

# **RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

## **MUNICIPAL YEAR 2015-2016**

**DEVELOPMENT CONTROL  
COMMITTEE  
16 JULY 2015**

**REPORT OF: SERVICE DIRECTOR  
PLANNING**

	Agenda Item No.9
	<p><b>APPLICATION NO: 10/0845/34 COMPREHENSIVE DEVELOPMENT COMPRISING: RESIDENTIAL DEVELOPMENT OF UP TO 1,850 DWELLINGS; NEIGHBOURHOOD CENTRE TO INCLUDE CLASS D1 AND D2 COMMUNITY/LEISURE FACILITIES, CLASS D1 MEDICAL CENTRE, CLASS D1 PRIMARY SCHOOL, CLASS A1, A2 AND A3 RETAIL/SERVICES/FOOD AND DRINK FLOORSPACE; B1 OFFICE/COMMERCIAL FLOORSPACE; NEW DRAINAGE, SERVICES, TRANSPORT AND HIGHWAYS INFRASTRUCTURE, STRATEGIC LANDSCAPE AREAS AND PUBLIC OPEN SPACE (ALL MATTERS RESERVED). FULL DETAILS FOR NEW SPINE ROAD AND ACCESS ONTO A473, DRAINAGE INFRASTRUCTURE AND THE CREATION OF DEVELOPMENT PLATEAUS TO SERVE THE FIRST PHASE OF THE DEVELOPMENT (AMENDED PLANS AND SUPPLEMENTARY ENVIRONMENTAL INFORMATION (SEI) RECEIVED 13 JUNE 2011) (FURTHER AMENDED PLANS AND UPDATED DAS RECEIVED 21 JUNE 2011) - LAND AT FORMER OPEN CAST COAL SITE AND LAND TO THE NORTH OF THE A473, LLANILID</b></p>

### **1. PURPOSE OF THE REPORT**

This application had a resolution to approve from the DC Committee in 2011 but the required S.106 Agreement was not completed before the implementation of the Community Infrastructure Levy (CIL). Therefore Members are asked to reconsider the application under the CIL regime where certain elements of the previously drafted S.106 Agreement are in effect replaced by CIL.

## 2. **RECOMMENDATION**

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

## 3. **BACKGROUND**

This 'Hybrid' (part in 'outline' and part in 'full') planning application proposes a significant large scale development on a site which incorporates part of the former Llanilid Open Cast Coal Site (OCCS), together with land to the north of the A473. The site has an area of over 75 hectares of which approximately two-thirds is considered to be developable.

The proposal is for a mixed use development, with new housing forming by far the most significant element at up to 1850 dwellings. Also included within the scope of the application is a new village/district centre comprising: a new primary school, medical/health centre, community uses, up to 2,000sq.m. foodstore, shops, small offices and a pub/cafe. The application is subject to EIA and an Environmental Assessment (EA) accompanies the application.

The application was originally reported to a meeting of the Council's Development Control Committee on 10 November 2011. At that meeting Members resolved to grant planning permission, subject to a S.106 Agreement and conditions.

A copy of the officer's report considered at the 10 November 2011 meeting is attached as **APPENDIX 'A'**.

The attached original report sets out in detail a description of the site and its planning history; the constituent elements of the proposed development; the results of the public and statutory consultation exercises, and the national and local planning policy and guidance framework against which the application should be appropriately considered.

### Planning policy and guidance updates since November 2011

The local planning policy framework, as set out in the Rhondda Cynon Taf Local Development Plan remains as it was in November 2011. However, since the application was initially considered by Members at Committee there have been updates in Welsh Government national policy and guidance.

In three instances the **APPENDIX 'A'** report refers to documents that have been superseded. These are:

- Planning Policy Wales (PPW) – in November 2011 Edition 4 (published in February 2011) of PPW was in effect. The current version of PPW is Edition 7, which was published by Welsh Government in July 2014.

The relevant extracts from PPW as set out in the original (APPENDIX A) report are still relevant and applicable to the application.

Edition 7 of PPW did however, introduce at Chapter 7 new guidance in respect of Economic Development. Section 7.6 of this chapter deals with development management and the economy. At 7.6.1 it confirms that LPA's should adopt a positive and constructive approach to applications for economic development.

- TAN 12 (Design) – an updated version of the previous edition of TAN12 (published in 2009) was published by Welsh Government in July 2014
- TAN 23 (Economic Development) – was published by Welsh Government in February 2014. The guidance in the TAN reinforces Chapter 7 of PPW in stressing the need for LPAs to adopt a positive approach to development schemes which will bring economic benefits to the local and wider area.

#### Health and Safety Executive (HSE)

In November 2014 the Council received communication from the Health and Safety Executive that raised a holding objection to the application on the grounds of the presence of a main gas pipeline running through part of the site.

Further to the receipt of this initial email further consultation was undertaken with HSE (both directly with HSE officers and by using their automated PADHI consultation system). HSE's main concern relates to the proposal to site the new primary school in close proximity to the gas pipeline. However, HSE have confirmed that if the area of the school site was less than 1.4 hectares the sensitivity level would not result in HSE advice against the granting of planning permission. The result of this is that the two sports pitches which were originally anticipated to be within the school's boundaries would now lie outside, albeit they would be transferred to the Council and be available for the school to use.

#### The 10 November 2011 resolution

Minute no. 120 (2011/12) records Members resolution at the 10 November 2011 Development Control Committee to approve the application subject to:

- The recommended conditions set out in the report as being applicable to the "full" element of the application,
- In respect of the outline conditions, that the Service Director Planning be authorised to draft suitable and appropriate conditions that ensure the issues in the report are satisfactorily dealt with;
- that in respect of the "outline" conditions (to be drafted) that a condition be included which requires the consented western leg of the bypass to be completed and available for use by vehicular

traffic before the beneficial occupation of any building/dwelling within the third phase of development.

- further negotiation taking place with Network Rail in order to secure the removal of their objection.
- the applicant (and other party/parties with an interest in the land) first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of Planning Obligation/s contributions, comprising the following:
  1. the provision of a new primary school (of a pupil capacity to be agreed) and appropriate secondary pupil place provision;
  2. a Transport Tariff financial contribution using the SPG calculations;
  3. a Leisure/Recreation and Ecology/Biodiversity contribution using the SPG calculations.

and that the payment of the SPG Transport Tariff be in accordance with the payment structure as identified in the SPG, i.e. 25% on commencement of works; 50% on completion of 50% of the development; and the remaining 25% on completion of 75% of the development.

In addition, that Affordable Housing be provided across the whole site at a minimum level of 10% (185 units). (The means of delivery and the on-site/off-site split of these units to be the subject of further discussions and negotiations).

- that the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.
- the Service Director Planning be authorised to enter into further discussions with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development to deliver the mitigation measures as set out in the report. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations.

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

Notwithstanding that a significant amount of work was undertaken following Committee's decision to approve the application the required S.106 Agreement was not completed prior to the introduction of CIL.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended. The application lies within Zone 3 of Rhondda Cynon Taf's Residential Charging Zones, where there is a liability of

£85 per sq.m. for residential development. In addition the application includes the potential for up to 3,000sq.m. of Class A1 floorspace within the new village/district centre (within a new foodstore of up to 2,000sq.m. and in addition up to 1,000sq.m. of Class A1/A2/A3 retail units). Class A1 retail floorspace attracts a CIL charge of £100 per sq.m. All the other uses within the new village district centre would attract a £0/nil charge.

#### The implications of CIL for this scheme

##### Highway/Transport Contributions

The transport tariff contribution identified within the draft S.106 Agreement was £6,312,768, which was to be paid to the Council in 5 instalments. As a result of the introduction of CIL this 'Transport Tariff' contribution can no longer lawfully be required as a payment in the S.106 Agreement.

The requirements for a 'Local Road Contribution' of £170,000 payable to Bridgend CBC is still applicable, as is a 'Rail Contribution' of £350,000 to be paid to Network Rail (for works to establish a bridged crossing over the main London – Swansea railway line that runs immediately to the north of the boundary of the site).

##### Provision of a new Primary School

The need for a 18 class, 540 place primary school has been identified in conjunction with this development. The previously drafted S.106 Agreement required this to be developed in two phases, with the first phase providing the primary school building with 7 classrooms and the subsequent second phase providing the further 11 classrooms.

The draft S.106 Agreement identified the costs for this provision to be £8,542,680 (comprising first phase – £5,437,092 and second phase £3,105,588).

In addition a financial 'Secondary Education Contribution' of £2,000,000 was to be paid.

The adoption of a CIL Charging Policy introduces some difficult challenges in respect of the administrative mechanics of the CIL Regulations to be addressed in delivering the required primary school facility. The Council's Planning Obligations SPG provides that the Council will not seek financial contributions towards educational capacity via S.106 Agreements in the south of the County Borough.

The intention being that costs for providing the school would be met (as the Strategic Highway contributions) by the developers CIL payments.

In this case the nearest primary schools (Dolau, Brynna and Llanharan) have no capacity to accommodate the children of the houses being built. During this period CIL monies would be being received by the Council and as CIL

has only recently been adopted in the County Borough there are insufficient funds at present to construct a new school and it would take some time before sufficient monies are received to fund the building of the school.

Legal advice has confirmed that the Council could accept an early CIL payment (Circa £5.5m – this being the cost of the primary school building and the first 7 classrooms). This amount would in effect be off-set against future CIL payments until the cost of the provision had been met. After this time CIL would be charged and paid as normal.

It is recommended that the resolution to grant planning permission be subject to the applicant providing the Council with a robust mechanism and timescale for the early delivery of the required CIL payments to ensure that the Council can deliver a new primary school on the above basis. The exact mechanics for achieving this are still the subject of negotiation with the applicant.

In addition to the above a S.106 will be required to ensure that the land on which the primary school is to be constructed is transferred to the Council with the necessary services.

The £2,000,000 secondary education contribution would however, not be incorporated within the 'new' S.106 Agreement and no contribution would be required.

#### Other S.106 Requirements

The remaining issues which the original (**APPENDIX A**) report indicates as being needed to be incorporated within a S.106 are still required. These issues relate to

- the provision of Affordable Housing;
- issues of Leisure/Recreation/Open Space provision and management;
- mitigation measures for impacts on interests of ecology and biodiversity;
- the provision of the village/district centre;
- the employment of local people for landscape management;
- provision of the Community Building; and,
- provision of Changing Rooms.

#### Conclusions

As the original (**APPENDIX A**) report confirms this is a major application and in terms of the number of dwellings proposed alone represents the largest application that has been submitted to this Council for determination.

It is not considered that there have been any significant changes in planning circumstances since the original resolution of the Council's Development Control Committee on 10 November 2011 to grant approval, that would warrant a change in recommendation.

The failure to complete a signed S.106 Agreement before the Council's adoption of a CIL Charging Policy has required the need to now re-visit the previously drafted S.106 Agreement and to explore the most appropriate way of providing the required infrastructure required to mitigate the expected impacts of the proposed development.

### Recommendations

That Committee resolve to APPROVE the application, subject to:

- the recommended conditions as set out below (in two sets, ie firstly those being applicable to the 'full' element of the application and secondly, those being applicable to the 'outline' element of the application) in this report;
- the applicant (and other party/parties with an interest in the land) first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of **Planning Obligation/s contributions**, comprising the following:
  1. the payment of a Local Roads Contribution (to BCBC) of £170,000;
  2. the payment of a 'Rail Contribution' (to Network Rail) of £350,000;
  3. the Leisure/Recreation/Open Space and Ecology/Biodiversity package of provision, mitigation and management required as detailed in APPENDIX A;
  4. that **Affordable Housing** be provided across the whole site at a minimum level of **10% (185 units)** as detailed in APPENDIX A;
  5. the transfer of an appropriate area of land for the construction of the primary school together with the necessary services;
  6. the provision of two sports pitches and appropriate changing facilities.
- A robust mechanism and timescale for the early delivery of CIL payments to ensure a new primary school can be constructed for the development.
- that the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.
- dependant on Members resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussions with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not be agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations.

### Conditions

*There are a total of 50 conditions imposed on this permission.*

*Conditions 1 to 15 (inclusive) relate to the 'Full' element of the application only.*

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. This permission relates solely to the Phase 1 provision of highway and drainage infrastructure and the creation of the development plateaus themselves within Phase 1 (the extent of these permitted works is identified on the Key Plan For Hybrid Application (drawing no. CD V-C8024.02 0001/R2) . The extent of the works approved by reason of this permission are identified on the following plans/drawings, except where necessarily modified by the terms of other conditions attached to this permission:

*Site Location Plan*

- Site Location (Drawing no. 1404/L/02/03 rev A)
- Key Plan For Hybrid Application (Drawing no. CD V-C8024.02 0001/R2)

*Plateau Drawings*

- Topographical Survey (Sheets 1-3) (Drawing nos. CD V-C8024.02 OP05-07 rev RO)
- Preliminary Plateau Levels (Drawing no. CD V-C8024.02 OP11 rev R4)
- Typical Cross Sections Plateau 1 (Sheets 1 & 2) (Drawing nos. CD V-8024.02 0600 & 0601 rev R1)
- Typical Cross Sections Plateau 2 (Sheets 1-3) (Drawing nos. CD V-C8024.02 0605-0607 rev R1)

*Drainage Drawings*

- Foul & Storm Water Drainage Concept Layout Plan (Drawing no. CD V-C8024.02 OP25 rev R2)

*Highway Drawings*

- Highway Layout (Drawing no. CD V-C8024.02 03 rev R2)
- Highway Details (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 04 rev R2 & 05 rev R1)
- Vehicle Tracking (Sheet 1) (Drawing no. CD V-C8024.02 06 rev R1)
- Plan/Longitudinal Section Link Road 1A (Drawing no.

CD V-C8024.02 07 rev R1)

- Plan/Longitudinal Section Link Roads 1B & 2B (Drawing no. CDV-C8024.02 08 rev R1)
- Plan/Longitudinal Section Link Road (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 09 & 10 rev R1)
- Vehicle Tracking (Sheet 2) (Drawing no. CD V-C8024.02 11 rev R0)
- Access Road General Arrangement (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 12 & 13 rev R0)

Reason: In order to define the terms of the permission granted.

3. A comprehensive landscaping scheme and landscape management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial use of any of the road or drainage infrastructure hereby approved. The required scheme and management plan shall cover the proposed landscaping and its treatment within the boundary of the highway and drainage infrastructure. Development shall be undertaken in accordance with the approved plan.

Reason: To ensure the satisfactory provision and maintenance of the landscaping of the development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

4. The landscaping details in accordance with condition (3) above shall include planting plans and written specifications (including cultivation and other operations associated with tree, plant and grass establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and a programme of implementation and maintenance).

Reason: To ensure the satisfactory implementation of the landscape scheme 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 the satisfactory implementation of the landscape scheme in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

6. Construction on the development shall not take place other than during the following times:

- Monday to Friday 0800hrs to 1800hrs
- Saturday 0800hrs to 1300hrs
- Not at any times on Sundays, Bank or Public Holidays.

Unless as may be otherwise first 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

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

- the means of access into and egress from the site for all construction traffic;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- wheel washing facilities;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- location of site compounds;
- use of artificial lighting.
- measures to treat and remove suspended solids from surface water run-off

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Notwithstanding the details as shown on the submitted plans and drawings, no development of the lengths of highway identified on the approved plans referred to under 'Highway Drawings' within condition 2 of this permission shall commence until full engineering design and details of:
- the internal proposed distributor road;
  - the junction of the proposed distributor road (Link Road 1B) with the A473;
  - the junction of the proposed distributor road (Link Road 1A) with the roundabout on the first leg of the western leg of the Llanharan bypass;
  - the junction of the proposed distributor road (Link Road 2A) with the existing extent of carriageway serving the '17.5 acre' site to the east including sections; street lighting, highway structures, vehicular containments, surface-water drainage and a Stage 2 Road Safety Audit have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented in accordance with the agreed details, or to a minimum standard to be first agreed in writing by the Local Planning Authority, prior to the first beneficial use of these elements of highway and identified junctions as a public highway.

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

9. Prior to the commencement of the construction of any dwellings hereby approved, there shall be deposited with the Local Planning Authority a certificate from a Consulting Engineer certifying that proper site investigations have been carried out at the site sufficient to establish what ground precautions are necessary in relation to the proposed development and what precautions 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 conditions. The certificate shall include details of such precautions and these precautions shall be adopted in full in the carrying out of the development for which planning permission is hereby granted.

Reason: To ensure that proper account is taken of the construction requirements on this site which has previously been used for open cast mining purposes and subsequently backfilled in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. A detailed Great Crested Newt (GCN) mitigation scheme (consistent with the general principles outlined in the 'Proposed Parc Llanilid development: Draft great crested newt mitigation strategy – Key Principles' 10 June 2011, Report EVG-10-015 – GCN MS

Environguage), to be submitted to and agreed in writing by the Local Planning Authority, in consultation with CCW, before the start of any works on site. The scheme shall include for the following and be implemented as agreed.

- a minimum width of 30m at all times for the primary GCN habitat;
- a minimum of two additional water bodies on the eastern boundary of the application site, in the north-south habitat corridor that exists between the site the subject of this consent and the recently constructed 17.5ha housing site to the east;
- new ponds must be allowed to mature for a minimum of one growing season before newts can be translocated into them;
- a minimum width of 15m shall be provided as functional links between the primary GCN habitats and secondary GCN habitats;
- a specification for proposed underpasses and a specification for gully pots (if they are to be used) which ensures these are offset from kerbsides to ensure minimum GCN casualties.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

11. The primary Great Crested Newt habitat (as identified in the document referred to in condition 10 above) shall be established in accordance with the document, which shall set out the programme for the relocation of the GCN and their habitat in line with the land remediation and construction works.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

12. The preparation, agreement and implementation of a monitoring scheme for protected species prior to the commencement of works on site. The scheme to be implemented as agreed. Monitoring should include monitoring of the GCN population itself and assess the ongoing suitability of the habitats present to support them. Monitoring reports should be submitted to Rhondda Cynon Taff County Borough Council and copied to the Countryside Council for Wales, and a final monitoring report agreed at the end of the monitoring period. Should the monitoring show a decline in population numbers or distribution, remedial measures should be agreed in writing and implemented to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

13. Prior to the commencement of development a scheme for the provision and management of compensatory habitats shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

14. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In order to prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

15. No development of the proposed Phase 1 drainage ditches, as shown on the approved plan (Drawing no: CD V-C8024.02 OP25 rev R2) referred to under 'Drainage Drawings' within condition 2 of this permission, shall be commenced until a full detailed scheme for the 'Phase 1' proposed drainage ditches, incorporating sustainable principles, has been prepared, submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed flood risk infrastructure does not cause any adverse condition on the development site, to adjoining properties, the environment and existing infrastructure with regard flood risk in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

*Conditions 16 to 50 (inclusive) relate to the 'Outline' element of the application only.*

16. Approval of the details of the access, appearance, layout and scale and the landscaping (hereinafter called "the reserved matters") of the development shall be obtained from the Local Planning Authority in writing prior to the commencement of any development within the relevant phase(s) covered by the reserved matters: the development

of each phase shall be carried out in accordance with the approved details.

The submitted 'reserved matters' details shall accord with the principles, parameters and objectives laid out in the Illustrative Masterplan Rev C (1404/L/02/02) and the Parc Llanilid Design Codes Document (August 2011), unless any deviation is first agreed in writing by the Local Planning Authority.

Reason: To safeguard the rights of control of the Local Planning Authority in respect of the reserved matters and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990

- 17.** The development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved in respect of the first phase or development parcel as identified in the phasing programme required by condition 20, whichever is the later.

Application for approval of the first, and last, of the reserved matters required for the implementation of the development hereby permitted shall be made to the Local Planning Authority before the expiration of three, and fifteen, years respectively from the date of this permission.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 18.** This permission grants the development of up to 1850 residential dwelling units together with the following uses and maximum net floorspace areas:

A new primary school  
Class D1 medical/health centre (up to 800sq.m.)  
Class D2 community uses (up to 800sq.m.)  
Class A1 foodstore (up to 2,000sq.m.)  
Class A1/A2/A3 retail units (up to 1,000sq.m.)  
Class A3 public house/café  
Class B1 offices (up to 500sq.m.)

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of building/floorspace keeps within the parameters assessed pursuant to the EIA in relation to the development.

- 19.** The total number of dwellings to be developed at the site shall not be less than 1700.

Reason: In order that the development delivers the number of units

identified in accordance with policies SSA9, SSA11, CS3 and CS4 of the Rhondda Cynon Taf Local Development Plan.

- 20.** Notwithstanding the Phasing Plan and Table shown at 6.4, p.26 in the Parc Llanilid Design and Access Statement (DAS) (June 2011) a phasing programme for the entire site shall be submitted to and approved in writing by the Local Planning Authority, prior to the submission of any reserved matters application, which shall in particular:
- a) divide the development into parcels of land (Development Parcels);
  - b) identify the phasing order by which the identified parcels will be developed;
  - c) identify how the number, density and mix of 1850 dwellings will be accommodated across the development phases;
  - d) encompass the phasing of the installation of water and sewerage infrastructure;
  - e) provide details on the phased provision of highway works required to facilitate appropriate linkages/connections to the A473 and the western leg of the Llanharan by-pass to the south of the site.

The agreed Phasing Plan may only be amended with the prior written agreement of the Local Planning Authority.

Reason: In order to ensure that the development delivers the number of units identified and that the phasing of the development takes place in a proper and co-ordinated way, in the sequence agreed by the Local Planning Authority in accordance with policies SSA9, SSA11, AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 21.** Prior to the submission of reserved matters applications (unless otherwise agreed in writing by the Local Planning Authority in relation to advanced specific works) a detailed phase specific plan shall be submitted in relation to that phase of the development on which reserved matters approval is being sought. This phase specific plan shall accord with the principles, parameters and objectives laid out in the illustrative Masterplan Rev C (1404/L/02/02) and the Parc Llanilid Design Codes Document (August 2011) and include the following details:
- a) confirm the extent of the phase and/or development parcel;
  - b) the design approach for each development parcel within the context of the site as a whole;
  - c) the approximate housing numbers, mix and density within each development parcel;
  - d) the strategic landscaping and planting proposals and boundary treatments;
  - e) the areas of public open space/recreation space within each development parcel indicating their functions and facilities to

- be provided and their location;
- f) the hierarchy of access and circulation including roads, footpaths and cycleways and how these link with the surrounding area;
- g) the sustainable urban drainage systems;
- h) the details of earthworks associated with the site's remediation including a method statement and timetabling for storage areas, details of temporary storage and final placement areas, the relationship between any proposed moulding and existing vegetation and surrounding land form, and an implementation programme for the proposed works.

Reason: In order to ensure that the necessary infrastructure and facilities to accommodate the development are provided in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

- 22.** No development shall take place within any phase (or part thereof) (as identified and defined by condition 20) until a Construction Method Statement Management Plan, relating to that phase the subject of the development, has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction traffic;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- wheel washing facilities;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- location of site compounds;
- use of artificial lighting;
- measures to treat and remove suspended solids from surface water run-off
- the temporary protection of trees and/or hedgerows during periods of construction.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 23.** Any facilities for the storage of oils, fuels and chemicals associated with the construction compounds shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of inter-connected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In order to prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 24.** Construction on the development, including any required piling operations, shall not take place other during the following times:

- Monday to Friday – 0800hrs to 1800hrs
- Saturday 0800hrs to 1300hrs
- Not at any times on Sundays , Bank or Public Holidays

Unless otherwise first 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 AW10 of the Rhondda Cynon Taf Local Development Plan.

- 25.** An Urban Design Statement shall accompany each reserved matters application for the erection of residential and/or commercial development (buildings) that shall be submitted for approval in writing by the Local Planning Authority. The statement should demonstrate how the design of that Phases/Parcel(s)/Plot(s), the subject of the submission, complies with the relevant design principles, parameters and objectives set out in the approved Design and Access Statement (June 2011) and the Parc Llanilid Design Codes Document (August 2011).

Reason: To ensure that a co-ordinated and consistent approach and high design standards and materials are used in the interests of visual amenity in the locality in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 26.** The reserved matters to be submitted for the approval in writing by

the Local Planning Authority pursuant to Condition 16 above shall for each development phase(s) (or part thereof) of the development include details of finished floor levels for each house and ground floor flat and finished site levels (for all hard surfaced and landscaped areas) in relation to existing site levels. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

- 27.** No development shall commence on site, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- a) a Desk-top Study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The Desk-top Study should contain a Conceptual site model. A copy of the Desk-top Study shall be submitted to the Local Planning Authority without delay on completion.
- b) a site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a Desk-top Study has been completed satisfying the requirements of paragraph a) above.
- c) a written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 28.** No part of the development hereby permitted shall be occupied and/or operated until the measures approved in the scheme (referred to in condition 27) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 29.** If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 30.** The landscaping of the relevant phase (or part thereof), as approved under conditions 20 and 21 and the subject of the particular reserved matters submission shall be carried out in accordance with the approved scheme in the first planting and seeding season following the completion of that phase of the development. Any vegetation planted in accordance with condition 16 which within a period of 5 years from the date planted, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives its 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.

- 31.** The reserved matters referred to in condition 16 shall include, where relevant, details of all formal and informal recreation areas (details to include the siting, design, external appearance, landscaping, means of access and play equipment). These areas shall be provided in accordance with the approved details and the relevant detailed phase specific plan required under condition 21 and the Phasing Programme required by condition 20. The timetable for the full implementation of the agreed recreation areas for each phase shall be agreed in writing by the Local Planning Authority prior to the occupation of the first dwelling in the relevant phase (or part thereof) and the identified area/s shall be used for no other purpose other than as a recreation area.

Reason: To ensure that the new development makes the necessary and appropriate provision for public open/recreational space in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 32.** No development shall commence (unless otherwise agreed in writing by the Local Planning Authority in relation to specific advanced works) in relation to any phase (or part thereof) of development (as approved pursuant to condition 20), the subject of the particular reserved matters submission until a Management Strategy for the maintenance of all areas of formal and informal open space for that phase which is not subject to adoption by the Local Authority, has

been submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public open/recreational space in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 33.** A Travel Plan for each phase (or part thereof) of development as defined under condition 20, the subject of the particular reserved matters submission pursuant to condition 16, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any dwellings in the relevant phase. The Travel Strategy and Travel Plans shall be implemented and retained thereafter in accordance with the approved details.

Reason: To ensure that the development makes appropriate provision for all modes of transport in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 34.** No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), the subject of the particular reserved matters submission pursuant to condition 16, before a Sustainable Development Strategy (SDS) report has been submitted to and approved in writing by the Local Planning Authority, in respect of either that phase or the whole development. The SDS report shall have regard to matters of energy efficiency and the efficient use of other resources and seek to minimise the use of non-renewable resources and minimise the generation of waste and pollution, where practically possible and viable; the conclusions of the report shall be implemented in full within the development.

Reason: In order to secure accordance with policy AW6 of the Rhondda Cynon Taf Local Development Plan.

- 35.** No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), subject to the particular reserved matters submission, before a scheme for the provision and implementation of a sustainable urban drainage system for the proposed drainage ditches servicing that phase (or part thereof) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the proper drainage of the site in accordance with policies AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 36.** No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), subject to the particular reserved matter submission pursuant to condition 16, until foul and surface water drainage arrangements servicing that phase (or part thereof) have been submitted to and approved in writing by the Local Planning Authority. No dwelling or any other building shall be occupied until the drainage works have been completed in accordance with the approved scheme.

Reason: In order to ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 37.** In respect of any phase (or part thereof) (as approved pursuant to condition 20), subject to the particular reserved matters submission pursuant to condition 16, of the development hereby permitted on that part of the site to the north of the A473 no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: In order to identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

- 38.** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings associated with construction compounds, shall be passed through an oil interceptor, the capacity and design of which shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The interceptor shall be installed prior to the parking areas and hard standings being used and retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: In order to prevent water pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 39.** No dwelling or floorspace/building as identified under condition 18, hereby permitted shall be occupied within any phase (or part thereof) (as approved pursuant to condition 20), subject to the particular reserved matters submission pursuant to condition 16, of

development until a Flood Risk Management Plan for that phase (or part thereof) has been prepared, submitted and agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 40.** No works associated with the diversion of the Nant-Y-Gofer shall commence to the north of the A473 until an assessment of the impact of the proposed watercourse diversion (Nant-Y-Gofer) to the north of the A473 on flows within the existing watercourse, forming the western boundary to residential development at Trenos Gardens (along with proposed compensatory measures should an adverse impact on flows in the watercourse be assessed) has been prepared, submitted to and agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 41.** No development, outside of the area shaded yellow on the Key Plan for Hybrid Application (Drawing no. CD V-C8024.02 0001/R2) as identified under condition 2, shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20) until details are submitted to and agreed in writing by the Local Planning Authority, in consultation with CCW, confirming the proposed scope and implementation of pre-construction surveys of the site for protected species. There is a particular need to ensure that all trees to be felled or indirectly affected by the development are subject to a detailed bat survey by a licensed bat ecologist in advance of any works commencing.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 42.** No development shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), the subject of the particular reserved matters submission pursuant to condition 16, until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- an appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
  - details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
  - 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, hibernating and breeding amphibians and reptiles, etc.)

- persons responsible for:
  - a) compliance with legal consents relating to nature conservation;
  - b) compliance with planning conditions relating to nature conservation;
  - c) installation of physical protection measures during construction;
  - d) implementation of sensitive working practices during construction;
  - e) regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
  - f) 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 in accordance with the approved details and timing of the plan unless any variation has the prior written approval of Local Planning Authority'.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 43.** No development shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), the subject of the particular reserved matters submission pursuant to condition 16, until full details of the establishment and management of the Public Open Space (POS)/Green Corridors/Nature Conservation Mitigation areas and its Management Plan and other measures for species and habitats has been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be subsequently incorporated into a revised 'Parc Llanilid Landscape and Nature Conservation Management Plan'. These measures should include:

- details of species re-surveys and inspections associated with the period leading up to and including site development;
- details of habitat features of particular importance for key species, which will be retained within the development;
- details of species and habitat mitigation and compensation measures. To include details of habitat creation within the site boundary, working methods (including tree felling, scrub clearance, grassland management etc), contingency provisions, site enhancement proposals, long-term management agreements and arrangements;
- habitat restoration details, to include details of restoration techniques, preparation works to encourage natural

- regeneration, utilising existing seed sources/material, etc;
- public and management access;
- invasive weed control;
- public safety provisions;
- boundary treatments,
- preparation of a work schedule (including a 5 year project register, an annual work plan and the means by which the plan will be rolled forward annually);
- personnel responsible for implementation of the plan and the details and confirmation of provision of the Environmental Liaison Officer position and post;
- monitoring and Remedial measures triggered by monitoring
- details of any species licensing requirements from the Welsh Government.

The works shall be implemented in accordance with the approved details and timing of works, unless any variation has the prior written approval of the Local Planning Authority.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 44.** No development shall commence in respect of any phase (or part thereof) (as approved pursuant to condition 20), the subject of the particular reserved matters submission pursuant to condition 16, until a Tree and Hedgerow Mitigation Plan are submitted to and approved in writing by the Local Planning Authority.

The Tree and Hedgerow Mitigation Plan shall include details of:

- purpose, aim and objectives of the scheme;
- details of:
  - a) a plan showing all trees and hedgerows to be protected and measures employed to protect these features during construction work,
  - b) a plan showing all trees and hedgerows to be removed as part of development work, with a specification for removal,
  - c) provision of long-term aftercare for retained trees and hedgerows within Public Open Space (POS)/Green Corridors/Nature Conservation mitigation areas,
  - d) pre-sale management for those trees and hedgerows to become incorporated into private gardens,
  - e) the methods and specifications for translocating sections of hedgerows,
  - f) methods and specifications for replacement of trees and hedgerows, including sources of material (all native planting to be of certified British provenance),
  - g) aftercare and long term management;

- h) personnel responsible for the work;
- i) timing of the works;
- j) monitoring;
- k) disposal of waste arising from the works

All tree and hedgerow works shall be carried out in accordance with the approved details, unless and variation has the prior written approval of the Local Planning Authority.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 45.** Prior to the occupation of any dwelling or non residential building within phase 3 of the development (as approved pursuant to condition 20) or the occupation of the 801st dwelling (whichever is the soonest) within the development hereby permitted the western leg of the Llanharan bypass (this being the length of highway as approved by the Local Planning Authority under application reference 05/1088 on 9 September 2005 and detailed on the drawing nos. referenced under condition 2 of planning permission 05/1088) shall be completed to the satisfaction of the Local Authority and be available for use of public vehicular traffic.

Reason: In order to ensure the satisfactory provision of highway infrastructure to serve the development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 46.** Prior to import to the site, soil material or aggregate uses as clean fill or capping material shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Planning Authority: no other fill materials shall be imported to the site.

Reason: To ensure that the site is safe and suitable for its proposed use in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 47.** The reserved matters referred to in condition 16 where this relates to Class A3 uses (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) on the site shall include details of ventilation and extraction equipment for Class A3 uses. Prior to first use of any such Class A3 unit, the ventilation and extraction equipment shall be installed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development

Plan.

- 48.** The reserved matters referred to in condition 16 shall include, in respect of any residential properties within any phase (or part thereof) (as approved pursuant to condition 20) to the north of the A473 and within 100m of the main London to Swansea railway line to site's northern boundary, a detailed noise assessment and mitigation measures report relating to (depending on the nature and location of the reserved matters application) the railway line, which shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be implemented in accordance with the approved details prior to the first occupation of any dwelling to which the measures apply.

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

- 49.** Prior to the occupation of the 501<sup>st</sup> dwelling within the development site a roundabout shall be provided on the A473 in a location at its junction with the proposed distributor road (Link Road 1B – as approved on Drawing No. CD V-C8024.02 08 rev R1 under Highway Drawings in condition 2). The required roundabout will be constructed fully to the satisfaction of the Local Planning Authority and in accordance with full technical specification details/ plans and a constructional programme timetable that shall have been first been submitted to and agreed in writing by the Local Planning Authority.

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

- 50.** Full details of the hours of operation, including time of receiving deliveries or servicing of all the non-residential uses identified under condition 18 shall be submitted to and approved by the Local Planning Authority prior to commencement of such uses and thereafter the use and servicing shall be carried out in accordance with the approved details.

Reason: In order to safeguard the amenities of the occupiers of residential properties within the development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

**APPENDIX A**

**APPLICATION NO:** 10/0845/34 (DJB)  
**APPLICANT:** Cofton (Wales) Ltd  
**DEVELOPMENT:** Comprehensive development comprising: residential development of up to 1,850 dwellings; neighbourhood centre to include Class D1 and D2 community/leisure facilities, Class D1 medical centre, Class D1 primary school, Class A1, A2 and A3 retail/services/food and drink floorspace; B1 office/commercial floorspace; new drainage, services, transport and highways infrastructure, strategic landscape areas and public open space (all matters reserved). Full details for new spine road and access onto A473, drainage infrastructure and the creation of development plateaus to serve the first phase of the development (Amended plans and Supplementary Environmental Information (SEI) received 13 June 2011)(Further amended plans and updated DAS received 21 June 2011).  
**LOCATION:** LAND AT FORMER OPEN CAST COAL SITE AND LAND TO THE NORTH OF THE A473, LLANILID  
**DATE REGISTERED:** 13/06/2011  
**ELECTORAL DIVISION:** Brynna

**APPLICATION DETAILS**

This significant 'hybrid' planning application seeks a combination of both outline and full planning permission for a large scale development on a site which incorporates part of the former Llanilid Open Cast Coal Site (OCCS), together with land to the north of the A473. The site has an area of 75.35 ha, of which approximately 50 ha is considered to be developable. (The 'red line' site area when the application was originally received was 76.18 ha. However, following the consideration of ecological issues raised by the Countryside Council for Wales (CCW) an area of 0.83ha, lying to the north of the A473, was removed from the application site in June 2011). A copy of the site plan showing its location within the wider geographical context is attached as **APPENDIX 'A'**.

A 'hybrid' application approach although uncommon, in terms of the applications that come before this Committee for determination, is not an unknown approach when dealing with complex proposals on large sites that involve phasing issues to be considered.

This application is submitted whereby details of appearance, landscaping, layout and scale are in outline for the entire site. Matters of access are reserved for the entire site with the exception of the full details that are provided for the access road required to facilitate the first phase of development. The detailed matters for the first phase of the development include the earth works associated with the creation of the first phase development plateaus and the drainage infrastructure required to service it.

The application proposes a scheme which comprises the following form of development:

- Residential development up to 1850 dwellings; and
- A new village/district centre to include:
  - new primary school
  - class D1 medical/health centre (up to 800sq.m.)
  - class D2 community uses (up to 800sq.m.)
  - class A1 foodstore (up to 2,000sq.m.)
  - other class A1/A2/A3 retail units (up to 1,000sq.m.)
  - pub/café
  - residential flats/apartments on upper floors
  - small Class B1 offices (up to 500sq.m.)

(figures given are maximum net floorspace figures)

- strategic landscape areas
- public open space

The illustrative masterplan (the most recent version being rev 'B') confirms the intention to site the village/district centre immediately to the south of the A473. All development to the north of the A473 will be residential. (A copy of the masterplan rev 'B' is attached for Members information as **APPENDIX 'B'**).

The applicant has provided an indicative Phasing Plan, which indicates how the development might be built out over a period up to 2025. This plan shows 8 phases of development in total.

Phase 1 establishes a connection between the A473 and existing highway infrastructure to the south east, facilitating the creation of an urban form around the village centre (which is shown within phase 2) together with the creation of the development plateaus for the Phase 1 development. It is anticipated that the 4 residential plots (nos. 1-4 on ES Fig 8.10) within Phase 1 would deliver in the region of 600no. dwellings (the applicant suggests by the end of 2015).

The applicant has correctly determined that the proposal would, under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require an Environmental Impact Assessment (EIA) to be undertaken. Such assessments are necessary if a development is likely to have significant effects on the environment. As such, an Environmental Statement (ES) was submitted with the application. The ES sets out the results of the EIA undertaken to consider the environmental effects of the proposed scheme and is split into two volumes:

Volume 1 – the main document which contains the technical chapters and figures (July 2010).

Volume 2 – contains the technical appendices referred to in Volume 1 (July 2010).

A separate Non -Technical Summary (NTS) has been produced, giving a summary and overview of the key issues contained within the individual chapters of the main ES (July 2010).

On receipt of the application in August 2010 the following documents, in addition to the suite of plans, were also received in support:

Planning Statement (Savills, July 2010)

Transport Assessment (TA) (Arup, July 2010)

Design and Access Statement (DAS) (Davies Landscape Architects, August 2010).

In addition since the initial submission of the application the applicant has provided the following:

Transport Assessment Addendum (Arup, February 2011)

Response to Queries Raised by Environment Agency Wales (EAW) and CCW for Wales in Respect of the Parc Llanilid Proposals (Savills, March 2011)

Parc Llanilid Framework Plan (Draft Revision B) (Davies Landscape Architects, March 2011)

Environmental Statement: Addendum (June 2011)

Environmental Statement: Addendum – Further Technical Appendices (June 2011)

Parc Llanilid DAS (revised) (Davies Landscape Architects, June 2011)

Draft Great Crested Newt Mitigation Strategy – Key Principles (Envirogaugue, June 2011)

Drainage Design Statement (Opus, June 2011)

In addition to the June 2011 documents mentioned above the applicant also submitted the following revised plans in June 2011:

Site Location Plan (1404/L/02/03 rev 'A')

Site Application Boundary Plan (1404/L/02/04 rev 'A')

Illustrative Masterplan (1404/L/02/02 rev 'B')

Updated Drainage Plan (figure 8.13 rev 'A')

Revised Foul & Storm Water Drainage Concept Layout Plan (CD V-C8024.02/OP25R 2)

11no. revised Highway Layout Plans (CD V-C8024.02/03 to 13)

Parc Llanilid Design Codes Document (Davies Landscape Architects, August 2011).

(It was considered that the revised/further information received in June 2011 represented Supplementary Environmental Information (SEI). Accordingly, in

compliance with the Regulations a further round of publicity and consultation was undertaken following its receipt).

The ES contains chapters on ground conditions, landscape and visual amenity, hydrology and drainage, ecology, society and economy, transport, noise and air quality. The early chapters of the ES also detail the site and its surroundings and detail how the scheme has evolved from conception having regard to need and alternatives.

## **SITE APPRAISAL**

In the geographical context of the County Borough as a whole this site lies very much in the south western corner of Rhondda Cynon Taf.

The application site comprises land within the northern extent of the former Llanilid OCCS and what is currently in the main agricultural grazing land to the north of the A473. As previously mentioned the site has a total area of just over 75 ha (185 acres). At its widest points the site has approximate dimensions of 1,350m (east to west) and 950m (north to south).

In general the topography of the site is gently sloping across the northern and southern parts. The majority of contours lie between 50m and 60m AOD. Exceptions to this are in the south east extent of the site (at approx 80m AOD) around the area of the former till mound and in the north west corner (at approx 45m AOD) where the land falls sharply down towards the Ewenny Fach.

To the north the site boundary is largely defined by the London to Swansea railway line, albeit for some distance it does deviate somewhat to follow the course of the Ewenny Fach and the curtilage boundary of the isolated detached property known as Rhyd y Gleddyn Farm (although the name of this property on the OS plan is shown as being Rhyd Lethin). Beyond the railway line to the north lie Brynna Woods and the communities of Brynna itself and Brynnau Gwynion.

To the east of that part of the site to the north of the A473 lies the community of Bryncae (inc. Trenos Gardens, Trenos Place, Trenos Isaf, Wyndham Street, Woodfield Street, Heathfield Crescent, Westbourne Terrace, South View, Duffryn Crescent). To the east, south of the A473, the site adjoins Dolau Primary School; land on which Redrow have recently secured an approval of reserved matters (ref: 11/0208) for a residential development of 97no. dwellings and permission (ref: 11/0737) for a change of use of small area of land (0.135 ha) to public open space; and, a further residential development of 248no. houses (reserved matters approval 07/2152 refers) currently being built, already with a number of units completed and occupied, by Persimmon and Llanmoor Homes.

To the south lies the remainder of the Llanilid OCCS, with the M4 motorway being approximately 1,500m (1.5km) away from the southern extent of the application site. The actual southern boundary of the application site (to the south of the A473) is defined by the alignment of the western leg of the Llanharan bypass. (Permission for the first section of this highway infrastructure was granted in July 2005, under ref: 04/1509). This first section has been constructed but remains unused by public

traffic. Planning permission (05/1088) for the second section was granted in September 2005. This section has not been built, although some initial preparatory ground works have been undertaken.

The former OCCS to the south is commonly referred to as the 'studios site' as this is the area on which the Council have previously granted (initially in 2004, although further applications have sought to extend the life of that permission) outline planning permission for a film studio complex, including administration, production and post-production facilities together with a back-lot. In addition the umbrella of the 'studios' permission also included amongst other uses a themed leisure complex, business park, hotels, PFS, golf course and clubhouse and celebrity residences. Reserved matters pursuant to this outline permission (the last renewal of which remains outstanding) have never been submitted.

The southern boundary of that part of the site to the north of the A473 is denoted by the A473 itself, although the red line boundary does deviate around the curtilage of the isolated detached property known as Rhyd-y-Gofer Bungalow, which stands immediately to the north of the A473 and fronts onto the unnamed lane that has a junction onto the A473. Historically this lane enabled vehicular access northwards over the railway line, past the property known as Fern Bank House and meeting Brynna Road. It is understood, however, that vehicular access over the railway line is now prevented.

To the west stand the relatively recently constructed 'silent stages' and roundabout on the A473 and an area of grazing land with some areas of trees and hedges. The county boundary, beyond which is land within the administrative control of Bridgend CBC lies approximately 500m west of the western extent of the application site.

The application site in its entirety lies within the allocated Strategic Site Area of Former OCCS, Llanilid, Llanharan as identified under policy SSA9 of the Rhondda Cynon Taf Local Development Plan (LDP). The boundaries of SSA9 and the application site are not entirely consistent however, as SSA9 also includes further land to the east (on which the 248 dwellings are being built by Persimmon and Llanmoor) and land at the tapering western end, part of which is identified under Policy AW8 as a SINC (no. 175, Ewenny Fach and associated woodlands. In addition, the previously identified isolated properties of Rhyd Y Gledwyn Farm and Rhyd-y-Gofer Bungalow together with a section of the A473 and roundabout are within SSA9. The policy context of this application will be dealt with in some greater detail later in this report.

## PLANNING HISTORY

The planning history below relates to that element of the site which comprises part of the former OCCS, ie that land to the south of the A473. The land to the north of the A473 has no relevant planning history.

79/1542	Small extension to authority limit of excavation area	No objection 22/10/79
84/1375	Erection/extension of electric lines	No objection

		16/11/84
85/0962	Open cast coal site	Objections
88/0550	Open cast coal site	Refusal 19/09/89 (subsequently allowed on appeal)
88/0762	Trunk sewer link	No objections
89/1167	Telecom mast and equipment housing	Cond Perm 21/02/90
89/0642	Telecom mast and equipment housing	Cond Perm 21/02/90
92/0642	Sports pitches and training area	Cond Perm 06/11/92
92/0674	Site access, car park, and associated changing rooms	Cond Perm 06/11/92
93/0496	Overhead line	No objections
96/2076	Extraction of surplus suitable filling from site	Withdrawn 10/07/96
99/2589	Amendment to permission 88/0550 – hours of working	Cond Perm 19/11/99
99/2913	Variation of conditions 2 & 3b of permission 88/0550 to allow operation other than aftercare provision to be completed by 9 years from the date of permission.	Cond Perm 07/04/00
01/2610	Variation of condition 1 of permission 99/2913 to allow for an extension of time for completion works.	Cond Perm 12/11/01
01/2734	Erection of temporary mural work of art for a period of 12 months	Refused 12/02/03
01/2815 (outline)	Proposed film studio complex including production and post-production facilities, administration, core services, celebrity residences, parking, film back-lot, golf course and club house, film academy. Leisure complex including leisure attractions, themed retail outlets, restaurants/fast food counter,	Cond Perm & S.106 16/01/04

multiplex cinema & parking. Associated developments comprising hotel and conference centre with health spa, offices, business parks, warehousing and light industrial, hospital, budget hotel, new roundabout on the A473 and pedestrian and cycle routes throughout site. (Total build area proposed is 330,777sq.m. (3,560,428sq.ft).

02/0683	Deposit of washery discard material	Cond Perm 06/06/03
02/1085	Residential development with ancillary uses/facilities and associated open space, landscaping, highway and other infrastructure.	Withdrawn
02/1775	Replacement administration office	Cond Perm 21/03/03
02/1776	Variation of condition 1 of permission 01/2610 to allow for an extension of time for completion of works (other than aftercare provisions)	Cond Perm 06/06/03
04/0342 (full)	Proposed development of 5 silent stages with integral office accommodation totalling 92,000sq.ft., car park, new access/ roundabout onto A473, film back-lot of 4 hectares and perimeter security fencing.	Cond Perm 30/12/04
04/0740	Diversion of Pontyclun/Pencoed 132kv overhead line	Raise no objection 04/03/05
04/1246 (outline)	Proposed film studios and associated development. Section 73 application to amend conditions of permission 01/2815	Cond Perm 22/11/05
04/1270	Variation of condition 1 of permission 02/0683 to allow for an extension of time.	Not determined
04/1272	Variation of condition 1 of permission 02/1776 to allow for an extension of time.	Not determined
04/1509	Proposed road network comprising first phase primary highway infrastructure for an approved film studio development (as well as serving initial section of western leg of Llanharan bypass).	Cond Perm 05/07/05
05/1032 (full)	Proposed highway interchange and associated works on Ma motorway for proposed film	Cond Perm 09/09/05

studios and associated developments.

05/1088 (full)	Proposed access infrastructure to serve approved film studios development (Second section of western leg of Llanharan bypass).	Cond Perm 09/09/05
05/1187	Proposed access infrastructure to serve approved film studios development north/south link between proposed M4 motorway junction and second section of western leg of Llanharan bypass.	Withdrawn 02/09/05
06/1485 (outline)	Construction of residential dwelling with associated infrastructure to north of studios site (Enabling development).	Cond Perm 14/08/07
07/2152 (r. matters)	Construction of 248 dwellings with associated works (Enabling development).	Cond Perm 04/06/08
08/1491 (outline)	Proposed Film Studios & associated development. Section 73 application to vary and amend conditions of permission 04/1246.	Cond Perm 14/01/09
09/1346	Proposed Film Studios & associated development. Section 73 application to vary condition 1 (time limiting condition) of permission 08/1491.	Resolution to approve 10/06/10

## PUBLICITY

On receipt in August 2010 the application has been advertised by means of direct neighbour notification letters, site notices and the insertion of a press notice. The application was given further publicity as above following the receipt of revised plans and further supplementary environmental information (SEI) in June 2011.

In response 4no. letters have been received. Two of these raise objections to the application, which are summarised as follows:

- The proposal is outside the settlement boundary
- Inappropriate development in the countryside
- Our property will lose its tranquil rural setting
- Loss of privacy and wider residential amenity
- How when we were refused planning permission to extend our house, for the reason of over development in the countryside can the Council approve such a large development ?
- Adverse impacts on trees and interests of biodiversity
- The local road network will not cope with such a number of new houses
- Existing housing in the area is not selling, we don't need any more
- The area is well used by local rambling groups

- Occupiers of properties at this site have never been informed of the change of use of land to the north of the A473 from agricultural to residential
- It is not appropriate to build on green fields when there is ample space on the former open cast site
- A hybrid application makes it very difficult for residents to comment upon the proposed scheme
- The development will exacerbate existing drainage problems in the area
- Noise and light disturbance
- Will lead to chaos on the local road network
- The site will become a huge residential satellite estate for Cardiff and Swansea

The author of the third letter comments that:

- I am aware that work has previously been undertaken in respect of traffic issues. I trust that this information will be reviewed and further in depth studies undertaken, in light of the developments that have taken place in the last 10 years.
- A legally binding agreement should be put in place to ensure that the full range of services (school, shops, health centre and leisure facilities) will be delivered in parallel with the housing.

The author of the fourth letter (a Llanharan Community Councillor) does not specifically support nor object to the application. However, he does make the comment that “There are no assurances from the developer that the Llanharan bypass will be completed. As part of the conditions attached to the consent, the developer must be legally bound to complete the bypass”. He further suggests that because of the size of the application and its impact that it should be reviewed by the Welsh Government.

## CONSULTATION

**Spatial Planning** – identify the relevant LDP policies against which the application should be considered. The Masterplan for the site should incorporate the range of uses and design requirements identified in LDP policy SSA9. It is noted that whilst the applicant has submitted a TA with their application the Highway Authority do not consider that it demonstrates that an appropriate alternative access to the provision of the Llanharan bypass (Eastern leg) can be provided. Issues are also raised in respect of the securing of an appropriate level of Planning Obligations from the development of the site and the protection and enhancement of the natural environment. If issues surrounding the level of planning obligations and highway access are satisfactorily resolved then there would be **no policy objection**.

(However, if these matters can not be resolved to the Council’s satisfaction then a policy objection would be forthcoming).

**Transportation Section** – it has been made clear to the applicant that should they commit to paying the Transport Tariff, as calculated by the LDP Supplementary Planning Guidance (SPG) 'Planning Obligations' that **no objection** is raised

(If the applicant were to rely upon the submitted TA then objection is raised for the following reasons:

1. Insufficient information has been submitted to enable the Highway Authority to satisfactorily determine the impact of the development on the local and wider highway and transport network.
2. The existing highway network, in particular A473 and A4119 have inadequate capacity to sustain further intensification of use and therefore any additional traffic would further exacerbate highway safety and free flow of traffic.
3. The proposed development would result in substantial community severance along A473 particularly in Llanharan and Bryncae to the detriment of pedestrian safety.
4. In the absence of a Travel Plan framework to encourage the use of more sustainable modes of travel, the proposal would result in the use of private car journeys contrary to Planning Policy Wales).

**Countryside Council for Wales** – Our primary comments with respect to this application relate to great crested newt (GCN), a European Protected Species. Development of the site has the potential to detrimentally affect the favourable conservation status of the species unless suitable mitigation and/or compensation schemes are established and managed in the long term. The applicant's preparation of the GCN Mitigation Strategy Document, which sets out the principles for the conservation of GCN, is therefore welcomed. The long term provision of habitats for GCN, together with the provision of resources to ensure the implementation of long term habitat management is an essential component in determining any plan to ensure that there will be no detriment to the maintenance of the favourable conservation status of GCN as a result of this application

Whilst we still have a number of concerns it should be possible to address them by the application of appropriate conditions or as part of a section 106 agreement attached to any permission. Thus, providing the identified issues are addressed through the implementation of appropriate planning conditions and/or planning obligations **no objections** are raised.

**Environmental Agency Wales** – have **no objection** to the planning application as submitted. However, the proposed development will only be acceptable if the following measures are implemented and secured by way of planning conditions on any planning permission. (The EAW have sought the imposition of 8 conditions and have also made comments in respect of issues of flood risk, potential land contamination and controlled waste).

**Dwr Cymru/Welsh Water** – confirm that they are no longer the Statutory Sewage and Water Undertaker for this site. However, DCWW still have public assets within the inset cartilage and retain statutory rights over the public sewers and watermains that cross the area of land in question. Therefore if any development is to impact

within the safety zones please continue to liaise with us on any development that is within close proximity to any DCWW public assets. **No objection** has been raised.

**Scottish & Southern Energy** – are working with Cofton (Wales) Ltd providing Electricity, Gas and Water infrastructure and have entered into an Inset Appointment for water and sewerage, to service the whole of the Parc Llanilid development. To ensure the deliverability of the scheme, substantial infrastructure has been constructed by SSE and Cofton to service future development. We therefore confirm there are no fundamental issues in preventing the delivery of the scheme and we have **no objections**.

**Western Power Distribution** – have provided confirmation of the location of WPD electricity and surf telecom apparatus in the vicinity of the site (information given as a general guide only). Advise the need for any works to have regard to the relevant safe working procedures and health and safety legislation. However, **no objection** to the application has been raised.

**Wales & West Utilities** – confirm that WWU has a 600mm diameter high pressure gas transmission pipeline routed through the site. The pipeline is laid in an easement extending 6m either side of the centre line of this pipeline. This easement imposes restrictions on development close to it. WWU will be contacting the developer or his agent to initiate such discussions as may be appropriate in all the circumstances should the scheme go ahead. Whilst **no objection** is raised to the application WWU confirm that reserves its position completely to enforce the terms of the easement against the landowner, even if this results in any planning permission granted not being able to be fully implemented.

**Public Health & Protection** – **no objections** are raised, although concerns are raised in respect of air quality issues.

Comments on the application are made in three parts – initially comment to enable phase one to be determined, conditions requiring discharge prior to works commencing in respect of the other phases and finally conditions relevant to both the full and outline permission.

In respect of ‘phase one’ (the ‘full’ permission element of the application) the imposition of conditions is recommended to address issues of previous land use and possible ground contamination; the generation of dust; wheel washing facilities; lighting and, noise.

In respect of the remaining phases (the ‘outline’ permission element of the application) the imposition of conditions is recommended to address issues of previous land use and possible ground contamination; the generation of dust; wheel washing facilities; lighting; and, air quality.

With regards to ‘air quality’ considerations the Department has considered the further Air Quality Assessment (AQA) information (30 March 2011 and 7 June 2011) submitted by the applicant. It is considered that the AQA methodology used is limited and elementary in nature. It is considered that the limitations of the method used may lead to inaccuracies in the final result. The AQA does identify that the

proposed development will have an impact on local air quality over a large geographical area both within Rhondda Cynon Taf and Bridgend. However, as most of the affected areas currently experience good air quality the impact of the development are considered by the AQA as insignificant at these locations. However, the AQA establishes that if the proposed development were to occur it would result in the concentration of Nitrogen Dioxide (NO<sub>2</sub>) at the junction of The Square and Bridgend Road, Llanharan to increase to a level above the annual mean Air Quality Objective (AQO) for NO<sub>2</sub>. Therefore the proposed development would result in a breach of the annual mean AQO for NO<sub>2</sub> within Llanharan. Welsh and UK Government have an expectation that the annual mean AQO will be achieved and have passed legislation accordingly. The applicant's further AQA information (7 June 2011) states that only a single property will be affected by the impact described. However, because of the considered deficiencies in the AQA it is considered that more properties may be potentially affected, albeit in the worst case scenario it is accepted that the number of properties would still remain a small number. PPW states that air quality is a material planning consideration. However, it should not be seen as a bar to otherwise acceptable development. Therefore it is for the planning process to consider the weight to be afforded to the localised deterioration in air quality at the junction of The Square and Bridgend Road, Llanharan when determining the proposed development.

In respect of conditions seen as common to both the 'full' and 'outline' elements of the application, suggested conditions seek to cover issues of noise (from construction); generation of dust; wheel wash facilities; lighting and, waste.

**Countryside Section (Landscape & Ecology) – no objections** are raised. However, the imposition of conditions is requested and the following areas of comment made.

Notes that the ES and the more recently received ES Addendum Report provide some detailed ecological assessment work, which has largely confirmed our understanding of the site's ecological status.

Important hedgerows within the part of the site to the north of the A473 have been identified. These require to be protected and integrated into the final design.

The deletion from the application site of an area of marshy grassland, adjacent to SINC 175 is welcomed (this field was included in the SINC designation as the presence of the marshy grassland was not known at that time), however concern is raised that this area is excluded from the nature conservation/POS area.

The southern part of the site, whilst comprising former OCC land is not devoid of nature conservation interest and supports species such as little ringed plover and great crested newt. The effective implementation of the Management Plan is therefore essential in order to ensure that any impacts of this development are satisfactorily mitigated.

There is a level of disagreement with some of the conclusions presented in the ES Addendum Report in respect of the impact on habitat features. While the Report

suggests a moderate to high positive impact in respect of some issues it is considered a long term neutral impact would be more likely.

In respect of great crested newts it is very important that CCW confirm that they are satisfied with the measures and strategy identifies in the submitted Great Crested Newt Mitigation Strategy document.

It is important that the full role of the 'green corridors' and other areas of POS within the development are understood in respect of their role in providing habitat and connectivity for wildlife interests.

A S.106 Agreement is required which will ensure greater control over the management and aftercare of all habitat and species mitigation at this site and the film studios site.

**Land Reclamation & Engineering (Drainage)** – It is indicated that the amendments (received June 2010) to the Drainage Design Statement do little to enhance knowledge of the flood risk management proposals for the development. However, **no objection** is raised subject to the imposition of conditions (7 conditions are suggested).

**Education & Lifelong Learning** – we could expect a development of this size to require capacity for 600 primary pupils and 500 secondary. Our minimum requirement for the required S.106 contribution would be the provision of a new Primary School of a pupil capacity size to be agreed (with capacity for up to 600 pupils the estimated cost of delivery would be approximately £10m; for a smaller 540 pupil capacity the estimated cost would be approximately £8.78m) and a 5 classroom extension on the Y Pant site, at an estimated cost of £2m.

On the basis of the required contributions being provided **no objection** has been raised. Members should be aware that if the level of contribution is not enough to provide for the level of required provision identified it will have funding implications for the Council in the future.

**Housing Strategy** – On the basis that the site will accommodate 1,850 dwellings the affordable housing requirement should be 370 (or 20%) units in accordance with Policy SSA12 of the LDP. However, in this case, having regard to the viability issues around the development it has been agreed that a 10% (minimum of 185 units) provision would be acceptable. The method of delivery of these units and the number/ratio split of on-site and off-site provision would need to be the subject of further discussions/negotiations with the applicant/developer. **No objection** is raised.

**WG (Highways)** – have indicated that they feel unable to provide a final response until such time as the outstanding issues which affect the M4 motorway are clarified and agreed.

The Coal Authority – following an initial view that insufficient information had been provided confirmation that now satisfied that appropriate consideration has been

afforded to issues of coal mining legacy and land stability across the entire application site and therefore has no objection to the proposed development.

**Network Rail – raise objection** to the application as currently proposed. The proposed development will significantly increase the use of the pedestrian level crossings in this area which may have safety implications due to the envisaged increase in the usage. The increased use of the crossings cannot be looked upon favourably the Network Rail and some form of mitigation may be justified to reduce any safety concerns.

Network Rail is likely to withdraw any objection if an acceptable solution can be found regarding the potential safety issues associated with the increased use of the level crossings which would include an alternative means of access (ie a footbridge) which would be funded by the applicant/developer to mitigate the safety concerns as a result of the increase in the use of the level crossings, although a further safety appraisal of the level crossings would need to be completed before concluding a footbridge is required.

Comments are also made in respect of the requirements for the safe operation of the railway and the protection of Network Rail's adjoining land in respect of fencing, drainage, safety, ground levels, site layout and landscaping.

**Glamorgan Gwent Archaeological Trust Ltd** – have considered the EIA undertaken and concur with the assessment presented in the ES that the development would have a minimal impact on the known archaeological resource. Accordingly, **no objection** is raised. However, it is requested that the standard archaeological brief condition, as set out in the relevant Government Circular, is imposed.

**South Wales Fire & Rescue Service – no objection** has been raised to the application. However, it has been indicated that at an early stage the developer should consider the need for the provision of a) adequate water supplies on site for fire fighting purposes; and b) access for emergency fire fighting appliances.

**South Wales Police (Crime Prevention Design Advisor) – no objection** is raised to the application. However, it is requested that a condition be imposed which requires the whole development to comply with the principles of Secured By Design (SBD). Initially SWP also indicated that they would be requesting that the developer be required, through a S.106 Agreement, to make a contribution of £500k (to be reduced to £250k if permission is granted with a SBD condition) for Police Infrastructure. Subsequently, they have indicated that they wish to defer this financial contribution request.

**Bridgend County Borough Council** – have not provided any final comments, as it is understood that they are still in dialogue with the applicant in respect of potential highway impacts and transportation considerations. They have indicated, however, that any current capacity at Pencoed Comprehensive School will be utilised by children from the new Parc Derwen development (within Bridgend CBC).

**Vale of Glamorgan Council** – raise **no objection** to the application.

**Llanharan Community Council** – has major concerns on highway and traffic grounds as the existing highways would be unable to cope with the 16/18000 additional traffic movements each day. Also, the TA is considered to be inadequate as it has ignored certain key junctions in the community. The unanimous view of the Council is that the planning application should only be approved if there is a firm commitment made to construct the Eastern leg of the Llanharan bypass.

**Pencoed Community Council** – the application makes no adequate provision for additional secondary education places and the impact upon Pencoed Comprehensive School. Part of the S.106 money should come to Bridgend CBC to accommodate the additional secondary education places. The application should be reviewed by the Welsh Government. It is indicated that further comments will be made, but at the time of preparing this report none have been received.

## **POLICY CONTEXT**

### **Development Plan**

When the application was submitted the development plan comprised the Rhondda Cynon Taf (Taff Ely) Local Plan and the Mid Glamorgan (Rhondda Cynon Taff County Borough) Replacement Structure Plan. However, as Members are aware on 2 March 2011 the Council adopted the Rhondda Cynon Taf Local Development Plan (LDP), which now as a single document comprises the development plan for the whole County Borough.

In respect of the 'Llanild' site the Examination Inspector made a number of 'Inspector Changes' (IC) to the LDP. For Members background and understanding a brief resume of these are given below:

The Strategic Site allocation originally included both the whole of the former OCC site and the land to the north of the A473. The Inspector removed the southern area (that area of the former OCC site subject to the outline 'film studios/leisure development' permission) from the allocation and confirmed that it would remain outside the settlement boundary (IC10 and IC12).

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

Policy CS2 – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. Key criteria that will be considered in seeking to achieve this aim are identified.

Policy CS3 - in order to promote sustainable growth this policy allocates a number of specific 'Strategic Sites' across the County Borough for the development of a mixture of large scale residential, employment, retail and recreational purposes (Former OCC Site, Llanilid, Llanharan is identified as site no. 8 (Policy SSA9)).

Policy CS4 – sets down the requirement for the development of new dwellings within the County Borough during the plan period. Of the 5,000-5,450 units identified to be provided across the Strategic Sites the Llanilid site should provide 1,950-2,100.

*(Note for Members: 248 dwellings have already been approved, as 'enabling development', on a different part of the Llanilid site under ref: 06/1485 (outline) and ref: 07/2152 (reserved matters). Hence the reason that this current application seeks to gain permission for the balance of 1,850 dwellings).*

Policy CS5 – confirms the need for the housing requirements identified in Policy CS4 to contribute to the provision of affordable housing over the plan period.

Policy CS7 – identifies the need to allocate new retail floor space across the County Borough in order to meet strategic and local retail need (Land for the provision of local retail development is allocated in the Southern Strategy Area by Policy SSA15).

Policy CS8 – identifies the implementation of a strategic transport corridor management system in 3 strategic corridor areas, including the A4119/A473 Corridor.

(Supporting paragraph 4.76 of the LDP confirms that appropriately sized development within the identified Corridors will be required to fund the development of a strategic corridor management system. Paragraph 4.79 advises that further guidance in respect of this issue is contained in the Supplementary Planning Guidance (SPG) on Access, Parking and Circulation and Planning Obligations).

Policy AW1 – identifies the requirement for the provision of 14,385 new dwellings within Rhondda Cynon Taf within the plan period. It is confirmed that this will be met, in part, (1.) by the allocations of the LDP.

*(Note for Members: the range maximum of 2,100 dwellings at Llanilid therefore represents approximately 14% of the total of all the housing proposed in the LDP).*

Policy AW4 – confirms that the Council may seek planning obligation contributions in association with new development. The policy identifies a number of areas (including affordable housing, educational facilities, highway infrastructure works, recreational and leisure, management of Strategic Transport Corridors) where contributions could be sought.

Policy AW5 - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

Policy AW6 - supports development that promotes high quality design which makes a positive contribution to place making. Developers will be required to submit comprehensive masterplans for residential proposals of 50 dwellings and over. Masterplans must have regard to the need to create high quality, sustainable and locally distinct places.

Policy AW7 - seeks to protect and enhance the built environment.

Policy AW8 - seeks to protect and enhance the natural environment.

Policy AW10 – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

Policy SSA6 - identifies criteria for new development in the key settlement of Llanharan.

(Supporting paragraph 6.127 states “Through the identified Strategic Site at Llanilid, which includes large-scale residential and commercial proposals, Llanharan will continue to experience significant new development. The Council recognises that new development must be supported by appropriate local services and infrastructure in order to meet the needs of the existing and future community.”)

Policy SSA9 - allocates the site (as a Strategic Site, as identified under Policy CS3) for the residential development of between 1,950-2,100 dwellings, together with provision of 2500sq.m. (net) of retail floor space, a medical centre, library/community centre, a new primary school and associated public open space. Access to the site will be provided by the construction of the A473 Llanharan bypass as defined by Policy SSA18 or appropriate alternative access.

(Supporting paragraph 6.148 states “Phasing – no more than 25% of the proposed residential development north of the Llanharan bypass route excluding existing commitments (2008) shall be completed before the whole Llanharan bypass is opened, unless it can be demonstrated through an agreed transport assessment that appropriate alternative access can be achieved. No more than 75% of the proposed residential development north of the Llanharan bypass route excluding existing commitments (2008) shall be completed before the local centre is completed.”)

Policy SSA11 – identifies the need for new residential development to achieve satisfactory levels of build density. (Justification has to be provided for a build density of <35 dwellings per hectare).

Policy SSA12 – identifies the need for new developments of 5 dwellings or more to provide 20% affordable housing.

(Supporting paragraph 6.154 confirms that contributions for affordable housing can take the form of on-site provision or the payment of commuted sums for off-site provision).

Policy SSA15 – in accordance with Policy CS7 land is allocated at the Llanilid Strategic Site for 2,500sq.m. (net) of retail development floor space.

Policy SSA18 – identifies that in addition to the highway schemes identified under Policy CS8 land will be safeguarded and provision made for the development of the strategic highway network in the Southern Strategy Area, including (as no.1) the A473 Llanharan Bypass.

Rhondda Cynon Taf LDP SPG – Planning Obligations (March 2011)

Rhondda Cynon Taf LDP SPG – Affordable Housing (March 2011)

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

### National Guidance

#### Planning Policy Wales

Chapter 4 of PPW sets out Welsh Government policy in respect of Planning for Sustainability.

Para. 4.4.2 sets out a number of considerations which both planning policies and development proposals should seek to achieve in addressing sustainable development.

Section 4.6 identifies the issues to be considered in the provision and location of new development. It is made clear that development plans should promote a sustainable settlement strategy and reflect the goals of the Wales Spatial Plan.

Section 4.8 sets out a preference for the reuse and development of previously developed land in preference to greenfield sites, particularly those of high agricultural or ecological value.

Section 4.10 seeks to promote sustainability through good design. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales. The objectives of good design cover such considerations as access, character, community safety, environmental sustainability and movement.

Section 4.11 sets out the policies relating to planning for sustainable buildings stating that development proposals should mitigate the causes of climate change with a move towards zero carbon buildings in Wales through the Code for Sustainable Homes and BREEAM regimes.

Section 6.5 sets out policy in respect of development control and the historic environment. At para 6.5.4 it is confirmed that local planning authorities may impose condition/s requiring that an archaeological watching brief is carried out.

Chapter 8 of PPW sets out Welsh Government objectives in respect to transport.

Section 8.1 requires that development is accessible by means other than the private car. Indeed at para. 8.1.3 it is confirmed that Welsh Government supports a transport hierarchy in relation to new development that establishes priorities in such a way

that, wherever possible, they are accessible in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles.

Chapter 9 of PPW sets out Welsh Government policy in respect of housing.

Para. 9.1.1 states that it is Welsh Government's vision for housing that everyone in Wales has the opportunity to live in good quality, affordable housing, to be able to choose where they live and decide whether buying or renting is best for them and their families. Welsh Government will seek to ensure that:

- previously developed land is used in preference to greenfield sites;
- new housing and residential environments are well designed, meeting national standards for the sustainability of new homes and making a significant contribution to promoting community regeneration and improving the quality of life; and
- the overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical enhances important landscape and wildlife features in the development.

Para 9.1.2 adds that local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make provision for affordable housing. Local planning authorities should promote:

- mixed tenure communities;
- development that is easily accessible by public transport, cycling and walking;
- mixed use development so communities have good access to employment, retail and other services;
- attractive landscapes around dwellings, with usable open space and regard for biodiversity, nature conservation and flood risk;
- greater emphasis on quality, good design and the creation of places to live that are safe and attractive;
- the most efficient use of land;
- well designed living environments, where appropriate at increased densities;
- construction of housing with low environmental impact by using nationally prescribed sustainable building standards; and
- 'barrier free' housing developments, for example built to Lifetime Homes standards.

Para. 9.3.1 requires that new housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern. Where housing development is on a significant scale, or where a new settlement or urban village is proposed, it should be integrated with existing or new industrial, commercial and retail development and with community facilities.

Para 9.3.4 requires 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.

Para 9.3.5 confirms that where development plan policies make clear that an element of affordable housing, or other developer contributions, are required on specific sites, this will be a material consideration in determining planning applications. Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular mix of housing, having regard to development plan policies. If, having had regard to all material considerations, the local planning authority considers that the proposal for a site does not contribute sufficiently towards the objective of creating mixed communities, then the authority will need to negotiate a revision of the mix of housing or may refuse the application.

Chapter 11 sets out Welsh Government policy in respect of tourism, sport and recreation.

Para. 11.3.2 states that local planning authorities may be justified in seeking S.106 Planning Agreements to contribute to the maintenance of safe and attractive facilities and open space and to meet the needs of new communities.

Chapter 12 sets out Welsh Government policy in respect of infrastructure and services.

Para. 12.1.5 the planning system has an important part to play in ensuring that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development, so as to minimise risk to human health and the environment and prevent pollution at source. This includes minimising the impacts associated with climate change.

Para. 12.1.6 the capacity of existing infrastructure, and the need for additional facilities, should be taken into account in the preparation of development plans and the consideration of planning applications. In general, local planning authorities should seek to maximise the use of existing infrastructure and should consider how the provision of different types of infrastructure can be co-ordinated.

Section 12.4 (Development Control and Water) makes it clear that the adequacy of water supply and the sewage infrastructure are material in considering planning applications. Development proposals in sewered areas must connect to the main sewer and it will be necessary for developers to demonstrate to local planning authorities that their proposal site can connect to the nearest main sewer.

Section 12.10 (Development Control and Sustainable Energy) makes it clear that in determining planning applications for any form of development, local planning authorities should encourage developers to integrate energy efficiency and conservation measures into the design of new development.

Chapter 13 sets out Welsh Government policy in respect of minimising and managing environmental risks and pollution.

Section 13.4 (Development Control and Flood Risk) requires local planning authorities to work closely with the EAW and other drainage bodies to ensure that the development does not increase the risk of flooding or the problem of surface water run-off, which should preferably be controlled by the use of sustainable urban drainage systems (SUDS). The advice of the EAW is to be given due weight as a material planning consideration by local planning authorities when determining individual planning applications.

Section 13.7 (Development Control and Contaminated Land) requires that planning decisions need to take account of:

- the potential hazard that contamination presents to the development itself, its occupants and the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the contamination of the ground and to identify any remedial measures required to deal with any contamination.

Section 13.9 (Development Control and Unstable Land) requires that planning decisions need to take into account

- the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the stability of the ground and to identify any remedial measures required to deal with any instability.

Section 13.12 (Development Control and improving the quality of Water and Air) confirms that the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission. Material considerations in determining applications for potentially polluting development are likely to include:

- location, taking into account such considerations as the reasons for selecting the chosen site itself;
- impact on health and amenity;
- the risk and impact of potential pollution from the development, insofar as this might have an effect of the use of other land and the surrounding environment (the environment regulatory regime may well have an interest in these issues, particularly if the development would impact on an Air Quality Management Area or a SAC);
- prevention of nuisance;
- impact on the road and other transport networks, and in particular on traffic generation; and
- the need where relevant, and feasibility of restoring the land (and water resources) to standards sufficient for an appropriate after use. (Powers under the Pollution Prevention and Control Act 1999 require an operator to return a site to a satisfactory state on surrender of an Integrated Pollution Prevention and Control Permit).

Section 13.15 (Development Control and Noise and Lighting) confirms that noise can be a material consideration. Special consideration is required where noise-generating development is likely to affect a protected species. The effect of noise on the enjoyment of other areas of landscape and wildlife should also be taken into account. Local authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems and prevent light pollution.

### **Planning Policy Wales Technical Advice Notes:-**

- TAN 2: Planning and Affordable Housing (2006)
- TAN 5: Nature Conservation and Planning (2009)
- TAN 6: Planning for Sustainable Rural Communities (2010)
- TAN 11: Noise (1997)
- TAN 12: Design (2009)
- TAN 15: Development & Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18: Transportation (2007)
- TAN22: Planning for Sustainable Buildings (2010)

### **Welsh Office Circular 35/95 - The use of Conditions in Planning Permissions**

### **PLANNING CONSIDERATIONS**

This is a significant application proposing a very large development within the County Borough. Accordingly it raises the whole spectrum of planning considerations, all of which require careful assessment prior to determination of the application.

### **The proposed development.**

#### **Form of the application**

As has been previously mentioned the application is submitted in a 'hybrid' form, ie part in 'full' and part in 'outline'.

The 'full' elements of the proposal relate to those sections of new highway which will firstly, (in an approximate north/south alignment) link the A473 (at the point where Cofton's site offices south of the A473 is currently accessed) and the existing roundabout on the completed (but unused) western leg of the Llanharan bypass; and secondly (in an approximate east/west alignment) link the development site of 'phase one' (totalling 13.2 ha/32.5 acres) to the residential site to the east on which the

construction is 248no. houses is well advanced. In addition, the 'full' element of the application also includes the creation of the development plateaus within 'phase one' together with the creation of the associated drainage channels network.

The 'outline' elements of the proposal relate to the development of up to 1850 residential dwellings and a new village/district centre to the south of the A473, together with the provision of strategic areas of landscaping and public open space (POS).

The form, design, layout and physical structure of the proposed development

Accompanying the application submission (as statutorily required since 1 June 2009 by The Town & Country Planning (General Development Procedure) (Amendment) (Wales) Order 2009) is a Design and Access Statement (DAS). It is the purpose of this document to, in essence, to tell the story as to how the proposed scheme has evolved from inception to the form now presented in the scheme masterplan. The DAS should explain the design concepts and principles applied to the development in relation to (as a minimum) – access, character, community safety, environmental sustainability and movement to, from and within the development. The DAS should be the communication tool that demonstrates to the reader that the objectives of good design have been considered from the outset of the development process.

Following the introductory chapter the applicant's DAS seeks to address the following issues:

- Site Analysis and Context - within this section matters of site location and access, an access statement, landscape character and context, biodiversity and a summary of the key constraints and opportunities and addressed.
- Context Analysis – within this section the DAS seeks to consider the provision of local facilities (ie community facilities, health care provision (there is no dental practise or doctor's surgery in Llanharan), school provision, library (mobile service only), leisure/indoor sport and shops) within the Llanharan area; and, a consideration of the local vernacular.
- Masterplan Vision – it is stated that it is our vision "To create a truly sustainable community that nurtures and facilitates the needs and aspirations of a broad socio-economic spectrum of residents that want to settle and safeguard its values and traditions for both themselves and future generations and one which has close ties and links to the natural environment". The masterplan is described and explanation given as to the changes made as it has evolved through the design process. Regard has been had to schemes elsewhere in the UK that are considered to be 'exemplar developments' in design terms.
- Movement – by means of an 'Access Strategy' comments on the existing and proposed primary and secondary highway routes and wider access to, from and within the development by private car, pedestrians and cyclists.
- Layout Amount and Scale – comments on the anticipated mix and tenure of dwelling type within the scheme, together with the size, scale, orientation, density, phasing and sustainability of development. (It is considered that the 'phasing' issues that this site are particularly important and further comment will be made on these later in this report).

- Landscape – seeks to explain how interests of landscape and biodiversity have been considered through the design process. It is indicated that the intentions are to both protect and reinforce those existing habitats of value, ie hedgerows, prominent trees and areas of wildlife value whilst at the same time integrating areas of new landscape within the development. It is intended that these new areas will form part of a comprehensive POS network. Within this network will be included 'green corridors' it is proposed to accommodate the main SUDs drainage corridors as well as providing opportunity for pedestrian and cycle links and wildlife movement. It is recognised that the development should seek to provide a high quality environment within the more 'urban' areas/frontages of the development but incorporating the use of trees as well as hard and soft landscaping.

Whilst the applicant's application submission would appear to seek to give the impression that there was a involved degree of consultation and dialogue with Council officers in respect of the masterplan layout and design principles incorporated therein prior to the application's submission in reality the case is that the dialogue and negotiation regarding the design and evolution of the masterplan has taken place over the 12 months, or so, following the receipt of the application.

Prior to the submission of the application the applicant was advised that the Council considered it appropriate that they seek a 'Design Review' of their scheme with the Design Commission for Wales (DCfW). The Panel Review session was held on 3 November 2010 and the DCfW issued its Review Report on 12 November 2010. Whilst not going into the whole range of issues commented upon by the DCfW it is considered fair to say that whilst the Panel welcomed the broad aspirations for the site the Review exposed some significant deficiencies in the submission. In particular it was considered that the presented masterplan scheme:

- was highway led, and had limited sense of legibility for pedestrians. The main roads within the scheme had frequent sharp bends in order to reduce traffic speeds, but the result was that the roads failed to act as logical paths and routes between different parts of the scheme, and would potentially be disorientating to both drivers and pedestrians.
- didn't provide any clear strategy for how the existing A473 road, which runs through the middle of the scheme, would be treated or altered once the development was complete.
- the location of the local centre away from the A473 and the proposed main roads within the scheme would detract from a sense of legibility within the development
- the application lacked information about urban form, density, character and the location and type of residential streets.

At this stage it was apparent that it was the view of the applicant that the general approach in respect of the 'outline' details of development within future phases elements within the application should be decided by the developers of each development on a plot by plot/phase by phase basis. However, the clear opinion of both the DCfW and the Council's own Urban Designer was that greater control for the Council should be secured at the 'outline' stage to ensure that different parcels

sat well together, and that wider site goals such as legibility and permeability would not be confused by design decisions being taken on an ad hoc basis in the future.

Following receipt of the DCfW's Review Report both the applicant and Council officers engaged in regular meetings in an attempt to try and address the shortcomings of the scheme identified by the DCfW and the Council's own Urban Designer.

The scheme was taken back to DCfW for a further Review Panel Session on 2 March 2011. The report issued following this second Review was published by the DCfW on 25 March 2011. Whilst acknowledging the progress made the DCfW Review Panel were still critical that in their opinion the level and standard of information presented with the application was inadequate for an outline application of such significance. Particular comment was made, which echoed the concerns raised by your own officers that the application remained deficient in respect of any form of 'design coding' which would provide a level of assurance and certainty to the Council that it would retain a sufficient control to ensure that subsequent (were this application to be approved) reserved matters submissions would achieve the consistent level of design quality that it will seek to ensure is delivered throughout the whole Llanilid development.

After a significant degree of further in-depth design discussion and negotiation the applicant submitted the 'Parc Llanilid Design Codes' document in August 2011.

Following the submission of the 'Design Codes' document it is considered that full and proper consideration can now be given to the scheme from a design and place making perspective.

It is considered that the current proposed layout achieves a good level of legibility and permeability, with a distinctive hierarchy of streets and a network of 'Boulevards' which clearly link different parts of the site together in a logical manner. The applicants agreed to reduce the number of sharp bends and explore different methods of traffic calming in the Boulevards in order to create shorter and more direct routes.

The local centre has been relocated to a more appropriate location at the junction of the A473 and the southern Boulevard. This considerably improves the sense of legibility within the development, with main roads connecting to or passing through the local centre. This is likely to improve the vitality and viability of the local centre, which will receive a greater degree of passing trade and be more prominent and visible.

The layout incorporates green corridors which follow the route of drainage channels in the south of the site and existing vegetation in the north. This adds an additional layer of permeability to the scheme, and connects different areas of the site to the main green space. The character of the built form surrounding the green corridors is somewhat controlled by the Design Code to ensure a coherence in the appearance of the built environment.

The Design Code directly controls a number of elements of the built form in order to aid legibility and permeability. The parcel plans within the Design Code have required the applicants to examine a greater level of detail in the layout which was previously lacking, essentially fixing the location of residential streets to ensure that there is a choice of logical routes, other than the Boulevards, which connect through the site and between different parcels. Street types are well defined to ensure a hierarchy of streets, and the design code identifies key locations where landmark buildings will be located.

## Highway Design

The applicants reviewed elements of the highway design, including both the strategy for residential streets and the detailed design of the southern Boulevard. The applicants introduced a greater number of Manual for Streets principles, resulting in an improved highway layout and an urban design led approach to traffic calming.

The dimensions of the Main Boulevard (which is included within the 'full' element of the planning application) have been altered, and the carriageway incorporates advisory cycle lanes which have been designed with guidance from Sustrans. The Boulevard has no centre line, encouraging vehicles to slow to down according to road conditions rather than relying the guidance of road markings.

The number of junctions with residential streets has been increased, improving permeability and creating traffic features on the main road with the intention of encouraging more attention from drivers and slower driving speeds. Junction Radii have been reduced from 6m to 4m in order to reduce the speed of turning vehicles and improve safety for pedestrians and cyclists. Raised tables have been introduced at junctions to ensure that a traffic calming feature occurs every 50m, allowing the Boulevard to have a 20mph speed limit.

The detailed design of the southern Boulevard includes a large degree of on-street parking, which will introduce a further traffic calming hazard and add to the sense of activity and place. The design also indicates where trees will occur, ensuring that aspects of character discussed in the DAS will be achieved at the construction stage.

The design of residential streets will be undertaken at the reserved matter stage for each parcel. The Design Code includes clear aspirations for street design, such as incorporation of street trees, provision of on-street parking and shared surfaces on minor streets, which will influence the design of residential streets.

## Open Space and Play

The LDP and supporting SPG clearly identify the need for new residential development (depending on its size) to successfully incorporate POS and play/leisure/recreational facilities within the overall scheme.

Paragraph 5.37 of the LDP acknowledges that open spaces, whether they be sports areas/pitches, informal public open spaces or natural green spaces play a significant role in improving and maintaining peoples physical and mental health and well-being.

The application identifies the provision of POS in accordance with the Fields in Trust (FIT) standard of 6 acres (2.43ha) of open space per 1000 population (as set out in Annex C of TAN 16: Sport, Recreation and Play). This population (4718 total population) estimate is based on 2.55 persons per household. Per 1000 population the POS is apportioned as follows:

- sports pitches: 1.6 - 1.8 ha (results in a total of 7.5 – 8.5 ha)
- informal amenity areas: 0.4 – 0.5 ha (results in a total of 1.88 – 2.4 ha)
- playgrounds: 0.2 – 0.3 ha (results in a total of 0.94 – 1.4 ha)

In respect of informal amenity areas the masterplan shows a provision considerably more than the minimum required by the FIT standard. Sports pitch provision is intended to be met through existing sports pitches located to the east of the area on which permission has previously been granted to build the 248no. dwellings, approximately 300m to the east of plots 1 and 2. Two new sports pitches and a multi-use games area (MUGA) are to be located in the key open space area to the east of the village/district centre. This facility will provide dual use for the proposed new primary school located in this area and the wider community.

The masterplan ensures that most houses are located in close proximity to open spaces and play facilities. There are 4 Local Equipped Areas for Play (LEAPs) proposed, which are located within the green corridors, and 1 larger Neighbourhood Equipped Area for Play (NEAP) located within the main green space.

The NEAP will be required to be designed to encourage the development of a variety of play environments which it is hoped will collectively form an attractive environment and offer an appropriate scope of usage for a wide range (ages and abilities) of users within the community. It is anticipated that the MUGA will provide opportunity for physical play, whilst a 'playground' would offer opportunity for generic play. In addition, an opportunity should be created for cycle/wheeled play.

The LEAPs will be required to adopt the basic principles of the NEAP, but consideration needs to be given to future maintenance implications and therefore it is considered appropriate that the focus is one more conventional high quality fixed play equipment, rather than natural features and landscaping. It is anticipated that two of the four LEAPs will be designed with younger (under 10yrs of age) children in mind, whilst the other two will have opportunities for children of all ages.

The Design Code provides some additional guidance and a set of principles for play space and open space design, providing an opportunity for detailed design to take place at the reserved matters stage.

#### Urban Form, Character and Density

The Design Code includes an additional level of detail which will guide the detailed design of each parcel and ensure that strategic goals relating the whole site are achieved by each developer.

The Design Code controls the character of development primarily through density, creating gradient between the denser inner village and lower density village edge,

and includes further instructions relating to street character such as front garden depth and boundary types. The Code encourages a distinctive character around key locations within the scheme such as the green corridors and the central green space, contributing to areas of different character within the development.

The Design Code provides a detailed study of local built context, providing a background for future detailed design decisions to be made.

In conclusion it is now considered that the masterplan provides an acceptable layout which responds well to the site and creates a good framework for future development. The Design Code provides sufficient detail to ensure that each development parcel is designed in a coherent way which relates back to the whole whilst allowing flexibility for some elements of design to be resolved in future applications.

Clearly, a large degree of the final appearance and character of the scheme will be decided at the reserved matters stage. The outline scheme provides confidence that a high level of design quality can be achieved for future applications for each phase of development.

#### The residential development

The application seeks outline permission to build up to 1850 new residential dwellings. It is this residential development which comprises the significant bulk of the proposed built development.

The masterplan subdivides the site into individual residential plots varying in size from 0.24 ha to 7.93 ha. There are 27 plots in total (originally the submission shows 28. However, the area of the site identified as plot 17 was omitted from the site following the comments made by CCW). The earlier numbered plots lie to the south of the A473, whilst the later numbered plots lie to the north.

The DAS and Design Code document confirm the intentions in respect of build densities. In general terms the higher density residential development will take place in the mixed use (residential and commercial) village centre (with the use of town houses and flats/apartments above shops etc.) and the 'middle village', which will comprise the bulk of the housing numbers. Lower density (larger detached housing) 'park edge' and 'village edge' development will occur on the southern and eastern outer fringes of those areas to the south of the A473 and to a greater extent on the existing agricultural grazing land to the north of the A473.

It is considered that this approach to the provision of the residential element of the scheme is appropriate and in terms of impacts on the already and future occupiers of properties currently being built by Persimmon and Llanmoor to the east of 'phase one' (south of the A473) and of the existing properties in Bryncae (Trenos Gardens etc, north of the A473) that the proposal is acceptable. It must be recognised, however, that the scheme, in whatever form, is likely to have some significant impacts on the detached properties – Rhyd-y-Gofer Bungalow and Rhyd y Lethin (the occupiers of both properties have raised objections to the application), to the

north of A473 as both these properties currently enjoy effective isolation from any surrounding development.

### The Village/District Centre

Policy SSA9 of the Council's LDP requires that any proposal to develop the 'Llanilid' Strategic Site incorporates the provision of new village centre facilities. This is seen as a key component of any scheme, with its purpose not only to serve the 'new' development but also the existing communities in the locality. It is intended that it will incorporate a new primary school, a community centre, a pub and restaurants, food store, further small shops and offices, indoor sports facilities, health centre, children's day nursery, sports pitches and a multi-use games area (MUGA) and parking facilities. As noted previously in this report the village centre will also incorporate residential properties by the use of first floor flats above commercial uses and town houses.

The village centre will be sited at the heart of the overall site immediately to the south of the A473 and to the east of the north/south aligned boulevard (which is included within the 'full' element of the application). This boulevard will fulfil a traditional 'High Street' role with active retail/commercial frontage, as will the A473. It is intended that the key building within the village centre would be the food store, with its front elevation and entrance facing onto the A473.

Pull in parking areas are to be provided off the A473 in order to encourage easy stopping and use of the retail/commercial offer by users of the A473 passing through the development. Buildings will be set back from the A473 which provides the opportunity for the 'public realm' space between the frontage building line and the road to create a landscaped area (mainly hard landscaping but with the use of some prominent trees) with the potential to include seating and the opportunity for social interaction. A public car park to the rear of the retail area is indicated and the provision for cyclists and easy pedestrian movement around the centre are also incorporated.

It is understood that it is considered in the local community of Llanharan, Bryncae etc that there is currently a deficiency of facilities within the immediate locality, such as the lack of a doctor's surgery, dentist, indoor sports facilities etc. It is considered that the new village centre incorporated within the proposed scheme could bring significant benefits to the existing population of these areas as well as serving the 'new' occupiers of the proposed housing. It is seen as important that the centre achieves this dual goal.

### Phasing

The applicant has submitted as part of the application a 'Phasing Plan' and table (a copy of which is attached for Members information as **APPENDIX 'C'**).

As Members can note from the plan the phasing has been identified as Phases 1–8, with an anticipated build out over, approximately the next 10 years. The preparation of the development plateaus for phase one and the initial highway and drainage

infrastructure are to be dealt with as the elements of this application seeking 'full' planning permission. It is anticipated that phase one will deliver some 500-600 units of housing. The provision of the village centre is identified within phase two in order that the needs of future residents are met as soon possible within the development. The later phases of development will over time spread outwards from the A473, with the final phases being those at the western end of the site.

The LDP ( at para. 6.146) requires that no more than 25% of the proposed residential development north of the Llanharan bypass route excluding existing commitments (at 2008) shall be completed before the whole bypass is opened, unless it can be demonstrated through an agreed transport assessment that alternative access can be achieved. No more than 75% of the proposed residential development north of the Llanharan bypass route excluding existing commitments (at 2008) shall be completed before the village centre is completed.

If Members are minded to approve this application then consideration will need to be had and further negotiation had with the applicant in respect of the phasing trigger points in respect of the provision of Planning Obligation contributions. The applicant has made it clear that they are seeking to try and weight the bulk of the required Planning Obligation towards the later phases of the development and specifically after the initial phase one. Further comment will be made on this point later in this report.

### **Highways and Transportation**

As noted above Policy SSA9 of the LDP requires that access to the site will be provided by the construction of the A473 Llanharan bypass as defined by Policy SSA18 (of the LDP) or appropriate alternative access.

The Transportation Section have confirmed that they raise no objection to the application if the applicant agrees to pay the Transport Tariff sum, as calculated from the Planning Obligations SPG (March 2011). The Transport Tariff figure has been calculated at £6,312,768 and it considered that the payment of this sum be accepted in lieu of the LDP policy requirement.

The applicant within their submission, which includes a Transport Assessment, are clearly of the opinion that their scheme, subject to some key junction improvements and other works of highway mitigation, can be 100% served by the existing highway network, without the need to provide the eastern leg of the Llanharan bypass. In essence they consider that they have demonstrated that 'appropriate alternative access' is available and therefore comply with policy SSA9 of the LDP. It should be noted that the Council's Transportation Section do not share this view and do not consider that the submitted TA does robustly demonstrate such a position. On the basis of the TA methodology and solution the Transportation Section would raise a highway objection to the application.

In respect of the first phase primary highway infrastructure this is within the part of the application that is seeking 'full' permission. There has been significant discussion between the applicant, their technical highway consultant and the Council's Transportation Officer and Urban Designer to arrive at the current layout,

which is considered to be both technically feasible in highway terms but also at the same time being design led to a far greater extent than perhaps has been traditionally been the case. In this respect it is considered that this element of the development embraces the principles of design as set down in Manual for Streets and the Council's own SPG. The arrangement proposed takes into account not only the need of vehicular users of the highway but also includes clear provision to encourage pedestrians and cyclists. The use of parallel on-street parking and street landscaping is also to be welcomed.

### **Hydrology, Drainage and Flood Risk**

Chapter 9 of the submitted ES deals with issues of hydrology and drainage, which includes at Technical Appendix 9.1 the Llanilid Primary Infrastructure – Land Drainage and Flood Protection and Mitigation Strategy and at Technical Appendix 9.2 the Drainage Design Statement. In addition to the information provided at the initial submission stage the applicant also sought to address comments raised by the Council Land Reclamation & Engineering (Drainage) Section by also submitting in June 2011 a further Drainage Design Statement and revised/updated drawings/plans.

The design philosophy behind the proposed sustainable drainage scheme to serve the development is the use SUDs, incorporating the guidance contained within CIRIA Report C697 'The SUDs Manual'. It is anticipated that maintenance responsibility for this SUDs drainage system will fall to this Authority when the Suds adoption regime is clarified by Welsh Government.

On the southern (of the A473) part of the site surface water from the development plateaus will be discharged by gravity sewers into one of the two main drainage channels serving the southern part of the site. The channels will follow the topography of the plateaus and be situated within the linear 'green finger' areas.

Two settlement lagoons are currently situated in the north east corner of the southern area. It is proposed to infill the whole of one these and part fill the other, with the unfilled part being retained for ecological reasons.

On the northern section of the site surface water will be discharged, via a number of new channels, to either the Ewenny Fach or Nant-y-Gofer watercourses, or existing ditches within the development area.

A small area of the proposed development area in the northern section lies within a designated Flood Zone C2 of the Development Advice Maps (DAMs). However, on the basis of the information provided the EAW, subject to the imposition of conditions requiring the agreement and subsequent implementation of specific measures, have raised no objection to the application.

Further to receipt of the Drainage Design Statement in June 2011 the Council's Drainage Officer has indicated that further information is required in order to fully enhance the flood risk management proposals for the development. However, no objection is raised, subject to the imposition of conditions.

In terms of water supply it has been indicated by the applicant that some off-site 'water-reinforcement' works are required in order to ensure adequate /proper supply.

Foul sewage arising from the development will connect, via a pumping station and rising main, to the sewers constructed as part of the Silent Stages development which ultimately discharges to the Welsh Water (WW) sewer. The main sewer, pumping station, rising main and WW sewer have all been designed to accommodate the flows from the proposed development.

Somewhat unusually in this case the Statutory Sewage and Water Undertaker within the boundary of the site is not WW, but Scottish and Southern Energy (SSE) (with whom the applicants have entered into an Inset Appointment Agreement to provide water and sewerage to service the whole site). Both WW and SSE have been consulted in respect of the application and neither raise objection.

### **Ecology and Biodiversity**

Chapter 10 of the submitted ES deals with issues of ecology and biodiversity.

Both the Council's own ecologist, CCW and the EAW have identified issues of ecological importance at the site and there have been some protracted discussions between these parties and the applicant in order to arrive at the current position.

In order to address one of CCW's main concerns which relates to the proper consideration of interests related to great crested newts (GCN) at the site the applicant commissioned and submitted during the course of the application's consideration a GCN Mitigation Strategy in June 2011 (the provision of this information was in addition to the document – Response to Queries Raised by the Environment Agency Wales (EAW) and CCW received in March 2011). This has given CCW the comfort they were clearly seeking in how the interests of this European Protected Species have been considered. Further, to this the applicant also in June 2011 omitted an area of the original application site which CCW have identified as having potential marshy grassland (M24 type) habitat interest. On this basis an original holding objection from CCW has now been overcome and they raise no objection, subject to conditions and appropriate measures being incorporated within a S.106 Agreement.

Reflecting the above position the initial concerns of the Council's own Ecologist and the EAW have been addressed and neither raise objection to the application, subject to the imposition of appropriate conditions.

### **Visual and Landscape Impacts**

This is a very significant development and will clearly have visual and landscape implications in the immediate and wider locality.

Within their submitted ES the applicant has confirmed that a Landscape and Visual Impact Assessment (LVIA) has been undertaken in respect of the proposed development. This LVIA, as recommended by PPW makes use of LANDMAP.

The A473 effectively divides the site into 'north' and 'south' elements and it is considered that to most observers these two areas have distinctly different character and landscape features.

The element to the north of the A473 is more attractive undulating agricultural pasture land with relatively small irregular fields bounded by hedge and treelines. In LANDMAP terms, however, this area is seen as having a low value in visual terms.

Due to its previous open cast use it is considered that the southern area has little visual landscape quality, currently comprising disturbed ground, overburden piles of soil and till mounds. Two small areas (at the eastern edge and south western corner of the site) are seen as having moderate value. It is considered that this recognises, in respect of the south western corner part the greater abundance of hedge and tree cover, which visually adds to the landscape value. The land to the west of the former OCCS as a greater 'moderate' value.

LANDMAP does recognise some outstanding and high evaluations in terms of historical and cultural aspects. However, it would appear that these have been derived from the open cast use and the Taff Ely wind farm to the north.

Overall it is not considered that the proposed development would have such significant landscape and visual impacts on the immediate locality of receptors in the wider area which would justify an objection.

### **Other Issues**

Whilst the issues dealt with above may be the more prominent issues in respect of this application there are other matters which also require consideration.

The development of the land to the north of the A473 will result in the loss of existing agricultural land. However, it is considered that this land (which is used for grazing) is not any significant value and therefore its loss and development will not be contrary to WG policy, TAN6 (Planning for Sustainable Rural Communities – section 6.2) or policies contained within the Council's LDP.

The Council's Public Health & Protection Department have raised a number of issues (ground conditions, possible contamination, noise, wheel washing, dust and lighting) which it is considered can be adequately dealt with by means of conditions. However, they do identify the likelihood that the development were it to go ahead that the increase in traffic going through the The Square/Bridgend Road junction would result in a deterioration of air quality, in breach of legislation, for a limited number of properties at this location. Clearly, this is an important issue. However, it is not considered that such limited impacts should result in a reason to refuse permission which would in effect prevent one of the Council's Strategic Sites coming forward for development, as anticipated and promoted in the Council's own LDP.

As noted in the Statutory Consultation Section of this report Network Rail have raised an objection to the application. Further negotiation is required with Network Rail and the applicant in order to try and overcome this position.

As noted earlier in this report 4 letters have been received from members of the public. Their comments and objections (in two cases) have been fully considered. In respect of the objections made by the occupiers of Rhyd Lethin and Rhyd-y-Gofer Bungalow it is accepted that the proposed scheme will have significant impacts, albeit these will not be fully evident until such time as detailed layouts on those phases of the site adjoining their curtilages have been submitted in the future. But clearly, the relationship of these properties to the new development will have to be carefully considered at that time.

### **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. In determining large residential developments for example most local planning authorities will seek planning obligations for affordable housing, education facilities, recreational/leisure facilities, highway/transport provisions etc.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

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

Planning Policy Wales (PPW) (edition 4, Feb 2011) at Section 3.7 deals with 'Negotiating Planning Obligations'.

Advice within this section confirms 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. It is essential that arrangements are fair to both the developer and the community, that the process is as transparent as possible and that development plans provide guidance on the types of obligations which authorities may seek from developers".

Welsh Office Circular 13/97 (at Annex B, para B2), PPW (at para 3.7.5) and the Council's own Planning Obligations SPG (at para 2.2) as a principle make it clear that "acceptable development should never be refused simply because an applicant is unwilling to offer such benefits."

Having regard to the PPW commentary quoted above the Council adopted, as part of the suite of SPG (in March 2011, in conjunction with the Rhondda Cynon Taf LDP) the SPG document 'Planning Obligations'. The aim of the SPG, in accordance with the clear steer from WG, is to provide a clear picture of what types of obligations developers may be expected to contribute towards, the likely amounts of these obligations and the trigger points at which different obligations will be sought by the Council. It is intended to form the basis of negotiations between all parties.

Policy AW4 (Community Infrastructure & Planning Obligations) of the Rhondda Cynon Taf LDP confirms that planning obligations may be sought where development proposals require the provision of new, improved or rely on existing services, facilities, infrastructure and related works, to make the proposal acceptable in land use planning terms (the policy also includes a list issues in respect of which contributions may be sought).

#### The S.106 requirements in this case

##### Affordable Housing

The application site lies in an area of the County Borough which falls within the LDP Southern Strategy Area. As such Policy SSA12 of the LDP requires that the site deliver a provision of 20% affordable housing (AH), which in this case (assuming 1850 dwellings) equates to 370no. units.

The Council's Housing Strategy Team indicated that in this case, given the high number of units it would not be appropriate to deliver all 370no. units on-site. They advised that a 50% on-site and 50 % off-site split would be appropriate, which in essence would deliver 185no. units of AH throughout the development itself and 185no. units be funded off-site by means of a financial contribution.

In response to the viability and affordability issues presented by the applicant the Housing Strategy Team have indicated that they would accept a reduced provision of 10% AH, which would equate to 185no. units in total.

The cost of a 10% AH varies depending on which mechanism is used to deliver such provision. However, the Housing Strategy Team have indicated that were the 185no. units to all be provided on-site then the contribution value would be just over **£12m**. However, it is not considered that this figure would be significantly different were the provision to be delivered off-site or as a mixture of both.

The Council must have regard to Policy SSA12 of the LDP and the clear weight that WG give to the provision of AH. It is not considered appropriate to concede a lesser provision than 10%. It is considered that your officers by, in principle, agreeing a level of 10% AH provision that the Council have already conceded a significant contribution cost to the applicant/future developers.

Ultimately the mechanism by which the AH is delivered and the on-site/off-site split will be need to be the subject of further more detailed discussions and negotiations between the applicant/developer(s) and officer's of the Council. Detailed guidance on the provision of AH is set out in the Council's SPG document Affordable Housing (March 2011).

##### Education

The Planning Obligations SPG confirms that education obligations will apply to residential developments providing more than 10 eligible units.

Policy SSA9 of the LDP specifically identifies that the development of this site will deliver the provision of a new primary school, as part of the village/district centre.

The Council's Education and Lifelong Learning Service have indicated that a development of the size proposed could require capacity for 600 primary pupils and 500 secondary pupils.

Dolau is the nearest primary school, but at 560 pupils estimated for 2016 this would be a very top of end of desired Primary provision, which squeezes recreational and access space on this site. It is not considered it is desirable educationally, or practical from a planning or spatial viewpoint to further extend the school.

Llanharri and Brynnau Primary are forecast to exceed capacity by 2013. In Brynnau's case the Council will be extending the school with a two classroom extension in 2012, which will meet the anticipated rise in numbers by this time. Due to geological challenges on the site, this school cannot be expanded further.

Llanharan Primary has capacity for 33 pupils and this can't be factored in to the build at Llanilid as it is not in the catchment area.

At secondary level, parents can choose from Pencoed, which is closer, or Y Pant (which is already oversubscribed). If it is assumed that 20% of the 500 secondary places will choose Welsh Medium and 50% Pencoed then this leaves 150 (30%) places required for Y Pant. A five classroom extension will need to be provided to meet the Llanilid projections.

From an Education perspective therefore the minimum requirement for S.106 contributions would be:

- A Primary School on the Llanilid site. (The pupil capacity size of the school has yet to be agreed, as this will depend on the mix of housing types within the development, as 1 bed units do not contribute towards the pupil capacity calculations. However, in terms of estimated costs it is anticipated that a school up to 600 pupils would be approximately **£10m**, whilst a school for 540 pupils would be approximately **£8.78m**. Whatever the size of the school a full feasibility study would be required on the site to secure an accurate cost).
- A 5 classroom extension on the Y Pant site – approximate cost of **£2m**

Education and Lifelong Learning have considered the impact of a new primary school not being provided as part of the development. They have concluded that if a primary school was not built the implications would be that parental choice would be severely impacted on. Children would have to be transported to schools in areas as far away as Tonyrefail and Pontypridd, with the resulting annual transport costs to the Council of a minimum of £180,000 annually. The Council would face extensive criticism and appeals on an on-going basis, and in reality, it is considered, would be forced to fund itself the building of a Primary in Llanilid before the end of the decade.

All of the Council's planned school building plans up to 2015 have been agreed by Cabinet and we have programmes ready, when funding is available for further

schemes up to 2025. None of these would include any development at Llanilid to be funded by Council budgets. Members should be clear that if planning obligation funding is not made for an appropriate size school at this stage then there will be funding implications for the Council in the future.

As with the AH issues surrounding this application the details regarding the provision of the education contributions require further detailed discussions with the applicant/developer, in terms of delivery and timing/phasing of such contributions.

### Transport/Highways

The Transport Tariff applies to all developments that require a Transport Assessment (TA) and in particular respect to residential proposals to developments of 5 or more dwellings.

The Transportation Section have identified a requirement for a Transport Tariff contribution of **£6,312,768**. The bulk (£5,063,968 or 80.2%) of this figure is generated by the requirements of the residential element of the application. The remaining element is made up from calculating the trip generations of the uses within the village/district centre.

The residential element of the tariff has been calculated by looking at the development density and plot details as set out within the application ES. On this basis it has been calculated that the scheme is likely to provide 666no. 1 and 2 bed units and 1184no. 3, 4 and 5 bed units. This would generate a residential element tariff contribution of  $(666 \times £2,256 = £1,502,496)$  and  $1184 \times £3,008 = £3,561,472$  £5,063,968.

In respect of timing of the payments the SPG indicates that 25% would be payable upon commencement of development, 50% upon completion of 50% of the development (925 dwellings) and the remaining 25% upon the completion of 75% (1388 dwellings) of the development. The SPG does however, accept that in individual circumstances an alternative payment structure may be acceptable. In this case the applicant has stressed a strong desire to structure all the S.106 contribution payments beyond the first phase in particular and this is clearly an area for further discussion and negotiation should Members be minded to grant the application.

It is anticipated that any S.106 Agreement will also incorporate clauses to address issues of integrated transport measures and green travel plan initiatives. As part of the recommended conditions the applicant/developer will be required to provide a 'Green Travel Plan' for each phase of the development. However, it is considered that the S.106 needs to include the necessary control measures (with potential penalty clauses) that ensure the applicant/developer meets the targets that should be identified within the Green Travel Plan/s. Further, it may be considered appropriate that the applicant/developer make specific financial contribution to fund or part fund measures such as additional or improved bus services or other public transport facilities.

In their response to the application Network Rail have identified the likelihood of the development increasing rail patronage in the locality and are seeking the

commitment of the Council in pooling planning obligations to mitigate the potential impact on the railway. It is suggested that such obligations could be used for infrastructure enhancements such as accessibility (ie new/improved cycle routes), public transport access, roadway improvements. It is further indicated that details of further enhancement schemes at Llanharan Railway Station can be provided towards which contributions could be made.

### Provision of Leisure/Recreation Facilities and Public Open Space

The SPG clearly identifies that recreation facilities obligations will apply to residential developments containing more than 10no. residential units.

In this case the applicant is proposing that the provision of POS and leisure/play facilities will be provided on-site as an integral part of the overall development. This approach is entirely supported and considered to be the most appropriate approach. Accordingly, the Council will not be seeking and financial contribution for the provision/improvement of off-site facilities.

The SPG does however, confirm that in cases where an on-site provision is agreed that a financial contribution for future maintenance, covering a 20 year period will be required. The applicant/developer does have the option of retaining ownership of the land and ensuring future maintenance the areas via a private land management body, rather than the Council.

In this case it is understood from the applicant that they wish to transfer the maintenance obligations to the Council. Accordingly, the Council would seek a sum of **£2.7m** to cover these future anticipated maintenance costs (£1,316,000), in addition to the provision of the equipment and play areas themselves (£650,000) and the pitches and changing facilities (£725,000).

### Ecology and Biodiversity Interests

Both CCW and the Council's own Ecologist have identified the need for management and mitigation measures (both inside and outside the boundary of the site) to be included within a S.106 Agreement. Clearly there will be a cost (albeit it is not anticipated that this will be significant) to such requirements and an appropriate sum needs to be established in order to address these issues. This is an area where further discussion and dialogue is required with the appropriate stakeholders.

## **S.106 Conclusions**

As Members will gather from this report there are still a number of matters outstanding with this application in respect of the viability of the scheme and/or the applicants ability to afford the level of contributions required to deliver the bare minimum of mitigation that consultees on the application consider necessary to make the proposal acceptable.

The current estimated cost of providing the level of mitigation considered necessary is **£19.78 - £21m (depending on the size of school required) (excluding 10% AH**

**provision across the whole site)** and at present the applicant does not consider that they can afford this figure. Therefore further negotiations are necessary. Members should recognize, however, that the applicant will seek to negotiate this figure downwards.

It should be noted, however, that the recommended level of mitigation, although considered satisfactory by the relevant consultees falls considerably below the full policy requirement for a development of this size. For example, it is accepted by the Council's Housing Strategy Team that the site will deliver 10% affordable housing rather than the 20% sought by LDP policy. Further, the Highways and Transportation Section are recommending that the developer contributes £6.3 million in the form of a transport tariff as opposed to bringing forward the full eastern leg length of the Llanharan bypass as suggested as being required in the LDP allocation.

This position has been arrived at as it has been established through work with the District Valuer (DV) that the viability of the site could not support the full policy requirements of mitigation, and unless a rationalised level of mitigation was agreed the site would simply not come forward for development. It is considered therefore that the key issue here is that whilst this is a strategic site that is critical in meeting the future housing needs of the County Borough, it needs to come forward in a way that the impact of the development is not detrimental to the wider community.

The DV has, in the latest version of his draft report, indicated that he considers the proposed development can support the provision of **£13.6m** of Planning Obligation contributions. However, it is considered that further discussions are required with the DV (and applicant) in respect of his assessment of financial information put forward by the applicant, which have clearly been integral in his assessment and subsequent arrival at this figure.

The applicants have indicated that they are willing to accept the £13.6m figure identified by the DV. However, as indicated above it is not considered that such a level of contribution would be satisfactory to provide the level of mitigation required to deal with the impacts of the development. Accordingly, further negotiations with the applicant are considered necessary, in order to establish whether the required mitigation can be delivered at a cost that allows the development of the site to be viable.

Before further negotiations continue, it is requested that Members consider whether the principal of the proposal is acceptable and that they are comfortable with the level of mitigation that is recommended in the report; otherwise further negotiations will be futile, or at least the dynamics of those negotiations will be considerably altered. If Members were to endorse the recommended level of mitigation, further work can be undertaken to establish any additional viability in the scheme and whether the recommended mitigation can be delivered in a more cost effective way.

Overall scheme conclusions

This is a major application and in terms of the number of houses proposed alone represents the largest application that has been submitted to this Council for determination.

The scheme itself is in broad accord with the policies of the LDP and national planning policy and guidance. The development will deliver a sustainable form of development that will bring forward a key strategic site allocation within the LDP. It will deliver a substantial number of houses and make a significant contribution in meeting the overall housing target figure identified in policy CS4 of the LDP. Further, the creation of a new village/district centre will not only serve as the central core of the 'new' development but also be of an important benefit to the existing surrounding communities where provision of recreational, community, retail and health-related facilities are at best limited.

Throughout its evolution it is considered that the proposal has sought to address the comments and observations of statutory consultees. Not every issue has been resolved completely, for example Air Quality concerns. However, it can be noted (with the exception of Network Rail) that no statutory consultee objections have been received to the application. Further, it is somewhat remarkable that for a scheme of this size and complexity only 2no. third party letters of objection have been received. This, it is considered, demonstrates that within the surrounding communities there is general support for the application and the development it is seeking to deliver. As such, it is very important that the required level of Planning Obligation mitigation, as identified above, is delivered in order that the scheme delivers the positive benefits identified in this report.

## **Recommendations**

That Committee resolve to **APPROVE** the application, subject to:

- the recommended conditions as set out below (in two sets, ie firstly those being applicable to the 'full' element of the application and secondly, those being applicable to the 'outline' element of the application) in this report;
- the applicant (and other party/parties with an interest in the land) first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of **Planning Obligation/s contributions**, comprising the following:
  1. the provision of a new primary school (of a pupil capacity to be agreed) and appropriate secondary pupil place provision;
  2. a Transport Tariff financial contribution using the SPG calculations;
  3. a Leisure/Recreation and Ecology/Biodiversity contribution using the SPG calculations.

In addition that **Affordable Housing** be provided across the whole site at a minimum level of **10% (185 units)**. (The means of delivery and the on-site/off-site split of these units to be the subject of further discussions and negotiations).

- that the Service Director Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.

- In respect of the 'outline' conditions that the Service Director Planning be authorised to draft suitable and appropriate conditions that ensure the issues identified in the report are satisfactorily dealt with.
- dependant on Members resolutions in respect of the above that the Service Director Planning be authorised to enter into further discussions with the applicant (and/or their agents/representatives) in order to negotiate further the level, scope, delivery and phasing of Planning Obligations contributions to be secured by the proposed development. On conclusion of these further discussions if the level of required mitigation provision (or financial contribution) identified above has not be agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations.

**RECOMMENDATION                      To Grant Outline and Full Permission Subject to  
Prior Written Conclusion of a Section 106  
Agreement.**

Conditions to be imposed on the 'Full' element of the application

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. This permission relates solely to the Phase 1 provision of highway and drainage infrastructure and the creation of the development plateaus themselves within Phase 1. The extent of the works approved by reason of this permission are identified on the following plans/drawings, except where necessarily modified by the terms of other conditions attached to this permission:

*Site Location Plan*

- Site Location (Drawing no. 1404/L/02/03 rev A)

*Plateau Drawings*

- Topographical Survey (Sheets 1-3) (Drawing nos. CD V-C8024.02 OP05-07 rev RO)
- Preliminary Plateau Levels (Drawing no. CD V-C8024.02 OP11 rev R4)
- Typical Cross Sections Plateau 1 (Sheets 1 & 2) (Drawing nos. CD V-8024.02 0600 & 0601 rev R1)
- Typical Cross Sections Plateau 2 (Sheets 1-3) (Drawing nos. CD V-C8024.02 0605-0607 rev R1)

*Drainage Drawings*

- Foul & Storm Water Drainage Concept Layout Plan (Drawing no. CD V-C8024.02 OP25 rev R2)

*Highway Drawings*

- Highway Layout (Drawing no. CD V-C8024.02 03 rev R2)
- Highway Details (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 04 rev R2 & 05 rev R1)
- Vehicle Tracking (Sheet 1) (Drawing no. CD V-C8024.02 06 rev R1)
- Plan/Longitudinal Section Link Road 1A (Drawing no. CD V-C8024.02 07 rev R1)
- Plan/Longitudinal Section Link Roads 1B & 2B (Drawing no. CDV-C8024.02 08 rev R1)
- Plan/Longitudinal Section Link Road (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 09 & 10 rev R1)
- Vehicle Tracking (Sheet 2) (Drawing no. CD V-C8024.02 11 rev R0)
- Access Road General Arrangement (Sheets 1 & 2) (Drawing nos. CD V-C8024.02 12 & 13 rev R0)

Reason: In order to define the terms of the permission granted.

3. The applicant/developer shall ensure that a suitably qualified archaeologist is present during the undertaking of any ground disturbing works in the development area, so that an archaeologist watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute for Archaeologists. The Local Planning Authority shall be informed, in writing, at least two weeks prior to the commencement of the development of the name of the said archaeologist and no work shall begin until the Local Planning Authority has confirmed, in writing, that the proposed archaeologist is suitable. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

4. A comprehensive landscaping scheme and landscape management plan shall be submitted to and approved in writing by the Local Planning Authority before commencement of development on site. The required scheme and management plan shall cover the proposed landscaping and its treatment within the boundary of the highway and drainage

infrastructure. Development shall be undertaken in accordance with the approved plan.

Reason: To ensure the satisfactory provision and maintenance of the landscaping of the development in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. The landscaping details in accordance with condition (4) above shall include planting plans and written specifications (including cultivation and other operations associated with tree, plant and grass establishment; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and a programme of implementation and maintenance).

Reason: To ensure the satisfactory implementation of the landscape scheme 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 the satisfactory implementation of the landscape scheme in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

7. Except where first agreed in writing by the Local Planning Authority no existing trees shall be felled, topped or lopped and no existing hedges shall be removed within the site.

Reason: To protect existing landscaping features on the site in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

8. Construction on the development shall not take place other than during the following times:
  - Monday to Friday 0800hrs to 1800hrs
  - Saturday 0800hrs to 1300hrs

- Not at any times on Sundays, Bank or Public Holidays.

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 AW10 of the Rhondda Cynon Taf Local Development Plan.

- 9.** No development shall take place, including any works of site clearance/preparation until a Construction Method Statement/Management Plan has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction traffic;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials;
- wheel washing facilities;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- location of site compounds;
- use of artificial lighting.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 10.** Notwithstanding the details as shown on the submitted plans and drawings, development shall not commence until full engineering design and details of:

- the internal road layout network ;
- the junction of the proposed distributor road (Link Road 1B) with the A473;
- the junction of the proposed distributor road (Link Road 1A) with the roundabout on the first leg of the western leg of the Llanharan bypass;
- the junction of the proposed distributor road (Link Road 2A) with the

existing extent of carriageway serving the '17.5 acre' site to the east including sections; street lighting, highway structures, vehicular containments, surface-water drainage and a Stage 2 Road Safety Audit have been submitted to and approved in writing by the Local Planning Authority.

The approved details shall be implemented in accordance with the agreed details prior to the first beneficial use of these elements of highway and identified junctions.

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

11. Prior to commencement of work on site, there shall be deposited with the Local Planning Authority a full site investigation report and Certificate from a suitably qualified Geotechnical Consulting Engineer confirming that proper site investigations have been carried out at the site to establish what precautions, if any, are necessary in relation to design, construction and maintenance of the proposed highways. The report and certificate shall include details of such precautions and these precautions shall be adopted in full in the carrying out of the development for which planning permission is granted.

Reason: To ensure that the highway infrastructure will be designed and constructed satisfactorily and therefore will not lead to an un-necessary maintenance liability.

12. No works shall commence on site until details and design calculations of the retaining walls abutting the highway have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to the first beneficial use of any element of highway hereby approved.

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

13. Prior to the commencement of the development hereby approved, there shall be deposited with the Local Planning Authority a certificate from a Consulting Engineer certifying that proper site investigations have been carried out at the site sufficient to establish what ground precautions are necessary in relation to the proposed development and what precautions 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 conditions. The certificate shall include details of such precautions and these precautions shall be adopted in full in the carrying out of the development for which planning permission is hereby granted.

Reason: To ensure that proper account is taken of the construction requirements on this site which has previously been used for open cast mining purposes and subsequently backfilled in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. A detailed great crested newt (GCN) mitigation scheme (consistent with the general principles outlined in the 'Proposed Parc Llanilid development: Draft great crested newt mitigation strategy – Key Principles' 10 June 2011, Report EVG-10-015 – GCN MS Envirolanguage), to be submitted to and agreed in writing by the Local Planning Authority, in consultation with CCW, before the start of any works on site. The scheme shall be implemented as agreed.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

15. Prior to the commencement of any works on site the primary great crested newt habitat (as identified in the document referred to in condition (4) above) shall be established in accordance with the document.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

16. The preparation, agreement and implementation of a monitoring scheme for protected species prior to the commencement of works on site. The scheme to be implemented as agreed. Monitoring should include monitoring of the GCN population itself and assess the ongoing suitability of the habitats present to support them. Monitoring reports should be submitted to Rhondda Cynon Taff County Borough Council and copied to the Countryside Council for Wales, and a final monitoring report agreed at the end of the monitoring period. Should the monitoring show a decline in population numbers or distribution, remedial measures should be agreed in writing and implemented to the satisfaction of the Local Planning Authority.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

17. Prior to any works commencing on site a lighting plan shall be submitted for the written agreement of the Local Planning authority in consultation with CCW. The lighting plan shall include the measures to monitor lux levels as part of the need to minimise light pollution and maintain some dark corridors across the site. This scheme should address the construction phase, any

phasing of the development and the operational phase and include the remedial action to be undertaken where problems are identified by the monitoring scheme. The scheme to be implemented as agreed.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 18.** Prior to any works commencing on site agreement shall be reached in writing with the Local Planning Authority to clarify the required scope and implementation of pre-construction surveys of the site for protected species. There is a particular need to ensure that all trees to be felled or indirectly affected by the development are subject to a detailed bat survey by a licensed bat ecologist in advance of any works commencing.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 19.** Prior to the commencement of development a scheme for the provision and management of compensatory habitats shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved scheme.

Reason: In order to ensure that proper regard is had to interests of ecology and biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 20.** Full details of a scheme for the eradication and/or control of Japanese Knotweed (*Fallonia japonica*, *Rouse decraene*, *Polygonum cuspidatum*) and Himalayan Balsam shall be submitted to and approved by the Local Planning Authority prior to the commencement of works on site. The approved scheme shall be implemented prior to the occupation of any dwellings/buildings on the site.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 21.** The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from the surface water run-off during construction works has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In order to prevent pollution of the water environment in

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

- 22.** Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In order to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 23.** Prior to the commencement of development, a working method statement to cover all channel/bank works shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the Local Planning Authority.

Reason: In order to prevent pollution of the water environment in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 24.** No development shall be commenced until a scheme for the drainage of the Phase 1 extent of new highway hereby approved incorporating sustainable principles, has been prepared, submitted and agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory drainage of the proposed highway network and that the proposed highway drainage infrastructure does not cause any adverse condition on the development site, to adjoining properties, the environment and existing infrastructure with regard flood risk in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 25.** No development shall be commenced until a scheme for the 'Phase 1' proposed drainage ditches, incorporating sustainable principles, has been prepared, submitted and agreed by the Local Planning Authority.

Reason: To ensure that the proposed flood risk infrastructure does not

cause any adverse condition on the development site, to adjoining properties, the environment and existing infrastructure with regard flood risk in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

**Conditions to be imposed on the 'outline' element of the application**

**It is considered that at this time when there are still a number of issues requiring further discussion and negotiation with the applicant that it would be premature to ask Members to consider a complete suite of 'outline' conditions. Accordingly, at this stage Members are asked to consider the acceptability of those issues which the conditions, when produced in final form, would seek to control.**

- a) COMMENCEMENT OF DEVELOPMENT, COMPLIANCE WITH OUTLINE PARAMETERS AND RESERVED MATTERS
- b) DEVELOPMENT THRESHOLDS AND PHASING
- c) CONSTRUCTION PHASING PROGRAMME
- d) CONSTRUCTION MANAGEMENT
- e) SITE WIDE STRATEGIES
- f) DESIGN STRATEGY AND COMPLIANCE WITH THE DESIGN CODE
- g) ACCESS, HIGHWAYS, TRANSPORTATION AND TRAFFIC MANAGEMENT
- h) REMEDIATION, LEVELS AND SOILS
- i) SUSTAINABILITY AND ENERGY
- j) LANDSCAPING, OPEN SPACE AND ECOLOGY
- k) FLOOD RISK AND DRAINAGE
- l) ARCHAEOLOGY
- m) RESIDENTIAL AMENITY
- n) OTHER AMENITY
- o) USE CLASS CHANGE RESTRICTION

(In addition to the conditions 'informative notes' will be added to advise the applicant/developer of issues, that although relevant to the development, that fall outside the scope of planning conditions).

**The 'outline' conditions would numerically follow the 'full' conditions.**

**(So as currently set out in this report condition 26 of the permission would be the first 'outline' condition).**

**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**

**16 JULY 2015**

**REPORT OF: SERVICE DIRECTOR PLANNING**

**REPORT**

**APPLICATION NO: 10/0845/34  
COMPREHENSIVE  
DEVELOPMENT COMPRISING:  
RESIDENTIAL DEVELOPMENT OF  
UP TO 1,850 DWELLINGS;  
NEIGHBOURHOOD CENTRE TO  
INCLUDE CLASS D1 AND D2  
COMMUNITY/LEISURE  
FACILITIES, CLASS D1 MEDICAL  
CENTRE, CLASS D1 PRIMARY  
SCHOOL, CLASS A1, A2 AND A3  
RETAIL/SERVICES/FOOD AND  
DRINK FLOORSPACE; B1  
OFFICE/COMMERCIAL  
FLOORSPACE; NEW DRAINAGE,  
SERVICES, TRANSPORT AND  
HIGHWAYS INFRASTRUCTURE,  
STRATEGIC LANDSCAPE AREAS  
AND PUBLIC OPEN SPACE (ALL  
MATTERS RESERVED). FULL  
DETAILS FOR NEW SPINE ROAD  
AND ACCESS ONTO A473,  
DRAINAGE INFRASTRUCTURE  
AND THE CREATION OF  
DEVELOPMENT PLATEAUS TO  
SERVE THE FIRST PHASE OF THE  
DEVELOPMENT (AMENDED  
PLANS AND SUPPLEMENTARY  
ENVIRONMENTAL INFORMATION  
(SEI) RECEIVED 13 JUNE  
2011)(FURTHER AMENDED**

**OFFICER TO CONTACT**

**MR J BAILEY  
(Tel. No. 01443 494785)**

**PLANS AND UPDATED DAS  
RECEIVED 21 JUNE 2011).**

See Relevant Application File

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