

## **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:** 23/1444/10 (KL)  
**APPLICANT:** CJC Estates Ltd and Trivallis  
**DEVELOPMENT:** Demolition of existing buildings and proposed development of 4 no. residential dwellings and 4 no. flats, landscaping, bat roost mitigation, bin store, bike store and associated works  
**LOCATION:** THE OLD SCHOOL, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0UT  
**DATE REGISTERED:** 08/01/2024  
**ELECTORAL DIVISION:** Aberdare West and Llwydcoed

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**RECOMMENDATION:** Approve, subject to S106 Agreement and conditions

**REASONS:** The proposed development would enable the re-use of a previously developed site, providing much-needed affordable housing within settlement limits and within a sustainable location.

The proposed layout of the site and the scale and design of the proposed dwellings would be acceptable in the context of the surrounding area and, given that the existing building has been vacant for some time, it would also bring an under-used site back into beneficial use.

The proposed use of the site for residential purposes is considered acceptable, given that the site is situated in an area that is almost entirely residential in character and it is not considered that the development would be detrimental to amenity or privacy of neighbouring properties.

Furthermore, the development would provide a betterment in terms of highway safety with the proposal improving the junction radii and vision splay at the junction between Merthyr Road and Corner House Street, and also with the road at Corner House Street being widened and a footway provided.

Consequently, the proposed development is considered to be acceptable in respect of the LDP and national planning policy framework.

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

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

## **APPLICATION DETAILS**

Full planning permission is sought for the construction of 4 no. residential dwellings and 4 no. flats on land currently occupied by The Old School on Merthyr Road, Llwydcoed. The proposal also includes details of landscaping, bat roost mitigation, bin stores, bike stores and other associated works.

The proposed development would result in the demolition of the existing building and the construction of 4 no. residential dwellings and 4 no. flats in its place.

Plots 1-6 would be arranged in a terrace of 4 properties which would front onto Merthyr Road whilst plots 7 & 8 would form a semi-detached pair fronting onto Corner House Street. All 8 properties would benefit from off-street car parking provision to the side (plots 1 & 2) or front elevations (plots 3-8) and private or shared amenity space to the rear.

The following dwelling types are proposed:

- Plots 1 & 2: Two bed dwellings.
- Plots 3-6: One bed self-contained flats.
- Plots 7 & 8: Three bed dwellings.

Externally, the proposed dwellings would be finished using a palette of materials consisting of render (Parex Mouse Grey) and grey brickwork with the roofs being covered in Cembrit Jutland blue black slates with clay angle ridge tiles. Windows and doors would be of uPVC and composite construction (in Anthracite Grey) respectively.

Each of the dwellings would have bin and bike storage facilities within their rear gardens whilst the flats would have shared bin and bike storage facilities within the shared outdoor space. Each unit would also benefit from an air source heat pump and solar panels to the rear roof slopes.

Plot 5 would further incorporate a bat roost building within its rear garden. The building would measure 4.4m in width by 6.4m in depth with a pitched roof design that would measure 4.4 metres in height to the ridge and 2.1m in height to the eaves. It would be of stone construction with a slate tile covering which would incorporate 2 no. lead bat access slates. A single access door would be incorporated within the side elevation for maintenance access.

In addition to the standard plans and application forms, the application is accompanied by the following supporting documents:

- Covering Letter
- Green Infrastructure Statement
- Bat Survey
- Arboricultural Report

## **SITE APPRAISAL**

The application site relates to a broadly rectangular shaped plot of land that is situated at the junction between Merthyr Road and Corner House Street in the village of Llwydcoed, Aberdare. It measures approximately 1400m<sup>2</sup> (0.14ha) and rises gradually in ground profile in a south-west to north-east direction.

The site is currently occupied by a former primary school building which is situated at the most central and northern parts, with two other detached outbuildings being located at the most southern and north-western corners. It is understood that the building was most recently occupied by a commercial business known as Tectonic International Ltd (Use Class B1) however, the building is currently vacant.

Vehicular access is provided directly off Merthyr Road at the north-western boundary whilst a secondary gated access is provided off Corner House Street at the north-eastern boundary.

The surrounding area is predominantly residential in character with a variety of different house styles and scales visible in the immediate vicinity. A war memorial park and Monument (Listed) is situated immediately adjacent to the southern boundary of the site.

## PLANNING HISTORY

The following planning applications are on record for this site:

23/1330	The Old School, Merthyr Road, Llwydcoed	Discharge of condition 15 (Historic Building Record) of planning permission ref. 19/1278/13	Pending
23/1069	The Old School, Merthyr Road, Llwydcoed	Application for reserved matters approval (appearance, landscaping, layout, access and scale) and discharge of conditions 3 (Tree Protection), 5 (Boundary Treatment Plan), 6 (Materials), 11 (Construction Method Statement) pursuant to outline planning permission ref: 19/1278/13	Granted 29/02/24
19/1278	The Old School, Merthyr Road, Llwydcoed	Outline application with all matters reserved for 5 residential dwellings (demolition of existing buildings) (Amended plan to include bat roost mitigation measures rec. 12/08/2020)	Granted 17/12/21

11/0988	Tectonic International Ltd. Merthyr Road, Llwydcoed	Proposed extensions and alterations to offices	Granted 09/11/11
10/0822	Tectonic International Ltd. Merthyr Road, Llwydcoed	Change of use from Class D1 to Class B1 to accommodate established business, repair & improvements to buildings for the provision of office space, software development, assembly/testing computers, light engineering (amended plans rec. 09/03/11, indicating access to site from Merthyr Road).	Granted 14/04/11

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification letters and through the erection of a number of site notices in the vicinity of the site. A total of 21 letters of objection have been received from 18 individuals which are summarised as follows:

### *Access/Parking:*

- Parking is already an issue in the area
- Additional houses and especially flats will create a problem for the street as there is not enough parking available for residents at the moment.
- Traffic is already an issue and the proposal would make things worse over time and accidents are more likely to happen with parents attending the nearby school.
- The junction is very dangerous and has limited visibility.
- High speed traffic along Merthyr Road is an issue and more cars to a family would be costly for the environment and our carbon footprint.
- We need to be mindful of pedestrians.
- Merthyr Road is an incredibly busy through-route and it is becoming increasingly busy as a result of the A465 road works.
- Access to and from existing houses on Merthyr Road is already problematic and dangerous.
- Additional driveways off Merthyr Road would increase danger.
- Corner House Street only allows for single lane traffic and is already busy with school traffic.
- Some 70 + vehicles traverse the street at peak school times.
- The previous business that occupied the site were refused use of the entrance in Corner House Street on safety grounds.

- The plan indicates a marginal improvement to the vision splay at the junction however this would be limited in view of the parking at the junction and the fact that both streets are exceptionally busy.
- The development has a potential for 12+ vehicles, plus any visitors, and falls far below the acceptable requirement as parking and turning spaces are limited.
- There is no on street parking available for the new properties.
- The flats are suitable for 2 occupants so there could easily be 2 cars to each flat however, only one space is allocated per flat.
- Merthyr Road is an ambulance route.
- Parking from the customers of the nearby pub is already an issue.
- Corner House Street has few pavements, none in most of it, and this amplifies the danger that extra vehicles and entrances into properties would present.
- Cars park on pavements which makes it dangerous for children to cross the road (photographic evidence has been provided).

#### *Character/Appearance:*

- The development is high-density and overdevelopment of the site.
- The development is not in-keeping with the current aesthetic/surrounding housing stock.
- The development includes a 6ft fence which is obtrusive and not in-keeping with the aesthetic of the area.
- The Old school is an historic building which should not be demolished as this will detract from the character of the building.
- The existing building has historical value and should be preserved.
- The development is not commensurate with design, style and detailing of the existing dwellings in the immediate area.
- Existing boundary treatment is either brickwork or stone.
- The development does not comply with Policy NSA10 as the number of proposed properties is more than double the density of properties stipulated.
- The development is not efficient use of land.
- The original plan (of the outline/reserved matters consents) were more in line with the village in terms of the amount of space between dwellings and in that the majority of the housing in the area is houses, not flats.

#### *Amenity and Privacy:*

- Concern is raised with lack of privacy for properties directly opposite the site.
- Additional on-street activity and noise from extra vehicles will be a disturbance.
- The development would decrease air quality given increased emissions from additional vehicles which will impact on children's quality of life.

#### *Sustainability:*

- Social housing on this site is not sustainable in terms of local transport.
- There is no train service to Llwydcoed Village.
- The local bus service is infrequent and is discontinued early into the evening.
- The local shop is a long walk with access via a steep hill.

### *Ecology:*

- Issue over highly protected species and local wildlife
- Concerns are raised with tree felling/pruning.

### *Tenure:*

- Concern is raised with regards to the proposed tenancy of the development, the potential for crime, anti-social behaviour, drinking and abuse and the impact this will have on the safety of school children and existing residents.
- There are already 2 estates in Llwydcoed which experience problems with tenants. There is no need for affordable housing in the area.
- The area is characterised by privately-owned dwellings which are large, executive houses. A development for affordable housing would therefore not be in-keeping with the area.
- The proposal may have designed out the opportunity for crime and anti-social behaviour however, the fact remains that the tenure of the dwellings proposed have an association with increased levels of insecurity.

### *Other:*

- We have historical cottages that need to be protected.
- The proposal would set a dangerous precedent for future development.
- This application should be refused in favour of the initial proposal for 5 private dwellings, which has already been granted planning permission.
- There is no objection to the development that currently has planning permission for 5 private dwellings.
- There have been several private developments within Llwydcoed over the last few years with no effort made by developers or the Council to integrate social housing into these developments.
- To go from zero social housing to 100% social housing doesn't echo the importance of inclusivity/social mobility or take into consideration current residents community/property values.
- Concern is raised in relation to noise and disturbance during construction.
- Failure to provide a bypass road for Llwydcoed means that Merthyr Road will have significant quantities of extra traffic in coming months and years.
- It is unclear what the plans are for the existing wall adjacent to no. 6 Corner House Street. It is requested that consultation be undertaken with the occupier as any change or removal of that wall would directly affect them.
- Confirmation is sought that no damage will be done to the neighbouring property in the event that the wall is removed or altered.
- Disruption by workmen should be kept to a minimum and they should respect the neighbouring property.
- Additional houses in the area will undoubtedly have further drain on resources in the area.
- A benefits analysis should be undertaken to review the impact of these new properties on the local community and to ensure that it would have a positive outcome.

- The demolition of the existing building will cause mess, noise and disruption to residents with heavy machinery involved which would be a major catastrophe and traffic problem.
- The development will devalue existing properties.
- A query is raised as to why the site cannot be use for the community.
- There are many vacant properties for sale in the locality, including properties built by the current developer. There is no need to increase properties in the area.

## **CONSULTATION**

The following consultation responses have been received:

**Ecology:** No objection, subject to S106 agreement, and condition.

**Flood Risk Management:** No objection, condition recommended.

**Glamorgan Gwent Ecological Trust:** No objection, condition recommended.

**Housing Strategy:** No objection.

**Highways and Transportation:** No objection, conditions recommended.

**Natural Resources Wales:** No objection, subject to S106 agreement, and condition.

**Public Health and Protection:** No objection, conditions recommended.

**South Wales Fire and Rescue:** No objection.

**South Wales Police:** No objection. Observations made in respect of Secured by Design.

**Welsh Water:** No objection, condition recommended.

## **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 achieved by providing high quality, affordable accommodation that promotes diversity in the residential market and ensuring the removal and remediation of under used and previously used land.

**Policy AW1 – Supply of New Housing:** sets out the means by which new housing will be delivered through the development plan, including the development of unallocated land within the defined settlement boundaries, the provision of affordable

housing and the development of land which accords with the requirement of Policy NSA10.

**Policy AW2 – Sustainable Locations:** advises that development proposals on non-allocated sites will only be supported in sustainable locations which includes sites within the defined settlement boundaries and which would have good access to key services and facilities as well as a range of public transport.

**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 AW7 – Protection and Enhancement of the Built Environment:** states that developments that impact upon sites of architectural and/or historical merit will only be permitted where the proposal would preserve or enhance the character and appearance of the site.

**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.

**Policy NSA10 – Housing Density:** requires residential development to have a net residential density of a minimum of 30 dwellings per hectare.

**Policy NSA11 – Affordable Housing:** developments of 10 residential units or more will be required to provide at least 10% affordable housing.

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

**Policy NSA 15 –Small Industrial and Business Sites:** requires development of small industrial and business sites (Use Class B1, B2 & B8) for alternative uses to be assessed in accordance with Policy AW11.

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 4<sup>th</sup> 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



4<sup>th</sup> 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 24<sup>th</sup> 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  
Development of Flats  
Employment Skills

### **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 7<sup>th</sup> 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), 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 5: Nature Conservation and Planning;  
PPW Technical Advice Note 12: Design;

## **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:**

#### **Application Background and History**

This application seeks full planning permission for the construction of 8 no. residential units on a parcel of land which is currently occupied by a former school building. The site was subject to an earlier outline permission for 5 no. detached dwellings (Planning ref. 19/1278/13) which was granted by the Planning and Development Committee in 2021, and the subsequent reserved matters application pursuant to the outline consent has also recently been approved.

The main differences between the two developments are primarily the number of units proposed and the scale/design of the proposed dwellings. The consented scheme is for 5 no. 'executive' style, detached dwellings with three fronting Merthyr Road and two fronting Corner House Street, whereas the current scheme proposes a total of 8 no. dwellings that would be arranged in a 'terrace' fronting Merthyr Road and a separate semi-detached pair fronting Corner House Street. Members will also note that this current scheme would be 100% social housing.

#### **Principle of the Proposed Development**

As indicated above, the application site already benefits from an extant consent for the construction of 5 no. detached dwellings. As such, the principle of developing the site for residential purposes has already been established.

The site is situated within settlement limits and within an established built-up area that is predominantly residential in character. The area benefits from key local services, which includes a primary school and a shop, and a bus stop is located in close proximity of the site, although it is noted that services appear to be limited to an hourly service which ceases around 18:45. Notwithstanding this, the service provides transport to the Principal Town of Aberdare and the nearby town Merthyr Tydfil, both of which provides onward travel to the wider area by bus or train. Furthermore, the site and its surrounding area is also conducive to travel on foot and bicycle, which together the above-mentioned services, would mean that the area can be considered a sustainable location.

It is noted that a number of objectors raise concern that the development is not compatible with the existing uses in the area however, the development proposes 8 no. residential dwellings in an area which is almost entirely characterised by residential properties. As such, there would be no conflict of use and, taking all of the above into consideration, the proposed development complies with the main sustainability objectives of Policy AW2 of the Rhondda Cynon Taff Local Development Plan.

Furthermore, the proposal is considered to be in line with Policies AW1 and NSA12 which both seek to direct residential development to areas and sites within settlement boundaries, although Policy NSA12 further stipulates that developments will only be permitted where they would not adversely affect the highway network or provision of parking in the surrounding area. Whilst it is noted that residents consider the development would have an adverse impact in this regard, the Council's Highways and Transportation section have not raised any objection to the proposal. This is discussed in greater detail in the *Access and Highway Safety* section below.

The development would also comply with Policy CS1 which promotes high-quality, affordable accommodation that would promote diversity in the residential market. The proposal includes two and three bed properties as well as one bed flats which have been designed in dialogue with the Council's Housing Strategy Team to help address the need for additional affordable housing within the Llwydcoed area. Comments from the Housing Strategy Team indicate that the unit mix and tenure proposed are in accordance with the Local Housing Market Assessment 2022/37. As such, whilst a number of objectors consider that there is no need for any affordable housing in the area, this is clearly not the case.

The site is most recently known to have been in use in the B1 use class and it is therefore considered to be a small business site. Policy NSA15 requires proposals for the development of small business sites (Use Classes B1, B2 & B8) for alternative uses to be in accordance with Policy AW11 however, this need not be applied if there is an overriding reason that would outweigh the loss of a small business site, i.e. the continued use of the premises for business purposes would cause undue disturbance to residential neighbours; or where access to the site does not meet an acceptable safety standard.

In the case of this application, the site is located at the junction between Merthyr Road and Corner House Street with the existing building being situated immediately adjacent to the north-western (Merthyr Road) and north-eastern (Corner House Street) boundaries. This causes visibility issues when exiting Corner House Street onto Merthyr Road and this, along with the lack of pedestrian footpath provision on the development side of Corner House Street, raise significant cause for concern in terms of highway safety. This concern is intensified by the fact that both Merthyr Road and Corner House Street and the connecting junction are well-used (and often at high speeds) with traffic traveling from the A465 Heads of the Valleys road to Aberdare and due to the location of Llwydcoed Primary School at the end of Corner House Street.

The proposal would result in the demolition of the existing building and the plans indicate that the site boundary would be set back to provide an improved vision splay at the junction and a pedestrian footway along Corner House Street. This would inevitably result in an improvement to what is clearly a sub-standard and well-used

junction and, given that no objection has been raised by the Council's Highways and Transportation section in this regard, it is therefore considered that the application would comply with Policy NSA15.

Consequently, given the recent history of the site and its sustainable location, the principle of developing the site for 8 no. residential (affordable) units is considered acceptable, subject to an assessment of the criteria set out in the subsequent sections below.

### **Access and Highway Safety**

A total of 18 residents have come forward with objections in relation to this proposal, all of which raise highway-related concerns. Whilst the concerns and objections are noted, the application has been assessed by the Council's Highways and Transportation Section and no objection has been raised in this regard. The comments received are summarised as follows:

#### *Access*

Merthyr Road has a carriageway width of 6.8m with 1.8m footways which is acceptable for safe vehicular and pedestrian movement. Corner House Street however, is sub-standard in terms of its junction radii and vision splay, and it is also lacking in continuous footway links which raises major cause for concern.

The application proposes to widen the carriageway to 4.8m which would enable safe two-way vehicular movement with 1.8m wide footways being provided for safe pedestrian movement. The junction radii would also be improved to 5.5m and the site boundary would be set back to provide a vision splay of 2.4m x 22m which is in accordance with the requirements for a 20mph road.

The development would result in limited additional traffic using Corner House Street (generated by two dwellings – plots 7 & 8) and with the improvements proposed which would benefit of all residents in terms of improving highway and pedestrian safety, the proposal is considered acceptable in this regard. A condition is recommended to secure full engineering design and details which has been added accordingly.

It is noted that plots 7 & 8 will result in reversing movements to and from Corner House Street however, this is typical of an unclassified residential street with limited additional traffic to that of the existing dwellings with similar car parking layouts along Corner House Street. As such, this does not raise significant enough concern to warrant a highway objection.

There are no concerns with regards to the capacity on the existing highway network given that planning permission has been granted for a development of 5 no. dwellings on the site. This proposal increases the number of units to 3 no. 1 bed units to that which has previously been agreed, which is not considered to be a significant increase.

#### *Parking*

The proposed dwellings would require the following parking provision to ensure compliance with the Council's Supplementary Planning Guidance - Access, Circulation and Parking:

- 4 no. 1 bed flats: 4 spaces (1 per unit)
- 2 no. 2 bed houses: 4 spaces (2 per house)
- 2 no. 3 bed houses: 6 spaces (3 per house)

The proposal provides for the following:

- 1 bed flats: 1 space per flat
- 2 bed houses: 2 spaces per house
- 3 bed houses: 2 spaces per house

The proposed parking provision for the 1 bed flats and 2 bed houses meets the requirements of the SPG, however, it is noted that the parking provision for the 3 bed houses is slightly below that recommended. Taking into account that the parking provision set out within the SPG are maximum standards, that the 3 bed houses are relatively small with the third room being a box (single) room, that secure cycle storage has been provided for all units and that the proposal is for social houses which generally has less car parking requirement and vehicular trips to that of a privately owned dwellings, the proposed off-street car parking provision is considered acceptable.

Whilst the proposal requires up-to a maximum of 2 no. visitor spaces, there is potential for short-term visitor parking to take place within the parking area on Merthyr Road and occasional on-street short-term parking.

### *Cycle Parking*

Each unit has a secure cycle stand within the rear gardens to promote sustainable modes of transport with less reliance placed on the private motor vehicle.

### *On-street Car Parking Demand*

Some concern is raised with regards to the existing high on-street car parking demand generated by the existing business use in the vicinity of the site blocking sight lines on Merthyr Road however, due to the additional access points from Merthyr Road, on-street car parking at this location would be restricted without causing obstruction. Furthermore, the proposed development complies with the Council's SPG for residential off-street car parking and will therefore not contribute to the existing high on-street parking demand within the vicinity.

In light of the comments received from the Council's Highways Officer, the proposal complies with the parking requirements set within the SPG with vehicles having the ability to turn and exit onto Merthyr Road in a forward gear. Furthermore, the proposal would improve the junction radii and vision splay at the junction between Merthyr Road and Cornerhouse Street and also the standard of the road at Corner House Street with the road being widened and a footway being provided in front of the site. As such, with the lack of a highway objection, the proposal is considered to be acceptable in terms

of the impact it would have upon highway and pedestrian safety in the vicinity of the site and the application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

## **Character and Appearance**

The application site relates to a rectangular shaped parcel of land which has a direct relationship with both Merthyr Road to the north-west and Corner House Street to the north-east. The proposal to develop the site with properties addressing both highways is therefore considered acceptable.

The dwellings would be arranged in two blocks, one forming a link of 4 no. units (2 no. units being sub-divided into two flats each) and the other forming a semi-detached pair. Whilst a number of objections have been received from local residents which raise concern that this would not be in-keeping with the surrounding area, it is noted from an assessment of the immediate and wider locality that existing properties vary greatly in terms of their scale and design with larger-than-average detached and smaller terraced/semi-detached properties visible in both Merthyr Road and Corner House Street, and within the wider area. As such, the scale of the dwellings and the layout of the site would not appear at odds with the surrounding area. Furthermore, and as with the majority of existing properties in the surrounding area, the proposed dwellings would be set back from both Merthyr Road and Corner House Street, which would help to ensure that the open nature of the streets would be retained. They would also incorporate traditional pitched roof designs which would be in-keeping with the pitched roof designs visible in the immediate vicinity. The proposed dwellings fronting onto Merthyr Road (plots 1-6) would also be designed to reflect the gradual slope of Merthyr Road and the 'stepping down' of other properties in the area and, as such, it is considered that the general layout and design of the proposed scheme is in context with the existing pattern of development visible in the surrounding area. Furthermore, there is a great mix of finishing materials visible in the immediate and wider area and it is not considered that the proposed materials of facing brickwork and/or render and slate roof tiles would adversely affect the character of the area.

Whilst a number of objections suggest that the development would result in overdevelopment of the plot, the proposed site layout plan demonstrates that sufficient space is retained around the proposed properties to allow for sufficient off-street car parking and outdoor amenity space for each unit. As mentioned above, the properties are set back from their respective highways which would retain the open feel of the relevant street scenes, and which would allow for a comprehensive landscaping scheme to be implemented to ensure that the development integrates well within its setting.

Residents raise further concern that the development would provide a significantly greater residential density to that stipulated in Policy NSA10 however, it must be noted that that policy sets a **minimum** requirement of 30 dwellings per hectare and a greater density could therefore be considered acceptable. Whilst it is noted that the proposal would provide for a net residential density of approximately 61.5 dwellings per hectare which is double that stipulated in the policy, as indicated above, it is not considered that the development would be out of context with the character of the surrounding area, particularly when taking into account the terraced design of numerous properties

in the immediate vicinity which inevitably have a similar density to that proposed. Indeed, it is noted that the net residential density of the properties immediately to the north-east of the site on Merthyr Road (from the former Corner House Inn to no. 14. Merthyr Road) is approximately 69 dwellings per hectare which is greater than the density proposed in the current scheme. As such, the proposed density is considered to be acceptable in terms of Policy NSA10 and it is not considered that it would detract from the character and appearance of the surrounding area. Furthermore, it is considered that the development provides for efficient use of the land available.

One objection indicates that there are no flats in the surrounding area and whilst that might be the case, it does not necessarily mean that the provision of flats in the area would not be acceptable. As indicated above, the proposed flats would be contained within two units which would be of a two-storey scale and which would largely have the appearance of a standard residential unit, albeit with the provision of two entrance doors within the front elevation. The provision of two doors within the front elevation, whilst different to the general layout/appearance of other properties in the area, would not be sufficient to warrant the refusal of the application.

Whilst it is noted that the existing building is of some architectural/historical merit and its demolition would indeed be regrettable, the building is not a Listed Building, and it could potentially be demolished regardless of the outcome of this application (subject to the necessary submission of a prior approval application and prior to obtaining any necessary licence, e.g., European Protected Species Licence). Furthermore, the previous outline application also included the demolition of the building, which was approved subject to an appropriate historic building survey being carried out (condition imposed on the outline consent, as requested by Glamorgan Gwent Archaeological Trust). The same condition would be appropriate in this case.

A number of objections also refer to the proposed boundary treatments, suggesting that those proposed are inappropriate and out of keeping with the surrounding area. The proposal seeks to utilise 1.8m high close board fencing to denote the boundaries between properties and between plots 5 & 6 and the road on Corner House Street and this is considered acceptable, given the residential nature of the area. The site is currently bound by a green palisade fence to the north-eastern boundary (onto Corner House Street), which extends to the full length of the boundary and the proposal to replace this with close board timber fencing for a reduced length would be a betterment to the current arrangement, with this being more appropriate to the residential character of the area. Furthermore, the same materials were proposed to be used in a similar manner in the recently approved reserved matters application, to which residents did not raise any objection.

As such, in light of the above assessment, whilst the development would undoubtedly change the character and appearance of the site, the resulting development is considered to be appropriate and in context with the existing pattern of development and it would therefore have no adverse impact upon the character and appearance of the surrounding area. The application would therefore comply with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

### **Residential Amenity and Privacy**

### Existing Residents

It is noted that a number of residents have raised concern with regards to the impact of the development upon the amenity and privacy of existing properties in the surrounding area. The concerns raised suggest that the development would result in overlooking towards existing properties on Merthyr Road with additional on-street activity and noise from extra vehicles being a disturbance to existing residents.

Whilst the proposed dwellings would face toward a number of existing properties on Merthyr Road and Corner House Street, the separation distance between habitable windows of existing and proposed properties on Merthyr Road would be in excess of 25m, which is more than adequate to ensure that no adverse levels of overlooking would occur. Whilst the separation distance is somewhat reduced between habitable windows of existing and proposed dwellings on Corner House Street (16.5m), the relationship is similar to that between existing properties in the area and is therefore considered acceptable.

Furthermore, the proposed separation distances would ensure that the development would not result in any adverse levels of overshadowing or loss of outlook.

It is noted that some letters of objection raise concern that the development would result in additional on-street activity and noise from extra vehicles which would cause disturbance to existing residents however, the proposed development is residential in nature with any noise being equivalent to the noise created by existing dwellings. It must also be noted that the existing building was most recently in commercial use which would, if re-instated, has the potential to create far more noise and disturbance to residents than that of a small-scale residential development. Whilst further concern has been raised with regards to air quality, the development is considered to be of a minor scale which would not result in significant numbers of vehicles.

### *Future Residents of the Development*

As indicated above, sufficient distance would be maintained between existing and proposed dwellings to ensure that no adverse levels of overlooking between properties would occur. Furthermore, whilst the rear elevations and gardens of plots 1-6 would experience some degree of overshadowing as a result of the positioning of plots 7 & 8, it is not considered that this would be so significant that it would warrant the refusal of the application. Plots 7 & 8 would be situated at a slightly higher ground level to plots 1-6 however, this would not be to such a degree that it would result in an adverse overbearing impact.

Furthermore, the proposed flats are considered to comply with the Council's SPG on the Development of Flats in terms of the quality of accommodation proposed. The flats are all considered to be of a suitable size, providing enough space for future residents to undertake daily tasks. Each flat would have its own access to the front of the property which would ensure that the accesses are overlooked by the public realm, and all habitable rooms would have sufficient windows which would provide a reasonable outlook and for a reasonable levels of natural daylighting and ventilation. The flats would also have access to communal outdoor space which would facilitate clothes-drying facilities and storage areas for bins and bikes. Furthermore, the units



would be provided as affordable units which would be required to comply with Design Quality Requirements.

In light of the above, the proposal is considered to be acceptable in terms of the impact it would have upon the amenity and privacy of both existing residents and potential future occupiers of the proposed development. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan in this regard.

### **Other Issues:**

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

### **Drainage**

The application relates to the construction of more than one dwellings and under, Schedule 3 of the Flood and Water Management Act 2010, a separate application will need to be submitted to the Sustainable Drainage Systems (SuDs) Approval Body (SAB) for sustainable drainage approval. Furthermore, the development will be required to comply with Part H of the Building Regulations.

The application has been reviewed by the Council's Flood Risk Management team and it has been revealed that there is low surface water flood risk northwest of the site, along B4276 Merthyr Road, from accumulation and the conveyance route down Merthyr Road.

Details submitted with the application indicates that surface water will be disposed of using a Sustainable Drainage System however, the Flood Risk Management Officer notes that no details have been submitted for review. It is therefore recommended that a drainage condition be imposed upon any grant of planning consent. A further condition is recommended by Welsh Water to ensure that no surface water and/or land drainage is to connect to the public sewerage network.

Whilst these recommended conditions are noted, the proposed development would be subject to a SUDS consenting regime and the recommended conditions in this regard are therefore not necessary.

### **Ecology**

The application is supported by a Bat Survey which confirms that the building is being used as a bat roost by both Brown Long Eared Bats and Soprano Pipistrelles. The developer will therefore be required to obtain an EPS Licence prior to any works to demolish the building commence.

The proposed development includes a series of mitigation measures, including the provision of a stand-alone bat roost building within the rear garden of plot 8 and the provision of a bat box on the side elevation plots 1 and 8. Further House Sparrow and Swift boxes are also proposed on the side elevations of plots 1, 5/6 & 7.

The details have been reviewed by both the Council's Ecologist and NRW, neither of which raise any significant concern with regards to the proposal. However, it is recommended that a condition to secure detail of an existing lighting plan be imposed upon any grant of planning consent. A S106 agreement to secure the long-term management and maintenance of the bat roost building is also required.

In light of the comments received from NRW and the Council's Ecologist, the proposal is considered to provide sufficient and appropriate mitigation measures to mitigate against the loss of the existing bat roost and, subject to the recommended condition and S106 agreement, the proposal would comply with Policy AW8 of the Rhondda Cynon Taf Development Plan.

### **Land Contamination**

The Council's Public Health and Protection team have indicated that the site was previously occupied by a printing business and they therefore considered that there is potential for contamination to existing on site. As such, standard contaminated land conditions are recommended.

### **Listed Building**

The application site lies immediately to the north-east of a Memorial Park which contains a Listed War Memorial. Consultation has been undertaken with Cadw however, no response had been received at the time of writing this report.

The Memorial is set within the grounds of the park and given the relationship between the site and the memorial, and the line of trees that lie along the common boundary that are to be retained, it is not considered that the proposal would have an adverse impact upon either the Listed Building itself, or its immediate wider setting.

### **Trees**

As indicated above, the south-western boundary of the site is lined by a number of mature trees which are set within the adjacent Memorial Park. The application is supported by an Arboricultural Report which confirms that no trees are required to be removed to facilitate the proposed development and a root protection area has been set out to ensure that any potential damage to the trees is appropriately managed. The report indicates that with the retention of the boundary fencing, an arboricultural watching brief for excavation works/hard surface removal and low impact foundation designs within the root protection area will ensure no significant long-term adverse impact to any of the retained trees. It further confirms that the overall design of the proposal has considered the size and value of the trees to minimise any future pressures to heavily prune or fell the higher value trees, and it is concluded that compliance with the tree protection scheme detailed in section 6 of the report will ensure that no significant long-term adverse arboricultural impact will occur on the health of any retained trees adjacent to the site, or the long-term amenity of the area.

### **Other Issues Raised by Objectors**

*Tenure and Need for Development*

The vast majority of objections received raise concerns with regards to the tenure of the proposed dwellings given that the development would be 100% affordable and given that it would also incorporate 4 no. self-contained flats. Any concern relating to the matter of tenure, whether a new property is to be owner-occupied or rented and regardless of the owner, landlord or the background of any potential occupier is not material to a planning decision. The properties would fall within Use Class C3, which is the same as any other dwelling bought and occupied by an individual or family. Whilst one objector provides some comparison of crime rates between areas with known affordable units with areas known to have none or few, it would be the responsibility of the Registered Social Landlord to appropriately manage any potential issues that might arise. Furthermore, South Wales Police have not objected to the proposal and has provided observations and recommendations based on the current crime profile for the area in order for application to achieve the Secured by Design (SBD) Gold Award, which would be required for all grant-funded social housing in Wales. The comments received indicate that SBD housing developments experience 87% less burglary, 25% less crime and 25% less criminal damage, and they also have a significant impact on anti-social behaviour.

Residents further believe that there is no requirement for social housing in the Llwydcoed area however, as mentioned above, the scheme has been designed in dialogue with the Council's Housing Strategy Team to help address the need for affordable housing within the Llwydcoed area with the unit mix and tenure proposed being in accordance with the Local Housing Market Assessment 2022/37.

It is further noted that residents raise concern that the development would set a precedent for further affordable housing in the area. Whilst this is noted, as set out above, there is a clear need for affordable housing in the local and wider area, and any future application for further housing, affordable or not, will be considered on its own individual merit.

One letter also suggests that a number of recent applications for residential development have not been required to provide for any affordable housing and it is not understood why this development now includes 100% affordable housing. Policy NSA11 requires proposals for residential development to provide at least 10% affordable housing on sites of ten units or more. The most recent applications for residential development in the Llwydcoed area have not met the 10-unit threshold for affordable housing to be provided. In this case, it is noted that only 8 units are proposed however, that is not to say that the development should not contain any affordable housing.

### *Property Values*

A number of objectors have raised concern that the proposed development would impact upon property values in the area. However, this is not a matter that is material to planning.

### *Previous Permission*

It is noted that residents would prefer to see the previous permission for 5 no. private dwellings being implemented however, this application must be considered on its own merit, and should Members resolve to approve the application, it would be up to the developer to determine which scheme to develop.

### *Construction Noise and Disturbance and property damage*

A number of objectors raise concern that the construction phase of the development would result in significant noise and disturbance to surrounding residents and whilst this is noted, no development would ever be implemented if concerns of noise and disturbance were used as reasons to refuse permission. It is accepted that the development would result in some degree of noise and disturbance however, this would be for a temporary time period only and would not be reason to refuse planning permission. Furthermore, there is separate Environmental Health legislation available, if such activities became a statutory nuisance.

In terms of the boundary wall adjacent to no. 6, the plans indicate that this would be retained. The developer would need to enter into a private Party Wall agreement with the neighbour should any works be required to the wall. Furthermore, any damage done to this or any other property during construction would be a private matter between the developer and neighbouring occupiers.

### *Local Resources*

A number of objectors raise concern with regards to the impact the development would have on local services and whilst this is noted, it is not an issue that is unique to the Llwydcoed area and the same applies to areas where little or no development has taken place. Indeed, the development is of a minor scale with just 8 no. units proposed and, given that consultation on the Local Development Plan was undertaken on the basis of there being a total dwelling supply over the plan period of between 14,936 to 15,386 new units, whereas the number that has been delivered is far lower, this scheme of 8 no. units is a very small proportion of that larger housing requirement.

### *Other Suggested Uses*

It is noted that a number of objectors make suggestions for the retention of the existing building and potential community uses for it. Whilst these suggestions are noted, the Council must consider every application that comes forward on its own individual merit and it is therefore outside of the parameters of the planning system to influence where development is proposed, or indeed the type of development that comes forward. As such, the proposal will be considered on the basis of the information submitted.

### **National Sustainable Placemaking Outcomes**

Chapter 2 of PPW12 emphasises that development proposals should demonstrate sustainable placemaking, to ensure that the right development is achieved in the right place, and states that development proposals should be assessed against the national sustainable placemaking outcomes.

PPW acknowledges that not every development proposal will be able to demonstrate that they can meet all of the outcomes, or that it can be proved that an attribute of a proposal will necessarily result in a particular outcome.

It is also recognised that the interpretation of the relevant criteria will depend upon the detail and context of the proposal and the application site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further above, the proposed development is considered to relate in particular to the following aspects of the national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development density is appropriate for this location and as a social housing scheme would contribute to the affordable housing requirement within the Northern Strategy Area.
- **Making Best Use of Resources:** The development accords with the local and national policy aims to prioritise the use of previously developed land and buildings.
- **Growing Our Economy in a Sustainable Manner:** The development would have a small but positive effect in terms of construction jobs.
- **Maximising Environmental Protection:** The development would be expected to provide for biodiversity enhancement measures with regard to bats and nesting birds.
- **Facilitating Accessible and Healthy Environments:** The application site is in a sustainable location, being close to a bus route and services and facilities located within walking distance. The development would therefore not be entirely car dependent.

In respect of the other national outcomes listed the development would be considered to have a neutral impact.

### **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**

1. The developer will be required to enter into a S106 agreement to ensure the long-term maintenance and management of the proposed standalone bat roost building at plot 8. The details to be secured should include the following:
  - a) Detail the monitoring, management and maintenance of the bat house (which are to be agreed).
  - b) Secure the implementation of (a) above.
  - c) Detail the tenure of the bat house.
  - d) Provide details of the financial measures to secure implementation of the above.
  - e) Secure drawings setting out areas to be covered by the long-term obligation.
2. The development would provide 100% affordable housing, which would accord with Policy NSA11 of the Rhondda Cynon Taf Local Development Plan. These would need to be secured via a S106 agreement to ensure that the dwellings are established and maintained as affordable units, for the continued purpose of meeting identified local housing needs.

### **Conclusion**

The proposed development and residential use of the site is considered acceptable in principle. The layout of the site and the scale, design and overall visual appearance of the proposed dwellings are considered acceptable in the context of the surrounding area and, it is further considered that the development would have no adverse impact upon the amenity and privacy of neighbouring properties. Furthermore, the development would provide a betterment in terms of highway safety with a number of improvements being made to the junction and road at Corner House Street.

## **RECOMMENDATION: Approve, subject to S106 Agreement and Conditions**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans and documents received by the Local Planning Authority on 22<sup>nd</sup> December 2023, 8<sup>th</sup> January 2024, 12<sup>th</sup> February 2024 and 5<sup>th</sup> March 2024, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Site Location Plan
- Drawing No. 2251-20E: Proposed Site Plan
- Drawing No. 2251-21: Plots 1-6 (Floor Plans)
- Drawing No. 2251-23: Plots 7-8 (Floor Plans)
- Drawing No. 2251-24: Plots 7 -8 (Elevations)
- Drawing No. 2251-25: Plots 1-6 (Elevations)
- Drawing No. 2251-25A: Bat Roost
- Drawing No. 2251-26: Bin and Cycle Store
- Soft Landscaping Proposals
- Green Infrastructure Survey

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

3. Before the development is brought into use, the means of access, together with the parking and turning facilities shall be laid out in accordance with the submitted plan ref. 2251-20 REV E and approved by the Local Planning Authority. The car parking spaces and turning shall remain for the parking and turning of vehicles in association with the proposed thereafter.

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

4. Notwithstanding the approved plans, building operations shall not be commenced until full engineering design and details of the works to widen existing highway, new footway, vehicular crossovers, vision splay, junction radii, relocation of service pole 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 and implemented prior to the beneficial occupation of the first dwelling.

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.

5. Building operations shall not be commenced until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for:
- a) The means of access into the site for all construction traffic,
  - b) The parking of vehicles of site operatives and visitors,
  - c) The management of vehicular and pedestrian traffic,
  - d) Loading and unloading of plant and materials,
  - e) Storage of plant and materials used in constructing the development,
  - f) Wheel cleansing facilities,
  - g) The sheeting of lorries leaving the site.

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

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. Building operations shall not be commenced 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 of the dwellings.

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

7. The development shall be carried out in accordance with Section 6: Arboricultural Method Statement of the submitted Arboricultural Report (by Arboricultural Technician Services Ltd, dated 18<sup>th</sup> December 2023).

Reason: To protect the existing trees adjacent to the site and in the interests of amenity in accordance with Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to the installation of any external lighting, full details of an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The lighting plan shall include:

- Details of the siting and type of external lighting to be used.
- Drawings identifying the areas that will be maintained as dark corridors and areas for the benefit of bats and bat use of the bat roost.
- Drawings setting out light spillage in key sensitive areas, or sufficient other evidence to demonstrate that that external lighting will not adversely affect bat use of the bat roost.

The lighting scheme shall be installed and retained as approved in perpetuity.



Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW8 of the Rhondda Cynon Taf Local Development Plan.

9. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

Reason: The building is of architectural and cultural significance and the specified records are required to mitigate impact, in accordance with Policy AW7 of the Rhondda Cynon Taf Local Development Plan.

10. Building operations shall not be commenced until a scheme to deal with contamination has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

1. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.
2. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (1) above.
3. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

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

11. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (referred to in condition 10 above) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by a competent person.

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.

12. 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 a competent person.

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.

13. 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.

14. The development hereby permitted shall be carried out in accordance with the bat and nesting bird mitigation measures identified in the approved plans (as those listed in Condition 2 above), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

15. Building operations shall not be commenced until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings 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.