the site itself which is set within well-defined boundaries and a comfortable distance from other residential development. The relatively low-lying nature of the site is also a factor that makes for little concern with regard to amenity and privacy issues. Consequently, the proposed development is considered compliant with the requirements of Local Development Plan policies AW5 and AW6 with regard to this issue.

Ecology

Members will note that the southeastern part of the site also forms a small part of the Efail Isaf - Llantwit Fardre Site of Interest for Nature Conservation (SINC). The Council's ecologist initially expressed some concern at the redevelopment of the site because of the presence of the SINC and the potential impact that redevelopment of the site might have, particularly if the layout promoted in the illustrative site plan is pursued without ecological issues being adequately addressed at the detailed design stage.

Subsequently, and following the submission of additional detail and further discussion the Council's ecologist is content that sufficient survey work has now been undertaken to enable the planning application to proceed to a determination. As such the proposed development is now considered to be compliant with the requirements of Local Development Plan Policies AW6 and AW8

The site is a contaminated former industrial site and other than for the small part of the site that is affected by the SINC it has low ecological value. In October 2019, the Chief Planner of the Welsh Government Planning Directorate wrote to the Heads of Planning across Wales to remind them of their duty with regard to securing biodiversity enhancements. In that regard, it is appropriate to evaluate the current submission against paragraph 4.6.9 of PPW10 requiring the protection and enhancement of the sensitive areas - the proposals are considered acceptable. This along with the continued decontamination and drainage requirements for the site offers the potential for the introduction of green/blue infrastructure with the potential to improve biodiversity in the long term.

Whilst a small part of the application site is designated a SINC, in terms of ecology/biodiversity, the site can be protected from the adverse impacts of change and particularly climate change thereby helping to maintain biodiversity. Members should note that in addition to planning conditions relating to ecology below, as part of the suite of Section 106 requirements a long-term habitat management plan is also required. Together these features will help to secure and enhance green/blue infrastructure in the long term building ecosystem resilience in accordance with the requirements of the Environment Act (Wales) 2016 and facilitating social and economic resilience as per the aspirations of the Well-Being of Future Generations Act 2015.

Access and highway safety

Members will note that the current application is supported with a Transport Assessment that considers in detail the highway issues that would be associated with the development of this site. The transport statement has been subject to careful consideration by the Transportation Section paying attention in detail to the following issues –

- Base line traffic
- Trip rate forecast
- Trip distribution
- Traffic growth
- Committed development
- Traffic Impact Assessment
- Junction analysis
- Highway safety/personal injury collision history
- Site access
- Road safety audit
- Internal access roads.
- Parking provision
- Safer Routes in communities/learner travel/Active Travel (Wales) Act 2013
- Sustainable modes of transport (walking/cycling/bus/rail).
- Transport Implementation Strategy, and
- Travel Plan

Having considered the above issues and subject to the agreement of detailed design and layout of the estate at the reserved matters stage it is concluded that, in highway terms subject to conditions and the necessary legal agreements, that the proposals are acceptable. In considering this issue, Transportation Section would also have taken full account of the concerns raised by local residents relating to highways capacity congestion and strategy referred to above. As such, the proposed development is considered compliant with Local Development Plan policies AW5 and SSA13 in as much as they relate to this particular issue

Other Issues:

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

The suggestion that the site would require further remediation to bring it up to a standard that would be able to accommodate residential development is a legitimate concern, and this has been reflected in the comments and observations received from the Public Health and Protection Division. If Members are minded to support the proposals then any consent will be conditioned to address the identified contamination issues in accordance with the recommendations of the Council's Public Health and Protection Division

and those of Natural Resources Wales (NRW). As such, the proposals meet the requirements of Local Development Plan policy AW10.

Whilst the land is relatively low lying in comparison to much of what surrounds it neither Natural Resources Wales, nor the Council's own Flood Risk Management Team have identified this as an issue that could prevent development proceeding.

Whilst there are a number of large residential proposals coming forward in the Llantwit Fardre ward this and the others will need to be considered on their individual planning merit rather than the fact that the other applications are also live.

Whilst a development of the size currently proposed would have some impact for schools in the locality, Members attention is drawn to the comments received from Education that the situation in respect of this application at least, could be managed.

Concern is expressed that the health infrastructure in the locality is incapable of accommodating the further development. No evidence beyond the anecdotal is produced to support this claim. In any event, the Local Health Board tends to operate on a responsive rather than proactive basis so additional housing would make additional provision more likely.

Whilst affordable housing would be required to be provided at a rate of 20% for a development in this location, in this instance the developers have provided a viability report that indicates that only a figure just above 7% provision is appropriate given the abnormal costs associated with bringing the site forward for development. This situation arises out of the contamination on site associated with its former use. The report has been independently verified by Avison Young on behalf of the Council and they advise the S106 package described below.

Community Infrastructure Levy (CIL) Liability

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

The application site lies within zone 3 of Rhondda Cynon Taf's residential charging zones, therefore CIL will be payable.

However, 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 subsequent 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.

The Welsh Government Development Management Manual 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

In this instance, there are 5 clear areas where a Section 106 contribution will be required. As this is an outline application, which would allow for some variance in respect of the finer detailing of the proposals, no monetary figures have been attached. The required contributions are –

- The provision of 7% affordable housing
- The provision of a Local Area for Play, in accordance with the Council's Supplementary Planning Guidance
- The provision of a £10K contribution towards active travel schemes in RCT.
- The Provision of a long term ecology maintenance and management plan
- The agreement of an employment skills training plan.

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of the residential development of a brownfield site within settlement limits as defined by the Local Development Plan. Furthermore, the applicants have been able to demonstrate the proposals are acceptable in terms of impact on the highway network and that the proposals can deal with all other key issues that currently affect the site including contamination. This windfall site also has the potential to make a small but noticeable contribution towards addressing the housing land supply shortage that currently exists within the County Borough and as such, support is offered for the proposed development in the following recommendation.

RECOMMENDATION: Approve Subject to the developer entering in to a S106 agreement in the terms described above and the following conditions

RECOMMENDATION: Grant

1.(a) Details of the Access (other than the principal means of access to the site), appearance, landscaping, layout and scale (hereinafter called the “reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

(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.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 minimise 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.

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

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

4. No development shall take place until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- 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

5.(a) Prior to the commencement of any enabling works, existing and proposed levels (including relevant sections) relating to the reclamation and remediation of the site shall be submitted to and agreed in writing with the Local Planning Authority.

(b) Upon agreement of the levels referred to in (a) enabling works can commence (unless otherwise restricted by other conditions of this consent).

(c) Any application for the approval of reserved matters shall include details of the finished levels for the site (including relevant sections).

(d) For the purposes of this condition enabling works as referred to above shall mean –

- Site clearance, remediation and reclamation
- Any necessary ecological works.
- Temporary boundary fencing to secure the site until handover to a house builder.
- Upgrading/lining (if required) of the foul outfall in the southern corner of the site (chamber at the boundary of the site to DCWW sewer only) – (utilizing previous trade effluent discharge pipe to DCWW sewer).
- Relocation of WPD electrical substation; and
- Relocation of gas feed.

Reasons: To protect residential and visual amenity and the integrity of any site remediation measures in accordance with Policies AW5, AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

6. 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 .

7.(i) Prior to the commencement of development (including any site clearance or remediation) a Construction Surface Water Management Plan shall be submitted to and agreed in writing with the Local planning Authority. The plan shall detail the mitigation measures put in place to ensure that there is no detrimental effect of surface water flood risk to the surrounding area as a result of any remediation works

(ii) No residential development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

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

8. 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.

9. Other than for works of site clearance, remediation and preparation, development shall not commence until full engineering design and details of the access to be constructed from the B4595 Llantrisant Road, bus stops, extension of the southern footway to join the existing footway at Llantwit Fardre and controlled pedestrian crossing (Puffin), including longitudinal and cross sections, street lighting details, surface water drainage, diversion or protection of services, including construction details and Road Safety Audit have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the beneficial occupation of any dwelling hereby approved unless otherwise agreed in writing with the Local Planning Authority.

Reason: To facilitate safe access and egress from the proposed development in the interests of highway safety.

10. Other than for works of site clearance, remediation and preparation no works whatsoever shall commence on site until a scheme for the provision of Traffic Regulation Order/Notice in respect of the controlled pedestrian crossing at B4595 Llantrisant Road has been completed unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

11. The vehicular access to the site shall be laid out, constructed and retained thereafter with 2.4m x 70m vision splays along Llantrisant Road.

Reason: To ensure that adequate visibility is provided in the interests of highway safety.

12. Other than for works of site clearance, remediation and preparation, development shall not commence until full engineering design and details of the internal road layout, street lighting and surface water drainage, highway structures and traffic calming measures, including longitudinal sections and

construction details and implementation programme, 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.

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

13. Off street parking provision shall be in compliance with Rhondda Cynon Taf's Supplementary Planning Guidance on Delivering Design & Placemaking Access Circulation and Parking Requirements (March 2011)

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

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

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

15. No development shall take place, 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 otherwise agreed in writing by the Local Planning Authority.

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

16. The developer shall provide the occupier of each dwelling with a travel plan/welcome pack, which should contain the following,

a) Bus/train service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport.

b) Park and ride/park and share facilities and associated costs and restrictions on the use of such facilities.

c) pedestrian links to public transport services, to local facilities, areas of employment, education and leisure,

d) Local and national cycle routes; and,

e) Any other measures that would encourage the use of sustainable modes of travel.

Reason: o ensure the reduction of road traffic and promotion of sustainable modes of travel in accordance with the relevant national and local planning policies.

17. Prior to the commencement of development hereby approved, (or such other date or stage in the development as may be agreed in writing by the Local Planning Authority), the following components of a scheme to deal with the risk associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority-

A preliminary risk assessment which has identified;

a) All previous uses;

b) Potential contaminants associated with those uses;

c) A conceptual model of the site indicating sources, pathways & receptors;

d) Potentially unacceptable risks arising from contamination at the site.

A site investigation scheme to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.

The results of the site investigation and detailed risk assessment referred to above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

A verification report providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer term monitoring of pollution linkages, maintenance and arrangements for contingency action.

Any changes require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved and in accordance with the revised document – Scope of Remediation, Reclamation and Enabling Works, received 19/09/2019

Reason: The controlled waters at the site are of high environmental sensitivity and contamination is known/strongly suspected at the site from the previous use of the site as a chemical processing plant and to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan

18. Prior to the first occupation of any part of the development hereby approved, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “ long term monitoring and maintenance plan”) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification plan and for the reporting of this to the Local Planning Authority. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and to secure longer term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following the remediation of the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local development Plan.

19. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long term monitoring and maintenance plan shall be submitted to the Local Planning Authority as required in that plan. On completion of the monitoring programme a final report demonstrating that all long term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

20. If during development contamination not previously identified is found to be present at the site, then no further development shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: Given the size and complexity of the site, it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated and to accord with policy AW10 of the Rhondda Cynon Taf local Development Plan.

21. No development, other than enabling works as defined in condition 5 above (except remediation and reclamation works) shall commence until

- a) Following the findings and conclusion of the Geotechnical / Geoenvironmental Desk Study and Conceptual Site Model Report

dated April 2019 (Report reference 11797/RB/19/DS) and the Preliminary Outline Reclamation and Remediation Strategy Road Map Document (Report reference: 11797/RB/18/RMD Rev A), a preliminary risk assessment shall be submitted identifying all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; potentially unacceptable risks arising from contamination at the site. A scope of Site Investigation document detailing the data need to investigate all potential contaminant linkages shall be submitted to and approved in writing by the Local Planning Authority (LPA). No site investigation shall take place without written approval to proceed from the Local Planning Authority.

- b) A Factual and Interpretive Report of the findings of the Site Investigation approved under a) shall be submitted to and approved in writing by the Local Planning Authority. The interpretative report shall include the results of the Site Investigation, any revisions to the Conceptual Site Model and a full Quantitative Risk Assessment.
- c) The findings of the Quantitative Risk Assessment should be used to prepare a Remediation Strategy Options Appraisal report which shall be submitted to and approved in writing by the Local Planning Authority to ensure the most effective method is utilised.
- d) Once an option/s is agreed, a detailed Remediation Strategy and Implementation Plan (to include appropriate clean-up targets) shall be submitted for the written approval of the LPA prior to implementation. The implementation plan shall demonstrate to the LPA that the proposed remediation is clearly achievable. If required, a timeline for the implementation of remedial measures shall be included, within the remediation strategy, detailing when each of the elements will be installed. Remediation shall be undertaken in strict accordance with the approved Remediation Strategy unless otherwise agreed in writing with the Local Planning Authority.
- e) A Verification Strategy shall be submitted to and approved in writing by the LPA. The Verification strategy shall provide details of the data that will be collected in order to demonstrate that the works set out in the Remediation Strategy are complete. Any requirements for longer-term monitoring of pollutant linkages should be stated together with details of maintenance programme and arrangements for contingency action. If a staged approach is included in the remediation strategy then it should be clear which part of the remediation is being reported for approval by the Local Planning Authority.

No part of an agreed area of the development hereby permitted shall be occupied until a Verification Report confirming that remediation, proposed by the land developer, for the agreed area has been carried out in accordance with the details approved under condition 1 d) Remediation and Implementation Plan, has been approved in writing by the Local Planning

Authority. The responsibility of the implementation of the remediation strategy must be communicated to and understood by the house builder.

Reason: To ensure that any contamination at the site is adequately dealt with in the interests of human health and to accord with the requirements of Policy AW10 of the Rhondda Cynon Taf Local development Plan

22. Any additional or unforeseen contamination encountered during the development (including during surface reworking and underground structure removal works) shall be notified to the Local Planning Authority as soon as is practicable. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that any contamination at the site is adequately dealt with in the interests of human health and to accord with the requirements of Policy AW10 of the Rhondda Cynon Taf Local development Plan

23. No development shall take place on any identified phase of the development, (including any remediation, reclamation and enabling phase) until a site specific Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Council.

The environmental management element of the plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include but not be limited to:

- Procedures for maintaining good public relations, including complaint management, public consultation and liaison.
- Arrangements for liaison with the Council's Pollution Control Team.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
 - 08 00 hours and 18 00 hours Mondays to Fridays and 08 00 hours and 13 00 hours on Saturdays and at no time on Sundays and Bank or Public Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528:parts 1 & 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.

- Control measures for dust and other air borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.

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

24. The consent hereby granted relates to the following plans –

- Site location plan drawing no. 1819-LP01

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

25. Notwithstanding the provisions of Schedule 2 Part 1 Classes A, D and E or part 2 class A of the Town & Country Planning (General Permitted Development) Order 1995, (as amended for Wales) (or any order revoking or re-enacting that order with or without modification), no buildings shall be erected other than those specifically authorised by this permission or any subsequent grant of planning permission or approval of reserved matters.

Reason: To maintain any installed mitigation measure and to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.