

## **PLANNING & DEVELOPMENT COMMITTEE**

**21 March 2024**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/1194/10 (GH)  
**APPLICANT:** RHA Wales  
**DEVELOPMENT:** Proposed development of 14 affordable dwellings, sustainable drainage, parking and associated works. (Revised site layout, soft landscaping proposals, Landscape Specification & Management Plan, Green Infrastructure Statement, Habitat Management Plan and Species Mitigation Strategy received 22nd February 2024)  
**LOCATION:** **SITE OF FORMER RHIWGARN COUNTY INFANTS SCHOOL, WAUN WEN, TREBANOG, PORTH, CF39 9LX**  
**DATE REGISTERED:** 22/02/2024  
**ELECTORAL DIVISION:** Cymer

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#### **RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW AND A SECTION 106 AGREEMENT**

**REASONS:** The development would make use of brownfield land at a sustainable location and within settlement limits.

The scale, design and layout of the development would be appropriate to the setting, would support the provision of new housing to meet local needs and, being located in a residential area, would be a sympathetic neighbouring land use.

No detriment to highway safety has been identified and the development has evidenced that it would be capable of delivering a biodiversity net benefit.

Therefore, the application has demonstrated compliance with Planning Policy Wales 12 and the Local Development Plan.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

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

#### **APPLICATION DETAILS**

Full planning consent is sought for the construction of fourteen dwellings on the site of the former Rhiwgarn Infant's School at Waun Wen, Trebanog.

The affordable housing development would provide the following accommodation:

- 2 x one-bed apartments (59.0 sqm)
- 4 x one-bed houses (59.2 sqm)
- 6 x two-bed houses Type 1 (88.7 sqm)
- 1 x two-bed house Type 2a (84.9 sqm)
- 1 x two-bed house Type 2b (84.9 sqm)

Each property would be provided with amenity space, either in the form of an enclosed garden or a terrace, together with storage and/or space for household waste and recycling.

The site would be accessed from Waun Wen to the east, with the dwellings arranged around the vehicular access and turning head within which fifteen parking spaces and soft landscaping would be laid out.

Due to the considerable fall in level to the west of the site, this area would remain undeveloped and maintained as a green landscape. For the benefit of residents, the area would be accessible by a series of steps and also accommodate a shallow-sided SuDS basin.

In addition to the plans and elevation drawings accompanying the application, the following supporting documents have been submitted:

- Preliminary Ecological Appraisal (PEA)
- Site Investigation Report
- Landscape Specification and Management Plan
- Design and Access Statement
- Travel Plan
- Transport Statement
- Pre-Application Consultation (PAC) Report
- Green Infrastructure Statement
- Habitat Management Plan
- Species Mitigation Strategy

## **SITE APPRAISAL**

The application site, which incorporates a surface area of around 0.59 hectares formerly accommodated Rhiwgarn Infants School. These comprised low level buildings of a 1950s/60s design together with associated parking play areas, and green space.

The site has since been cleared and on its eastern side now comprises areas of hardstanding and slab where the buildings once stood. This part of the site is roughly level with the adopted highway Waun Wen and nearby housing, from where pedestrian and vehicular access was gained.

Conversely, the western half of the site has not been previously developed, probably due to the very steep westerly fall down towards the dwellings which located on the A4233 Trebanog Road. This land is covered with dense scrub and a number of trees.

This site is both within the defined settlement boundary and part of a Registered Landscape of Outstanding Historic Interest in Wales. A small part of the site also falls within land designated as development high risk due to coal mining legacy, and includes areas identified as having the potential for contamination.

## **PLANNING HISTORY**

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

**22/5079/41:** Pre-application advice. Decision: 30/08/2022, Raise No Objection.

**22/0351/23:** Prior notification of demolition of former school buildings. Decision: 14/04/2022, Grant.

## **PUBLICITY**

The application has been advertised by direct notification to thirty-one neighbouring properties and notices were displayed on site.

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 31st October 2023 identifying that the proposal constitutes Major Development.

No letters of objection or representation have been received.

## **CONSULTATION**

### Highways and Transportation

No objection, subject to conditions relating to engineering design and a construction method statement.

### Flood Risk Management

No objection.

### Public Health and Protection

No objection. Conditions are recommended in respect of noise, dust, waste and lighting. However, these matters can either be dealt with under the scope of existing public health legislation or the Construction Method Statement sought by a separate condition.

Due to previous land uses Public Health and Protection has recommended a condition requiring the undertaking of a site investigation for contamination.

### Natural Resources Wales

No objection, subject to a condition for a CEMP.

### Dwr Cymru Welsh Water

No objection, subject to a condition regarding foul water and an informative note.

### National Grid

A new connection or service alteration will require a separate application to the National Grid.

### South Wales Fire and Rescue Service

No objection, noting the developer should also consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.

### Countryside Section – Ecologist

No objection, subject to a condition to ensure compliance with the submitted species and habitat plans and to ensure that neither *Prunus Laurocerasus* or *Alnus Cordata* are used as part of the soft landscaping scheme.

### The Coal Authority

The Coal Authority's Planning & Development Team notes the recommendations of the Site Investigation Report; that further investigations into possible shallow coal mining legacy are required, along with possible remedial measures, in order to ensure the safety and stability of the proposed development.

### South Wales Police

South Wales Police has been included in the design of this development since the concept stage. A number of discussions were held and changes made and it can be confirmed that the submitted planning application meets the relevant Secured By Design standards.

### Housing Strategy Team

The unit mix and tenure proposed are in accord with the Local Housing Market Assessment 2022/37, and this proposal satisfies Policy NSA11 of the adopted Local Development Plan.

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

## **POLICY CONTEXT**

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

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.

The application site lies within the settlement boundary for Trebanog

**Policy CS1** - Development in the North: sets out the strategy approach for the Northern Strategy Area of the County Borough. The focus of the strategy seeks to build strong, sustainable communities, including the provision of high quality affordable homes and the re-use of previously developed sites.

**Policy CS4** - Housing requirements: sets out the housing requirement figure for the plan period in sustainable locations, to include a combination of brownfield and greenfield sites.

**Policy CS5** - Affordable housing: identifies that there is a need to provide 1770 affordable housing units over the plan period.

**Policy AW1** - Sets out how the housing requirement figure will be met during the plan period. This will include the development of unallocated land within the settlement boundaries of smaller settlements and via the provision of affordable housing.

**Policy AW2** - Seeks to ensure that development is in sustainable locations. The policy sets out criteria which defines these locations, these include but are not limited to the following:

- Are within the defined settlement boundary.
- Would not unacceptably conflict with surrounding uses.
- Have good accessibility by a range of transport options.
- Have good access to key services and facilities.
- Support the roles and functions of the Principal towns and key settlements and smaller settlements.

**Policy AW4** - Notes that planning obligations may be sought to make development proposals acceptable in land use terms.

**Policy AW5** - Identifies the appropriate amenity and accessibility criteria for new development proposals; it expressly states that the scale, form and design of the development would have no unacceptable effect on the character and appearance of the site and the surrounding area. There should also be no significant impact upon the amenities of neighbouring occupiers and should, where appropriate, retain existing features of natural environmental value. Additionally, the development would require safe access to the highway network and provide parking in accordance with the Council's SPG.

**Policy AW6** - Supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Furthermore, proposals

must be designed to protect and enhance landscape and biodiversity by providing measures for mitigation and enhancement, where appropriate.

**Policy AW8** - Seeks to protect the natural environment from inappropriate development and that there would be no unacceptable impact upon the features of importance to landscape or nature conservation. Development proposals must be accompanied by appropriate ecological surveys and should demonstrate a net biodiversity gain.

**Policy AW10** - Aims to prevent development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability, flooding, pollution, or any other identified risk to local amenity and public health; unless it can be demonstrated that such risks can be overcome.

**Policy NSA10** - Housing density: permits proposals with the net residential density is a minimum of 30 dwellings per hectare but recognises that this may vary depending on the characteristics and specific context of a site.

**Policy NSA11** - Affordable housing: seeks the provision of at least 10% affordable housing on sites of 10 units or more, which might include on or off-site provision, or a financial contribution.

**Policy NSA12** - Requires housing development within the settlement boundary to be accessible to local services by a range of sustainable transport modes without adversely affecting the highway network or provision of car parking in the surrounding area. Any contamination or land stability issues must be remedied and developments should not adversely affect the provision of public open space.

### **Supplementary Planning Guidance**

- Design and Place-making
- Access, Circulation and Parking Requirements
- Affordable Housing
- Planning Obligations
- Nature Conservation
- Development of Flats

### **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 12 (PPW) was issued on 7th February 2024 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), WG's 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

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 2: Planning and Affordable Housing.  
PPW Technical Advice Note 5: Nature Conservation and Planning.  
PPW Technical Advice Note 12: Design.  
PPW Technical Advice Note 18: Transport.

Manual for Streets

## **REASONS FOR REACHING THE RECOMMENDATION**

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

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

### **Main Issues:**

#### **Principle of the proposed development**

The application site is located in the Northern Strategy Area, on land at the former Rhiwgarn Infants School, Waun Wen. The proposed development is for 100% affordable housing. The site is within the defined settlement boundary in accordance with LDP Policy NSA12.

Policy CS1 promotes the reuse of under used and previously developed land and buildings and the proposal also complies with national guidance, which promotes the redevelopment of previously used land in preference to Greenfield sites.

Likewise, the development of unallocated sites within the defined settlement boundary is supported by Policies AW1 and AW2, the former recognising that the delivery of new housing will be met, in part, by the development of windfall sites.

The minimum net residential density permitted by Policy NSA10 is 30 dwellings per hectare. The site is approximately 0.59 hectares, resulting in a net residential density of approximately 24 dwellings per hectare. Although this falls below the threshold set out by the policy, this is understandable, given that the western part of the site is constrained and not practically developable.

Since all of the dwellings would meet the definition of affordable homes, the minimum provision of 10% affordable housing required in order to comply with Policy NSA11 would easily be exceeded. The Council's Housing Strategy team has advised that the unit mix and tenure proposed are in accordance with the Local Housing Market Assessment.

The site is within the defined settlement boundary and in addition to the Rhiwgarn Stores immediately to the north of the site would be a short walking distance from a range of services and facilities within the small retail centre of Trebanog, The site would also be accessible by sustainable transport modes including bus, foot and bicycle, with the nearest train service being located at Porth.

In terms of Policy AW2 the foregoing means that the site can be considered a sustainable location and its development would be compatible with surrounding land uses.

With regard to the National Sustainable Placemaking Outcomes which are set out within Chapter 2 of PPW12, the development would make use of existing infrastructure and local services, whilst providing homes to meet local need at an appropriate density. In addition, the development would be of high quality, by virtue of it having to comply with DQR standards and has demonstrated that it could deliver a biodiversity net benefit.

In light of the above, the development would be considered acceptable in principle.

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

The proposed development would provide fourteen dwellings of a mostly conventional appearance, set around a new cul-de-sac, parking area and landscaping.

Elevations would comprise face brickwork under pitched and tiled roofs, and with the exception of plots 9 to 12 the properties would incorporate horizontal bandings of contrasting brick colours to the ground floor for visual interest. Given the elevation and exposed nature of the site, the use of brick is sensible solution rather than render.

All properties would be no greater than two-storey in height and being sited in five small clusters or pairs would therefore be comparable in form to the scale and massing of the existing development to the north and east.

Although the western, lower part of the site is undeveloped green space and would remain as such under the proposed housing development, that adjacent to Waun Wen is currently a combination of hardstanding and the slabs of the former school buildings.



These are set behind a scruffy wall, rusty gates and Heras fencing, all of which create a sense of dereliction.

The redevelopment of the site is therefore welcomed and it is considered that the proposed housing would contribute greatly to the enhancement of the street scene.

### **Impact on neighbouring occupiers**

The application site is located in a residential area where the proposed development would be sympathetic, in principle to the surrounding land uses. However, the key concern is understanding whether the new properties would have a detrimental impact on existing residents.

The distance between the opposing elevations of plots 1 to 6 varies between 16.2m and 19.1m. Although this is a little shorter than the 21m or so that would normally be sought, the need to make efficient use of the site and the limited developable area adds a constraint to how the new dwellings can be best laid out.

Furthermore, it is noted that the distance between opposing existing dwellings at the southern end of Waun Wen is only just over 16m. This is also similar to the pattern of development within the next street to the east, Pen Y Dre.

Since the new houses are of a similar spacing to others within the immediate area and the mutually opposing elevations are front to front, thus avoiding any direct overlooking of private rear gardens, the relationship can be considered to be acceptable.

To the north of the site Rhiwgarn Stores, which has residential accommodation above, occupies a position on lower ground at the junction of Rhiwgarn Road and Waun Wen. Some of the first floor windows within the rear elevation of the property would have skewed views towards the side elevation of Plot 1, part of which would only be 6.5m away.

Nevertheless, the side elevation of Plot 1 does not extend more than a couple of metres beyond that of Rhiwgarn Stores, so any impact to outlook is limited and Plot 1 has no windows within its side elevation.

With regard to other dwellings to the north-east at Rhiwgarn Road and Trebanog Road to the west, there would be a physical separation between opposing elevations of between 24m to 60m where either the distance or skewing between plots would not be expected to cause any amenity issues.

Lastly, in respect of future occupiers, the development has been designed to meet Welsh DQR standards where the level of accommodation, both internally and externally, could reasonably be considered to exceed those within the Council's relevant SPG. The site would be well landscaped, provide either private or communal gardens, in addition to the large green area to the west.

Consequently, the development is considered to be acceptable in terms of the privacy and amenity of existing and future residents.

## **Ecology, Biodiversity and Green Infrastructure**

NRW has advised that the source of the Nant Muchudd watercourse lies approximately 200m to the southeast of the site, which flows directly through the Rhos Tonyrefail SSSI.

Therefore, hydrological linkages between the development site and the Nant Muchudd might exist such that on-site pollution within the development site could reach and negatively impact part of the SSSI.

Due to the proximity of the site and the Nant Muchudd, NRW considers that a Construction Environmental Management Plan should be secured by condition in order to manage and control all onsite pollution sources (airborne or waterborne) during the development.

The Council's Ecologist has advised that the application is acceptable from a biodiversity perspective subject to a condition to ensure the development is carried out in accordance with the measures outlined in the Soft Landscaping Details, Green Infrastructure Statement, Species Mitigation Strategy and Habitat Management Plan.

## **Access and highway safety**

The application site is served from Waun Wen which is a residential cul-de-sac serving 16 dwellings and is sub-standard compared to current standards. The high on-street car parking demand along Waun Wen results in the carriageway being reduced to single width to accommodate it. There is an existing traffic regulation order (School Keep Clear markings) in place along the site frontage which requires revoking at the expense of the developer.

The proposed development is in excess of 5 dwellings and in accordance with Welsh Government advice and the RCTCBC Design Guide should be designed and built to an adoptable standard.

A satisfactory turning facility would accommodate service and delivery vehicles with access / egress out onto Waun Wen in forward gear and the junction radii have been increased to take into account the potential for existing residents to park opposite the proposed site access, which has been confirmed by Swept Path Analysis. Nonetheless, uncontrolled pedestrian crossing facilities would be required at the junction which are proposed to be conditioned as part of the engineering design and detail.

The relevant Supplementary Planning Guidance sets out that 1 or 2 bedroom houses require a maximum of 2 spaces and for flats a maximum requirement of 1 space per bedroom. The development would have a shortfall of 7 resident spaces.

However, taking into account that residents of social housing have lower levels of car ownership than privately owned or rented dwellings, the Council's Highways and Transportation Section has not raised an objection. It is also noted that a Travel plan has been provided and cycle stands would be erected on site.

TRICS data suggests that the proposed development will generate 9 to 12 peak hour vehicle movements. This equates to, on average, one additional movement every 5 minutes during the busiest times. The volume of traffic generation is not considered to be significant and will be much lower than that generated by the previous use of the site as a school. There are no highway safety concerns with regards the impact of the proposal in terms of capacity on the existing highway network.

## **Drainage**

Dwr Cymru Welsh Water (DCWW) has advised that it was previously informed of the proposed development during PAC consultation as a Specialist Consultee.

In addition, DCWW has confirmed that foul water flows can be accommodated in the public sewer system and acknowledges that the intention is to discharge the surface water via infiltration swale and geocellular soakaway. Capacity is currently available in the water supply system to accommodate the development.

The Council's Flood Risk Team has confirmed that the development would require an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB) and that the site does not fall within an area of surface water flood risk.

Furthermore, the submitted drainage strategy has demonstrated that surface water will be appropriately managed and disposed of on site. The strategy outlines discharge rates for the proposed layout and ensures the watercourse can cope with an increase in flows from site.

## **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.

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

### **The Section 106 requirements in this case**

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

Therefore, a S106 agreement will be required for the following:

- i) To ensure that the dwellings are established and maintained as affordable units, for the continued purpose of meeting identified local housing needs. Additionally, the reduced off-street parking provision, compared with the Council's SPG for Access, Circulation and Parking, has been considered acceptable on the basis that residents of social housing demonstrate lower levels of car ownership.
- ii) To secure an off-site recreation contribution of £14,000 (£1,000 per dwelling) to the upgrading of the existing play area at Henllys, in accordance with the Council's SPG for Planning Obligations.

### **Conclusion**

The proposed development would create an attractive housing development of mixed types which would help to address local needs, as set out within the Local Housing Market Assessment, and which would result in the regeneration of a redundant site.

The impact of the development upon the residential amenity of the surrounding neighbouring properties and existing residents would be considered to be acceptable and the scheme could be accessed safely without detriment to highway safety.

In addition, the development would provide a biodiversity net gain and appropriate consideration has been given to green infrastructure.

The application is therefore considered to align with the aims and policies of PPW 12, including the National Sustainable Placemaking Outcomes, and the Local Development Plan.

**RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW AND A SECTION 106 AGREEMENT:**

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

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

2. The development hereby approved shall be completed in accordance with the approved drawings and documents:

- Proposed Site Layout 4050-PEN-XX-XX-DR-A-1001-S0-P17
- Typical Boundary Details 4050-PEN-XX-00-DR-A-1005-S0-P4
- 1 Bedroom House Type 4050-PEN-ZZ-ZZ-DR-A-2000-S0-P2
- 2B 4P House Type 1 4050-PEN-ZZ-ZZ-DR-A-2100-S0-P2
- 2B 4P House Type 2a 4050-PEN-ZZ-ZZ-DR-A-2200-S0-P2
- 2B 4P House Type 2b 4050-PEN-ZZ-ZZ-DR-A-2250-S0-P2
- Walk-Up House Type 4050-PEN-ZZ-ZZ-DR-A-2300-S0-P2
- Proposed Street Scene and Sections 4050-PEN-ZZ-ZZ-DR-A-1200-S0-P4
- Detailed Soft Landscape Proposals TDA.2876.01 (Rev.D)
- Proposed Access and Refuse Lorry Tracking 1590-ACS-XX-ZZ-DR-T-009-B
- Landscape Specification & Management Plan - Updated February 2024 (Rev.A)

and details and documents received on 19th October 2023, 27th October 2023 and 22nd February 2024, unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall take place, including any works of site clearance, until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- Construction methods: details of materials, how waste generated will be managed.
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.

- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Traffic Management: details of site deliveries, plant on site, wheel wash facilities
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place, including any works of site clearance, until a scheme to deal with contamination affecting the application site area has been submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of an independent suitably qualified competent person and shall assess any contamination on the site, whether or not it originates on the site.

The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.:

(i) A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site which has identified:

- all previous uses,
- potential contaminants associated with those uses,
- a conceptual model of the site indicating sources, pathways and receptors,
- potentially unacceptable risks arising from contamination at the site.

(ii) An intrusive site investigation to assess the extent, scale and nature of contamination which may be present, and its implications to all receptors that may be affected, including those off site. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (i) above.

(iii) If required, a written method statement for the remediation of contamination affecting the site and justification for the preferred remedial option(s).

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

5. No development shall take place, other than site clearance, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority to provide for:
- a) the means of access into the site for all construction traffic,
  - b) the parking of vehicles of site operatives and visitors,
  - c) the management of vehicular and pedestrian traffic,
  - d) loading and unloading of plant and materials,
  - e) storage of plant and materials used in constructing the development,
  - f) wheel cleansing facilities,
  - g) the sheeting of lorries leaving the site,
  - h) hours of operation,
  - i) measures for the control of noise from demolition and construction,
  - j) site lighting during demolition and construction,
  - k) measures for the suppression of dust

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

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

6. No development shall take place, other than site clearance until full engineering design and details of the road layout including sections, uncontrolled crossing facilities, street lighting details and surface water drainage details, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

7. No development shall take place, other than site clearance, until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

8. No development shall take place, other than site clearance, until:
- i) a scheme of further intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and
  - ii) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out by or under the direction of an independent suitably qualified competent person.

Reason: To ensure that the site is safe and stable to accommodate the development, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place, other than site clearance, until details and design calculations of any retaining walls abutting the highway have been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details prior to beneficial occupation.

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

10. Prior to beneficial occupation any required remediation measures, approved in the scheme referred to in Condition 4, shall be implemented and a suitable validation report shall be submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by or under the direction of an independent suitably qualified competent person.

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

11. Prior to beneficial occupation a signed statement or declaration, prepared by an independent suitably qualified competent person, confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.



Reason: To ensure that the site is safe and stable to accommodate the development, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

12. Prior to beneficial occupation the parking and turning facilities, shall be laid out in accordance with the approved plans. The car parking spaces shall be surfaced in permanent material and remain for the parking of vehicles in association with the proposed thereafter.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. Prior to beneficial occupation and following the revocation of the existing Traffic Regulation Order, the 'School Keep Clear' markings along Waun Wen shall be removed

Reason: To ensure deliverability of Traffic Management measures and restrictions in the interests of highway safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. The development shall be carried out in accordance with the Landscape Specification and Management Plan (report by TDA, dated July 2023 and updated February 2024); Section 3 of the Habitat Management Plan (report by Wildwood Ecology, dated 22/02/2024); and Sections 4 and 5 of the Species Mitigation Strategy (report by Wildwood Ecology, dated 22/02/2024).

All planting, seeding or turving comprised in the approved plan 'Detailed Soft Landscape Proposals TDA.2876.01(Rev. D) 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.

Notwithstanding the above, *Prunus Laurocerasus* (Cherry Laurel) shall not be used and the 2no. *Alnus Cordata* shall be substituted with a Silver Birch and Rowan.

Reason: In the interest of biodiversity and the natural environment in accordance with PPW 12 and Policies AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

15. No surface water run-off from the proposed development shall discharge onto the public highway or connected to any highway drainage system.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

16. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by or under the direction of an independent suitably qualified competent person.

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