

## **PLANNING & DEVELOPMENT COMMITTEE**

**21 NOVEMBER 2024**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 24/0341/HYB (GH)  
**APPLICANT:** Ms R Christopher  
**DEVELOPMENT:** Hybrid application seeking part full, part outline consent for the severable phased erection of units for use within classes B1 or B2 or B8 (including trade counter) and ancillary uses. (Flood Statement, SuDS Ecology Strategy, Drainage Layout, Planting Schedule and Swept Path Analysis received 22/02/2024. Revised Site Layout Plan, Drainage and Access Details, Landscaping Plan received 17th October 2024).  
**LOCATION:** Land Off Wilfried Way Tonyrefail  
**DATE REGISTERED:** 17 October 2024  
**ELECTORAL DIVISION:** Gilfach-goch

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**RECOMMENDATION:** Approve

**REASONS:** The proposed development is considered to be an appropriate use of the site and would accord with previous planning permission decisions. The new units would create opportunities for existing and start-up businesses to occupy purpose built, quality accommodation, both contributing towards the local economy and potential for new jobs.

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

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

#### **APPLICATION DETAILS**

The application seeks hybrid planning permission for the construction of industrial units, for the purposes of Class B1, B2 and B8 uses, at a parcel of undeveloped land off Wilfried Way, Tonyrefail.

The proposed development, which is intended to comprise four phases, would result in the construction of four separate blocks of similar design and appearance. Elevation treatments would comprise a combination of powder-coated metal cladding with sections of face brickwork, with each block subdivided to create individual units.

Full planning permission is sought for the first block, as phase 1, which would have a gross footprint of approximately 71.5m x 11.3m and be erected along the north-eastern part of the site. The block would contain five units identified as Type A, each having an internal floorspace of 145sqm.

Outline consent, with matters of appearance, layout and scale to be reserved, is sought for the remaining three phases. This part of the application is proposed as such to enable the developer to have some flexibility to respond to the needs of future occupiers, who may wish for fewer, larger units within the approved block footprints, differing scale and layout or, for example, a smaller unit with external yard/compound.

At this stage the submitted plans for the later phases can be considered indicative in terms of individual unit size, but they show how the site could be laid out and that the phase 2 and 3 blocks would both have a gross footprint of around 72.8m x 22.2m with each block containing 12no. Type B units of 120sqm floorspace; whilst the phase 4 block would be identical to phase 1.

The development would benefit from new vehicular accesses directly from the adopted highway at Wilfried Way and these would be joined by an internal link on the northern side of the site. A total of 96 off-street parking spaces would be created together with stands for 72 cycles.

The site would be enclosed by security fencing on all sides, whilst that to the east, which is closest to the neighbouring residential development, would have an acoustic fence. Other areas around the site would be both landscaped and used to deliver the sustainable drainage scheme.

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

- Pre-Application Consultation (PAC) Report
- Coal Mining Risk Assessment (CMRA)
- Drainage Report
- SuDS Planting Schedule
- Ecological Assessment
- Green Infrastructure Statement
- Design and Access Statement
- Geotechnical History Report

## **SITE APPRAISAL**

The application site relates to a parcel of vacant land comprising a surface area of approximately 1.8 hectares. The site is located to the south of Hendreforgan and around 2km to the west of the centre of Tonyrefail.

The property is part of a larger tranche of land, more generally known as Parc Eirin, which was subject to clearance and levelling works to form a plateau for future development, per outline planning permission 05/1017/13. Since then, the land has reverted to some natural regrowth and scrub

The closest existing development to the site includes the Ensinger industrial premises directly to the south and on the opposite side of Wilfried Way. In addition, a partly completed housing development, some of which is occupied, is located on the adjoining land to the north-east.

In terms of any specific constraints or policy designations, it is noted that a small part of the site may experience some surface water flooding associated with drainage ditches. In addition, a Public Right of Way ANT/6/2 passes along its northern boundary.

## **PLANNING HISTORY**

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

- 23/5051/41:** Pre-application Advice – proposes business/industrial park. Decision: 15/08/2023. Raise No Objections.
- 15/0474/16:** Residential development of 225 new homes with associated parking and open space. Reserved matters of access, appearance, landscaping, layout and scale sought as part of this submission. Decision: 23/10/2015, Grant.
- 15/0473/16:** Industrial development of 9272m<sup>2</sup> GIA along with associated service yards and parking. Reserved matters of access, appearance, landscaping, layout and scale sought as part of this submission. Decision: 18/08/2015, Grant.
- 13/0350/15:** Variation of condition 1 of outline planning permission 05/1017 (dated 12 April 2010) to enable the period of time in which a reserved matters application can be submitted to 5 years, i.e., by 12 April 2015. (Outline Planning permission 05/1017 grants a mixed use development of residential, industrial and community facilities). Decision: 01/04/2014, Grant.
- 05/1017/13:** Proposed mixed industrial, residential and community facilities - all matters reserved for determination at the detailed stage. (Amended description received 26/10/2005). Decision: 12/04/2010, Grant.

## **PUBLICITY**

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

Furthermore, in accordance with the Development Management Procedure (Wales) Order the relevant press notice was published on 12<sup>th</sup> April 2024 identifying that the proposal constitutes Major Development.

One letter was received from a nearby resident, neither objecting to nor supporting the planning application, but raising the following matters:

- Noise, light and dust pollution.
- Impact on highway safety due to additional traffic.
- Existing speeding traffic will be exacerbated.
- High levels of on-street parking causing congestion and obstructing views.

## **CONSULTATION**

### Coal Authority

The site falls within the Coal Authority's defined Development Low Risk Area and therefore the Authority has no specific comments to make.

### Countryside Section – Ecologist

No objection, subject to a condition to secure details of an ecologically sensitive landscaping scheme and long-term habitat and management plan.

### Countryside Section – Public Rights of Way

Public Footpath 6 Llantrisant crosses the application site and is directly affected by the development. Consequently, a condition is recommended to ensure that a method statement is submitted for the purposes of demonstrating the PRow will remain open and accessible during construction.

### Dwr Cymru Welsh Water

No objection. DCWW has been previously informed of the proposed development and consulted, as a 'Specialist Consultee'. Foul water flows can be accommodated within the public sewerage system although further information is required on the proposed domestic foul flow rates and a condition is recommended accordingly. Capacity is currently available in the water supply system to accommodate the development.

### Flood Risk Management

No objection. The Applicant has referenced 3 discharge rates from separate hydro brakes that discharge into the Nant Erin and although the proposed discharge of the site surface water into the Nant Erin could be acceptable, no calculations to evidence the discharge rates have been provided at this point. Consequently, a surface water management condition would be recommended.

It is also noted that the proposed application would include a diversion of a ditch/channel, which will require separate Ordinary Watercourse Consent and that a pre-application submission has already been made in respect of SuDS requirements.

### Highways and Transportation

No objection subject to conditions in respect of highway engineering details and a Construction Method Statement.

### National Grid

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

#### Natural Resources Wales

No objection; however, a condition for a Construction Environmental Management Plan (CEMP) is required.

#### Public Health and Protection

No objection. A search of records relating to potentially contaminating past land uses has shown a disused level in close proximity to the south-western corner of the application site. Public Health therefore considers that there is a potential for contamination to exist on site and requires a site investigation for contamination condition.

#### South Wales Fire and Rescue Service

The Fire Authority has no objection to the proposed development and refers the Developer to any current standing advice by the Fire Authority. The Developer should consider the need for the provision of adequate water supplies on the site for firefighting purposes and access for emergency firefighting appliances.

#### South Wales Police

No objection. South Wales Police would be happy to work with the Developer to achieve Secured By Design Gold standard.

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 Tonyrefail.

**Policy CS2** - emphasises sustainable growth in the Southern Strategy Area, to be achieved by focusing development within defined settlement boundary and providing opportunities for significant inward investment in sustainable locations.

**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** - details the criteria for planning obligations including Section 106 Agreements and the Community Infrastructure Levy (CIL).

**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 should 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. In addition, 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, and which must be designed to protect and enhance landscape and biodiversity.

**Policy AW8** - seeks to protect the natural environment from inappropriate development. Development proposals will only be permitted where they would not cause harm to the features of a designated site, and where there would be no unacceptable impact upon landscape and nature conservation, and ecological networks.

**Policy AW10** - prevents development which could cause or result in a risk of unacceptable harm to health or local amenity due to land instability, contamination, noise and air pollution, or any other identified risk to local amenity and public health.

**Policy SSA4** – Proposals for commercial development will be permitted where it supports and reinforces the role of Tonyrefail as a Key Settlement.

**Policy SSA13** - The settlements in the Southern Strategy Area have absorbed a significant amount of new development during the last decade. In order to protect the identity of these settlements, ensure the efficient use of land and protect the countryside from urbanisation and incremental loss; the policy stipulates that development will not be permitted outside the defined settlement boundaries.

### **Supplementary Planning Guidance**

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Planning Obligations
- Employment Skills
- Nature Conservation

### **National Guidance**

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

Planning Policy Wales Edition 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 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development;

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 seeks part-outline and part-full planning permission to construct an industrial park on a vacant site to the west of Tonyrefail, generally known as Parc Eirin.

As part of earlier redevelopment proposals for this site and adjoining land, outline planning permission was granted for commercial and residential development in 2010 and later renewed, prior to the submission of reserved matters applications.

Subsequently, planning permission 15/0473/16 granted reserved matters approval for industrial units on the same part of the site to which this application relates and the planning history is considered, therefore, to carry significant material weight.

The LDP, under the auspices of which the reserved matters application was determined, remains the local plan in force and the proposal complies with Policy CS2, both in terms of the sustainability of location and the investment opportunities which may benefit the economy of Rhondda Cynon Taf.

Policy AW2 also aims to direct development to sites within the settlement boundary in the Southern Strategy Area. This development would broadly comply with the other relevant criteria of this Policy and, subject to the amenity consideration set out in the following sections, should not conflict with the surrounding land uses.

Furthermore, during the decision making process, weight can be given to the proposal's economic benefits. PPW12 encourages planning authorities to take a positive approach towards developments which generate economic prosperity and regeneration.

Consequently, noting the above and the potential job creation and regeneration benefits, the principle of the development is considered to be acceptable.

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

The application site is clearly visible from the higher ground to the north, including the existing residential development at Ffoddllanbad and the Beech Wood Drive area. However, seen in the context of the existing Ensinger factory and more recent dwellings off Wilfried Way, it is unlikely that development of this part of the Parc Eirin plateau, which is within the settlement boundary, would be of a scale or appearance harmful to the wider landscape quality.

Turning to the design and immediate impact of the development of the units, particularly phase 1, would be of a traditional industrial estate style. While the units would not be aesthetically attractive, this is not considered to be of great concern since it is necessary that form follows function.

Furthermore, whilst the site is large and the corresponding floorspace created would be in the region of 4500sqm, the units do not propose any tall elements and their overall single-storey height would be comparable to that of a house.

Whilst it is appreciated that the development of this vacant site will bring about a significant change to its current appearance, in light of the above the proposal is considered to be acceptable in terms of its visual impact on the site and surrounding area.

### **Impact on neighbouring occupiers**

The site appraisal further above identifies that land immediately to the north-east accommodates a recent residential development where the rear gardens and elevations of dwellings yet to be completed will back on to the boundary of the site. Particular attention was therefore given to how the development would ensure the amenity of neighbouring occupiers.

The physical relationship in terms of the distance between plots 1 to 5 and the opposing elevations of the closest dwellings on the adjoining land was of concern, although the cross section drawings provided by the Applicant enable comparison both distance and height differences. On this basis it is considered that the physical relationship between the neighbouring sites and degree of separation would be acceptable and not cause detriment to outlook or enable intrusive views.

With regard to the potential for noise and disturbance to future residents, as referenced by the consultation response from a local resident, the Applicant has taken pre-application advice on board and indicated the provision of an acoustic fence which would incorporate sound reducing qualities.

In addition, the Applicant has agreed that plots 1 to 5 shall only be used for purposes within Use Class B1, again in the interest of neighbour amenity. The Use Classes Order sets out that Class B1 incorporates:

- a. Office other than a Use within Class A2*
- b. Research and development of products or processes*
- c. For any industrial process (which can be carried out in any residential area without causing detriment to the amenity of the area)*

Both the fence and use restriction are proposed to be secured by conditions, of which the former also seeks details of phase 1 site lighting for approval, for similar amenity reasons.

Lastly, the development and eventual use of the site is bound to create additional traffic and comings and goings along Wilfried Way, which will be noticeable to existing residents.

Nevertheless, the site was prepared for development some time ago and the previous granting of outline consent and reserved matters approval for industrial and residential purposes meant that future development would have been inevitable.

Therefore, subject to the mitigation measures identified and the conditions which relate to the construction phase, it is considered that the development is acceptable in these terms.

## **Ecology and Environment**

The Council's Ecologist has advised that the development plateau was created 25 years ago and a significant area of lowland peat bog and marsh fritillary habitat was destroyed. However, the undeveloped part was recolonised with a diverse and species rich form of brownfield marshy grassland, scrub and heath, which means it is considered to be of at least local biodiversity value.

Initially, the proposed development was not considered to demonstrate an effective ecological enhancement, biodiversity net benefit, or provide effective habitat connectivity to assist the long-term functioning of the adjacent SSSIs and the local Marsh Fritillary Butterfly meta-population.

Further consideration was undertaken on behalf of the Applicant which resulted in the submission of revised landscaping details. The Ecologist now considers that the scheme is more appropriate for the site's ecological context and that the application can proceed, subject to a condition to secure a sensitive landscaping scheme, together with details of long-term landscape and habitat management and maintenance.

Natural Resources Wales (NRW) notes that the proposed development is within 550m of Rhos Tonyrefail Site of Special Scientific Interest (SSSI). Rhos Tonyrefail is a large lowland site of special interest notified for its marshy grassland, acid flush, species-rich neutral grassland, acid grassland, wet heath and blanket mire. The site is also of special interest for its population of Marsh Fritillary Butterfly.

NRW has also reviewed the submitted Ecological Assessment which states that the priority habitats of marshy grassland and wet dwarf shrub heath are present on the northern section of the site, although in a small amount.

There is a historic record of Marsh Fritillary Butterfly from 1997 immediately adjacent to the site and more recent records directly east within the Rhos Tonyrefail SSSI. The historic record illustrates that the site, as fields, would have once been suitable habitat for the Marsh Fritillary Butterfly. It is advised, where possible, that the marshy grassland and wet dwarf shrub heath is retained and enhanced through plug planting of Devil's-bit Scabious and appropriate management.

It is not known if the watercourses on site are hydrologically linked to the Nant Erin. However, the proximity to the site makes the potential for a hydrological link likely. There is also potential for pollution of the Nant Erin during construction. Due to the planned modification and surface water discharges to existing watercourses on site and the proximity of the Nant Erin to the proposed works NRW has requested the aforementioned CEMP condition be appended to any planning permission.

## **Access and highway safety**

### *Access*

Wilfried Way is not a through route for traffic and provides access to an existing industrial development. The carriageway varies in width between 7.3m and 10.8m with a 3m wide shared use cycle route along the northern edge and a 2m wide footway along the southern edge. It is subject to a 20mph speed limit.

### *Internal Access Site Plan*

The internal roads are to remain private, however these will need to be designed to adoptable standards for robust maintenance and circulation of all vehicles.

Since submission, the layout has been amended to provide acceptable junction radii and there is potential for the vehicular access points off Wilfried Way to be provided via industrial estate vehicular crossovers in accordance with the Council's design guide. Consequently, a condition is recommended to secure full engineering design and details for the link to the public highway.

The gates, as indicated on the submitted site plan, must either be set back to have no detrimental impact on the public highway when opening / closing or be designed to open inwards only which can also be controlled by a planning condition.

It is noted that the cycle stands obstruct pedestrian access and should be rotated or relocated to maintain segregated safe access for pedestrians.

Although the application is for a phased approach, the applicant has confirmed that all of the internal road layout will be provided as part of phase 1 and therefore turning facilities will be accommodated within the link roads which is acceptable.

### *Parking*

Car parking would be provided in accordance with the Council's SPG for Access, Circulation and Parking Requirements. The proposed secure cycle stands are also acceptable.

## **National Sustainable Placemaking Outcomes**

Chapter 2 of PPW12 directs 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 would be of an appropriate density, located next to an existing industrial site, making effective use of an already landscaped plateau with the potential to support new and existing jobs.
- **Making Best Use of Resources:** The development would be carried out on previously cleared land in a sustainable location benefitting from existing infrastructure.
- **Growing Our Economy in a Sustainable Manner:** The development would create short-term construction jobs and foster longer-term economic activity by providing a permanent employment base for existing and new employees.
- **Maximising Environmental Protection:** The development would be subject to conditions requiring the delivery of a net biodiversity benefit.
- **Facilitating Accessible and Healthy Environments:** The application site is in a sustainable location, close to a bus and cycle route and has good connections to the principal highway network, Ely Valley Link Road/A4119 and the M4.

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 not CIL liable under the CIL Regulations 2010 (as amended).

### **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 S106) 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 only intended to form the basis of negotiations between all parties.

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

It is noted that the original outline planning permission for this site, which also included the partially complete and occupied housing development to the north-east, was subject to a Section 106 agreement.

However, on checking the details of that agreement, it was noted that the planning obligations related to the residential development, with contributions sought mainly in respect of education, affordable housing, highways, public open space and play.

Consequently, it is considered that the proposed commercial development on the undeveloped area of the site would not affect that previously agreed.

### **Conclusion**

The proposed development, which is in line with previous outline and reserved matters planning permissions, would both benefit the local economy and protect and provide local opportunities for employment.

Most of the development would be set at an appropriate distance from the nearest residential uses, whilst concerns about that which would be closest can be mitigated by the aforementioned conditions. Therefore, it is considered that the new units would not have an unacceptable third party amenity impact.

Furthermore, the siting and scale and new buildings means they would not have an unacceptable visual or wider landscape impact and would have safe access to the highway network with sufficient parking and circulation space.

The application is therefore considered to comply with the relevant parts of Policies CS2, AW2, AW5, AW6, AW8, AW10 SSA4 and SSA13.

### **RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:**

***Conditions 1 to 16 relate to the 'full and non-reserved matters' elements of the application only***

- 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:

- 22-009-Block A-UA01 (GA-144m2 Unit) A1
- 22-009-Block A-UA01 (Elevations -144m2 Unit) A1
- 22-009-e A102-revC(Proposed Site Plan)A1
- 22-009-e A106-revC(Areas)A0
- 16865\_500\_R05 Drainage Layout
- 16865\_502\_R03 Drainage Catchments
- 16865\_503\_R03 Exceedance Flows Plan
- 16865\_900\_R04 HGV Swept Path Analysis
- 16865\_3000\_R04 Proposed Landscaping Plan

and details and documents received on 8th April 2024, 22nd April 2024 and 17th October 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 commence on site until details of the following have been submitted to and agreed in writing by the Local Planning Authority:

- i) The proposed acoustic fence to the rear of plots 1 to 5, to include dimensions, siting, external finishes and an assessment of its effectiveness by a suitably qualified person.
- ii) All external lighting proposed for phase 1 of the site, including the siting and type.

The development shall be carried out in accordance with the approved details and shall be maintained in good order thereafter.

Reason: In the interests of residential amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4 No development shall commence on site until details of a scheme for the disposal of foul water has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 5 No development shall commence on site until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- i) How the development is to comply with the requirements of Section 8.3 of PPW Technical Advice Note 15.
  - ii) A drainage strategy with associated calculations demonstrating the pre and post-development surface water discharge rates from the site and a general arrangement of the catchment and proposed drainage system.

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

Reason: To ensure that surface water runoff from the proposed development does not cause or exacerbate the flood risk on the development site or elsewhere and does not increase the number of residents at risk of surface water flooding, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 6 No development shall commence on site until details of a scheme for the following have been submitted to and agreed in writing by the Local Planning Authority:
- i) An ecologically sensitive landscaping scheme.
  - ii) A long-term landscape/habitat management plan and maintenance scheme.

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

Reason: In the interests of the natural environment and to deliver a net benefit to biodiversity, in accordance with PPW 12, Future Wales Policy 9 and Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

- 7 No development shall commence until, full engineering design and details of the new industrial estate vehicular crossover access points (3no.) off Wilfred Way to include gates set back to prevent opening over the public highway, 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 prior to beneficial occupation of the first unit.

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.

- 8 No development shall commence, including any works of 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 construction,
- j) site lighting during construction.

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.

- 9 No development shall commence, 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.
- 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.
- 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 Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 10 No development shall take commence, including any works of site clearance, until a Public Rights of Way Method Statement has been submitted to and approved in writing by the Local Planning Authority.

The Method Statement shall demonstrate how the public right of way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the public right of way is not damaged by the construction. This shall include:

- i) that no excavation or tipping of surface material or temporary storage of soils or other materials shall take place closer than 1m to the public right of way.
- ii) a drainage system to ensure that no slurry or water from the development area flows onto the public right of way.

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

Reason: In the interests of public amenity, highway safety and to ensure the protection of the Public Right of Way in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 11 No development shall commence 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:

(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.

12 Prior to beneficial occupation of the new development:

i) Any measures approved in the contamination remediation scheme referred to in Condition 11 (iii) shall be implemented.

ii) If any remediation measures were required to be implemented a suitable validation report of the proposed scheme shall be submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by a suitably qualified competent person providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

13 Prior to beneficial use of the development the means of access, together with the junction radii, vision splays and internal road layout to facilitate turning facilities, shall be laid out in accordance with the submitted site plan A102 C. The internal roads and car parking spaces shall be surfaced in permanent material and retained thereafter.

Reason: In the interests of highway safety and to ensure any non-bound material is not dragged onto the public highway in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14 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.

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

15 Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

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

- 16 Phase 1 of the development, comprising plots 1 to 5, shall not be used for any purpose other than for those set out within class B1 in the schedule to the Town and Country Planning (Use Classes) Order 1987.

Reason: In the interest of residential amenity in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

***Conditions 17 to 19 relate to the 'outline' element of the application only***

- 17 Details of the appearance, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.

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

- 18 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

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

- 19 The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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