

PLANNING & DEVELOPMENT COMMITTEE

20 OCTOBER 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/0855/16 (KL)
APPLICANT: CJC Estates Ltd
DEVELOPMENT: Application for reserved matters approval (appearance, landscaping, layout, access and scale) in respect of 15 dwellings and associated works.(pursuant to outline planning approval: 17/0195) (Amended Plans rec. 20/08/21) (Ecological Review rec. 24/03/22) (Amended Site Layout Plan rec. 30/05/22)
LOCATION: LAND TO THE REAR OF SION TERRACE, CROWN ROW, CWM-BACH, ABERDARE
DATE REGISTERED: 11/06/2021
ELECTORAL DIVISION: Cwmbach

RECOMMENDATION: Approve

REASONS:

The proposed dwellings are located within the defined settlement boundary and within an established residential area.

The dwellings are in accordance with the scope of the existing outline consent and the design and arrangement of the dwellings would be acceptable both in terms of their visual impact and with regard to the amenity of the closest neighbouring properties. The proposal would also not be detrimental to highway safety.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Approval of reserved matters is sought for the construction of 15 no. dwellings on land at the rear of Sion Terrace, Cwmbach. The application includes details of access, appearance, landscaping, layout and scale for consideration.

The proposed dwellings would be arranged around a new internal estate road with plots 1-3 being situated within the most central part of the site along the entrance road to the site, plots 4, 5 & 6 being situated behind 1-3 along the northern boundary and plots 7-15 being situated along the eastern boundary.

The development would comprise of the following house-types:

- **2 no. Aberdovey:** 3 bed semi-detached properties (DQR compliant).
- **2 no. Amroth:** 4 bed detached properties
- **2 no. Harlech:** 4 bed detached properties
- **4 no. Mumbles:** 4 bed detached properties
- **1 no. Pembroke:** 4 bed detached property
- **4 no. Pendine:** 4 bed detached properties

The palette of finishing materials for the dwellings would consist of a mixture of render, grey brick and red cladding, with blue black slate roof tiles, anthracite grey windows and doors (upvc and composite respectively).

All but one of the dwellings would benefit from on-plot parking with some also having either an integral or detached garage. The one dwelling without on-plot parking (plot 5) would benefit from off-street car parking spaces however, these would be positioned on the opposite side of the shared driveway which would serve that plot and plots 4, 6 & 7.

A 15m buffer has been left at the northern end of the site (to the rear of plots 4, 5 & 6) to protect the Ancient Semi-Natural Woodland (ASNW) to the north. A grasscrete footpath serving the buffer (to enable the long-term maintenance of the ecological mitigation areas) and also the attenuation area to the rear of plot 1 would extend from the shared driveway serving plots 4, 5,6 & 7 and alongside the western side boundary of plot 4.

In addition to the standard application forms and plans, the following supporting documents have also been submitted:

- Planning Statement
- Drainage Strategy
- Preliminary Ecology Assessment
- Ecological Review

SITE APPRAISAL

The application site relates to an irregular shaped parcel of land which is situated at the rear of existing residential properties in Sion Terrace to the south-west Bron Haul to the north-east. It measures approximately 0.62 hectares and slopes steeply from north-east to south-west. Access is provided off Sion Terrace. The site appears to have been recently cleared of all vegetation.

The surrounding area is predominantly residential in character with residential properties being located to the south-west and north-east. Cwmbach Church in Wales Primary School, a children's play area and amenity grassland lie to the east whilst an area of mature ancient woodland lies to the north-west.

Existing properties in the area predominantly comprise of two-storey terraced and semi-detached dwellings which are typically set back from the highway.

PLANNING HISTORY

21/0747	Land at the rear of Sion Terrace, Cwmbach	Variation of condition 1 of planning ref. 17/0195/13 to permit a period of a further 3 years for the submission of reserved matters (Ecological Review rec. 24/03/22)	Pending (S106 agreement)
19/1236	Land at the rear of Sion Terrace, Cwmbach	Outline application for 5 no. self-build plots with all matters reserved	Pending (S106 agreement)
17/0195	Land at the rear of Sion Terrace, Cwmbach	Outline planning application for residential development of approximately 15 dwellings, open space, landscaping, drainage features and associated infrastructure with all matters reserved except access.	Refuse 27/06/17 Allowed at Appeal: 15/06/18

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of a number of site notices in the vicinity of the site. Two letters of objection have been received and are summarised as follows:

- The access road in and out of the site is adjacent to existing dwellings.

- Crown Row is the only way in and out and is an extremely small residential road.
- The road cannot take an increase in traffic.
- The first part of the road is difficult to get through due to cars parked opposite residents' homes.
- Queries how large vehicles like diggers will access the road should the application go ahead.
- There should be another road that leads out at the top of the site which would take the strain and congestion away from Crown Row.
- Concerns raised with regards to surface water drainage as a result of the development.

The application was readvertised upon the receipt of amended plans (changes to the proposed layout of the site) however, no further letters were received.

CONSULTATION

Countryside, Ecology and Landscape: No objection

Flood Risk Management: No objection, condition recommended.

Highways and Transportation: No objection subject to conditions

Mid Glamorgan Fire Service: No objection

Natural Resources Wales: No objection

Public Health: No objection

Welsh Water: No objection, conditions and advisory notes recommended.

Western Power Distribution: Advises that a separate application to WPD will be required should a new connection or service alteration be required.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located within the defined settlement boundary and is not allocated for any specific purpose. The following policies are considered to be relevant to this application:

Policy CS1 – Development in the North: focus is on developing sustainable communities to support and reinforce the role of the Principle Town of Aberdare, achieved by providing high quality, affordable accommodation and ensuring the removal and remediation of under used and previously used land.

Policy CS4 – Housing Requirements: defines housing land requirements.

Policy CS5 – Affordable Housing: requires provision of affordable housing.

Policy AW1 – Supply of New Housing: sets out the means by which new housing will be delivered through the development plan.

Policy AW2 – Sustainable Locations: advises that development proposals on non-allocated sites will only be supported in sustainable locations.

Policy AW4 – Community Infrastructure & Planning Obligations: lists community infrastructure and planning obligation contributions which the Council may seek in respect of key settlements.

Policy AW5 – New Development: sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – Design and Placemaking: requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

Policy AW8 – Protection and Enhancement of the Natural Environment: sets out the criteria for the protection and enhancement of the natural environment.

Policy AW10 – Environmental Protection and Public Health: development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy NSA10 – Housing Density: reinforces housing density targets for residential development proposals, stating that proposals should be a minimum of 30 dwellings per hectare.

Policy NSA11 – Affordable Housing: seeks 10% affordable housing provision.

Policy NSA12 – Housing Development within and adjacent to Settlement Boundaries: gives criteria for development within settlement boundaries.

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it is in the process of being reviewed. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications until

replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

Supplementary Planning Guidance

Design and Placemaking
Affordable Housing
Nature Conservation
Planning Obligations
Access Circulation and Parking

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 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also 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.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment/Housing/Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability/Placemaking
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology

Other relevant policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing
PPW Technical Advice Note 12: Design
PPW Technical Advice Note 15: Development and Flood Risk

REASONS FOR REACHING THE RECOMMENDATION

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

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

Main Issues:

Planning History and Context

The current application seeks the approval of reserved matters, for appearance, landscaping, layout and scale for a residential development on land at the rear of Sion Terrace, Cwmbach. Whilst the outline application was originally refused by the Planning and Development Committee on 27th June 2017, it was later allowed at appeal on 15th June 2018. As such, the principle of the proposed development has already been established. The matter of the proposed access to the site was also considered to be acceptable, as was its impact upon the character and appearance of the site and surrounding area and impact upon amenity and privacy of surrounding residential properties.

A Unilateral Undertaking (S106 agreement) was submitted at appeal to ensure the provision of no less than 10% of the dwellings as three bed low cost housing units in the form of houses, and the provision of a public open space management plan which included the set-up, design and long-term management of the ecological mitigation areas.

Members may recall that a Section 73 application (ref. 21/0747) was recently reported to Committee (21st July 2022) which sought to extend the time period of the original outline consent for the reserved matters to be submitted. The application received a resolution to approve and is currently awaiting the conclusion of the Deed of Variation to the S106 agreement.

This current reserved matters application was submitted alongside the Section 73 application, and within the required timeframe of the original outline application. This application is therefore subsequent to the original consent rather than the Section 73 application.

The key considerations in determining the application are the impact of the detailed development on the character and appearance of the existing site and wider area and the potential impact upon the amenity and privacy of neighbouring properties. Highway safety is a further consideration when assessing the formation and configuration of the internal access roads and parking areas.

Character and Appearance

The site occupies a vacant parcel of land that lies beyond the rear of properties in Sion Terrace/Crown Row to the south-west and Bron Haul to the north-east. Access would be via the existing gap between nos. 6 & 7 Crown Row to the south-west with the internal access road leading north-west towards a turning head with two private shared driveways leading further to the north and south. The dwellings would be arranged around the internal access road and the private shared driveways, which would ensure that each dwelling has an active frontage with the road and which would ensure that the street is well overlooked. Furthermore, it is considered that the configuration of the road, private driveways and footpaths provide direct and legible routes to Sion Terrace/Crown Row.

The topography of the site is such that it slopes quite notably from north-west (Bron Haul) to south-east (Sion Terrace/Crown Row). As a result of this, the development would inevitably be visible from cross-valley viewpoint. However, the scale (height) of the dwellings and their positioning within the site would ensure that they would not appear out of context with the sloping nature of the surrounding area. Given the ground levels of the top end of the site, plots 7- 15 would be most prominent however, they would not project above existing properties in Bron Haul and would therefore not have a detrimental impact upon the sloping character of the surrounding area. Furthermore, the existing woodland that lies to the north and north-western boundaries of the site would help to screen plots 4, 5 and 6 whilst the newly landscaped area proposed (planting of native trees) at the rear of nos. 2 -6 Crown Row would help to reduce the overall visual prominence of plot 1.

The development itself would consist of a number of different house-types with the majority of these being detached. They would typically have a modern appearance with external materials consisting of render, grey brick and cedar cladding. Whilst the character of the immediate area is typically traditional terraced and semi-detached properties (Sion Terrace/Crown Row and Bron Haul respectively), there are numerous examples of detached properties in the wider area and it is considered that the detached properties at this development would add to the mix of property types available in the Cwmbach area. Furthermore, there is a variety of finishing materials visible in the immediate and wider area and whilst the dwellings would inevitably appear different to properties in the immediate and wider area in that they would have a more modern appearance, it is not considered that they would be unacceptable in visual terms.

Each dwelling would have a reasonable level of outdoor amenity space with adequate space in front of and between properties to ensure that a good degree of soft landscaping could be provided. This would help to soften the overall visual appearance of the development and help it to integrate successfully within the surrounding area.

Overall, it is considered that the proposed layout of the site and the scale and design of the proposed dwellings reasonably address the site constraints in terms of the topography of the site and the proposal is therefore considered to be acceptable in terms of the impact it would have upon the character and appearance of the site and surrounding area. The application would therefore comply with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

Residential Amenity and Privacy

Given that the site lies within an established residential area, it is important to consider the potential impact of the layout and scale of the proposed development upon the levels of amenity and privacy currently enjoyed by the occupiers of neighbouring residential properties. The nearest neighbouring properties to the site are considered to be nos. 1-7 Crown Row (to the south-west) and nos. 15-22 Bron Haul (to the north-west).

Due to the sloping topography of the surrounding area, existing properties in Crown Row are situated at a notably lower ground level to the application site. The application was originally submitted with plans which included 4 split-level properties backing onto 5 properties in Crown Row. Due to the three-storey nature of the rear elevations of those properties, and the fact that they contained large window openings and Juliet-style balconies, it was considered that the proposal would have had a significant overbearing and overlooking impact upon existing properties, which would have had an adverse and unacceptable impact upon the amenity and privacy of properties in Crown Row. These concerns were raised with the applicant and amended plans were subsequently submitted which propose an alternative layout.

The amended plans indicate that plot 1 would now be the only plot that would be situated in close proximity to the rear boundaries of Crown Row. Plot 1 would be situated to the rear of no. 6 with plots 2 & 3 being situated further uphill, beyond plot 1. There is still some concern that plot 1 would have an overbearing impact upon no. 6, particularly given that it would be situated approximately 9.7m away from its rear elevation and set at a much higher ground level; however, it would now be the side elevation of plot 1 that would face the rear elevation of no. 6 and with a hipped roof design and some degree of landscaping being provided along the western boundary, on balance, the impact is considered to be acceptable. Furthermore, being sited to the north-east of no. 6, plot 1 would not give rise to any overshadowing impact, nor would it result in any overlooking as no windows would be incorporated into the side elevation. As such, the concerns raised previously have been significantly reduced.

Plot 4 would be sited at the rear of no. 1 Crown Row however, a number of existing trees would be retained between the rear boundary of no. 1 and the side elevation of plot 4. Furthermore, the separation distance between these properties would be 21.5 metres with plot 4 incorporating a hipped roof design. As such, any impact of this plot upon no. 1 would be limited.

Plots 7-15 would be sited along the north-eastern boundary of the site, adjacent to the rear boundaries of nos. 15-22 Bron Haul. Whilst the proposed dwellings would be visible from the existing properties, they would be set at a notably lower ground level and would not give rise to any adverse overbearing or overshadowing impact. It is noted that the proposed dwellings would effectively directly face the existing dwellings however, there is a sufficient separation distance between elevations to ensure that the level of overlooking towards those dwellings would not be detrimental. Furthermore, any views from the existing dwellings towards the proposed dwellings would mostly be obscured by boundary fencing.

The distance between Plots 7-15 and properties in Crown Row below would also be in the region of 60-65 metres and it is not considered that this would result in any adverse overlooking or overbearing impact.

Furthermore, in terms of the amenity of the potential future occupiers of the proposed dwellings, there is sufficient distance between the dwellings to ensure that no adverse impact would occur.

The access to the site would be sited between two existing properties, nos. 6 & 7 Crown Row. There is potential that this would give rise to some additional noise and disturbance from vehicles and pedestrians entering/exiting the site however, given that the access would serve 15 properties, it is not considered that this impact would be significant enough to warrant the refusal of the application. Indeed, the access to the site and its use was considered to be acceptable in the appeal decision of the original outline consent with the number of vehicle movements to/from the site being considered as limited.

Access and Highway Safety

The application has been assessed by the Council's Highways and Transportation Section in order to determine the potential impact of the proposed development upon highway safety in the vicinity of the site. Whilst concern remains in this regard (as per the original outline application), it is accepted that the application was allowed at appeal and, as such, no objection is raised to the proposal, subject to a number of conditions being added to the consent. The comments received are summarised as follows:

Internal Access Road

The proposal would provide a 5.5 metre wide carriageway with 2 no. 2.0 metre wide footways and a standard turning facility which accords with RCTCBC Design Guide. This is therefore considered to be acceptable.

Two private shared accesses would be provided off the main estate road which are in accordance with the standard detail (102) of the Council's Design Guide. Minor concern is raised that the residents of Plots 12 & 13 may have to perform multiple manoeuvres to access/egress the parking spaces on the private shared access however, this is largely dependent on the type of vehicle owned.

Off-Street Car Parking

The parking proposed for each house-type is in accordance with the Council's SPG: Access, Circulation & Parking. Whilst no visitor parking spaces have been provided (3 required), there is potential for some degree of on-street car parking, should the need arise.

Other Issues:

Ecology

As indicated previously, this current reserved matters application was submitted alongside a Section 73 application, which sought to extend the time period for reserved matters to be submitted. In the assessment of that application, it became apparent that the site had been cleared some time between the approval of that application and the submission of the Section 73 and reserved matters applications. As a result, an Ecological Review was undertaken and submitted which found that the conditions within the site have inevitably changed since the original Ecology Survey undertaken in 2016 and a number of recommendations have therefore been made in respect of the Ancient Semi-Natural Woodland (ASNW) which lies to the north of the site, nesting birds, foraging and commuting bats, adequate protection of retained trees and treatment of Japanese Knotweed. The report has been reviewed by the Council's Ecologist who concurs with the recommendations and considers that the condition imposed upon the original consent is still relevant and appropriate. This has therefore been carried forward to this current application.

Furthermore, the original outline consent was subject to a S106 Agreement which secured the long-term ecological management of the site. The S106 Agreement included details of an annual work programme, monitoring, annual reporting to the Local Planning Authority and details of those responsible for delivering the plan and this was concluded under the terms of the original outline planning permission. Members will recall that the subsequent Section 73 application was approved at Committee, subject to a deed of variation to carry forward the previous S106 Agreement.

Other

All other issues (i.e. drainage etc.) have all been considered as part of the original outline consent and it is therefore not necessary to consider these issues further in this application. Any condition imposed on the outline consent will be carried forward in any grant of reserved matters.

Issues Raised by Objector

The proposal has drawn two objections from the public which predominantly relate to highway and drainage issues. Both of these issues were fully considered in the appeal decision of the outline consent. Members will note that neither the Council's Highways and Transportation or Flood Risk Management sections have raised any objection to the details of this proposal and, as such, it is not considered necessary to address these issues further.

Community Infrastructure Levy (CIL) Liability

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

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 as amended however, the application lies within Zone 1 of Rhondda Cynon Taf's Residential Charging Zones, where a nil charge is applicable and therefore no CIL is payable.

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 original outline application was subject to a Unilateral Undertaking which required the developer to provide:

- not less than 10% of the dwellings as three bed low cost housing units in the form of houses; and,
- a public open space management plan which included the set-up, design and long-term management of the ecological mitigation area.

The details were agreed and concluded under the terms of the previous outline planning permission. Furthermore, the applicant has confirmed that plots 9 & 10 (Aberdovey House types – three bed properties) would be DQR compliant and offered as low cost housing, in accordance with the S106 agreement.

Conclusion

It is considered the proposal would not have a significant impact on the character and appearance of the locality, harm the residential amenity of the surrounding neighbouring properties, or be detrimental to highway safety. Since the site is located within the settlement boundary and the submitted details are compliant with the scope of the outline consent, the application is considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: Approve

1. The development hereby permitted shall be carried out in accordance with the approved plans and documents unless otherwise to be approved and superseded by details required by any other condition attached to this consent:
 - Site Location Plan (Rec. 14/06/21)
 - Drawing No. 2166-002 Rev. O: Proposed Site Plan (Rec. 14/09/22)
 - Drawing No. 2166-006 Rev. C: Proposed Site Sections (Rec. 14/09/22)
 - Drawing No. 2166-019 Rev. A: Proposed Plot 01, Harlech House-Type Floor Plans (Rec. 19/10/21)
 - Drawing No. 2166-020 Rev. A: Proposed Plot 01, Harlech House-Type Elevations (Rec. 19/10/21)

- Drawing No. 2166-011 Rev. B: Proposed Plots 02, 03, 05, 09, Pendine House-Type, Elevations and Floor Plans (Rec. 05/10/21)
- Drawing No. 2166-017 Rev. B: Proposed Plots 04 & 06, Amroth House-Type, Floor Plans (Rec. 14/09/22)
- Drawing No. 2166-018 Rev. B: Proposed Plots 04 & 06, Amroth House-Type, Elevations (Rec.14/09/22)
- Drawing No. 2166-015 Rev. A: Proposed Plot 07, Harlech House-Type, Floor Plan (Rec. 05/10/21)
- Drawing No. 2166-016 Rev. A: Proposed Plot 07, Harlech House-Type, Elevations (Rec. 05/10/21)
- Drawing No. 2166-022: Proposed Plot 07, Detached garage, Elevation and Floor Plans (Rec. 02/11/21)
- Drawing No. 2166-012 Rev. C: Proposed Plot 08, Pembroke House Type, Elevations and Floor Plans (Rec. 05/10/21)
- Drawing No. 2166-010 Rev. B: Proposed Plots 10 & 11, Aberdovey House-Type, Elevation and Floor Plans (Rec. 05/10/21)
- Drawing No. 2166-025 Rev. A: Proposed Plots 12, 13, 14 &15, Mumbles House-Type, Floor Plans (Rec. 14/09/22)
- Drawing No. 2166-026 Rev. B: Proposed Plots 12, 13, 14 & 15, Mumbles House-Type, Elevation Plan (Rec. 14/09/22)

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

2. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 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.

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.

3. Prior to the construction of the dwellings hereby approved samples of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

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

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place until a Species, Tree 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 (including bat, nesting bird and reptile);
 - e) Details of wildlife sensitive lighting proposals;
 - f) Details of water pollution control measures;
 - g) Details of invasive plant control and removal;
 - h) Details of trees and hedgerow protection; and
 - i) 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 (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; and
- 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 in accordance with the approved details and timing of the plan.

Reason: In the interests of maintaining biodiversity in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan

6. Prior to the occupation of the dwellings hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the buildings are occupied.

Reason: To ensure the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 & AW 6 of the Rhondda Cynon Taf Local Development Plan.

7. Demolition or construction works shall not take place outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays or Public Holidays.

Reason: In the interests of the amenity and privacy of neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan

8. No development shall commence until a scheme has been submitted to and approved in writing by the local planning authority of 'intrusive site investigations' and shall include:

- a) A programme for the undertaking of that scheme of intrusive site investigations;
- b) The submission of a report of findings arising from the intrusive site investigations; and

- c) The submission of a scheme of remedial works for approval in writing by the local planning authority.

The remedial works shall be fully implemented prior to the development first being brought into beneficial use.

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.

9. Notwithstanding the submitted plans, no works whatsoever shall commence on site until full engineering design and details of the internal road layout, traffic calming, street lighting, surface water drainage and highway structures including longitudinal and cross sections 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 to the satisfaction of the local planning authority.

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

10. HGV's used as part of the development shall be restricted to 09:00 to 16.30 weekdays, 09:00 to 13:00 Saturdays with no deliveries on Sundays and Bank Holidays.

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

11. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the local planning authority to provide for:

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

The approved Construction Method Statement shall be adhered to throughout the development process.

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

12. 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; and
- e) 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 Planning Policy Wales and the Rhondda Cynon Taf Local Development Plan.