

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2013-2014**

**DEVELOPMENT CONTROL  
COMMITTEE  
17 APRIL 2014**

**REPORT OF: SERVICE  
DIRECTOR PLANNING**

	<b>Agenda Item No. 7</b>
<b>APPLICATION NO: 13/0548 - 5 DETACHED HOUSES (AMENDED SITE PLAN RECEIVED 31/07/13). LAND OFF QUEENSWAY, NANTGARW</b>	

**1. PURPOSE OF THE REPORT**

Members are asked to consider the determination of the above planning application.

**2. RECOMMENDATION**

That Member's **APPROVE** the application in accordance with the advice given.

**3. BACKGROUND**

This application was originally reported to a meeting of the Development Control Committee on 5<sup>th</sup> September 2013 with a recommendation that it be approved subject to conditions and the applicant (and any other interested parties) first entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 in order to secure a minimum package of planning obligation contributions comprising:

- (a) Transport Tariff contribution using SPG calculations;
- (b) Leisure/Recreation contribution using SPG calculations;
- (c) Affordable Housing provision across the whole site at a minimum level of 20% (1 unit on the basis of the site being developed for 5 dwellings).

At that meeting Members resolved to approve the application in accordance with the recommendation of the Service Director Planning in the report at **APPENDIX A** as outlined above (Minute 68(4) refers).

Following that resolution the Council's Legal and Democratic Services Officer was instructed to prepare a draft Section 106 Agreement in accordance with the package outlined above. This work was underway

when the planning department was advised on 3<sup>rd</sup> March 2014 that the developer had commenced development on site.

As the Section 106 Agreement had not been completed, the planning permission had not been issued and the works had therefore been commenced without the benefit of planning permission. Additionally, the Committee resolution to grant permission was subject to several conditions requiring the submission of and approval of details prior to the commencement of development.

In view of the change of circumstances that have occurred since the previous resolution, the matter is referred for the further consideration of Members.

It is considered that the development remains an acceptable one and that through the imposition of a Section 106 Agreement and amended conditions, the existing situation could be made acceptable in planning terms. The developer has also recognised that he has made a mistake and ceased all works on the same day, as he was visited by the Enforcement Manager.

Taking this position into account, Members are requested to grant planning permission subject to a Section 106 Agreement to secure the obligations set out above and the following amended conditions of consent:

1. The development hereby approved shall be carried out in accordance with the amended/revised plan(s) received by the Local Planning Authority on 31/07/13.

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

2. Within one month of the date of this consent, 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any

Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. Within one month of the date of this consent there shall be submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

5. 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.

6. Within one month of the date of this permission each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Within one month of the date of this permission a Wildlife Protection Plan for Construction shall be 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.

8. Within one month of the date of this permission samples of the materials proposed to be used shall be 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.

9. Construction works on the development shall not take place other than during the following times:
  - i) Monday to Friday 0800 to 1800 hours;
  - ii) Saturday 0800 to 1300 hours;
  - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. Within one month of the date of this permission details of measures for protecting the proposed dwellings from road noise shall be submitted to and approved in writing by the Local Planning Authority. The required works shall be completed before the occupation of any of the approved dwellings.

Reason: In order to ensure that the development is protected from any excessive levels of noise from surrounding roads in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

11. Within one month of the date of this consent drainage arrangements shall be submitted to and approved in writing by the Local Planning Authority.

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

12. 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.

13. Within one month of the date of this permission details of the proposed means of pedestrian and vehicular access off Queensway leading to the proposed development site shall be submitted to and approved in writing by the Local Planning Authority. The approved pedestrian and vehicular access shall be completed in accordance with the approved details prior to

the beneficial occupation of the dwellings hereby approved.

Reason: To ensure the delivery of the proposed access, in the interests of highway and pedestrian safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. Notwithstanding the approved plans, within one month of the date of this permission full engineering design and details of the internal road layout incorporating a turning facility to cater for all calling vehicles with a 0.5m wide hard margin strip around its boundary where there is no footway including sections, street lighting details and surface-water drainage details shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

15. The parking areas shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Surface water run-off from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

17. Within one month of the date of this permission a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority to provide for;

- i) the means of access into the site for all construction traffic,
- ii) the parking of vehicles of site operatives and visitors,
- iii) the management of vehicular and pedestrian traffic,
- iv) loading and unloading of plant and materials,
- v) wheel cleansing facilities,
- vi) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

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

18. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (6th Edition) February 2014.

19. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (6th Edition) February 2014.

20. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (6th Edition) February 2014.

This page intentionally blank



**APPENDIX A**

**APPLICATION NO:** 13/0548/10 (BJW)  
**APPLICANT:** Mr J Rowley  
**DEVELOPMENT:** 5 detached houses (amended site plan received 31/07/13).  
**LOCATION:** LAND OF QUEENSWAY, NANTGARW.  
**DATE REGISTERED:** 31/07/2013  
**ELECTORAL DIVISION:** Ffynon Taf

**APPLICATION DETAILS**

Full planning permission is sought for the residential development of land located off Queensway, Nantgarw.

The site was previously subject to an outline application, under reference 11/1456/13, for 8 dwellings, which it was resolved to approve subject to a Section 106 Agreement to provide contributions for highway improvements, open space provision and affordable housing provision. The Section 106 Agreement remains to be finalised, therefore determination of that application remains pending.

The current application proposes the construction of 5 detached dwellings on a area of land to the south of properties in Tai Duffryn and includes part of the highway outside numbers 8 - 11 which it is proposed to improve.

The site area is reduced from the previous application taking into account the retention of an open area to retain the setting of Dyffryn Ffrwd Manor; the steep slopes to the west and south of the site and to prevent encroachment on the edge of the woodland area. The site now has a developable area of 4456 square metres, which equates to the most level part of the land, and consists of a reduced number of 5 dwellings.

The proposed scheme would consist of a single access road from Tai Duffryn to the north west of the site. Properties would be arranged in a cul-de-sac arrangement along the western boundary with a single dwelling at the southern end of the site. The access road would rise gradually from a level of 64.6 AOD at the junction with Tai Duffryn to 65.85 AOD at the finished floor level of the southern most dwelling.

The dwellings proposed are large detached properties measuring 12.65m in width by 12.1m in depth by 9.1m in height to the highest part of the roof. The properties would be finished in facing brick with a concrete tile roof and would consist of the following:

Ground floor – hall; cloak room; study; integral garage; W. C.; living room; dining room; utility room; breakfast area/kitchen.

First floor – linen room; 2 no. bathrooms; 4 no. bedrooms (1 with an en suite).

## SITE APPRAISAL

The application site is approximately 0.45 hectares of land located adjacent to Queensway Nantgarw to the north west and Dyffryn Ffrwd Manor, a Grade II Listed Building, to the east.

The land has been predominately cleared although there are areas of vegetation in various parts of the site. The site slopes steeply to the south towards the A468 where there is an area of broadleaf woodland.

The site is within a predominantly residential area with surrounding properties having a mixture of styles. The immediately adjacent areas of Queensway and Tai Dyffryn are mainly large, modern, detached dwellings set within large plots and constructed from red brick, render and concrete tiles.

The development site consists of a roughly L-shaped piece of land accessed directly from the existing highway to the north that serves Queensway and Tai Duffryn. The area represents the most level area of the land with the surrounding land to the south and west consisting of steeply sloping land and broadleaf woodland.

## PLANNING HISTORY

11/1456	Land adjacent to Queensway, Nantgarw	Residential development (outline) (amended plan and details received 20/07/12).	Pending
02/1838	Land off Queensway, Nantgarw, Nr Cardiff.	Residential Development (Outline) 4 - 6 Units.	Refused 05/02/03  Appeal: Dismissed 13/11/03
02/0661	Plot of land at Tai Duffryn, Nantgarw Cardiff	Four bedroom detached house with attached double garage	Refused 13/06/02
93/0605	Land off Queensway, Nantgarw Nr Cardiff	Residential Development	Refused 26/10/93

## PUBLICITY

The application was advertised by neighbour notification letters and site notices. No responses have been received.

## CONSULTATIONS

Transportation Section – no objection subject to conditions and a Transport Tariff contribution.

Land Reclamation and Engineering - no objection subject to conditions.

Public Health and Protection Division - no objection, subject to a condition restricting the hours of operation during the construction period of the development and a condition requiring the details for protecting the dwellings from road noise from the adjacent highway.

Dwr Cymru/Welsh Water - no objection subject to conditions.

Western Power Distribution – no response has been received within the consultation period.

Wales and West Utilities – no response has been received within the consultation period.

Cadw - no response has been received within the consultation period.

Housing Strategy – as the proposal is for 5 units and located within the Southern Strategy Area (SSA) then a 20% provision of affordable housing is required. It is recommended that 1 unit of affordable housing be secured. Based on the Local Housing Market Assessment 2012 a 2 bed house would normally be requested, but in view of the character of the development a committed sum of equivalent to the value of on site provision would satisfy the requirements of Policy SSA 12.

Countryside, Landscape and Ecology – no SEWBREC records of statutory protected species at the site or within the immediate vicinity. No objection offered.

A contribution of £1000 per dwelling would be required for open space provision in accordance with adopted Supplementary Planning Guidance (SPG) and should be secured through a Section 106 Agreement.

Glamorgan Gwent Archaeological Trust – no objection.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan.

The application site is identified as within the settlement boundary of Nantgarw and is unallocated.

Policy AW1 defines the housing land supply. Section 3 specifies that supply will be met partly by unallocated land in smaller settlements.

Policy AW2 – requires new development to be in a sustainable location.

Policy AW4 seeks the provision of infrastructure through planning obligations.

Policy AW5 – specifies criteria for new development. It requires new development to have an acceptable impact on the character and appearance of the site and surrounding area and no significant impact on the amenities of neighbouring occupiers. It also requires development to be of sustainable design with good accessibility.

Policy AW6 – outlines types of development criteria that will be supported, including the following:

- A high standard of design;
- Design appropriate to the local context;
- An integrated mixture of uses appropriate to the scale of the development; and
- An efficient use of land.

Policy AW7 states that development that impact on sites of architectural and/or historic merit will only be permitted where it can be demonstrated that the proposal would preserve or enhance the character and appearance of the site.

Policy AW8 states that the distinctive natural heritage of the area will be preserved and enhanced by protecting it from inappropriate development. In such cases, development proposals will only be permitted where it would not cause harm to important features or habitats.

Policy AW10 states that development will not be permitted where there would be a risk of air pollution.

Policy SSA11 seeks a minimum density of 35 dwellings per hectare (dph) and gives criteria for accepting lower densities.

Policy SSA12 seeks a minimum of 20% affordable housing on sites of 5 dwellings or more.

Policy SSA13 gives criteria for housing development within settlement boundaries.

### National Guidance

#### Planning Policy Wales

Paragraph 4.10.9 states that the visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations. Local planning authorities should reject poor building and contextual designs. However, they should not attempt to impose a particular architectural taste or style arbitrarily and should avoid inhibiting opportunities for innovative design solutions.

Paragraph 9.3.3 states that insensitive infilling, or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character or amenity. This includes any such impact on neighbouring dwellings, such as serious loss of privacy or overshadowing.

Paragraph 9.3.4 states that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

## **PLANNING CONSIDERATIONS**

The main considerations in the determination of this application are the suitability of the site for residential development in terms of its status within the Local Development Plan, the impact on the neighbouring properties, including the adjacent listed building, the effect on the visual amenity of the area and the effect on highway safety.

With regard to the suitability site for the residential development, the site is within the settlement boundary where development is considered to be acceptable in principle subject to compliance with other policies within the Local Development Plan.

In terms of this proposal it is considered that the site is of adequate and suitable dimensions to accommodate a development of the size and scale that is proposed. Additionally, the use of the site for a residential development would be suitable and appropriate to the prevailing uses in the area that are also almost exclusively residential.

Furthermore, the site has been the subject of tipping and subsequent clearance works and could be viewed as being untidy and unsightly. The development of the site for housing development would meet some of the requirement for housing land supply within the area and could be a visual improvement on the existing appearance of the area.

In terms of the compliance with other policies the development of 5 dwellings at the site would be a reduction of density below the preferred figure of 35dph. It was previously considered that 10 dwellings at the site at 14dph was the minimum number of dwellings that the site should be developed for. This was on the basis that the site was an edge of settlement development, adjoining protected trees, adjoining a listed building and its grounds and adjacent to similarly low-density existing housing.

However, the setting of the Duffryn Ffrwd Manor House, a Listed Building was considered to be a significant constraint to the developable area with the result that it was not considered to be acceptable to develop the area immediately adjacent to the building. Additionally, the developer has identified significant constraints in the south and west of the land that would render these areas difficult to develop. Consequently, the area offered for development has been further reduced, along with the number of houses,

resulting in a density of 11dph. In this regard it is considered that while there are less units within the application site the density of the developed area remains close to the minimum level considered to be acceptable.

In respect of the impact on neighbouring properties it is considered that the location of the dwellings, their design, scale and the relationship with adjacent properties would not have a detrimental impact on the amenities of those properties. It is considered that the layout would maintain acceptable levels of privacy and amenity to immediately neighbouring properties and would not be harmful in this regard. It is also acknowledged that there have been no adverse comments received as part of the public consultation exercise on this issue. Therefore, it is considered that the application is acceptable in this respect.

With regard to the effect on the visual amenity of the area the access to the proposal is considered to integrate successfully within the existing pattern of development representing, as it does, the most logical and legible access route to the site. The layout is considered to be of a pattern that would be appropriate to its setting and that would provide a harmonious visual continuation of the existing estate. The reduced development area is considered to respect the setting of the adjacent Listed Building and to and also to represent a more sympathetic edge of settlement proposal due to the undeveloped nature of the south and west boundaries. Consequently, the proposed development is considered to be acceptable in the regard.

With regard to the effect on highway safety it is considered that the point of access is the most logical and legible area to access the site and as such it is considered acceptable in terms of the application. However, the technical specification of the access, parking and servicing requirement need careful consideration and therefore the comments of the Transportation Section are key in this respect.

The Transportation Section has raised no objection to the application, subject to conditions. The conditions require additional details for; the access leading to the site from Queensway including details of street lighting and surface water drainage; design details of all internal roads including street lighting and surface water drainage; off street parking; surface water drainage; turning facilities and a Construction Method Statement.

The Transportation Section has also identified that the proposal would require a contribution of Transport Tariff consistent with Supplementary Planning Guidance based on the number of dwellings proposed.

Consequently, it is considered that the effect of the proposal on highway safety is acceptable subject to the suggested conditions and the application of the Transport Tariff to fund highway infrastructure improvements in the area.

Finally, in terms of other planning obligation contributions eligible for a development of this nature, apart from the Transport Tariff, which has been dealt with above, the development would require contributions for open space

provision and affordable housing. The level of contributions have been discussed with the developer who has stated that they are willing to accept the requirements as part of a Section 106 legal agreement.

In conclusion the proposed development is considered to represent an acceptable proposal on the edge of the settlement that would be of a sympathetic scale, design and density that would not have an adverse impact on neighbouring properties including a Listed Building or on highway safety considerations. Consequently, subject to conditions and the heads of terms specified by statutory consultees and accepted by the developer, the application is considered to be acceptable and is therefore recommended for approval.

## **RECOMMENDATION**

Approve, subject to the applicant entering into a Section 106 agreement the Heads of Terms of which are set out below:

### Heads of Terms

#### Transport Tariff

A transport tariff contribution towards improving the strategic highway network at a rate of:

Residential 3/4/5 + bedrooms £3,008 / unit x 100% Level 1 tariff

#### Open space provision

An open space contribution towards improving open space recreational facilities at a rate of:

£1000 per dwelling

#### Affordable Housing

An affordable housing contribution towards the provision of one affordable house on site or a committed sum equivalent to the value of on-site provision.

The developer's contribution should equate to 30% of open market value for a new build 2 bedroom house in the Taffs Well market area (refer to Paragraphs 4.2 - 4.4 of the Affordable Housing Supplementary Planning Guidance).

## **RECOMMENDATION: Grant**

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 amended/revised plan(s) received by the Local Planning Authority on 31/07/13.

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

3. Prior to the commencement of development, 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no windows or roof lights (other than any hereby permitted) shall be installed above ground floor ceiling height without the prior express permission of the Local Planning Authority.

Reason: To safeguard the privacy of residents in the locality in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

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



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

7. Before any work is commenced on site, including site works of any description, each of the trees to be retained shall be securely fenced off by a chestnut paling or similar fence erected in a circle round each tree to coincide with the extremity of the canopy of the tree. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. 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.

9. No development shall take place until there has been submitted to and approved by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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

10. Building operations shall not be commenced until samples of the materials 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.

11. Construction works on the development shall not take place other than during the following times:
- i) Monday to Friday 0800 to 1800 hours;
  - ii) Saturday 0800 to 1300 hours;
  - iii) Not at any time on Sundays, Bank or Public holidays, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. No development shall be commenced until details of measures for protecting the proposed dwellings from road noise have been submitted to and been approved in writing by the Local Planning Authority. The required works shall be completed before the occupation of any of the approved dwellings.

Reason: In order to ensure that the development is protected from any excessive levels of noise from surrounding roads in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: To ensure adequate disposal of foul and surface water drainage in

accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. 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.

15. No development shall commence on site until the proposed means of pedestrian and vehicular access off Queensway leading to the proposed development site has been designed and built in accordance with details of a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the delivery of the proposed access, in the interests of highway and pedestrian safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Notwithstanding the approved plans, development shall not commence until full engineering design and details of the internal road layout incorporating a turning facility to cater for all calling vehicles with a 0.5m wide hard margin strip around its boundary where there is no footway including sections, street lighting details and surface-water drainage details 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 and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

17. The parking areas shall be constructed in permanent materials and retained for the purposes of parking only unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

18. Surface water run-off from the proposed parking areas shall not discharge onto the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

19. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic,
- b) the parking of vehicles of site operatives and visitors,
- c) the management of vehicular and pedestrian traffic,
- d) loading and unloading of plant and materials,
- e) wheel cleansing facilities,
- f) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

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

20. Each dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1- Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5<sup>th</sup> Edition) November 2012.

21. Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5<sup>th</sup> Edition) November 2012.

22. Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 - Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of the Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5<sup>th</sup> Edition) November 2012.

**LOCAL GOVERNMENT ACT 1972**

**as amended by**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LIST OF BACKGROUND PAPERS**

**DEVELOPMENT CONTROL COMMITTEE**

**17 APRIL 2014**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 13/0548 - 5  
DETACHED HOUSES (AMENDED  
SITE PLAN RECEIVED 31/07/13).  
LAND OF QUEENSWAY,  
NANTGARW**

**OFFICER TO CONTACT**

**MR B WORTHINGTON  
(Tel. No. 01443 494762)**

**See Relevant Application File**

This page intentionally blank