



PLANNING & DEVELOPMENT COMMITTEE

5 DECEMBER 2019

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 19/0950/10 (GH)
APPLICANT: Trivallis
DEVELOPMENT: Demolition of the former Penygraig Primary School, redevelopment of the site for 27 affordable homes and associated works.
LOCATION: PENYGRAIG COUNTY JUNIOR SCHOOL,
HENDRECAFN ROAD, PENYGRAIG, TONYPANDY,
CF40 1LW
DATE REGISTERED: 06/09/2019
ELECTORAL DIVISION: Penygraig

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS AND A SECTION 106 AGREEMENT

REASONS:

The design and layout of the development would provide an attractive and efficient use of the former school site, with the new dwellings of an appearance and scale sympathetic to the surrounding built environment.

The 100% affordable properties would also provide a valuable contribution towards addressing local housing needs as identified by the Council's Local Housing Market Assessment 2017-2023

Therefore, on account of its position within the settlement boundary, its sustainable location and the beneficial re-use of this previously developed land, the development would accord with National Sustainable Placemaking Outcomes and the Northern Strategy Area policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought to demolish the former Penygraig County Junior School at Hendrecafn Road and construct twenty-seven affordable dwellings in its place.

It is proposed that the site would continue to be accessed from Brynderwen Road which runs alongside the western boundary of the school grounds, albeit that a formal junction would be created to enable a satisfactory vehicular and pedestrian entrance.

Internal access through the site would be via a short cul-de-sac running in parallel with Hendrecafn Road, and with a turning head at its end. There would be a continuous footway on both sides of the highway and forty-eight off-street car parking spaces would be provided. Some areas within the street would be left as green space and informal planting of trees and shrubs has been incorporated, together with a larger green area to the north-eastern corner of the site for the purposes of aiding a sustainable drainage strategy.

Each of the properties, whether detached or grouped, would be of a different design. However, similar design cues and common external finishes of face brickwork and render would create some wider uniformity. The new dwellings would comprise the following mix of types:

- 8 x two-bedroom houses
- 3 x three-bedroom houses
- 14 x one-bedroom flats
- 1 x two-bedroom adapted bungalow
- 1 x three-bedroom bariatric bungalow

It is noticeable that all of the development, save for the two bungalows, would be of two-storey height, whilst the flats have been designed to look like semi-detached or terraced houses. The elevations include features such as contrasting brickwork and stringer courses, and windows benefit from cills and heads of stone or soldier-course bricks.

Each dwelling would have external amenity space in accordance with Design Quality Requirements for affordable housing, and therefore would have paved areas as well as external storage and provision for recycling. With regard to the flats, the external space would be communal and have shared drying areas.

In addition to the submitted plans and elevation drawings, the application is accompanied by the following supporting documents:

- Pre-application Consultation Report
- Design and Access/Planning Statement
- Ground Investigation Report, incorporating Coal Mining Risk Assessment
- Drainage Strategy
- Preliminary Ecology Report

The unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2017/23 and LDP Policy NSA11.

SITE APPRAISAL

The application property is a large, two-storey Victorian building located between the settlements of Penygraig and Tonypandy. The property formerly accommodated Penygraig Primary School, but since closure has become vacant.

The prominent building occupies the eastern corner of the site, whilst the remaining three quarters of the site comprises hardstanding for a playground and car park; with a green landscaped area to the eastern corner

The former school is characterised by the surrounding topography in that there is a marked fall from the south-west to north-east, hence the western part of the site adjacent to Hendrecafn Road and Brynderwen Road has substantial retaining walls. Where adjacent to the public highway, the boundary is demarcated by walls of dressed stone.

Although there are some larger detached dwellings of later construction, the majority of the houses that surround the entirety of the site are typical Victorian terraces. The level changes mean that those at Hendrecafn Road are at a much higher level; conversely those at Nantgwyn Street to the north-east are on much lower ground.

The site, which is within the defined settlement boundary, is located within a High Risk Coal Area, and part of a Registered Landscape of Outstanding Historic Interest in Wales.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

19/5024/41: Pre App Enquiry. Decision: 18/03/2019, Raise No Objection

PUBLICITY

The application has been advertised by direct notification to fifty-four neighbouring properties and notices were erected on site. Furthermore on account of the scheme being classed as 'major development' a notice was placed in the press.

One letter of objection has been received from a neighbouring property, highlighting the following concerns:

- Loss of light and overshadowing
- Overlooking/Loss of privacy
- Visual amenity
- Highway safety and traffic generation
- Noise and disturbance resulting from use
- The perceived loss of property value

These matters are addressed within the body of the report further below.

CONSULTATION

The Coal Authority

The Coal Authority concurs with the recommendations of the Geotechnical & Geo-environmental Site Investigation Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site, and to inform any remedial measures necessary to ensure the safety and stability of the proposed development. A condition is requested in this regard, together with an informative note concerning sewerage connection.

Dwr Cymru Welsh Water

Confirm that foul water flows can be accommodated in the public sewer system and acknowledged that the intention is to discharge the surface water to the adjacent watercourse. A condition in respect of surface water run-off and informative note regarding are requested.

Public Health and Protection

Conditions to deal with site contamination and hours of operation are recommended. However, it is considered that further conditions, relating to demolition, noise, dust and waste, can be incorporated within an informative note as they are matters that can be controlled by other legislation.

Highways

No objection subject to conditions.

Natural Resources Wales

No objection

South Wales Police

No objection and advice has been provided for the developer in respect of Secured By Design Standards.

South Wales Fire and Rescue Service

No objection

Western Power Distribution

Any new service connection or diversion would require an application to be made to WPD.

Countryside – Ecologist

The bat survey included a building inspection and dawn/dusk surveys. Despite the plethora of holes in the school the report found no evidence of roosting bats and concludes that there would be no impact on bats. Given the survey effort that conclusion is a reasonable one. As a precaution a bat informative note should be appended to any planning permission.

The report does identify nesting birds in the school building and provision for nesting birds and roosting bats in the new builds. Both this and mitigation during demolition should be subject to a condition.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Tonypany

Policy CS1 – emphasises sustainable growth in the Northern Strategy Area, achieved by promoting residential development in locations which support and reinforce the roles of Key Settlements, and ensuring the removal and remediation of dereliction by promoting the re-use of previously developed land.

Policy AW1 – The policy outlines how the housing land requirement will be met, and includes the development of unallocated sites within the defined settlement boundaries

Policy AW2 – The policy ensures that development proposals are only supported when located in sustainable locations. Such locations would not unacceptably conflict with surrounding uses, have good access to key services by a range of sustainable transport options, and support the roles and functions of Key Settlements.

Policy AW4 – The policy details the types of planning obligations that may be sought in order to make the proposal acceptable in land use planning terms and that Community Infrastructure Levy contributions might apply.

Policy AW5 – The policy sets out criteria for appropriate amenity and accessibility on new development sites.

Policy AW6 – The policy promotes development proposals which are of a high standard of design appropriate to the local context, and protects and enhances the landscape and cultural heritage of Rhondda Cynon Taf.

Policy AW8 – The policy protects the natural environment from inappropriate development unless there would be no unacceptable impact upon the features of importance to landscape or nature conservation, including locally distinctive trees and woodland.

Policy AW10 – The policy prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability or any other identified risk to local amenity and public health.

Policy NSA2 – supports proposals for residential development within the Key Settlements of Tonypany where the development is of a high standard of design and promotes the beneficial re-use of vacant and under used floor space.

Policy NSA10 – stipulates that the net residential density must be a minimum of 30 dwellings per hectare, and lists criteria where lower density levels are permitted.

Policy NSA11 – seeks a provision of at least 10% affordable housing on sites of 10 or more units.

Policy NSA12 – requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area. Contaminated land must also be adequately remediated.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- Development of Flats
- Employment and Skills Plans

National Guidance

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

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations (wales) Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 People and Places: Achieving Well-being Through Placemaking, of PPW10 and is also consistent with the following inasmuch as they relate to the development

Chapter 1 (Managing New Development)

Chapter 2 (Maximising Well-Being and Sustainable Places through Placemaking)

Chapter 4 (Active and Social Places)

Other policy guidance considered:

PPW Technical Advice Note 1 - Housing

PPW Technical Advice Note 12 - Design

PPW Technical Advice Note 18 - Transport

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Principle of the proposed development

Permission is sought to demolish the former Penygraig Primary School and develop 27 dwellings in its place. The development would consist of 14 one-bedroom flats, 2 bungalows, 8 two-bedroom houses and 3 three-bedroom houses.

The site is situated in the Northern Strategy Area within the defined settlement boundary (LDP Policy NSA 12) and consequently a minimum provision of 10% affordable housing is required in order to comply with Policy NSA11. The applicant is proposing 100% of the 27 units to be affordable dwellings, thus clearly satisfying the policy requirement.

The minimum net residential density permitted by Policy NSA10 is 30 dwellings per hectare. The site is approximately 0.6 hectares, therefore resulting in a net residential density of approximately 45 dwellings per hectare. The proposal subsequently complies with Policy NSA10.

The development of unallocated sites within the defined settlement boundary is supported by Policies AW1 and AW2. The proposal also complies with national guidance and Policy

CS1 which promotes the redevelopment of previously used land in preference to Greenfield sites.

The site is within the defined settlement boundary and is accessible by sustainable transport modes including bus, train, foot and bicycle. The site also has good access to key services and facilities, being located 0.2 miles from the retail centre of the Key Settlement of Tonypany. The site can therefore be considered a sustainable location in accordance with Policy AW2.

In principle therefore, the development would be considered acceptable.

Impact on the character and appearance of the area

The majority of the surrounding development, particularly that to the south, east and north east, comprises rows of Victorian terraced dwellings. In the absence of a through-road the proposed cul-de-sac arrangement is as a result of necessity, but the layout of the dwellings also partly reflects the pattern of the existing built environment.

The objector has commented that development would have a detrimental impact in the area as it “does not respect local context and street patterns with regards to the construction of flats and social housing”.

Nevertheless, apart from the fact that the scale and layout of the former school was distinctly different to the neighbouring houses, the properties opposite the school entrance on Brynderwen Road include a detached bungalow and two semi-detached ‘chalet-style’ dwellings of much later construction. There are also non-Victorian dwellings at Nantgwyn Street and at the end of Upton Street.

There is, therefore, no objection to the modern style of the proposed development and it is noted that all of the buildings are of a domestic scale and do not exceed a height of two floors. There would be a variety of property types and external finishes to ensure that the street scene would be attractive, with some landscaped areas to help mitigate the required off street parking provision.

The amenity space to the rear of the properties is laid out on a communal basis for the flats and partitioned for the houses and bungalows and is arranged with terrace, drying space and external storage to meet DQR standards. Some of the mass of the retaining wall with Hendrecafn Road would be lessened by a planted bank, whilst a section of the eastern corner of the site has been left to assist with sustainable drainage.

Lastly one unusual feature is the use of ginnels to access rear gardens between plots 12/13, 21/22 and 24/25. This is welcomed and helps to avoid the alternative of convoluted, fenced paths that often affect the external space to the rear of other dwellings.

Impact on neighbouring occupiers

Although the site has been used and occupied as a school for approximately a century, the introduction of a residential use, whilst compatible in principle with the surrounding properties, is of some concern where there is a likelihood of intensity of use and the physical relationship between neighbouring buildings will change.

In this case it is noticeable that there has only been one neighbour objection, although it is appreciated that residents of the houses to the south-western side of Hendrecafn Road would barely be affected, given the great difference in level between them and the site. The ridge lines of the new dwellings, for example, would barely rise above the top of the retaining wall.

Similarly, of the five new two storey dwellings that would back on to the rear lane and houses at Nantgwyn Street to the north-east, the gap between opposing elevations would be between 25-30m, which is considered to be sufficient to protect privacy.

Nonetheless, the residents of 118 Hendrecafn Road, which is on the north-eastern side of the road and adjacent to the school site, have raised concerns about an overbearing impact and harm to privacy caused by the position of plots 14-17 and 18-19. In particular the objectors consider that the new dwellings would have direct vision from their rear windows and garden directly into my property and/or garden.

As part of the application submission sectional and survey drawings were received which, on the part of the Planning Authority at least, have been able to demonstrate that the neighbour's concerns would not be realised.

In particular the datum levels for plots 14-17 show that the cill level of the first floor rear windows would be at an elevation of approximately 170.7m, with their heads at an elevation of 171.9m. The rear windows for plots 18-19 would be 0.5m lower.

The existing site survey shows that datum level for the pavement on Hendrecafn Road at this point is 170.86m, which is therefore roughly the same as the ground floor level of no.118.

Consequently, since the cill of the first floor rear windows of plots 14-17 would be at the same approximate height of the ground floor of no.118, it would not be physically possible for there to be any intrusive views towards either the habitable rooms or garden of the objector's property.

Therefore, in terms of the impact on the amenity and privacy of neighbouring residents, the application is considered to be acceptable.

Highways and accessibility

Site Location

The proposed development is on the site of the former Penygraig County Junior Mixed

School, which would be in easy walking distance of a comprehensive range of local amenities and services in Tonypandy town centre and bus stops at Tylacelyn Road (190m) and Tonypandy railway station (350m).

The site is bounded to the south-west by Hendrecafn Road, by Brynderwen Road to the north-west and, to the north-east and east, by a lane maintained at public expense. This lane links Brynderwen Road with Hill Street and provides rear access to existing properties at Nantgwyn Street and Hill Street.

Access and Circulation

Access is proposed from Brynderwen Road at the approximate location of the existing vehicular access to the former school site. Brynderwen Road has a carriageway width of 8.8m with footways which vary in width between 1.4m-2.4m on the development side which is acceptable for safe and satisfactory access to the proposed development.

Zig-zag 'School Keep Clear' road markings associated with the former use of the site are located along Brynderwen Road. These will need to be removed to accommodate redevelopment of the site and can be conditioned accordingly.

Submitted Drawing No. LT1907.04.01 Rev B titled 'Proposed Site Layout' indicates that vision splays to the left are 2.4m by 25m, which is to the junction of Brynderwen Road with Hendrecafn Road. The annotation on the drawing incorrectly indicates the vision splay to the right to be 2.4m by 25m.

However, scaling from the drawing demonstrates that the splay shown is actually 2.4m by 44m. Observation and measurement on site indicate that a vision splay well in excess of the 2.4m by 40m to the right, as required by Manual for Streets, is achievable.

The proposed access road shown on drawing no. LT1907.04.01 Rev B would consist of 5.5m wide Cul-De-Sac with 2.0m wide footway on one side and 1m wide hard margin strip on the other fronting plots 21-25. A turning head is proposed between plots 21 and 20 to accommodate turning manoeuvres of residents and calling service and delivery vehicles to facilitate access and egress in forward gear. On this basis access and circulation are considered acceptable.

The Proposed Site Layout Plan drawing no. LT1907.04.01 Rev B indicates that the internal access road would be constructed utilising permeable paving which is not in accordance with the Council's approved specification and detail set out in the RCT Design Guide for Residential and Industrial Estate Roads, however, full engineering design, detail, and material specification can be secured by means of a condition.

A note on the Proposed Site Layout Plan indicates that the existing north-eastern boundary wall, alongside the adopted lane serving the rear of dwellings on Nantgwyn Street, would be retained subject to inspection by a structural engineer and completion of any repair or remediation works identified.

A further note indicates that a new retaining wall would be constructed along part of the south-eastern boundary to the rear garden of plot 20, although no details have been submitted to allow assessment of the impact of the structure and foundations on the lane. However, the Council's Highways and Transportation Section has advised that such information could be secured by means of a suitably worded condition.

Parking

The Council's SPG for Access, Circulation and Parking (March 2011) identifies that the proposed development is located within Zone 3.

A summary of the required parking provision and proposed parking is provided in Table 1 below:

Table 1- Summary of Parking Provision

Dwelling Type	No of units	Parking in Accordance with SPG		Proposed
		Max	Min	
1-bed flats	14	28	14	14
2-bed houses	8	16	8	16
3-bed houses	3	9	9	9
2-bed bungalow(adapted)	1	2	1	2
3 bed bungalow(adapted)	1	3	3	2
Visitor Parking		5	5	5
Totals	27	63	40	48

The SPG notes that a reduced parking requirement may be appropriate taking account of the sustainable location of the site and type of accommodation, with consideration being given to the lower parking demand associated with one bedroom flats and adapted housing.

The maximum parking requirement in accordance with the SPG; Access Circulation is 63 spaces, (including 5 visitor parking spaces) with a total of 48 spaces proposed.

Taking into account the parking standards are maximum standards, the sustainable location of the proposed development, the lower parking demand associated with one-bedroom units and adapted accommodation, the availability of 5 visitor parking spaces and provision of secure cycle parking, the off-street car parking provision is considered acceptable.

The arrangement of 3 parking spaces in tandem, at plots 11-13 and plot 27, gives cause for concern due to the increased on street parking arising due to the difficulties in managing tandem parking, however, considering that the maximum parking requirements have been satisfied for these dwellings, the concern would not be significant enough to warrant an objection.

Public Transport

The site is located approximately 190m from bus stops at Tylacelyn Road which are served by bus services 122, 130, 152, 172 and 173. Furthermore, Tonypany Railway station is located approximately 350m to the north of the site which provides frequent services between Cardiff and Treherbert.

In the absence of a transport statement and since a residential travel plan has not been produced to advise occupiers of the dwellings of the location of local amenities and facilities accessible by sustainable modes of travel, it is considered that this omission could be addressed by a condition.

Active Travel (Wales) Act 2013

As noted above, no assessment of Active Travel routes in the vicinity of the site, to encourage walking and cycling as sustainable modes of travel to access local amenities and services, has been undertaken which gives cause for concern.

However, considering the former use of the site as a junior school, to which many pupils would have travelled on foot, the pedestrian routes to and from the site would be acceptable for walking.

Vehicle speeds within the surrounding streets would be constrained by the road geometry and on-street parking to significantly less than the 30mph speed limit. A number of 20mph speed zones within the vicinity of the site make on road cycling more attractive and the network of rear lanes would form an informal network to facilitate cycling as a means of transport to access local amenities and facilities in nearby local centres.

Other Matters

Reference was made by the objector to the social housing tenure of the new dwellings and that there would be a 'significant devaluation' of his property.

Nonetheless, the effect of development on the value of existing neighbouring properties, perceived or otherwise, is not a material planning concern. Therefore no weight was attributed to this matter in forming a recommendation.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables Local Planning Authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

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

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

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

The Section 106 requirements in this case:

In this case the proposed development, on behalf of the Registered Social Landlord Trivallis, would provide 100% affordable housing for social rent.

Therefore a S106 agreement will be required to ensure that the dwellings are established and maintained as affordable units, for the continued purpose of meeting identified local housing needs.

Furthermore, since this residential scheme would provide in excess of 25 dwellings, the Council's Supplementary Planning Guidance for Employment and Skills would require an Employment and Skills Plan. The framework of such a plan would also have to be agreed and secured via a Section 106 agreement.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however, the CIL rate for this type of development as set out in the Charging Schedule is £0 and therefore no CIL is payable.

Conclusion

The application site is located within the settlement boundary and the principle of residential development would therefore be acceptable and accord with both the core,

area wide and Northern Strategy Area policies of the Rhondda Cynon Taf Local Development Plan.

For the reasons given above the proposed redevelopment of the School site, together with the new build flats and ancillary buildings, are considered to be acceptable in principle and would be compatible with neighbouring land uses. Furthermore, the proposed housing development has been designed for and in accordance with a registered social landlord, and will provide beneficial re-use of an existing brownfield site.

RECOMMENDATION: GRANT SUBJECT TO CONDITIONS AND A SECTION 106 AGREEMENT

RECOMMENDATION: Grant

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

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

2. The development hereby approved shall be carried out in accordance with the approved drawing numbers:

LT1904.00.01
LT1904.04.01 Revision B
LT1904.04.02
LT1904.04.03
LT1904.04.100
LT1904.04.200
LT1904.04.300
LT1904.04.400
LT1904.04.500
LT1904.04.600
LT1904.04.700
LT1904.04.800

and documents received by the Local Planning Authority on 4th September 2019 and 7th November 2019, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall commence until a scheme for the undertaking of intrusive site investigation works has been submitted to and approved in writing by the LPA.

The scheme shall include all of the following measures for approval unless the LPA dispenses with any such requirement specifically and in writing:

- a) A scheme of intrusive site investigations for both mine entries and the shallow coal workings;
- b) The undertaking of both of these schemes of intrusive site investigations;
- c) The submission of a report of findings arising from the intrusive site investigations and the identification of any remedial works and/or mitigation measures considered necessary, including the submission of the approved layout plan which identifies the location of the mine entries, together with their calculated zones of influence;
- d) The submission of a scheme of remedial works for both mine entries and the shallow coal workings;
- e) Implementation of the remedial works and/or mitigation measures.

The investigations will need to be designed by a suitably qualified and experienced person and in agreement with the Coal Authority's Licensing and Permitting Department as part of the permitting process.

The findings of the investigations will then enable the developer's technical consultant to establish the exact ground conditions and design an appropriate mitigation strategy such as grouting and stabilisation works, treatment and capping of the mine shafts; specific foundation design and / or gas protection measures, if deemed necessary, to ensure the safety and stability of the proposed development.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 4. No development shall commence until details of a scheme for the disposal of foul and surface water has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure arising from inadequate drainage, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 5. No development shall commence until full engineering design and details of the internal access road and junction with Brynderwen Road including sections, street lighting, highway structures, traffic management measures,

turning facilities, retaining walls, footways and highway surface-water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.

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

6. No development shall commence until a scheme for the removal of school keep clear markings in the vicinity of the site has been submitted to and approved in writing by the Local Planning Authority.

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

7. No development shall commence until:

- a) a condition survey and structural assessment of the retaining walls adjacent to Hendrecafn Road, Brynderwen Road and the adopted lane bounding the site has been undertaken.
- b) the details of the survey and any mitigation measures have been submitted to and approved in writing by the Local Planning Authority.

Any mitigation measures shall be carried out in accordance with the approved details.

Reason To ensure the adequacy of the retaining structures to ensure no adverse impact on highway safety and structural integrity, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

The approved Construction Method Statement shall be adhered to

throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

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

9. a) No development shall commence until a scheme to deal with contamination has been submitted to and approved in writing by the LPA. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

i). 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.

ii). A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the LPA.

b) The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the LPA. Any validation report shall be carried out by a competent person.

c) 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 work shall cease and revised contamination proposals shall be submitted to and approved in writing by the LPA prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

d) Any scheme to import topsoil [natural or manufactured], or subsoil shall be undertaken in accordance with WLGA guidance: Imported Materials Guidance Notes

<http://www.rctdoc.gov.uk/en/relateddocuments/publications/environmentproject/wlgaimportedmaterialsvalidationmay2013.pdf>

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

10. Within one month of each dwelling being occupied the developer shall provide the occupier with a Travel Plan / Welcome Pack which should contain the following:-

- (a) Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
- (b) Park and Ride/Park and Share facilities and associated costs and restrictions on use of such facilities;
- (c) Pedestrian links to public transport services, to local facilities, areas of employment, education and leisure;
- (d) Local and national cycle routes;
- (e) Sustainability voucher; and
- (f) Any other measures that would encourage use of sustainable modes of travel.

Reason: To encourage a sustainable mode of travel and reduce reliance on the private motor vehicle, in the interests of highway safety and the free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. Measures to protect, provide and retain resources for nesting birds and bats shall be provided and maintained in perpetuity in accordance with the details contained within 'Section 5 – Conclusions and Recommendations' of the Preliminary Roost assessment and Bat Activity Report, produced by Wildwood Ecology (23rd July 2019).

Reason: To ensure the development is carried out with no harm to European Protected Species, in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

12. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

13. All HGV deliveries during the construction period shall only take place between the hours of 09:00 am and 16:30 pm on weekdays to and from the site.

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

14. During the construction phase of the development the hours of work shall be restricted to the following:

- | | |
|-----------------------------|----------------------|
| 1. Monday to Friday | 08.00 to 18.00 hours |
| 2. Saturday | 08.00 to 13.00 hours |
| 3. Sunday and Bank Holidays | Not At All |

Reason: In the interests of the amenity of other residents, in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.