



PLANNING & DEVELOPMENT COMMITTEE

7 JANUARY 2021

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0646/13 (GW)
APPLICANT: Mr T Danaher
DEVELOPMENT: Two split level 4 bed dwellings with garages and shared drive. Provision of foot path. (Outline) (Affecting Public Right of Way ANT/340/1)(Description amended. Amended plans and information received 5th October, 6th November and 9th November 2020).
LOCATION: LAND AT OTTERS BROOK , IVOR PARK, BRYNSADLER, PONTYCLUN, CF72 9BY
DATE REGISTERED: 09/11/2020
ELECTORAL DIVISION: Pontyclun

RECOMMENDATION: GRANT

REASONS: Previously a similar application for outline development (Ref: 20/0248) was refused for the reason that the access was considered unacceptable to serve two additional residential dwellings and the vehicular and pedestrian movements associated.

This proposal is the same, however it would provide a pavement link between Talygarn Drive and Ivor Park and as previously proposed an improved turning head for Ivor Park.

Objections from local residents detail the access is sub-standard and is too narrow for safe movement. The Council's Transportation Section recognise this, however as the application provides a betterment of improved highway facilities no objection is raised. Furthermore, the increased use of the sub-standard road, as a result of only 2 more dwellings, is considered would not be significant enough to reasonably require further improvements to be made.

In all other material planning considerations, the application would be acceptable.

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as three or more letters of objection have been received.

APPLICATION DETAILS

This re-submitted application seeks outline planning permission for two residential dwellings within the curtilage of Otters Brook, Ivor Park, Brynsadler. The development would involve the demolition of an existing garage. It also indicates the existing turning head would be increased in size in accordance with RCT Highway Design Guide Standards and a 2m wide pavement would be provided.

Previously application (20/0248/13), which included the above development, was refused for the following reason:

'The proposed access off Talygarn Drive and Ivor Park is considered unacceptable to serve two additional residential dwellings and vehicular and pedestrian movements associated with the residential dwellings due to its sub-standard width to facilitate satisfactory passing of 2 large vehicles, sub-standard turning areas, and missing footway links. In addition, the proposed intensification of use would be detrimental to highway safety and the free flow of traffic'.

This application is the same as previous, however it now includes the provision of a section of pavement to link Talygarn Drive and Ivor Park. It is noted this crosses the end of a Public Right of Way footpath that leads from High Street. The application is also supported by a Transport and Highways – Technical Note from Vectos and dated July 2020.

The application was made in outline with all matters reserved for future consideration. However, as the applicant is trying to overcome the objection with regard to the access, it has been agreed that these details are to be considered at this stage. In addition to the above an indicative site plan, elevations, sections and floorplans are provided.

The minimum/maximum parameters of the dwellings are as identified as follows:

Width:	10.3 – 11.8 metres
Depth:	9.5m to 10.5m for lower ground and first floor 12.5m to 14.5m for ground floor (including terrace)
Height:	10.87 – 11.87metres from lower ground floor 8.17 – 8.67 metres from ground floor level

SITE APPRAISAL

Otters Brook is a large, residential bungalow set within a substantial plot, immediately adjacent to the M4 motorway that is located to the south of the site.

The property is situated on sloping land at a higher level than the M4 Motorway that is approximately 50m from the dwelling and 15m from the boundary of the site.

Access to the site is gained via Talygarn Drive and Ivor Park.

PLANNING HISTORY

20/0248	Land at Otters Brook, Ivor Park, Brynsadler	Two split level 4 bed dwellings with garages and shared drive (Outline).	Refused 17/06/2020
19/5093	Land at Brynsadler	2 new split level dwellings on land associated with Otters Brook Lodge	Raise no objection 30/07/2019
18/0581	Otters Brook Trout Pools, Ivor Park, Brynsadler	New landscaped bund to the front of the property to form an acoustic screen (retrospective)	Granted 19/09/18
18/0222	As above	Extension of the existing dwelling through the creation of a new second floor and roof space, along with granny annexe at lower ground floor (internally linked) and associated hard and soft landscaping.	Granted 16/11/18
15/1629	As above	Block wall and fence as sound barrier to M4 motorway and filling in of small ponds with inert material	Granted 22/08/17
15/0776	As above	Block retaining wall and earth bund as sound barrier to M4 motorway	Refused 07/09/15
14/0582	As above	Landscape works to provide sound barrier to M4 motorway	Refused 17/07/14

12/0715	As above	Lawful Development Certificate for the continued use of residential dwelling	Granted 28/08/12
07/0393	Land adjoining Otters Brook, Talygarn	Infilling of former fishing pond with inert waste.	Refused 02/07/07
98/2797	As above	Alterations to provide pitched roof over veranda and erection of detached double garage	Granted 31/01/00
92/0866	Land being part of Otters Brook Trout Farm, Talygarn	Construction of two dwellings and demolition of existing double garage	Refused 15/01/93 Appeal Dismissed 29/09/93

PUBLICITY

The application has been advertised by direct neighbour notification and site notice. Ten letters of objection, including one from Pontyclun Community Council, have been received and the comments are summarised as follows:

- There have been a number of refusals at the site on highway safety grounds and therefore there should be a consistency in decision making and these should be taken into account.
- Access to the site is via a privately owned road, which is sub-standard. There are a number of highway safety issues including: sub-standard access roads, intensification of use, sub-standard carriageway widths, sub-standard footways, sub-standard turning circles, unsafe reversing movements taking place, creation of hazards detrimental to the safety of all highway users and the free flow of traffic, two large vehicles unable to pass each other and no proposals to widen the carriageway width.
- The provision of a footway link should not result in a “about turn” in the decision as the access, in particularly the road width, is still sub-standard.
- The latest RCT Highways assessment does not mention highway safety or the sub-standard nature of the access.
- Residents already have to park on the pavement to allow traffic to pass.
- Ivor Park is not adopted and maintenance is the responsibility of each property owner. The road may be damaged during construction.
- The development would have a negative impact upon the condition of the highway at Talygarn Drive also.
- The footway provision will cross land that I have used as a garden for 23 years. It would block access to my side gate and may damage water and sewerage

supplies to our property. It would also only link to the vehicle crossover, installed by 16 Talygarn Drive, rather than the Council footpath.

- It will have a detrimental impact on the public right of way. The application has not been advertised correctly in these terms.
- It would result in the overlooking of our property and loss of privacy.
- It would result in the loss of some trees. This will greatly increase noise nuisance from the nearby motorway.
- There is concern that the development including the changes to the turning head may impact upon neighbouring properties in terms of drainage and ground stability.
- Noise and Disturbance during construction would have an adverse impact upon neighbouring residents.
- Otters Brook is a large area of land, if development were allowed it would set a precedent for future development on this land.
- There is no evidence the appropriate certificate of ownership has been completed.
- It would have a detrimental effect on the value of my property.

CONSULTATION

Dŵr Cymru Welsh Water - No objection subject to standard conditions and advisory notes.

RCT Countryside Section - The garage to be demolished looks to be in good condition with no obvious holes/gaps that bats might access through. It is also simple structure, looks to be well used and lit by natural light. There look to be no opportunities for bats to get between a roof lining and tiles. No evidence of bat droppings can be seen in the photos provided. Based on the above, the bat potential is considered negligible and based on our bat survey protocol it would be unreasonable to require a bat survey. However, an appropriate bat informative should be appended to any planning permission. Some enhancement measures are required through bat/bird brick/box provision.

In terms of the adjacent trees, from the plans submitted, it appears that providing the building alignments don't extend very far beyond the curtilage of adjacent properties and that garden space does not involve lowering or raising levels within the root zones of the woodland to the north (which is part of Ivor Woods - SINC 97), then the impact on the woodland should be acceptable. A tree protection plan would be required by condition.

No objection raised with regard the impact on the Public Right of Way. Advice is provided on the need to apply for a temporary closure order for the period of construction that will affect the Public Right of Way and that planning permission does not authorise the interference with, obstruction, diversion, or stopping-up, of a public right of way.

RCT Flood Risk Management – No objection or recommendation for a condition in relation to surface water flood risk. I am satisfied that the developments surface water flood risk will be adequately managed by both the Building regulations and Schedule 3 of the Flood and Water Management Act 2010.

RCT Public Health & Protection – No objection subject to conditions in respect of demolition, noise, dust, waste and hours of operation and noise from the road are recommended.

RCT Transportation Section – The means of access to the proposed development via Talygarn Drive and Ivor Park is sub-standard in comparison to current standards and the proposal would intensify its use. However, the proposed development includes the provision of an improved turning area at the end of Ivor park and missing pedestrian footway links. The proposed improvements will offer a betterment to existing large vehicles using the streets and pedestrians walking along Ivor Park. On balance, the proposed development is considered acceptable, subject to the suggested conditions below.

Taff Ely Ramblers – No objection

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site lies within the settlement boundary for Pontyclun and is not allocated for a specific purpose.

Policy CS 2 – sets out the criteria for development in the Southern Strategy Area.

Policy AW 1 – sets out the criteria for new housing proposals.

Policy AW 2 – supports development in sustainable locations.

Policy AW 5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW 6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW 7- covers the protection and enhancement of the built environment and public rights of way.

Policy AW 8 - sets out criteria for the protection and enhancement of the natural environment.

Policy AW 10 – does not permit proposals where they could cause or result in a risk of unacceptable harm to health and/or safety.

Policy SSA 11 – details a minimum of 35 dwellings per hectare unless it can be justified as an exception.

Policy SSA 13 – identifies the criteria for assessment of development proposals within settlement boundaries.

Supplementary Planning Guidance

Design and Placemaking

Delivering design and Placemaking: Access, Circulation & Parking Requirements

Nature Conservation

National Guidance

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

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is not consistent with the key principles and requirements for placemaking set out in PPW; and is also not consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments. Other policy guidance considered:

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 18: Transport; and

PPW Technical Advice Note 23: Economic Development.

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.

Previously planning permission (20/0248) was refused solely on highway safety grounds. This application is the same as that application apart from the provision of a

footway link between Talygarn Drive and Ivor Park to attempt to overcome that objection.

Main Issues:

Principle of the proposed development

The application relates to the construction of two dwellings within a parcel of land currently forming part of an existing residential curtilage and within the settlement boundary identified in the Local Development Plan (LDP). Policies AW 1 and AW 2 of the LDP supports residential development in such locations. The proposed density is relatively low compared to that required by Policy SSA 11. However, taking into account the access and protection of the character of the rural fringe it would be acceptable. Therefore, the principle of residential development would be acceptable subject to consideration of the material planning considerations assessed below.

Access and Highway Safety

The access to Ivor Park is from Talygarn Drive and dwellings are arranged along one side. Talygarn Drive serves 16 dwellings and is adopted; however, Ivor Park is not adopted and serves 10 dwellings. From the consultation process it has been stated that the residents of Ivor Park are responsible for the maintenance of their road.

Many objections have been received, from the public consultation exercise, with regard to highway safety as detailed above. In summary, it is detailed that Ivor Park and Talygarn Drive are sub-standard and that the main issue is that Ivor Park is not wide enough for two vehicles to pass which results in highway safety issues. It is further detailed that the only difference to the previous application (20/0248) is the provision of the pavement link and this would not overcome the sub-standard nature of Ivor Park itself.

Consultation has been undertaken with the Council's Transportation Section with a view to assessing any potential impacts upon highway safety. In terms of the access they have responded as follows:

"The proposed development is located on land associated with Otters Brook Lodge, adjacent to the existing turning area on Ivor Park (a private residential street). Access to the publicly maintained highway network is via Talygarn Drive.

Talygarn Drive has a carriageway width of 4.8m with a 1.8m wide footway on its development side and a grass verge opposite. Talygarn Drive serves 15 no. dwellings and terminates at a sub-standard (to current standards) turning area before becoming a private residential street in the name of Ivor Park. There is a missing footway link approximately 14m in length between Talygarn Drive and Ivor Park.

Ivor Park is a private residential street with a carriageway width of 4.8m, a 1.6m wide footway on its development side and a verge opposite. Ivor Park terminates at a sub-standard (to current standards) turning area. Otters Brook Lodge is served off the turning area via a private access.

Submitted drawing no. "1302 Rev A" indicates that the proposed 2 no. residential dwellings would be served via the existing private access to Otters Brook Lodge. The drawing also shows that the existing turning area at the end of Ivor Park is to be improved and a 2.0m wide footway provided between the existing footway on Ivor Park and the proposed dwellings. The private drive is also to be widened to 5.5m across the site frontage.

The amended site location plan indicates that the missing footway link between Talygarn Drive and Ivor park is to be provided as part of the development. When considering the development is for 2 residential dwellings on an existing street, the provision of the improved turning area and missing pedestrian connectivity links is considered enough mitigation against the increased trip generation.

The proposed footway indicated on submitted drawing no. "1105 Rev A" is considered acceptable in principle. However, the drawing lacks enough detail regarding the construction of the footway. A suitably worded planning condition is suggested below accordingly."

The Council's Transportation Section further detail that a suitable level of parking can be provided on the site.

Members are advised that whilst the Council's Transportation Section consider the access is acceptable as proposed; further improvements such as widening the road to current adoptable standards would require significant works along the length of Ivor Park. The land required for the widening is outside the application site and contains a number of trees that form a larger buffer with the M4 to the south. Furthermore, the road, whilst sub-standard, already serves 10 dwellings and that an additional two dwellings would not intensify its use significantly enough to warrant the improvements. As such it is considered it would be unreasonable to require the applicant to do these works.

The new pavement link would cross the end of a Public Right of Way that links High Street to the division of Talygarn Drive and Ivor Park. An objection has also been raised as a result of the public consultation exercise that the area where the pavement would be, to the front of 16 Talygarn Drive, has been used as a garden and the grass maintained by them over a number of years, would block side access to the property and may damage services. It is however noted that this land is part of the adopted highway and no objection is raised by the Council's Transportation Section or Rights of Way Officer.

It has also been raised that Ivor Park is maintained by the residents and construction vehicles and further intensification would result in the existing residents having to pay for any damage as a result of the development. Whilst this is noted and appreciated no conditions have been suggested by the Council's Transportation Section in relation to this. Any damage caused to the highway by the developer and any necessary

permissions would form a private matter to be resolved between the developer and the landowners and would not warrant a refusal reason in the determination of this planning application.

In summing up, the means of access to the proposed development, via Talygarn Drive and Ivor Park, is sub-standard in comparison to current standards and the proposal would intensify its use. However, the proposed development includes the provision of an improved turning area at the end of Ivor Park and a missing pedestrian footway link between Talygarn Drive and Ivor Park. The Council's Transportation Section detail the proposed improvements will offer betterment to existing large vehicles using the streets and pedestrians walking along Ivor Park. Parking provision and the impact on the Public Right of Way would be acceptable. Furthermore, the development is only for 2 additional dwellings to the 10 that already use the sub-standard access and the increased use is not considered significant enough to reasonably require further improvements to be made. The objections of the residents are noted and appreciated, however, on balance, the proposed development is considered acceptable in these terms.

Impact on residential amenity and privacy

The proposal is the same as assessed in the previous application (20/0248) where it was considered acceptable in these terms. The following is taken from the report for that application:

“As the site is located within settlement limits, in a predominantly residential area, it is important to consider the potential impacts of the development upon the levels of amenity and privacy that existing neighbouring occupiers currently enjoy.

The illustrative layout demonstrates that the dwellings would be set back from Ivor Park similar to the existing dwellings along the road. Details as to the fenestration have been submitted and it is indicated that no windows or doors would be positioned within either of the side elevations, however, the application is for all matters reserved. Based on the indicative elevations provided it is considered that the dwellings of scale detailed could be constructed on the site without resulting in a loss of privacy to the occupiers of neighbouring properties.

Given the submitted scale parameters, it is noted that the proposed dwellings would have an overall footprint and height that would be larger than the neighbouring properties at Ivor Park. However, given the relationship of the site with neighbouring properties which are set at a comparative ground level and separated by a minimum of 9 metres, it is considered that dwellings of the scale proposed could be constructed on site without resulting in a significant impact upon the residential amenity of neighbouring properties.

However the layout, scale and fenestration details of the scheme are reserved for future consideration. This would allow the Council to reject any future scheme that would have an adverse impact upon the residential amenity and privacy of

neighbouring properties and their occupiers, and would ensure the development complies with Policy AW5 of the Rhondda Cynon Taf Local Development Plan”.

Further to the details above, it is noted the curtilage of Plot 1 would extend behind the rear of 9 Ivor Park Road. If allowed, it is considered this could result in a detrimental impact on the amenity of occupiers of that dwelling. A suitable sized curtilage, for Plot 1, could be created by restricting its size using the existing line of the side boundary of number 9 and extending it. As detailed below, this would also help protect the adjacent Site of Importance for Nature Conservation (SINC) and provide an area for biodiversity enhancements. It is considered these details would be necessary and reasonable and it is recommended they can be obtained by a suitably worded condition.

Impact on the character and appearance of the area

The proposal is the same as assessed in the previous application (20/0248) where it was considered acceptable in these terms. The following is taken from the report for that application:

“As an outline proposal the submitted plan, illustrating how the plot could be laid out, demonstrates that two dwellings could be accommodated within the site along with their associated access, parking, and amenity spaces. Therefore, it is not considered that the dwellings of the size proposed would result in overdevelopment of the plot.

Additionally, it is not considered that two dwellings in this location would be out of keeping with the area given that there are residential properties sited all along this side of the highway at Ivor Park. Therefore, the proposal is considered to be acceptable in this regard”.

Impact on Ecology and Biodiversity

The proposal is the same as assessed in the previous application (20/0248) however no assessment of these impacts was made at the time.

The site is within the settlement boundary; however, it is adjacent to a Site of Importance for Nature Conservation (SINC). Section 6 (para 6.4.5) of Planning Policy Wales states, *“Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity.”*

The Council’s Ecologist, as detailed above, doesn’t object, but would require a condition to obtain a tree protection plan and biodiversity enhancements. A bat informative note would also be required to be attached to any permission granted.

Further to this, it is noted the site goes behind the rear of 9 Ivor Park. It is recommended in the interests of protection of the adjacent SINC and biodiversity enhancements that a buffer is created. This would also help protect the amenity of

the occupiers of 9 Ivor Park. Details of this can be obtained by suitably worded conditions.

In addition, it was noted there may be some invasive species on the site. It is recommended a suitably worded informative note, to advise the applicant that they should be eradicated, would be prudent.

Other Issues

Public Health & Protection

With regard to the issues raised by the Public Health and Protection Section it is considered noise, dust and waste matters from construction activities can be more efficiently controlled by other legislation. An appropriate note can be added to any permission concerning dust issues.

The condition with regard the impact of noise from the M4 on the potential occupiers of the dwelling is noted and a condition is recommended.

Other Issues Raised by Objectors

The objectors raised concerns with regards to drainage at the site and impact on ground stability during the construction phase, the concerns are appreciated however issues such as these would be dealt with via a Sustainable Drainage Approval application and Building Control during the setting out and constructions phases.

Concern is raised with regards to disturbance during construction, it is acknowledged that any construction in this location would cause some degree of disturbance in terms of noise and increased usage of the highway at Ivor Park, however, any disturbance would be temporary during the construction phase and any excessive noise disturbance can be sufficiently controlled via separate Public Health legislation.

The residents also raise concern that allowing two dwellings in this location may set a precedent for allowing further dwellings within the large area of grounds surrounding Otters Brook Lodge. This point is noted, however this scheme relates solely to the construction of two dwellings at the application site and any future schemes would be assessed on their own merits.

Concerns have been raised with regard the advertising of the application. The application has been advertised by direct neighbour notification (including 16 Talygarn Drive and all properties on Ivor Park), site notice and relevant press notice. As such it is considered the correct advertising has been carried out.

Concerns have been raised with regards to whether the correct owner's notification have been issued and the correct owner's certificates signed. Land ownership within the red line area of the site includes the applicant, J & G Developments Limited, a dissolved company (the access) and RCT's highways land. As directed by the Council's Legal Officers the relevant owners have been notified and the relevant certificate signed and submitted.

The objection that the development would result in a detriment to property values is noted. However, this is not an issue that would warrant a refusal reason.

Community Infrastructure Levy (CIL) Liability

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

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 would be calculated for any future reserved matters or full applications.

Conclusion

The proposed development is considered to be compliant with the relevant policies of the Local Development Plan (Policies AW 1, AW 2, AW 5, AW 6, AW 7, AW 8, AW 10, SSA 11 and SSA 13).

The development would also contribute to national sustainable placemaking outcomes, identified in Planning Policy Wales, in the following areas: Makes best use of natural resources, would be accessible by active travel and public transport, has good connections, unlocks potential and regenerates and fosters economic activity.

RECOMMENDATION: Grant

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.

(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Section 92 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan no:

- Dwg no. 1001 Site Location Plan (Received 5th October 2020)

and documents received by the Local Planning Authority on 9th July and 9th November 2020 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. Notwithstanding the submitted plan, Dwg no. 1105 Rev A Proposed Highways Improvements (Received 6th November 2020), development shall not commence until details providing for the creation of the missing footway link between Talygarn Drive and Park Ivor have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented on site prior to beneficial occupation of any dwelling.

Reason: To provide improved pedestrian connectivity, in the interests of safety for all highway users in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

4. The existing turning area at the end of Ivor Park shall be improved in accordance with submitted drawing no. 1302 Proposed Site Plan (Received 9th July 2020) prior to the first beneficial occupation of any dwelling hereby approved.

Reason: To provide improved vehicular turning facilities and pedestrian connectivity, in the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

5. The means of access to the proposed development shall be constructed in permanent materials prior to beneficial occupation of any dwelling.

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

6. The off-street parking spaces, indicated on submitted drawing no. 1302 Proposed Site Plan (Received 9th July 2020), shall be constructed on site in permanent materials and, together with the proposed garages, shall remain for the purpose of vehicular parking only.

Reason: In the interests of highway safety in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: In the interests of the safety and free flow of traffic in accordance with Policy AW 5 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall commence until a scheme for protecting the future occupiers of the development hereby permitted from noise from M4 has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme prior to occupation of any of the dwellings hereby approved.

Reason: To protect the amenity of residents in accordance with Policy AW 10 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to development commencing, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting features and or nesting opportunities for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the designed purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- b) Materials and construction to ensure long lifespan of the feature/measure
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed and made available.
- e)

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales and Policy AW 8 of the Rhondda Cynon Taf Local Development Plan.

10. The details of layout and landscaping required to be submitted to and approved by the Local Planning Authority in accordance with Condition 1 above shall include:

- i). identification of the site curtilage of each dwelling to enable a buffer zone to the rear boundary of 9 Ivor Park and the adjacent Site of Importance to Nature Conservation.

- ii). a scheme for additional native species soft landscaping; and
- iii). indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will be visually attractive, to protect residential amenity and to provide biodiversity enhancement in accordance with Policies AW 5, AW 6 and AW 8 of the Rhondda Cynon Taf Local Development Plan

11. 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