



**PLANNING & DEVELOPMENT COMMITTEE**

**5 DECEMBER 2019**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1419/13 (GD)  
**APPLICANT:** Taylor Wimpey (UK) Limited  
**DEVELOPMENT:** Residential development of up to 350 dwellings, land for a potential new primary school, local shop and associated works including public open space, green infrastructure, landscaping and the creation of two new access points off Heol Dowlais.  
**LOCATION:** CWM ISAF FARM, HEOL DOWLAIS, EFAIL ISAF, PONTYPRIDD, CF38 1BD  
**DATE REGISTERED:** 21/12/2018  
**ELECTORAL DIVISION:** Llantwit Fardre

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**RECOMMENDATION:** Approve, subject to a S.106 Agreement

**REASONS:**

The principle of the proposed development is considered acceptable even though the site is located outside of settlement limits within a Special Landscape Area. It is considered, on balance, that any shortcomings in terms of conformity with specific LDP policies are outweighed by the pressing need to approve and deliver more housing within the County Borough. Considering all the elements of the proposal, it represents a reasonably sustainable development, in a reasonably sustainable location, which in the main is otherwise compliant with the aims and principles of PPW 10 and relevant Local Development Plan policy.

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**REASON APPLICATION REPORTED TO COMMITTEE**

- The proposal is not covered by determination powers delegated to the Director of Prosperity and Development;
- Three or more letters of objection have been received;

## APPLICATION DETAILS

The proposal seeks outline planning permission for the development of Cwm Isaf Farm with all matters other than the two access points reserved for future consideration. The proposal seeks consent for up to 350 homes, including affordable housing, land for a new primary school, local shop, public open space pedestrian and cycle access and the retention of existing landscape features where possible.

Whilst the description of development includes a local shop, the applicants are clear that they regard this as an option only that is subject to operator interest. In terms of detail, they indicate that it would be a local facility of no more than 2000 sq ft. (185.6 sq m) net floor space.

The intention is to create a residential development immediately south west of Efail Isaf. The parameters plan which accompanies the planning application as an element of the Design & Access Statement (DAS) indicates that higher density elements would be confined to the eastern and southern boundaries of the site in buildings of up to three-storey height. Whilst the balance of the site would be to a lower density and typically in two to two and a half storey height. The applicants have indicated the dimensional parameters for the proposed dwellings as follows –

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House type	Width (front)		Length (depth)		height	
	min	max	min	max	min	max
Terraced houses	4.5m	6m	7.5m	9m		
Semi-detached	5m	9m	7m	9m		
Detached	6m	11m	7m	11m		
2 storey					8m	9.5m
2.5 storey					10m	10.5m
3 storey					10.5m	11.5m

The application is accompanied by the following suite of supporting information/reports:

- Planning Statement
- Design and Access Statement:
- Pre Application Consultation Report
- Statement of Community Involvement
- Transport Assessment

- Travel Plan
- Environmental Noise Assessment
- School Application Noise Assessment
- Residential Application Noise Assessment
- Surface Water Drainage Strategy.
- Landscape & Visual Appraisal
- Preliminary Ecological Appraisal
- Nature Conservation Management Strategy
- Preliminary Arboricultural Assessment
- Precautionary Dormouse Mitigation Strategy
- Water Vole & Otter Survey
- Great Crested Newt Survey
- Agricultural Land Classification Assessment.
- Flood Consequences Assessment.
- Bat Activity Report
- Archaeological Desk Based Assessment

## **SITE APPRAISAL**

The application site comprises some 15.4 hectares of land with an irregular shape located to the south west of Efail Isaf. The site is entirely agricultural in nature and comprises a series of fields defined by well-established hedgerow. There are also occasional agricultural outbuildings on the site and a pond. The topography of the site generally slopes from its north east corner downwards in a broadly southerly direction with an overall fall across the site of nearly 30m. The site is crossed by electricity lines and pylons and a main sewer and gas main cross the site

The site is defined to the north and west by Heol Dowlais whilst to the south lies the Nant Y Felin with countryside beyond and the eastern boundary sits on a former railway cutting with agricultural land again beyond that.

The site lies to the south of the Church Village bypass road and would be accessed from Heol Dowlais on the sites western boundary.

## **PLANNING HISTORY**

03/0243	Change of use from agricultural use of workshop to agricultural and commercial use	Approved 15 <sup>th</sup> August 2003
94/0515	Change of use to haulage transport yard	Approved 6 <sup>th</sup> March 1995

The following application also border the site or were found to intersect spatially with the site boundary.

18/5001	Pre application advice – residential development	Advice forwarded 1 <sup>st</sup> February 2018
09/0560	Application for a certificate of appropriate alternative development – residential development	Refused 10 <sup>th</sup> July 2009
08/1362	Church Village bypass (additional details and amendments as a result of public consultation)	Approved 9 <sup>th</sup> January 2009
08/0234	Variation of conditions relating to the construction of the Church Village bypass	Approved 21 <sup>st</sup> April 2008
05/2222	Construct Church Village bypass	Approved 6 <sup>th</sup> July 2006

## **PUBLICITY**

The application has been advertised by means of a press notice, site notices and neighbour notification letters. This has led to the submission of a total of 187 letters of objection. Additionally two petitions with 274 and 108 signatures respectively have also been submitted. The following issues have been raised.

### Local Development Plan, Planning Policy & Housing Land Supply Issues

- *The site was originally proposed for inclusion within the Local Development plan and was rejected due to its location and it being unrelated to any settlement.*
- *The site lies within the Efail Isaf, Garth and Nantgarw Western Slopes Special Landscape Area, designated amongst other things to maintain its farmland character and restrict the spread of development around Efail Isaf as per policy SSA23 of the local Development plan.*
- *Under the Local Development Plan Efail Isaf has been designated an unsustainable settlement and it cannot take the scale of development proposed by the current planning application.*
- *Developments outside of settlement limits have been resisted for the last 20 years and allowing the current proposals would set a dangerous and unwanted precedent*
- *One of the aims of the Local development Plan was to reduce the number of people flowing from RCT into Cardiff for work*
- *The application site is within a green wedge.*

- *Planning Policy Wales requires planning authorities to reduce exposure of populations to air and noise pollution.*
- *Given the situation with healthcare provision in the locality greater regard should be had to Planning Policy Wales, which requires that health impacts should be minimised in all instances and particularly where new development could have an adverse impact on health amenity and wellbeing.*
- *The development would if allowed represent the spread of development into a Special Landscape Area which was created specifically to avoid the kind of development now proposed from happening.*
- *The settlement boundary should not be relocated simply for the benefit of a housing developer.*
- *Planning policy at the local and national level encourages the use of previously developed land ahead of the use of green field sites. There is plenty of brownfield land within a mile of this site that should be developed first*
- *This is green belt land and its development should not be allowed*

### Sustainability

- *The location and major constraints that the site presents makes its development for housing unsustainable.*
- *The site is unplanned and the village cannot take the scale of development proposed*
- *The isolated nature of the site means that it is unable to meet the demands of the Wellbeing of Future Generations (Wales) Act 2015*
- *To claim that the site is within walking distance of key services and employment opportunities is misleading as there is no local park, no doctors surgery leisure centre or gym that is within walking distance and employment opportunities are entirely outside of the locality in the major population centres.*
- *A robust assessment of sustainability is not possible without considering the cumulative impacts of developments in the same locality, particularly given the approvals at Cefn Y Hendy and the Former Cwm Coke Works and the potential development at Ystrad Barwig, and such an assessment is needed here.*
- *A sustainable decision cannot be made without the voice of healthcare providers being heard. Before further large scale planning applications for the area can be considered a full strategic risk assessment on the impact of the delivery of core services should be undertaken engaging primary healthcare providers before a decision is taken.*

- *The inclusion of schools, doctors surgeries and dental practices to sweeten the deal on these planning applications is inappropriate and what is required is a cohesive strategy for the village*

### Flooding Issues

- *The site lies in close proximity to a C2 designated floodplain.*

### Social & Physical Infrastructure Issues

- *Existing surgeries are already oversubscribed with patients and this development would exacerbate the situation. Parc Canol surgery is cited as having a shortfall of 300 appointments a week and further housing will exacerbate this situation. The University Health Board have previously indicated that they do not have the funds to build a new surgery and the difficulties in attracting new GP's to the area are well documented.*
- *The development would have an adverse impact on local infrastructure.*
- *Similarly, the Royal Glamorgan Hospital is struggling to cope with long waiting times at A & E being cited in particular which this application will exacerbate should it proceed.*
- *There will be a detrimental impact on access to all local services.*
- *The health board has rejected a previous application.*
- *Though there is a school proposed it must be remembered that schooling in the area is under considerable pressure and any development would need to ensure that there is sufficient space within the catchment to allow children from the proposed development an education.*

### Highways & Transportation Issues

- *There will be a detrimental impact on access to the wider transport/traffic network as a result of the development, which would be contrary to the objectives of the Regional Transport Plan*
- *Increased congestion will result from the development to the detriment of local amenity, particularly when considered in conjunction with other proposals in the area.*
- *During busier times traffic backs up from both Llantrisant and Treforest on the bypass road and this proposal will make this situation worse.*
- *The highway infrastructure within the village and where it meets the bypass road is incapable of accommodating the proposed development. Particularly so during the rush hour.*

- *The benefit that the building of the Church Village bypass brought with it has been lost to the development that has taken place since and allowing the development would only add to and exacerbate the situation with increased pressure on infrastructure.*
- *Many residents already use the community path and this development would have the potential to adversely affect that amenity.*
- *The development would lead to increased car borne journeys through the village and this has safety implications given that there are areas on the main road which have no footway or have footway of substandard width. Whilst the Transport Assessment indicates that there have been no accidents there have been a number of near misses which are important in gauging and preventing future accidents. Increased traffic through the village will result in increased risk to pedestrians and particularly school children*
- *Until the congestion issue in the immediate locality is properly resolved RCT should not consider allowing further housing.*
- *Current public transport provision is minimal and the increase that the developer proposes is an inadequate response.*
- *Cardiff's LDP has added 10,000 new homes in north west Cardiff with no improvements to local public transport other than a few buses. These developments feed on to the A4119 and this affects residents of RCT.*
- *Heol Criegiau is increasingly used as a short cut away from larger roads to the detriment of the amenity of the residents of Criegiau/Pentyrch. This will continue for the foreseeable future as Cardiff are redesigning the A4119 to become a holding area for traffic in NW Cardiff and will continue to put pressure on unsuitable county roads.*
- *If the development is to be allowed the crossing point by the garden centre can be moved and upgraded to a Zebra to better facilitate active travel particularly in relation to walkers and cyclists.*
- *The developer should provide a separate footway and cycleway between the SW link and the school.*
- *The developer should recognise the desire line between the footbridge and the end dwelling on Heol Dowlais (no.54) and provide a tarmac link.*
- *The cycleway/path that leads to the school should extend as far as the rail alignment whether the line becomes a cycle path or a tram/train route.*
- *Every house on the development should be provided with cycle storage as well as car parking space.*

- *There should be no barriers to active travel on this site staggered barriers and motorbike barriers should not be used as they obstruct the lawful use of paths by disabled trike and trailer users.*

### The Physical Environment

- *This is a conservation area where there are a number of species that need to be conserved.*
- *The proposals will drastically change the character and appearance of the village*
- *The development will also result in increased detriment to amenity through increased pollution particularly when considered in conjunction with other developments in the area.*
- *The Llantwit Fardre Air Quality Management Area was revoked in 2017 with a caution that indicated the need for continued vigilance to assess the impact of local urbanisation – the development if allowed would jeopardise this position.*
- *The area around Upper Boat roundabout exceeded legal levels of nitrogen dioxide last year and more cars from this development will exacerbate that situation*
- *Given the lack of alternative transport modes the potential for traffic exclusion zones around the proposed school would be compromised*
- *Air quality in the area of Heol Dowlais around the site access points will also be adversely affected by the proposals and serve to exacerbate the adverse health of local residents*
- *Allowing the development would exacerbate drainage problem that already exist along Heol Dowlais particularly as the existing drainage system is operating at or near capacity.*
- *The ground is not suitable to support residential development*

### The Natural Environment

- *The applicants own ecology report highlights the importance of the application site. Identifying several habitats of principal importance along with a number of Section 7 and UK BAP (Biodiversity Action Plan) habitats and species.*
- *The applicant's themselves also highlight the development proposed would encroach extensively into SINC and SINC potential designated land*
- *The site is near a locally designated nature conservation area.*
- *One of the species identified are dormice which receive full protection under The conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981*



- *Greater Crested Newts are also alleged to be present on site and they also benefit from a similarly high level of protection to the dormouse and it is a Species of Principal Importance for Conservation in Wales.*
- *The development if allowed would result in a large area of green space being consumed by development reducing the capacity to absorb pollution that would otherwise remain to the detriment of all residents animal and human.*
- *The developer's plans show green spaces but the site is already a green space that should not be destroyed.*

### Other Matters

- *If the development goes ahead, can it be guaranteed that the houses would be fit for purpose given the problems associated with modern housing being of substandard build quality, too small and overpriced with the added expense to buyers of additional leasehold costs?*
- *There is no need for the development*
- *The lives of existing residents will not be improved if the development is allowed.*
- *Development should be directed to northern and central RCT where it is needed not to Efail Isaf where it is not needed.*
- *The provision of 20% affordable housing is not needed*
- *No social housing exists in the area and allowing it would change the character of the village immeasurably.*
- *Efail Isaf does not have the transport links or amenities that users of social housing need.*
- *This is not an application for 350 dwellings but one for 700, which is what will happen with the introduction of a second phase of development.*
- *Promises by builders on other developments to provide a school have not been delivered upon.*
- *Allowing the development would deter residents from using the community path and rights of way reducing wellbeing.*
- *There will then be a consequent knock on effect to the local economy.*
- *Public open space and routes have no protection and should be designated village green and Public Rights of Way.*
- *Some of the supporting documentation is misleading e.g. the design and access statement in referencing terraced housing and Llantwit Fardre deliberately gives the impression that the site is urban in character when to residents it is a rural village. Similarly, pictures of Chandlers Reach are misleading as a description of the locality and in terms of its proximity to the site.*

- *The Council have already refused planning permission for a smaller development of 150 dwellings on the site (15/1386) in 2016 due to the unsustainability of the site contrary to Planning Policy Wales and Local development Plan Policy CS2*
- *Proposals are currently being prepared and ground testing taking place to develop the farm at Heol Ffrwd Philip which will link with the current proposals*

### Non Planning Matters

- *This is about money and other considerations fall by the wayside as long as the proposals would deliver increased income for the Council.*
- *Views across the site will be lost.*
- *Views of the wider countryside particularly from the community path would also be lost if the site is developed.*
- *Members are voted in by the people and they should make decisions having regard to the concerns of the people who voted for them.*
- *Nobody resident in the village or living near to it actually wants the development to take place.*
- *Faceless individuals with no connection to the area should not be allowed to destroy people's lives from a distance in the interests of making a profit and give nothing back in return.*
- *Do current politicians want to be remembered as those that put meeting so called targets ahead of health, wellbeing and beauty of our stunning landscape?*
- *Efail Isaf is a village, which is why residents pay a premium to live there.*

## **CONSULTATION**

Transportation Section – No objections subject to conditions and the developer entering into a S106 agreement to secure a £50,000 contribution towards a feasibility study, assessment and delivery of sustainable transport hierarchy as set out in PPW 10 and Active Travel (Wales) Act 2013 to encourage sustainable modes of travel.

Flood Risk Management – Raise no objections subject to conditions

Public Health & Protection – No objections subject to the inclusion of conditions relating to pollution control in its various forms being applied to any consent that might be issued.

Countryside – The landscape and visual appraisal supporting the current application is acceptable in terms of its content and conclusions in these areas of study. The green infrastructure parameter plan is also satisfactory but where possible the following amendments should be considered –

- Central woodland area retained with a minimum 15m buffer around the perimeter.
- 10m buffer from the eastern boundary SINC edge
- 6m native hedgerow planting
- 2/3m wide boundary hedgerow
- Zone of native scrub planting established through natural regeneration
- Natural landscape areas to offer more informal green space & Omit wildflower meadows.
- Attenuation ponds and basins to be sown down with artificial grass seed mix to stabilise the ground and enable colonisation by local native species.

Buffer works and protection measures need to be put in place before development commences and be suitably protected through the course of development. Management of these areas should be secured through the long term via a management agreement.

Education – Would require the land shown on the site illustrative layout plan for the provision of a school, and would need to agree with the developer details timescales and logistics for the land being made available for school development.

Natural Resources Wales – Raise no objections subject to conditions relating to ecology and land contamination being included in any consent that might be issued.

Dwr Cymru Welsh Water – Advise that a public sewer crosses the site, that an adequate water supply can be provided to the development and that sewer system, and treatment works have the capacity to deal with the proposed development. As such, no objections are raised to the proposed development subject to conditions.

Western Power Distribution – advise that should the developer require a new connection or service diversion the consent of WPD would be required.

Wales & West Utilities – Advise that they have no objections to the proposed development and that their apparatus may be at risk during construction works and therefore the developer is advised to discuss their proposal with

WWU before commencing development. WWU also advise with regard to the presence of their apparatus near the site and safe working practices to be adopted when working in proximity to it.

South Wales Fire & Rescue Service – Raise no objection to the proposed development subject to the developer ensuring adequate water supplies are provided on site for firefighting purposes and that the site is designed with adequate access for emergency fire fighting appliances.

Cwm Taf University Health Board – The air quality assessment has demonstrated that there is unlikely to be an adverse impact to local air quality with pollutant concentrations well within local air quality objectives. We have no grounds for objection based upon the public health considerations contained within the application.

We note that the proposed site is currently poorly served by public transport and acknowledge the proposal to divert the bus service through the proposed site. Whilst also increasing frequency. To minimise the burden on air quality and in line with PPW10, we would encourage measures to maximise all sustainable forms of transport for on site residents thereby meeting the sustainable transport hierarchy. The effectiveness and impact of the plan should be monitored and formally evaluated.

It is important that robust measures be put in place to reduce overall noise pollution from the site to create a soundscape that does not cause on site nuisance to residents.

In line with PPW10 it is a requirement that the development obtains approval from the sustainable drainage system (SuDS) approval body prior to construction. It is important that this is formally endorsed by planning conditions

The Coal Authority – Raise no objections to the development subject to appropriate account being taken of the underlying ground conditions in the development of the site.

Glamorgan Gwent Archaeological Trust – there is unlikely to be an archaeological restraint to the proposed development, and consequently, as the archaeological advisors to your Members, we have no objection to the positive determination of this application.

However, in regard to phase 2 of the development, it is possible that archaeological mitigation will be required in order to reduce the impact of the development upon the archaeological resource.

South Wales Police – Have no objection in principle to the proposed development and go on to advise with regard to detailed design, site permeability and meeting secured by design standards

Community Council – no observations received.

## **POLICY CONTEXT**

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

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

**Policy CS4** – Identifies the land required to meet housing need for the period of the Local Development Plan

**Policy CS5** – Affordable housing.

**Policy AW 1** – The policy outlines the methods followed to meet the housing land requirement of 14,385 units.

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

**Policy AW4** – indicates that planning obligations will be sought to make development proposals acceptable in land use planning terms.

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

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

**Policy AW7** – requires that development proposals which affect public rights of way should only be allowed where the loss can be replaced with an equivalent or greater provision in the immediate locality or the development enhances an existing facility.

**Policy AW8** – aims to protect the natural heritage of the County Borough by ensuring that proposals would not have an unacceptable impact on features of importance to landscape or nature conservation

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

**Policy AW14(2)** – aims to safeguard the sandstone resource within the County Borough.

**Policy SSA11** – requires development in the south of the County Borough to achieve a density of 35 dwellings per hectare unless material factors justify a lower density.

**Policy SSA12** – requires that 20% affordable housing be provided on sites of five or more units.

**Policy SSA 13** – Housing Development Within Settlement Boundaries – Gives criteria for suitable development within the defined settlement boundaries

**Policy SSA23(8)** – designates virtually the whole site as part of a wider special landscape area and seeks to ensure the highest design standards within them.

Paragraph 4.13 of the LDP states that topographical constraints mean that significant growth will be difficult to accommodate within the Town of Pontypridd. Land for residential development to accommodate the needs of the growing population of Pontypridd will be provided in the nearby settlements of Church Village, Llantwit Fardre, Treforest and Beddau.

### **Supplementary Planning Guidance**

- Design and Placemaking
- Delivering Design & Placemaking: Access, Circulation & Parking Requirements
- Planning Obligations
- Affordable Housing
- Employment Skills Training 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.

PPW 10 sets out the Welsh Government's current position on planning policy, which incorporates the objectives of the Well-being of Future Generations (Wales) Act 2015 into planning and puts the objective of placemaking at the heart of the planning decision making process

#### *Section 2- People and Places: Achieving Well-being through placemaking*

Paragraph 2.8 - Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales.

Paragraph 2.9 of PPW requires the planning system to adopt a placemaking approach to plan making, planning policy and decision taking.

Paragraph 2.10 sets out that the principle of sustainable development and the approach to decision making contained in the five ways of working are matters that the planning system can and must improve in. The identified 5 ways of working include collaboration, prevention, long term, involvement and integration.

Paragraph 2.13 sets out the 5 Key Planning Principles

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

Paragraph 2.15: 'The national sustainable placemaking outcomes... should be used to inform the preparation of development plans and the assessment of development proposals. The outcomes provide a framework which contains those factors which are considered to be the optimal outcome of development plans and individual developments. These outcomes, whilst highlighting the sustainable features of the place development plans and decisions help create, should be the starting point for plan makers and decision takers and be considered at the earliest **possible** opportunity'

Paragraph 2.20: 'Not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being. It is for developers and planning authorities to identify these opportunities and act upon them.'

### *Section 3 Strategic & Spatial Choices*

This section sets out the main considerations of appropriate locations of development and key design principles.

Paragraph 3.3 of Planning Policy Wales (PPW) emphasises good design is fundamental to creating sustainable places where people want to live, work and socialise. PPW defines good design as promoting sustainable means of transport; ensuring ease of access for all; sustaining or enhancing the local character; creating attractive and safe environments; and achieving efficient use and protection of natural resources. Section 4 of PPW defines 'active and social places' as those which promote social, economic, environmental and cultural well-being by providing well connected cohesive communities.

## *Section 4- Active and Social Places*

Paragraph 4.1.9 States that the planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- Make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Paragraph 4.1.10 requires that development proposals must seek to maximise accessibility by walking, cycling, and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

Paragraph 4.1.11 confirms that it is Welsh Government policy to require the use of a Sustainable Transport Hierarchy in relation to new development. The hierarchy should seek to minimise the need to travel, and then should prioritise walking and cycling, followed by public transport, and ultra-low emission vehicles ahead of other private motor vehicles.

Paragraph 4.1.12 stated that the sustainable transport hierarchy should be used to reduce the need to travel, prevent car dependent development in unsustainable locations and support the delivery of schemes located, designed and supported by infrastructure which prioritises access and movement by active and sustainable transport.

Paragraph 4.1.13 - the sustainable transport hierarchy must be a key principle in the preparation of development plans, including site allocations, and when considering and determining planning applications.

Paragraph 4.1.20 identifies that well integrated green infrastructure not only creates a pleasant environment but can also achieve a range of other benefits, including pollutant filtering, urban cooling, water management and habitat creation.

Paragraph 4.1.30 - Planning authorities must support active travel by ensuring new development is fully accessible by walking and cycling. The aim should be to create walkable neighbourhoods, where a range of facilities are within



walking distance of most residents, and the streets are safe, comfortable and enjoyable to walk and cycle.

Paragraph 4.1.32 – Planning authorities should also seek to assist in the completion of the national cycle network and key links to and from the network. These measures should, where appropriate be aligned with approaches to secure green infrastructure.

Paragraph 4.1.35 - The availability of public transport is an important part of ensuring a place is sustainable. It enables people to undertake medium and long journeys without being dependent on having access to a car. The planning system should facilitate this by locating development where there is, or can be, good access by public transport.

Paragraph 4.1.39 – The planning system should encourage and support the provision of ULEV charging points as part of new development.

Paragraph 4.2.15 - Planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing judged against the general objectives, scale and location of development required in the development plan.

### *Section 6 Distinctive and Natural places*

Paragraph 6.3.12 – Special Landscape Areas are non-statutory designations that define local areas of high landscape importance, which may be unique, exceptional or distinctive to the area.

Paragraph 6.4.5 – requires Local Planning Authorities to maintain and enhance biodiversity in the exercise of their functions... development should not cause any significant loss of habitat or population species , locally or nationally and must provide a net benefit for biodiversity.

Paragraph 6.4.9 – sets out the methodology for assessing the ecosystem resilience of a site which is to be maintained or enhanced post development.

Paragraph 6.4.20 sets out the need to give adequate protection to non-statutory designations such as Sites of Interest to Nature Conservation.

Paragraph 6.4.21 sets out a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.

Other relevant policy guidance consulted:

PPW Technical Advice Note 1: Joint Housing Land Availability Studies\*

PPW Technical Advice Note 2: Planning and Affordable Housing;

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 16: Sport Recreation and Open Space;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development

Manual for Streets

*\*(Note for Members: On 18 July 2018 Lesley Griffiths AC/AM (the former) Cabinet Secretary for Energy, Planning and Rural Affairs wrote to all Heads of Planning across Wales confirming, that with immediate effect, the dis-application of paragraph 6.2 of Technical Advice Note 1. She further confirmed in her letter that “it will be a matter for decision makers to determine the weight to be attributed to the need to increase housing land supply where an LPA has a shortfall in its housing land”).*

In a recent letter from the Chief Planner of the Planning Directorate of the Welsh Government the importance of biodiversity and ecosystem resilience was emphasised. The letter stresses that where biodiversity enhancement is not proposed as part of an application significant weight will be given to its absence and unless other significant material considerations indicate otherwise it will be necessary to refuse permission

## **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.

*(Note: Members are advised that as the current proposals are not fully in accord with the adopted Local Development Plan, if they are minded to support the recommendation to approve the current application, that it will*

*have to be referred to the Welsh Government under the requirements of paragraphs 16–18 of The Town & Country Planning (Notification) (Wales) Direction 2012.*

*Notwithstanding the above referral requirement, in addition Members are advised that Welsh Government have confirmed in a letter received in March 2019 that they have received a request/s to consider a call-in of the application. In such circumstances should Members resolve to grant outline planning permission the matter would need to be referred to WG. No permission could be issued until such time as WG confirmed they were content for the Council to do so).*

### **Main Issues:**

In considering the current planning application it is considered that the following represent the key determining factors in the decision making process as it relates to this planning application –

- The planning policy position and sustainability
- Planning policy and the principle of the proposed development
- Impact on the character and appearance of the area
- Impact on residential amenity and privacy
- Impact of the proposed development on access and highway safety
- Impact on ecology
- Impact on social and physical infrastructure

### **Planning Policy & Sustainability/Placemaking**

A fundamental principle of planning policy is that any planning application would be expected to accord with its compliance with the Local Development Plan which would demonstrate that it is in a sustainable location in association with existing settlements, communities, facilities and also sustainable transport opportunities. This would be in relation to physical proximity to existing settlements and the physical urban form of the extended settlement. This sits alongside the principle of 'Placemaking', which has evolved into the overarching national land use planning objective through PPW10, which has in turn filtered down from the Well-being of Future Generations (Wales) Act 2015 and the Planning Act in particular.

Paragraph 2.10 of PPW 10 sets out that the principle of sustainable development and the approach to decision making contained in the five ways of working are matters that the planning system can and must improve in. The

identified 5 ways of working include collaboration, prevention, long term, involvement and integration.

Paragraph 2.13 sets out the 5 Key Planning Principles

- Growing our economy in a sustainable manner;
- Making best use of resources;
- Facilitating accessible and healthy environments;
- Creating and sustaining communities;
- Maximising environmental protection and limiting environmental impact.

The site adjoins and is associated with the Local Development Plan identified Smaller Settlement of Efail Isaf. The village has some facilities, including limited local bus service, village shop, public house, village hall and chapel. The furthest of these facilities are less than a kilometre from the site, for the most part. Access to these facilities will be dependent on the final layout appropriately linking with the Public Right of Way that travels through the north east of the site to Heol Dowlais (along the track leading to Cwm Uchaf farm) and the roads and footways leading along Heol Dowlais into the centre of the village. These footways are not continuous and must be made so as part of any future approved development, the details of which should be submitted as part of any future Reserved Matters application. This requirement would ensure that a safe route exists from the site to the village shop, pub and community centre, whilst enabling existing residents of the village to walk to the site and the school and associated community uses there.

Further facilities are then available in the nearby settlement of Llantwit Fardre – through the underpass, or the footbridge over the Church Village bypass. There is a pub (The Ship Inn PH) approximately 500 metres from the site, a community centre and gym some 800 metres away, whilst the few shops (including a Tesco metro) and pub around the junction to the top of Crown Hill, are just over a kilometre away. Employment, public open space and education are otherwise lacking in Efail Isaf itself or in close proximity to this site.

The application seeks to address various elements of the sustainability credentials of the village, and consequently, the appropriateness of this development in expanding it. Firstly, land for a new primary school is proposed on the outer edge of the development and this can be secured through a Section 106 agreement. As stated above, the necessary safe and appropriate pedestrian link to this school between the existing village and the development must be provided. This would clearly have a positive influence on the sustainability of the village, not to mention the contribution that it would

also make to the placemaking agenda in the locality. However, no formal assurance is or can be provided at this stage that the school will be developed on the site, and can come forward alongside the development of the housing on the site as this will be a matter for the Council's Education Department and the priorities they have for education in the area. The applicants take the view that this is what the site delivers insofar as it can.

It needs to be fully agreed and ensured with the Council's Education Department that the school can be delivered on site. Community Infrastructure Levy (CIL) contributions will be provided from the development; these and other necessary funding need to be available to ensure delivery of the school.

The associated school playing field it is proposed will be made available for use by the community outside school hours, this would clearly contribute to the provisions of much needed formal recreational space facilities in the village, and contribute to placemaking and building sustainability within the village.

The potential sustainability of the development is enhanced by the proposal making potential provision for a local shop that will help to meet some of the day-to-day needs of the residents of the proposed development and those of existing residents. However, this is tempered somewhat by the conditional nature of the offer as described above. However, the existing village shop would benefit from greater usage if this shop was not to be forthcoming.

Furthermore, the design and access statement identifies a development approach which suggest the incorporation of considerable areas of informal public open space provision on the site, along with areas of more natural open space, including a small wooded area and wetland retained on the site. These would be a welcome addition within the housing development whilst the linked access routes would allow for use by existing residents in Efail Isaf.

The overriding sense is that residents of the expanded village would still have to travel out to meet the majority of their day-to-day employment and other needs, and that the local bus service is likely to be perceived as inadequate to provide an attractive alternative to private car use.

The applicant is suggesting that improved bus services are incorporated into Efail Isaf through this development. However, this can not be guaranteed or secured through this application and it is considered to be uncertain as to whether third party bus companies would invest in improved routes and frequencies through the area.

The Local Development Plan policy most associated with this aspect of the proposal is policy AW2, in relation to sustainable locations. Clearly, the proposal is contrary to criterion 1 of the policy in relation to its locations outside the settlement boundary.

With regards to criterion 2 (conflict with surrounding land uses), on one side, the residential development would not conflict with the residential village of Efail Isaf, nor overly so on the agricultural land to the south and east, which is separated from it by the disused railway line. There is a designated Site of Interest for Nature Conservation (SINC) bordering the south of the site, presenting ecological considerations associated with the suitability of the school and residential dwellings in close proximity to it (as illustrated on the current supporting illustrative detail see references to ecology and the Council's Ecologist elsewhere in this report). The north and west of the site is bordered by Heol Dowlais and the Church Village bypass beyond it. In this respect, the Council's Public Health and Protection Section and Public Health Wales are content that these highways would not have an unacceptable effect on the proposed uses on the site, regarding noise in accordance with TAN 11, and also with regard to air quality.

As there are currently limited public transport options serving Efail Isaf, which would not be fully in accordance with criterion 3 (accessibility by a range of sustainable transport options), of Policy AW2. However, and partly in line with the Sustainable Transport Hierarchy set out in PPW10, there are certain facilities in walking distance or cycling distance of the site (as set out above), and more so if the school, open space and improved access on Heol Dowlais are forthcoming under any future submission of reserved matters for the final development. In this respect there would be fair access to some key services and facilities, partly in line with criterion 4 (access to key services and facilities) of Policy AW2. The site is also well connected to the nearby Church Village cycle route, allowing access to Pontypridd and Llantrisant and also linking to the regional cycleway routes and network. The only part of policy AW2 that the current proposal contradicts is the requirement for development to take place within settlement limits. In this context, as a development on a greenfield site outside of settlement limits the proposals are clearly contrary to policy.

Criterion 5 of AW2 does not apply. In increasing the population of the village and providing further facilities, the proposals can be perceived to be supporting the roles and functions of Efail Isaf. Finally, the site is understood to be well related to existing infrastructure, in accordance with the remaining relevant criteria – see the comments of relevant statutory undertakers above.

It is therefore considered that although the site meets elements of policy AW2, and partly meets others, it is clearly contrary to another in that it is outside the settlement boundary.

Policy CS2 of the Local Development Plan seeks to achieve sustainable growth in the Southern Strategy Area, where the proposal is located. This is sought through *protecting the culture and identity of communities by focussing development within defined settlement boundaries and promoting the reuse of under used and previously developed land*. Again, the proposal is contrary to this relevant element of the core policy.

Giving consideration to all the above features of the site, and its local context, and the proposed additional features and facilities associated with the application, it is considered that the proposal aligns with a range of the principles of National Planning Policy as summarised above from sections 3 and 4 of PPW 10. This is would nevertheless be subject to that which is required to be submitted in detail at a future Reserved Matters stage. The proposal should subsequently meet many of the national sustainable placemaking outcomes, including;

- Creating and sustaining communities through providing necessary homes to meet societies' needs whilst providing and strengthening community based facilities and services.
- Growing our economy in a sustainable manner through providing necessary homes in close proximity to major existing and growing employment centres at Treforest Industrial Estate, Llantrisant and Pontypridd.
- Maximising environmental protection and limiting environmental impacts through ensuring that all such issues have been appropriately considered and proposals are acceptable in this regard.
- Facilitating accessible and healthy environments through incorporating accessible and high quality green space in the development layout of the site. This should ultimately promote physical and mental health and wellbeing for future residents and exiting residents of the village. The development will also support a diverse population, in a location with good connections to a wide variety of employment and social facilities.

However, again, it is recognised that there are some deficiencies concerning public transport options and consequently to access some of these wider employment opportunities in this manner, that the current planning application does not address.

Should the current planning application prove successful, any future detailed reserved matters application would need to be in accordance with further detailed PPW 10 guidance, and indeed the detailed design, access and placemaking policy contained (in particular) in policies AW5 and AW6 of the Local Development Plan.

### **Planning Policy and the Principle of the Proposed Development**

Members will note from the above that the proposed development produces a mixed response to the issues of sustainability and placemaking particularly when weighed against planning policy. There are though quite clearly other planning policy considerations that need to be evaluated and these are also key considerations in determining the acceptability or otherwise of the proposed development. However, it should be recognised that current planning policy it is not delivering housing for the County Borough in the manner or at the pace anticipated when these policies were adopted.

PPW 10 requires that *“planning authorities must ensure that sufficient land is genuinely available or will become available to provide a five-year supply of land for housing judged against the general objectives, scale and location of development required in the development plan.”* This is emphasised in Technical Advice Note 1, whilst also requiring that the calculation is determined in association with the formal Joint Housing Land Availability Study (JHLAS) process. Over recent years, Rhondda Cynon Taf has experienced that its housing land supply has fallen well below this necessary requirement, to as little as 1.3 years in the JHLAS for 2019.

Policies CS4 and AW1 of the Local Development Plan (LDP) state that in order to meet housing requirements, land must be made available in RCT to provide 14,385 new dwellings during the LDP plan period of 2006 - 2021. Both of these policies list criteria and methods on how this figure should be met, although none of these includes land outside the defined settlement boundary in the Southern Strategy Area for market housing.

For reference, as of April 2019, a significant 6,299 dwellings have been completed in Rhondda Cynon Taf since 2006, although this is clearly a sizeable shortfall from the required and expected figure. Indeed, in recent years there has been reduced housing delivery, from a high of 716 in 2016/17, to 552 in 2017/18, to 386 in 2018/19. The Local Development Plan is likely to have a substantial shortfall on housing delivery by the end of its life in 2021 given that to meet the stated target it would need to deliver a further 8086 homes in two years.



A major factor for the lower housing completions is that certain allocations in this area have not come forward as expected during this Local Development Plan (LDP) period to date. Foremost in this application area is the former Cwm Coking Works Strategic Site, which faces major physical and financial constraints in relation to its clearance and reclamation. In addition, the outline permission granted for circa 460 houses at the Cefn yr Hendy site has been complicated by an application by residents to have the site designated under Village Green status and this has delayed progress in delivery on the site. The Ridings site in Church Village has only partly come forward, albeit allocated in the LDP, for a number of reasons.

There remains a strong demand for new housing in this part of the county borough, and applications on non allocated sites outside the settlement boundary continue to forward. Furthermore, paragraph 4.13 of the LDP states that topographical constraints mean that significant growth will be difficult to accommodate within the Principal Town of Pontypridd... Land for residential development to accommodate the needs of the growing population of Pontypridd will be provided in the nearby settlements of Church Village, Llantwit Fardre, Treforest and Beddau.

As confirmed earlier in this report, in July 2018, Welsh Government executed the disapplication of paragraph 6.2 of TAN 1 to remove the reference to attaching considerable weight to the lack of a five-year housing land supply as a material consideration in determining planning applications. In the Cabinet Secretary's letter regarding the matter, she stated that local planning authorities should now determine the matter of how much weight should be attached to a lack of a five-year land supply.

Accordingly, given the low housing land supply in Rhondda Cynon Taf, aligned with the recent and forecast significantly reduced housing delivery and the continuing shortfall affecting both private and social housing, it is considered that the need to increase the housing supply carries considerable positive weight in the consideration of this planning application.

Members will no doubt be aware that Local Development Plan Policy SSA12 requires the provision of 20% affordable housing on sites of 5 hectares or greater. As this application is being promoted as a viable residential development aimed at addressing in part the housing land supply shortfall in the County Borough, this requirement must be strictly adhered to. The indication that the site would deliver up to 350 new houses would deliver approximately 70 affordable homes as part of the scheme.

Regarding Local Development Plan Policy AW14(2) which relates to the protection of the sandstone resource, that resource is already sterilized by

proximity to existing residential development and would form no basis for the refusal of the current application.

Compliance with policy will at least be incumbent upon the developer being able to demonstrate the following at the Reserved Matters application stage –

- That a site is made available for the school within the site to ensure the sustainability credentials of the development and to increase the general sustainability of the village.
- Safe and full and appropriate pedestrian links are provided within the development and into the village to ensure that access is provided to the facilities within the village and conversely, existing residents can safely walk to the school and its facilities and utilise the much needed, proposed open greenspaces in the development (of which there are few in the village now).
- Further consideration is given to increasing public transport within the village.
- Any future submissions demonstrating full deliverability of the site in terms of CIL and planning obligations, and within reduced time frames for the delivery of the development.
- Compliance with ecological requirements – policy AW8
- Compliance with requirements on noise and air pollution
- Development of the site at an appropriate density, policy SSA11
- General compliance with the requirements of policies AW5, AW6 and SSA23.

Matters pertinent to ecology, noise and air quality, density of development and the impact on the Special Landscape Area are dealt with under separate headings below

### **Impact on the character and appearance of the area**

The impact of the proposed development on the character and appearance of the site and wider area is difficult to fully evaluate at the outline application stage as the acceptability of the proposal in this context will depend on detailing to a large extent. From the detail that is available there is clearly some merit in the proposal in that it is contiguous with the existing built form of Efail Isaf and if appropriate detailing is applied at the Reserved Matters submission phase (should this proposal gain outline planning permission) it has the potential to become a well designed and logical addition to the village.

Whether or not it could become a coherent addition to the village will depend on the detailing and the relationship of the new dwellings with established

homes. Equally, to prove a good fit for the village embracing the comments of the countryside section relating to woodland maintenance and buffer zones will also be key in delivering a development that is sympathetic to the character and appearance of the area.

Members will note that the site lies wholly within the Efail Isaf, Garth and Nantgarw western slopes Special Landscape Area (SLA) and is designated as such by policy SSA23.8 of the Local Development Plan. The policy is not designed to prevent all development within a designated area; rather, it requires the highest standards of design be applied within the designated area. That said a major housing development of the size currently proposed constitutes something of a rare circumstance. The application site sits on the north western edge of the SLA occupying much lower ground than much of the rest of the designation. Contours show levels in the south of the site at approximately 80m whilst Garth Hill stands at 300m. The site rises from west to east such that the element of the site adjacent to the built development of Efail Isaf up to an elevation of 110m.

Whilst relatively low lying the site is open greenfield land and would be viewed as such, particularly by traffic using the Church Village bypass road. As such, any development of the site would be readily visible from that road which again emphasises the importance of achieving a quality design if the site is to be developed. Again here, compliance with the Design and Access Statement and the principles that it embodies will be fundamental to the delivery of a successful development if Member's are minded to support the planning application.

Other, longer distance views of the site established by the landscape and visual assessment submitted with the planning application reinforce the fact that the site occupies lower ground than other residential settlements nearby or in the wider backdrop.

Consequently, there is some substance in the argument that this particular part of the SLA is not as prominent and does not play such an important role in the wider context of this particular designation which extends as far as the Taff Valley edges above Treforest Industrial Estate. This view is supported by the Council's Landscape Architect who has raised no objection to the proposals, subject to appropriate detailing at the design stage (should this application prove successful). There are no grounds for opposing the current application on the basis of what policy SSA23.8 offers. As such whilst the development of the site might be considered an erosion of the SLA its impact is minor and would not carry sufficient weight to justify a refusal of the proposals as submitted.

### **Impact on residential amenity and privacy**

Given that this is an outline planning application, it is difficult to assess what the full impact of the development on residential amenity or privacy would be. However, the Design and Access Statement (DAS) and its related illustrative plans that accompany the current application strongly suggest that the site

could be developed in a manner where the impact of the proposals on existing dwellings would be acceptable in planning terms.

Objectors to the proposals have raised the issue that the Llantwit Fardre Air Quality Management Area was revoked in 2017 with a caution that indicated the need for continued vigilance to assess the impact of local urbanisation – claiming the development if allowed would jeopardise this position. The applicants, in support of their proposals, have submitted an Air Quality Assessment that has been independently vetted by the Council's Public Health & Protection team and by Public Health Wales. The Air Quality Assessment concludes that the resulting air quality effects of the proposed development are considered to be not significant overall, either in the immediate vicinity of the site or at some of the more distant areas referenced by objectors. The relevant consultees agree that the Air Quality Assessment has demonstrated that there is unlikely to be an adverse impact to local air quality with pollutant concentrations within air quality objectives. As such, the impact of the development is considered acceptable in the context of Policy AW10 insofar as it relates to the air quality issue.

A number of objectors have also indicated that traffic generated by the proposed development would adversely impact residential amenity. Whilst this has been claimed, no evidence has been produced to support such a stance. Whilst the development would increase traffic and trips in the immediate locality it has to be kept in mind that the application is supported with a full Transport Assessment that takes into account not just the proposed site but also the traffic flows from other committed sites in the locality. In that the Transport Assessment is deemed acceptable in terms of its impact on the highway network its subsidiary effect on residential amenity has to be deemed tolerable and as such, this issue would be compliant with Policy AW5 insofar as it relates to impacts on residential amenity

Noise and residential amenity – the applicants have submitted a noise assessment where the survey work is to be used as the basis to assess noise levels impinging on the proposed residential development as well as assessing noise impact on and from the proposed primary school. Subject to conditions the noise issue does not present a problem if the site is to be developed. Consequently there is no conflict with Local Development Plan Policy AW10 in this regard.

### **Access and highway safety**

Understandably, the impact of the proposed development on the highway network has been the subject of some concern for many objectors to the current proposal. However, the application is supported with a full Transport Assessment that in the view of the applicants demonstrate that the proposal has an acceptable impact on the highway network in terms of the extent of existing development and other development consented to. The Transport Assessment has been the subject of careful scrutiny by the Transportation Section and they have had full regard to the elements that relate to highways in other supporting documents such as the accompanying Planning

Statement. Though this is an outline planning application, details of the principal access points for development from Heol Dowlais are to be considered at this stage.

In considering the proposals the Transportation Section team have had particular regard to the following issues.

- Base traffic flow
- Trip generation
- Trip distribution
- Future traffic flows
- Committed development (including Base traffic flow
- Trip generation
- Trip distribution
- Future traffic flows
- Committed development (including Ystrad Barwig).
- Final future traffic flows
- Traffic Impact
- Accident analysis
- Access
- Internal road layout
- Parking provision]
- Sustainable modes of travel
- Safer routes to school/learner travel; and,
- Travel plan

Having given careful consideration to the content of the Transport Assessment the Transportation Section are of the view that subject to conditions the proposed development is acceptable in highway terms as any necessary improvements can be delivered through the highway improvements required by condition or through CIL.

## **Ecology**

The impact of the proposed development on the ecology of the site itself and the wider area has been a source of some concern for many people who have taken the trouble to comment on this planning application particularly with regard to protected species that are known to inhabit or use the locality. The applicants have been sensitive to the ecological concerns and the application when initially submitted was supported with the following documentation –

- Preliminary ecological appraisal
- Nature conservation management strategy
- Preliminary aboricultural assessment
- Precautionary dormouse mitigation strategy
- Water vole & otter survey
- Greater Crested Newt survey, and
- Bat activity report

As a result of further concerns expressed by both the Council's Ecologist and Natural Resources Wales further survey work has been undertaken with regard to bats, dormouse and Great Crested Newts.

With regard to the Greater Crested Newt further fieldwork and DNA surveys undertaken in 2019 concludes that they are not present at the site and the evidence now firmly points to the positive 2017 result being the product of water birds transferring DNA to the on site ponds rather than the newts actually being present

The onsite ponds are still regarded as being important for amphibians and the pond mitigation identified in the Design and Access Statement (DAS) and other supporting documentation remains a justified requirement.

Turning to the issue of bats and bat tree surveys, ground and where necessary climbing inspections have not recorded anything higher than low bat roost potential within trees on site. This too represents a robust conclusion and the bat assessment work is complete and represents a robust basis for any decision that might be made on the application insofar as it relates to this particular protected species.

Work relating to the dormouse potential for the site has been subject to extensive survey work as recently as September 2019. All work undertaken indicates that no evidence of dormouse presence within the proposed development site has been found and subject to conditions Natural Resources Wales regard this issue as having been adequately addressed.

Members will note that the Countryside Section in their observations have mentioned specific criteria that they would expect to be met for the proposed development to be acceptable. These are issues of detail that the developer would need to be aware of at the detailed design stage rather than matters of principle to be dealt with under this application. Further, the suite of suggested conditions below will along with the S106 agreement secure these issues at acceptable tolerances.

In October 2019 the Chief Planner of the Welsh Government Planning Directorate wrote to the Heads of Planning across Wales to remind them of their duty with regard to securing biodiversity enhancements. In that regard, it is appropriate to evaluate the current submission against paragraph 4.6.9 of PPW10.

It first has to be kept in mind that a considerable amount of work has been undertaken in evaluating the ecological worth of the application site. Members will note from the above that in terms of key species the application site can be adequately managed. Further, as for the most part the site is improved or semi improved agricultural land it has little ecological/biodiversity value other than at its fringes where there are mature trees and hedgerows. Hence, any loss would be minimal and the Design and Access Statement (DAS) and other supporting documentation clearly illustrates a capacity for recolonization post development that represents a net benefit for ecology/biodiversity.

Similarly Members will note the comments from the Countryside Section promoting the retention of woodland, hedgerow and ponds with enhancements and the creation of buffer zones all of which will aid the development of green/blue networks and linkages between habitats via a central spine of green infrastructure running through the site. As such, the proposals do not compromise the condition of local ecosystems; rather they facilitate the opportunity to build diversity through the retention and enhancement of important features and the creation of central green areas and ponds.

In supporting biodiversity the maintenance of connectivity between habitats is key. Whilst the site itself, other than in the areas mentioned above, is of relatively low ecological value areas around it do have higher value. As such, it is important that the development does not adversely affect these areas. The development of the site in the manner described in the Design and Access Statement (DAS) aims to maintain and enhance connectivity. This will be achieved by the creation of buffer zones and the central green areas, the retention and enhancement of hedgerows and the protection of woodland areas.

Whilst none of the application site benefits from any statutory or non-statutory designations in terms of ecology/biodiversity, the site can be protected from the adverse impacts of change and particularly climate change thereby helping to maintain biodiversity. Members should note that in addition to some demanding planning conditions relating to ecology, as part of the suite of Section 106 requirements a long-term habitat management plan is also required. Together these features will help to secure and enhance green infrastructure in the long term building ecosystem resilience in accordance with the requirements of the Environment Act (Wales) 2016 and facilitating social and economic resilience as per the aspirations of the Well-being of Future Generations (Wales) Act 2015.

### **Social & Physical Infrastructure**

Despite the claims made by objectors to the proposals, Dwr Cymru Welsh Water and the Council's own Flood Risk Management team have considered the issue of water supply and disposal and subject to conditions have not raised any concerns with regard to either issue in their consultation responses.

Regarding the issues surrounding the provision of health services in the area, Members are advised that the University Health Board have been consulted in respect of the current proposals and the full extent of their response is reported above. It is clear from the response that they are fully aware of the situation with regard to healthcare provision in the locality in terms of primary care services and the local hospitals. The University Health Board are not objecting to the proposals and are working with other parties towards resolving issues with regard to health care provision in the locality.

The primary schools that currently serve the catchment area have levels of surplus capacity less than the Welsh Government's recommended level of 10% to allow for flexibility for in year movement. There are also the potential housing developments that are currently being progressed in the vicinity of these schools that will inevitably take up any spare capacity within them. A new primary school is needed to accommodate the new school places that would be generated by this development.

The size of primary school required to cater for this and other local developments in the immediate area is a school of 240 total pupil places including nursery places. However, if a second phase to this development and other potential developments in the area come forward then the school would need to retain the capacity to expand to 360 spaces.

In addition, the recently approved school organisation proposals affecting the in catchment secondary school, requires an increase in the school capacity to facilitate a large sixth form provision which will open in September 2022. the proposed development will therefore also have an impact on the in catchment secondary school.

In conclusion, the requirement is that suitable land be allocated within the development site boundary for the construction of a new primary school to comply with BB99 it is anticipated that the school will be constructed by the Council through in part, income generated by CIL. Discussion with the developer pertaining to site design, timescales and access would be required before such detail could be finalised. Additionally CIL contributions will be required to improve and increase the capacity of the local secondary school.

The transfer of the land for the building of the school to the Council can be secured through the Section 106 agreement (see below) and the expectation is that construction costs will be met in part through Community Infrastructure Levy contributions.

On the issue of play area provision if Members are minded to support the current planning application then the requirement will be that the developer makes on site provision in accordance with adopted Supplementary Planning Guidance – Planning Obligations.

### **Other Issues:**

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

A number of residents have made reference to various other bodies of legislation, citing amongst others The Well-being of Future Generations (Wales) Act 2015 and The Environment (Wales) Act 2016, claiming that allowing the proposals would be contrary to their legislative requirements. The planning system by its very nature respects all legislation that influences it



and the rights of the individual whilst acting in the interest of the wider community. It is an intrinsic part of the decision-making process for the Council to assess the effects that a proposal will have on individuals, and weigh these against the wider public interest in determining whether a development should be allowed to proceed. The latest iteration of Planning Policy Wales was drafted to specifically incorporate the requirements of the Well-being of Future Generations (Wales) Act 2015 into planning. In carrying out this balancing exercise, the Council will of course wish to be satisfied that it has acted proportionately. In the present case, as detailed in this report, this has been considered and balanced those material considerations relevant to the application in making the recommendation to Committee.

A number of residents raise the issue that the development is not needed. No evidence is offered to support such a position and given the current housing land supply position in the County Borough and the latent demand for social housing in this area in particular, all the evidence is that new housing is very much needed.

The claim that the lives of existing residents would not be improved by the development is not evidenced and misses the point as the true test is whether the proposed development is acceptable in planning terms.

A number of objectors have referred to diverting development to the central and northern area of the County Borough where they believe it is needed. Given the housing land supply situation in the County Borough the fact of the matter is that new housing needs to come forward to meet demand in all parts of the County Borough including the southern part.

Objectors also claim that there is no need or requirement for the provision of 20% affordable housing within the development if it is consented to. No evidence is offered to support the claim. In reality under the current Local Housing Market Assessment the site falls within the Central Taf area where there is an identified net annual need for 94.86 new dwellings a year across all social housing tenure types, (i.e. general needs social rent, accessible social rent sheltered social rent and intermediate and low cost home ownership).

No evidence is offered to support the assertion that as no social housing exists in the area introducing it would alter the character of the village immeasurably. Generally, variety in home ownership options and a broader demographic are regarded as beneficial. In any event seeking to retain the homogeneity of a village can form no basis for the refusal of a planning application.

To suggest that Efail Isaf does not possess the transport links and amenities that users of social housing need presupposes that the writer knows what

they do. In this regard, Members attention is drawn to the comments above on sustainability which addresses the amenities available in Efail Isaf and the wider locality and those that the development of this site has the potential to deliver

Some objectors have suggested that this is an application for 700 rather than 350 dwellings as that is what will come with a second phase. The application as submitted is for up to 350 dwellings and should a second phase follow then it will fall to be determined on its own merits at that time.

The alleged failure of other developers on other sites to deliver promised schools are no basis for refusing the current planning application.

No evidence is offered to support the claim that the proposal would deter locals from using the community path. The development would on the whole improve accessibility by the improvements it would bring to the local footpath network and an increased population would in all likelihood increase the use of these facilities. This would improve the knock on effects to the local economy.

None of the current site is public open space or village green it is farmland and the proposals aim to incorporate the existing Public Right of Way network.

Criticism of the submitted Design and Access Statement is understandable, but it is not the purpose of that document to confine its commentary to the immediate environs around the application site and the vast majority of references are within the Llantwit Fardre Ward where the application site is located.

Planning application 15/1386 for 150 dwellings and a health centre at Cwm Uchaf Farm was not refused as the agent chose to withdraw the application in light of a recommendation to Committee that it should be refused

If ground testing is taking place on the farm at Heol Ffrwd Philip it has no bearing on the consideration of the planning application currently before Members

### **Non-Planning Issues**

As Members will note from the detail and issues considered and contained in this report this is a complex case where the issue of additional income from Council Tax or any other source is not material to the determination of the planning application.

The loss of a private view is not a material planning consideration and while the proposals would alter the view of the site from the community path this is not of itself a reason for refusing the planning application.

Members of the Committee will no doubt vote as they see fit having full regard to the planning considerations of the case.

Whether residents want the application or not is not a material planning consideration.

The fact that the applicant company is a national volume housebuilder is not material to the consideration of the planning application and to suggest that nothing would be given back in return overlooks the fact that the developer will be making land available for a school, the financial contribution that will be delivered via the Community Infrastructure Levy and the other benefits that the proposed Section 106 agreement will bring.

Delivering housing when there is a housing land supply shortage is one of the best ways to improve health and well being as it affords people the opportunity to live in modern homes where that opportunity might not otherwise be available to them.

Whether or not residents pay a premium to live somewhere is in itself debatable and is not a reason that can be raised opposing proposed development.

### **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 CIL liable under the CIL Regulations 2010 (as amended) As planning permission first permits development on the day of the final approval of the last of the reserved matters CIL is not payable at outline stage, but will be calculated for any reserved matters or full applications.

### **Section 106 Contributions / Planning Obligations**

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

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

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

The Welsh Government Development Management Manual and Welsh Office Circular 13/97 Planning Obligations provide 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**

- The provision of 20% affordable housing
- The transfer of land for the provision of the school to the Council
- Details of the provision, delivery and reporting of “in perpetuity” management and monitoring of the species, habitat and public open spaces, attenuation features, and areas of trees and scrub , in order to integrate ecological, drainage and landscape requirements into a single management delivery programme.
- Provision of play areas for management and maintenance in accordance with the Councils Supplementary Planning Guidance on planning obligations
- The agreement of an employment skills training plan

### **Conclusion**

In planning policy terms, the proposal is a departure from the adopted Local Development Plan (CS2, AW1, AW2.1 and SSA13) in that it proposes residential development outside the settlement boundary in the Southern Strategy Area. Clearly, enough evidence has been produced and subjected to sufficient scrutiny to determine that there are areas of policy where requirements are met e.g. highways, impacts on the landscape and character and appearance of the area, public health impacts etc. Similarly, the site scores well in the consideration of sustainability and the stated objective of

placemaking, although it is recognised that connectivity to the eastern part of Efail Isaf is not ideal.

A further positive influence in weighing the considerations that impact this planning application is the fact that Rhondda Cynon Taf has such a low short term housing land availability supply (1.3 years). This represents a considerable shortfall from the Local Development Plan's target for housing delivery, and is exacerbated by low and decreasing housing completions. It is considered significant weight should be given to this when balancing the policy arguments of developing outside the settlement boundary.

The situation relating to housing land supply being low is exacerbated by the fact that sites allocated for residential development in and around Llantwit Fardre have failed to come forward for development. Most notable of these is the Cwm Cokeworks and Colliery site that was expected to deliver up to 850 homes. This also weighs in favour of allowing the current proposals in the consideration of planning balance.

Considering all the elements of the proposal, it represents a reasonably sustainable development, in a reasonably sustainable location, in line with the aims of PPW 10 and relevant Local Development Plan policy. Although many day to day facilities are in reasonable walking distance, it is nonetheless acknowledged that there are deficiencies in public transport provision for access to wider employment opportunities. The assessment above illustrates the degree of compliance with planning policy at the local and national level upon which the following recommendation is made.

This planning application has raised a wide range of complex issues in its consideration and it is inevitable that an application of this size and complexity different elements will pull in different directions. The consequence is that any decision in the matter has to be made "on balance" and in this instance it is the view that the balance falls in favour of allowing the application

### **RECOMMENDATION: Approve**

1. Details of the access (other than the two principal access points consented to under this approval), appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

Any application for the approval of reserved matters shall be made to the Local Planning Authority not later than one year from the date of this

permission

The development shall be begun either before the expiration of three 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 whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

2. Before the submission of the application for the approval of reserved matters, a detailed site investigations report shall be submitted to and approved in writing by the Local Planning Authority. The report should be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that should be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development, hereby permitted, shall be carried out in accordance with the approved site investigations report.

Reason: The site may be unstable and as such, a stability report is required in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

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

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

4. Prior to the commencement of development, details for the provision of bat boxes (incorporated within the development scheme) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan

5. Before any works start on site, existing and proposed levels (including relevant sections) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect residential and visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

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

7. No dwelling shall be occupied until the drainage works have been completed in accordance with the approved plan

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

8. No development shall take place until a Species and Habitat Protection Plan for Construction has been submitted and approved in writing by the local planning authority. The plan shall include:

- a) An appropriate scale plan showing Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;
- c) A timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife and species could be harmed
- d) Details of specific species and habitat mitigation measures for key species including bats, birds, dormouse, badger, amphibians and reptiles,
- e) Details of wildlife sensitive lighting proposals
- f) Details of water pollution control measures
- g) An agreed scheme of progress reporting to the Council during the construction programme.

Persons responsible for:

- i) Compliance with legal consents relating to nature conservation;
- ii) Compliance with planning conditions relating to nature conservation (Ecological Clerk of Works);

- iii) Installation of physical protection measures and management during construction;
- iv) Implementation of sensitive working practices during construction;
- v) Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- vi) Specific species and Habitat Mitigation measures
- vii) Provision of training and information about the importance of the 'Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place until a Tree Management Plan for Construction has been submitted and approved in writing by the Local Planning Authority. The plan shall include
- a) An appropriate scale plan showing 'Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
  - b) Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction, and the maintenance of those features during construction;
  - c) Details of pre-construction tree management works.
  - d) Pre-construction reporting to the LPA with evidence that tree protection measures are in place, and a scheme of monitoring reporting to the LPA during construction.
  - e) Details of the persons responsible for compliance with all elements of the tree condition works.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the local planning authority'.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

10. No development shall take place until details of the Species, Habitat, Landscape, and Tree Mitigation Plan (to include the Public Open Space) has been submitted to and approved in writing by the Local Planning



Authority.

The Mitigation Plan shall include details ;

- i) Purpose, aim and objectives of the scheme;
- ii) A review of the plans ecological potential and constraints (ensuring integration with ecological and tree recommendations);
- iii) Details of the species, habitat and landscaping schemes, including;
  - a) species composition
  - b) Bat and Bird boxes on trees and bat and bird bricks and boxes on houses
  - c) source of material (all native planting to be of certified British provenance and no wildflower rich seeds to be used),
  - d) techniques and methods of vegetation establishment (natural restoration),
  - e) method statements for site preparation and establishment of target habitat features;
  - f) extent and location of proposed works;
  - g) invasive plant control
  - h) aftercare and long term management;
  - i) personnel responsible for the work;
  - j) timing of the works;
  - k) monitoring;
  - l) disposal of waste arising from the works;

All landscape works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason in the interests of maintaining and promoting biodiversity in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

11. No development shall take place until details of attenuation features have been submitted to and approved in writing by the Local Planning Authority, to include provision of pollution control measures and ecology/ marshy grassland mitigation.

All works shall be carried out in accordance with the approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason in the interests of preventing pollution and maintaining and promoting biodiversity in accordance with policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Notwithstanding the submitted plans full engineering design and details of

the new junction accesses off Heol Dowlais, including highway drainage, street lighting, signage road markings and longitudinal and cross sections and contoured junction plan of the tie in to Heol Dowlais, shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The junction design shall incorporate:-

- a) Southern access consisting of the junction of southern estate distributor road (bus route) with Heol Dowlais must incorporate 10m junction radii, 6.3m wide carriageway with 3m wide shared use pedestrian cycle paths each side of the carriageway.
- b) Northern access consisting of a state approach road with Heol Dowlais shall incorporate 6m junction radii, 5.5m carriageway with 2m wide footways on both sides of the carriageway
- c) Both junctions must be designed to provide and maintain 2.4m x 70m vision splays.

The approved details shall be fully implemented prior to the beneficial occupation of the first dwelling unless otherwise agreed in writing with the Local Planning Authority.

Reason To ensure the adequacy of the access to the proposed development in the interests of highway and pedestrian safety.

13. Notwithstanding the submitted plans, prior to the construction of the first dwelling, full engineering design and details of the proposed pedestrian/cycle links between the development site, Heol Dowlais and community route, as well as into the existing village centre of Efail Isaf, including details of vertical and horizontal alignment, widths, marking signage, street lighting, drainage and construction shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with a schedule to be submitted to and approved in writing by the Local planning Authority and all works shall be completed and available for use prior to the beneficial occupation of the 175<sup>th</sup> dwelling.

Reason: To ensure the adequacy of pedestrian and cycle access to the proposed development in the interests of highway and pedestrian safety and encouraging sustainable modes of travel.

14. No works other than site clearance, preparation and remediation works, shall take place on site until details of new bus stop facilities, including shelter, pole, raised bus border, kerbs and road markings together with uncontrolled crossing facilities to provide access across Heol Dowlais have been submitted to and approved in writing by the Local planning Authority.

The highway works shall be fully implemented in accordance with the approved engineering details prior to beneficial occupation of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure a reduction in road traffic and promotion of sustainable modes of travel in accordance with Planning Policy Wales 10 and Policy AW5 of the Rhondda Cynon Taf Local Development Plan and the safe location of facilities in the interests of highway safety.

15. Notwithstanding the submitted plans no works whatsoever shall commence on site until full engineering design and detail of the internal estate roads layout including traffic calming, footpath links cycle/footways, street lighting surface water drainage, and highway structures including longitudinal and cross sections, contoured highway plan and construction details have been submitted to and approved in writing by the Local Planning Authority. The internal highway infrastructure shall be as follows:-

- a) Distributor road (bus route) 6.3m carriageway, 10m junction radii 3m wide shared use cycle/footway on both sides. Distributor road must also provide a link between the site access and Heol Dowlais to facilitate provision of suitable routes for public transport.
- b) Approach road – 5.5m wide carriageway 6m junction radii, 2m wide footway on both sides.
- c) Cul De Sac (flexible material construction) – 5.5m wide carriageway, 6m junction radii, 2m wide footway on both sides.
- d) Cul De Sac (block paving/mews court) – 5.5m carriageway 2m wide footway to one side 1m wide hard margin to the other, road edge formed by paving sets providing 50mm upstand.
- e) Private shared access serving up to 5 dwellings – 4.5m wide shared surface as RCT standard details 102,103, with access formed as a vehicular crossover in accordance with RCCT standard detail 111.

The highway works shall be fully implemented in accordance with the approved engineering details prior to the first occupation of any dwelling that it is intended to serve.

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

16. Prior to the beneficial occupation of the first dwelling a safe route from the development site to each school which serves the catchment area shall be identified and assessed in accordance with Learner Travel requirements and any necessary mitigation measures to make the route available and

safe shall be fully implemented unless the local planning Authority gives its written consent to any variation. Such routes leading to the proposed school on the site from the existing village of Efail Isaf should also be identified and assessed. Routes to access local amenities and facilities in the village of Efail Isaf as well as Llantwit Fardre shall be identified and assessed in accordance with Active Travel (Wales) Guidance and any necessary mitigation measures fully provided for unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the availability of safe routes for children to walk to and from school and for users to safely access local amenities and facilities in accordance with planning policy and in the interests of the safety of all road users.

17. Parking provision shall be in accordance with the latest adopted supplementary planning guidance and parking spaces shall be constructed in permanent materials and retained for the purpose of parking only, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles are parked off the highway in the interests of highway safety.

18. HGV deliveries during the construction period shall take place via the A473/Heol Criegiau/Heol Dowlais unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

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

- a) the means of access to and egress from 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.
- h) a scheme to treat and remove suspended solids from surface water runoff during construction works
- i) the suppression of dust.
- j) Details of plant and equipment.
- k) Methods and types of ground compaction.
- l) Mitigation measures for the control of noise.
- m) Location of site compounds.
- n) Use of artificial lighting
- o) Measures to be used during the development to minimise environmental impact of the works.
- p) Construction Methods.
- q) Pollution protection measures with particular reference to runoff and silt

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

Reason: In the interests of the safety and free flow of traffic and the protection of water bodies wildlife and supporting habitat

21. The Developer shall provide the occupier of each dwelling with a Travel Plan/Welcome Pack which should contain the following:-

- (a) Bus/Train Service providers, their contact details, frequency of service, timetable, bus stops/train stations, current ticket costs and financial incentives to encourage use of public transport;
- (b) Park and Ride/Park and Share facilities and associated costs and restrictions on 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 ensure reduction of road traffic and promotion of sustainable modes of travel in accordance with the relevant National and Local Planning Policies.

22. .The development shall be carried out in accordance with the following approved plans:-

- a) Site Location Plan Drawing No: JPW0759-007 Rev D
- b) Northern access junction Drawing no: 17148.OS.108.01
- c) Southern access junction Drawing No: 17148.OS.108.02

Unless otherwise modified by other conditions of this consent.

The development shall be carried out in broad accordance with the design principles set out in the concept block plan drawing no:JPW0759-006 Rev K and the submitted design and access statement.

Reason: for the avoidance of doubt as to the approved plans.

23. The details to be submitted for approval pursuant to condition 1 shall be in accordance with the design principles, landscape strategy and development framework identified in the design and access statement supporting this application and illustrated in the following plans –

- a) Land use parameters plan drawing no.JPW0759-10 Rev: M
- b) Concept block plan drawing no. JPW0759-006 Rev: K
- c) Movement parameters plan drawing no. JPW0759-012
- d) Green infrastructure parameters plan drawing no. JPW0759-011

Compliance must be demonstrated through the submission of design statements accompanying any submission for the approval of reserved matters (whether in full or in a phased manner) which accord with the requirements of Technical Advice Note (TAN) 12 Design.

Reason: To ensure appropriate design throughout the development and to accord with Local Development Plan Policies AW5 & AW6 and Technical Advice Note (TAN) 12 Design.

24. The development hereby permitted shall not begin until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:

1. A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
2. A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority.
3. A written method statement for the remediation of contamination affecting the site

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

25. No dwelling, hereby permitted, shall not be occupied until the measures approved in the scheme (referred to in Condition 24) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority

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

26. If during development works any contamination is 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 the Local Planning Authority. The development shall not re-commence until the additional proposals have been agreed in writing by the Local Planning Authority.

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

27. Any topsoil (natural or manufactured), or subsoil, to be imported on to the site shall be assessed by a competent person for chemical and other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to the approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing with the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

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

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

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

29. The school and its associated playing fields and play areas shall be designed and constructed such that BS8233:2014 internal noise levels are achieved in all residential properties approved as part of the development.

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

30. The shop hereby approved shall have a net floor space of no more than 2000 square feet (185.6 square metres).

Reason: To define the extent of the consent hereby granted and to ensure compliance with Policy AW6 of the Rhondda Cynon Taf Local Development Plan.

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