

DELEGATED REPORT

Application No: P/19/0069

Site Address: 2 Plymouth House
Milbourne Terrace
Merthyr Tydfil
CF47 0UL

Development: Construction of four detached houses

Case Officer: Caroline Pulley

Site Visit: 21st March 2019

Application Expiry Date: 2nd January 2020

Consultation reply date expired: 4th December 2019

APPLICATION SITE

The application site relates to an irregular shaped area of land measuring approximately 0.2 of a hectare, which essentially comprises the garden area of a two-storey, semi-detached dwelling called 2 Plymouth House. There are several trees in the garden, two of which are located along the northern boundary and are protected by a Tree Preservation Order (TPO). The site measures approximately 67m at its widest point and some 46m deep. It is relatively flat with a slight fall from east to west. It lies within a predominately residential area and is bound to the north-east by the highway (Milbourne Terrace), to the south by residential properties (Brodawel) and by the highway to the north.

PROPOSED DEVELOPMENT

This application seeks full planning permission to construct 4 detached dwellings on the site. The development would consist of three, 4 bedroom houses facing north-east towards Milbourne Terrace, and one, 2 bedroom coach house fronting north-west towards the direction of the applicant's existing driveway. The proposal also involves the provision of off-street parking and a comprehensive landscaping scheme which includes the siting of two replacement TPO trees (covered by Tree Preservation Order No.14)

The three, 4 bedroom houses (Plots 01, 02 and 03) would be positioned in a linear row along the western part of the site. They would each be of the same design measuring a maximum of 10.3m wide, a maximum of 10.4m deep and 7.5m high with a hipped roof (measurements are inclusive of a roof overhang). The external finishes would comprise rendered elevations (with a front stone feature wall) with artificial slate roofs and grey uPVC windows and doors. The two bedroom coach house (Plot 04) would be positioned

towards the south-eastern end of the site, where it would be gabled onto Milbourne Terrace. It would be finished in the same materials and would be one and a half storeys high with accommodation being provided in the roof space. It would measure a maximum of 12m wide by 7.9m deep (inclusive of a roof overhang) and 6.1m high with a hipped roof. The external finishes would comprise rendered elevations (with a front stone feature wall) with an artificial slate roof incorporating front and rear dormers and three skylight windows (one to front, two to rear). Access to these properties would be from Milbourne Terrace (directly opposite 15 Milbourne Terrace) with two parking spaces being provided on driveways for each of the detached properties.

The majority of the site would be enclosed around its perimeter by the existing fencing and boundary walls. The new access proposed off Milbourne Terrace would be secured by a set of 1.8m high gates and 2m high piers which would be set back 3.5m from the edge of the adjoining highway. A new section of 1.8m high stone walling would be erected either side of the proposed access.

A proposed landscaping scheme has been submitted setting out the replacement of the two TPO trees on the site and the areas where planting can be incorporated into the development. The planting of mixed shrubs is proposed to the front of the principal elevations of the 4 bedroom houses. Along the north-eastern boundary of the site, the scheme proposes two replacement Beech trees to replace the two Beech trees currently covered by the Tree Preservation Order.

In support of this application the following documents have been submitted:

- Design statement
- Ecological Assessment
- Arboricultural Report
- Coal Mining Risk Assessment

PLANNING HISTORY

P/03/0441	Residential development (outline)	Approved with conditions 14.05.2004
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CONSULTATION

Engineering and Traffic Group Leader:	-	No objection subject to conditions relating to ground conditions, drainage, retaining works and access requirements.
Planning Division's Landscape Architect	-	No objection following receipt of an acceptable landscaping scheme for the site which includes two replacement TPO trees.
Planning Division's Ecologist:	-	No objection.
Environmental Health Manager:	-	No objection subject to conditions relating to hours of construction, potential contamination and measures to minimise the impact of dust.

The Coal Authority:	-	Confirms that the site falls within the defined Development High Risk Area but raises no objection to the scheme.
Welsh Water:	-	No objection subject to a condition which would prevent surface water from connecting the public sewerage network.
Wales & West Utilities:	-	No objection.
Western Power Distribution:	-	No response.

PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to neighbouring properties on the 21st March 2019 and three site notices were displayed within the vicinity of the site on the same date (21st March 2019). As a result of this publicity exercise, 3 letters of objection and 1 letter of support were received. The following is a summary of the concerns raised:

- The dust and noise associated with building/construction works will have an impact on the amenities enjoyed by neighbouring properties.
- The development would result in overlooking to the properties located along Brodawel. This would result in an infringement of privacy.
- Questions have been raised in relation to the number of trees present on the site which are protected by a Tree Preservation Order.
- The development would lead to increased traffic entering and leaving the site, which would have an adverse impact on the residential amenities of neighbours.
- Concern that parking is already limited for the residents of Milbourne Terrace. The demand and pressure for parking would be made worse if residents of the proposed development choose to park their vehicles on Milbourne Terrace. There is concern that the two parking spaces being provided for each dwelling may prove to be inadequate if residents own more than two vehicles or larger vehicles.
- Highway safety concerns regarding the provision of a new access from Milbourne Terrace.
- Questions regarding how the proposed access gate into the site will be managed, how will refuse be collected and managed and whether the current access road into 2 Plymouth House is to remain.
- Concern that the proposal would result in the overdevelopment of the site leading to an unacceptable overbearing impact to the properties located in Milbourne Terrace which are located directly opposite the proposed development.
- Concern that the development would overshadow the rear gardens of properties along Brodawel.
- The ecological impacts of the proposed development including those associated with the removal of foliage on the site.
- The development would further hinder radio and terrestrial reception in the area.
- The potential land slide issues associated with the development as surrounding areas have been affected with foundation and drainage problems.

One letter of support has also been received highlighting that further development in Milbourne Terrace would help to create a better neighbourhood in terms of having more people to converse with and for children to play with. Also new build properties could add value to properties in the area.

Following a series of amendments to the proposed development (i.e. the submission of an arboricultural report, landscaping scheme and vision splay details), two further publicity exercises was carried out on the 3rd July 2019 and the 13th November 2019. At the time of writing this report, no further representations have been received.

Ward Members were advised of the objections received to this application however, no request has been submitted requiring the application to be reported to the Planning Committee. As such, the application will progress to be determined by the Chief Officer of Planning & Neighbourhood Services under delegated powers.

POLICY CONTEXT

National Policy

Planning Policy Wales (PPW) Edition 10 (December 2018) sets out the land use policies of the Welsh Government. The most relevant sections are:

Paras. 3.3 – 3.16 set out the principles of good design in new development proposals, which should take into account its relationship to its surrounding context.

Paras. 6.4.21 – 6.4.23 notes that local authorities should seek to maintain and enhance biodiversity and build resilient ecological networks to ensure that any adverse environmental effects can first be avoided, mitigated or compensated. Regard should also be given to the potential harm to protected species and habitats.

Para. 6.4.24 highlights the importance of trees, woodlands and copses for biodiversity. Para. 6.4.25 advises that planning authorities should protect trees where they have ecological value, contribute to the character or amenity of a particular locality.

Para. 6.9.1 advises that *'when considering development proposals planning authorities should take into account the nature, scale and extent of surface and subsurface hazards which may pose risks to health and environment...'*. This is to ensure that new development does not take place without an understanding of the risks associated with previous land use, pollution, flood risk, subsidence, mine and land fill gas emissions and rising groundwater from abandoned mines.

The policies in PPW are supported by Technical Advice Notes (TANs). The most relevant TANs to this application are as follows:-

TAN 5 – Nature conservation and planning sets out the role of the planning system in protecting and enhancing biodiversity and geological conservation.

TAN 10 – Tree preservation orders provides advice on the scope of Tree Preservation Orders. It highlights that the effect of development on protected trees is a material planning consideration.

TAN 12 - Design advises that the Assembly Government is strongly committed to achieving the delivery of good design in the built and natural environment, which is fit for purpose and delivers environmental sustainability, economic development, and social inclusion at every scale throughout Wales.

TAN 18 – Transport describes how to integrate land use and transport planning. It explains how transport impacts should be assessed and mitigated.

Paragraph 9.16 states that *'the type of access provided should reflect the type of road and the volume and character of traffic likely to use the access and the road'*.

Local Policy

Merthyr Tydfil Local Development Plan (LDP) 2006-2021:

Policy BW1 – Development strategy – primary growth area

Policy BW4 – Settlement boundaries/location constraints

Policy BW5 – Natural Heritage

Policy BW7 – Sustainable design and placemaking

Policy BW8 – Development and the water environment

Policy BW12 – Development proposals and transport

Policy AS22 – Affordable housing contributions

Policy TB11 – Access, parking and accessibility of local facilities

Supplementary Planning Guidance (SPG) Note No.1 – Affordable Housing

Supplementary Planning Guidance (SPG) Note No.2 – Planning Obligations

Supplementary Planning Guidance (SPG) Note No. 4 – Sustainable Design

Supplementary Planning Guidance (SPG) Note No.5 – Nature and Development

Other relevant guidance

Manual for streets

CSS Wales – Wales Parking Standards 2008

PLANNING CONSIDERATIONS

The application proposes the development of four residential units on a parcel of land which is situated within the defined settlement limits and within a mainly residential area of Merthyr Tydfil. The use of the site for residential purposes is therefore in principle acceptable as it is in compliance with Policy BW4 which amongst other things, seeks to ensure that new development is in keeping with the existing land uses and is sustainable in terms of its location. Additionally, it is noted that outline planning permission has been previously approved on the site for residential development under application P/03/0441. Therefore, the principle of residential development on this has previously been established.

The key considerations with regard to the application have therefore been determined as the impact of the proposal on the character and appearance of the area, the residential amenities of those living closest to the site, the loss of TPO trees, ecology and highway safety. These matters are considered in detail below.

Character and appearance of the area

As specified above, the application site comprises an area of land which currently forms part of the garden curtilage of number 2 Plymouth Street. It is covered by a number of trees (two of which are protected by a Tree Preservation Order) which contribute to the wider visual amenity of the area. Accordingly, an arboricultural report/tree survey was been requested as part of this application so that an assessment could be made on the impact that the scheme would have upon the trees on the site.

The submitted report undertaken by Treecare Consulting gives a detailed survey of each tree and defines their suitability for retention based on a grading system. The report correctly acknowledges that two of the trees on the site, which were subject to the Tree Preservation Order have recently been felled due to advance physiological decline/detail. It advises that the two remaining trees (identified as T5 and T6) covered by the protection order are now also in structural and physiological decline having been subject to altered exposure and extensive historical wounding around the low stem/basal flare of these trees. The report concludes that both of the trees protected by the order would need to be felled and replaced within the next 5 years due to their physiological and structural decline, regardless of the development that is being proposed as part of this application. It also states that the remaining 9 trees on site, which include a variety of Sycamore, Holly and Oak, are also deemed unsuitable for retention. This would result in the total loss of 11 trees on the site.

As highlighted above, the existing trees provide significant value to the visual amenity of the surrounding area. While it would be clearly preferable for the existing trees to be retained, it has been identified by the Arboriculturist that re-planting on this site is essential due to the fact that the existing trees are in physiological and structural decline. Therefore, regardless of whether or not this application was to be approved, it is inevitable that the trees would need to be replaced. Nonetheless, an appropriate landscaping scheme would be provided as part of the proposed development. This scheme includes two replacement Beech trees, which when fully mature, would provide a similar amenity value to the wider area. The comprehensive landscaping scheme also includes a variety of planting within the site which would provide an attractive and pleasant environment to the future occupiers of the proposed dwellings. In particular, it is noted that the parking areas to the front of the dwellings would be broken up with some mixed shrubs and suitable planting would be incorporated around the private drive which would serve the dwellings. On review of the planting schedule that has come forward, the Council's Landscape Architect has raised no objection to the development of the site and the replacement of the two trees which are covered by the protection order. It is therefore considered that the site can be suitably developed to accommodate the proposed dwellings and associated parking and driveway without having a harmful impact on the visual amenity of the surrounding area.

In terms of the design of the proposed houses, it is noted that the existing residential properties in the vicinity of the site vary in their style with semi-detached brick/rendered dwellings being located to the south along Brodowel. These properties are located at a significantly lower level and are of a modest design with a simple arrangement of windows and doors. Their external elevations comprise a mixture of facing brickwork and render. To the north-east (along Milbourne Terrace) the dwellings are of a more traditional design. They have narrow frontages, bay window features to their front elevations and small front courtyard gardens. This development would not create any direct frontage onto Milbourne Terrace nor would it share any significant link to the existing housing. It would essentially

form an inward facing development which would turn its back on the surrounding housing. Whilst this is something that tends to be discouraged, it is appreciated that the site is tightly constrained as there is a need to provide a safe means of access into the site as well as an appropriate landscaping scheme which would allow for the replacement of the existing trees, two of which are covered by the TPO. The external elevations of the buildings would also be rendered which would further ensure that the development is in keeping with the existing character of the area. Therefore, having regard to the above, the design, size and scale of the buildings proposed are not considered to be out of keeping with the character and appearance of the area nor would they have an adverse impact upon the character of the surrounding area. On the basis of the above, the proposed development is compliant with the requirements of Policy BW7 of the LDP.

Residential amenity

Turning to the impact of the proposal on the existing levels of residential amenity and privacy currently enjoyed by neighbouring properties, it is considered that the four dwellings can be suitably accommodated on this site without having an adverse overlooking or overbearing impact on neighbouring properties. Whilst acknowledging that residents of Brodawel have raised overlooking and overshadowing concerns, the proposed dwellings would be sited in an elevated position in relation to the houses along Brodawel. They would also be located approximately 18 – 19m away from the back walls of neighbouring properties and approximately 12-14m away from their rear boundaries. Due to the topography of the site, it is mainly the roofs of the development that would be seen from the rear of numbers 1-8 Brodawel. Moreover, there are a number of trees between the site and Brodawel which would provide additional screening to the development and ensure privacy to the rear garden areas of these properties. In terms of the concerns raised in relation to overshadowing, it is noted that the proposed houses would be situated to the east of numbers 1 – 8 Brodawel. Due to this, any potential overshadowing that would be experienced as a result of this development would be limited to the morning. Also, taking into account the level of tree coverage between the site and Brodawel, it is not anticipated that this development would cause any overshadowing over and above that which is already experienced as a result of the dense tree coverage which lies immediately adjacent to the rear boundary of properties along Brodawel. Overall, taking into account the proposed levels, separation distance and the existing landscaping which would screen the site, the development would not have a significant adverse impact on properties along Brodawel in terms of overlooking, overshadowing or overbearing impacts.

Consideration has also been given to the impact of the scheme on the properties situated along Milbourne Terrace to the north-east. In this respect, it is noted that the development site is located on the opposite side of the road to numbers 11-22 Milbourne Terrace. Also, three of the four dwellings would be located towards the western boundary of the site where a minimum distance of 22m would be maintained between the front elevation of plots 01-03 and the front boundaries of neighbouring properties. The proposed coach house (Plot 04) would be sited directly opposite numbers 16 and 17 Milbourne Terrace. This dwelling has however been appropriately designed to face away from Milbourne Terrace and there are no windows being proposed within the side elevation which would face the terrace. Also, it should be noted that the floor level of the Plot 04 would be set down 600mm from the road level of Milbourne Terrace and approximately 3m below the floor level of the neighbouring properties. It should be noted that there is an existing wall along this part of the eastern boundary and due to this, the level differences and the low height of the dwelling, only part of the side wall of the coach house would be visible from

Milbourne Terrace. For these reasons, the proposed coach house would not be overbearing nor would it result in a significant level of overshadowing to the properties situated along Milbourne Terrace. Due regard has also been given to the impact that this scheme may have upon the adjoining semi-detached property (1 Plymouth House). No objections have been received from the owners/occupiers of this dwelling and it is noted that an appropriate separation distance would be maintained between this property and the nearest dwelling (Plot 04).

Turning to the concern raised in relation to the impact on neighbouring amenity as a result of increased traffic entering and leaving the site, while this concern is appreciated, it is not considered that the additional traffic generated by the development would cause undue harm upon the amenities of the surrounding properties. The application site is located within a predominately residential area and the day-to-day activities resulting from the use of the access by five residential properties would not give rise to a level of noise and disturbance which would be unduly out of character with the residential setting of the area.

Having regard to the above considerations, the proposed development would not adversely impact upon the amenities or privacy of the adjoining occupiers to such a degree that would warrant the refusal of planning permission. As such the proposal complies with Policy BW7 of the LDP.

Highway safety

With reference to parking and access issues and the objections raised by a local resident, the Council's Engineering and Traffic Group Leader has considered the information submitted with the application and has raised no objections subject to conditions relating to the implementation of appropriate vision splays, the submission and approval of full engineering details of the internal road layout, retaining wall calculations and surface water drainage. While concerns relating to highway safety and congestion in the surrounding area are noted, the additional traffic generated by the existing property and four additional dwellings would not result in a significant change to the way in which cars, other vehicles or pedestrians interact along Milbourne Terrace. Forward visibility along street is adequate and would allow drivers to see vehicles approaching towards them and sufficient turning facilities would be provided within the site to allow vehicles to enter and exit in a forward gear. It is acknowledged that on street parking in the area is common place and does result in the carriageway being reduced in width. Also, this development would require vision splays to be provided either side of the proposed access in an area which is currently used by residents of the street for parking. However, this land does not form part of the adopted highway. Furthermore, the Engineering and Traffic Group Leader has not raised any objection to the proposal. It is also acknowledged that the application site is located within a sustainable location, close to the town centre, where many day-to-day activities can be accessed on foot, by bicycle or using public transport. Accordingly, the car parking, turning facilities and visibility splays are acceptable and the scheme would not impinge on highway or pedestrian safety.

Taking all these matters into account, the proposed development would not harm highway or pedestrian safety. The proposal would therefore comply with Policy BW12 of the LDP.

Other matters

Ground stability

The application site is located in an area identified by The Coal Authority to be at high risk to past coal mining activities. As such, a Coal Mining Risk Assessment (CMRA) has been submitted in support of the application. This report, which has been undertaken by a suitably qualified person, concludes that there are no significant coal seams beneath the site. As such, it advises that there would be a low risk to the development from past coal mining. However, the Coal Authority has advised that the report highlights the potential for the site to be affected by ironstone workings which is outside the remit of the Coal Authority. As such, the advice of the Engineering and Traffic Group Leader has been sought in relation to this issue. No objections have been raised in this respect subject to intrusive site investigations being carried out in line with the recommendations of the CMRA prior to the commencement of development. The purpose of this is to ensure that the site is safe and stable for development. Therefore, it is considered that the site can be appropriately developed without posing a significant risk.

Ecology

A Preliminary Ecological Appraisal has been carried out to determine any potential impacts on protected species or habitats. This highlights that bats are likely to use the western and southern boundaries of the site for foraging and commuting. Also, the site provides some habitat for all common species of reptiles, particularly grass snake, slow worm and common lizard. The report states that there is no evidence of breeding birds within the existing building or the trees on the site. However, it should be assumed that breeding birds utilise the boundaries and trees on the site.

The report makes a number of recommendations to safeguard species from the proposed development. These recommendations include a method statement to safeguard the unlikely presence of roosting bats in the trees and the presence of a small number of reptiles. A number of on-site enhancements measures are proposed which includes the siting of 3 bat boxes (one on three of the four houses) and 2 Sparrow terrace bird boxes (one on two of the four houses). The scheme also includes a retained garden area for reptiles during the construction phase of the development. Two holes (13cm x 13cm) will also be created in the existing western boundary fence to allow for the passing of Hedgehogs around the site. A replacement planting schedule is also proposed. Having regard to the enhancements and mitigation measures being put forward with this application, the Council's Ecologist raises no objection to the scheme.

Other matters raised during the publicity exercise not addressed above

- To minimise any issues concerning noise, pollution and fumes (i.e. dust), which may impact on the amenities of the surrounding properties during construction, a condition can be imposed to ensure a construction management plan is agreed.
- With regard to the query raised in relation to how the access gates into the site would be managed to prevent vehicles obstructing the highway, it is reiterated that the Engineering and Traffic Group Leader has not raised any highway objections to the scheme. As such, the proposal is considered acceptable from a highway safety point of view.

- Sufficient refuse space could be provided within the site for the storage of bins. The management of this area from an environmental point of view is ultimately a matter for the owners. While it is inevitable that refuse bins/recycling boxes would need to be located outside of the site and on the pavement on collection days, this situation is no different to the arrangement of any other terrace house in the area.
- The current access serving 2 Plymouth House will be closed off as a result of this development.

Planning Obligations

Policies BW17 and AS22 of the Merthyr Tydfil Local Development Plan (LDP) 2006-2021 consider the requirement for planning obligations and affordable housing contributions on all residential schemes. On proposed residential developments of less than 10 units or where it can be demonstrated that on-site provision for affordable housing is not possible, the Council will require a financial contribution towards the provision of affordable housing elsewhere in the corresponding growth area of the LDP.

The requirement for an affordable housing contribution towards the proposed development has been assessed by the Planning Division's Policy & Implementation Group Leader. In this instance no planning obligations for the provision of affordable housing or any other contributions have been sought as this would likely render the development financially unviable. In order to come to this conclusion, an assessment has been carried out using the Three Dragons Toolkit.

Conclusion

The determination of this application requires careful judgement of each of the issues that the application raises, with particular regard to balancing the merits of such a proposal against any harmful impact such a scheme may pose on neighbouring residents, the visual amenities of the local area and the environment. In this case, while it is fully acknowledged that protected trees on this site would need to be felled to facilitate the development, it has been demonstrated through the course of this application that the existing protected trees are in structural decline and would need to be felled within the next 5 years. While this is regrettable, appropriate replacements would be provided as part of this scheme. Objections have been received in relation to the likely impact such a proposal would have on general highway safety issues within the locality. While such concerns are appreciated, the Engineering and Traffic Group Leader has not raised a highway objection to the scheme. The development is also considered acceptable in terms of the impact it would have upon surrounding neighbouring properties.

The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following CONDITIONS

CONDITIONS:

1. The development shall begin not later than five years from the date of this decision.

Reason - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

Drawing no. 592.02E (Proposed site) received on 20.12.2019

Drawing no. 593.07A (Side elevations of proposed houses) received on 20.12.2019

Drawing no. 593-08 (Ground and first floor plan of proposed houses) received on 18.12.2019

Drawing no. 593-09 (Front and rear elevations of proposed houses) received on 18.12.2019

Drawing no. 592.11 (Block plan) received on 07.11.2019

Drawing no. 01 Rev A (Planting plan) received on 01.11.2019

Drawing no. 593-03A (Front and rear elevation Plan Plot 4) received on 07.11.2019

Drawing no. 593-04 (Ground and first floor plan Plot 4) received on 07.11.2019

Drawing no. 593-05 (Side elevations of Plot 4) received on 07.11.2019

Drawing no. 592.12A (Section A-A) received on 07.11.2019

Drawing no. 592.06 (Section A-A) received on 26.06.2019

Drawing no. 592.10 (Section) received on 26.06.2019

Preliminary Ecological Appraisal by BE Ecological Ltd June 2019 Issue 1VD received on 19.12.2019 and agent's email correspondence received on 20.12.2019

Reason -To ensure compliance with the approved plans and clearly define the scope of the permission.

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

Reason - To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

4. The 3m by 33m visibility splays shown on plan no. 592.02E shall be provided before any dwelling hereby permitted is occupied and maintained free of any obstruction exceeding 0.9m in height for as long as the development exists.

Reason - In the interests of road safety in accordance with Policies BW12 and TB11 of the Merthyr Tydfil Local Development Plan.

5. **Prior to the construction of the dwellings hereby approved** details of a scheme for the disposal of foul water shall be submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the beneficial use of the development and retained in perpetuity.

Reason - To ensure adequate disposal of foul water drainage in accordance with Policy BW8 of the Merthyr Tydfil Local Development Plan.

6. No dwelling shall be occupied until the two *Fagus sylvatic* trees proposed along the northern boundary of the site and identified on the proposed landscaping scheme drawing number 01 A have been planted in accordance with the approved details. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure replacement Tree Preservation Order (TPO) trees are provided in the interests of visual amenity in accordance with Policies BW5 and BW7 of the Merthyr Tydfil Local Development Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing no. 01 Rev A) shall be carried out in the first planting and seeding seasons following the occupation of any dwelling or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

8. **No development shall commence**, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment and so as to accord with Policy BW7 of the Merthyr Tydfil Local Development Plan.

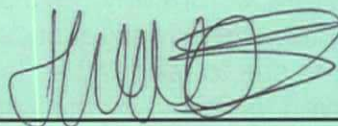
14. **Prior to the occupation of the dwellings hereby approved**, details and/or samples of the materials proposed for the boundary walls, piers and gate proposed to be erected along the eastern and northern boundary of the site shall be submitted to and approved by the local planning authority. The boundary treatment shall be fully completed in accordance with the approved details prior to the occupation of any dwelling.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of the principle elevation of that dwelling house.

Reason - To preserve the open plan character of the housing layout in the interests of visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

23/12/19.

9. Construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

10. **Prior to the construction of the dwellings hereby approved** details, including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy BW7 of the Merthyr Tydfil Local Development Plan.

11. **No development shall take place** until a site investigation has been carried out in accordance with a methodology first submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be submitted to the Local Planning Authority before any development begins. If any land instability issues are found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development shall be submitted to and approved in writing by the Local Planning Authority. Remedial measures shall be carried out prior to the occupation of any dwelling, in accordance with the approved details and retained in perpetuity.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

12. If during the course of development, any unexpected land instability issues are found which were not identified in the site investigation referred to in condition 11, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures which shall be retained for the period agreed in the remediation scheme.

Reason - The site may be unstable and as such in the interests of safety remedial measures may need to be carried out.

13. The clearance/development of the site shall be carried out in accordance with the recommendations set out in Section 6 and Appendix B of the Ecological Assessment (Prepared by BE Ecological).

Reason - To minimise any potential harm to protected species and to protect the natural environment in accordance with Policy BW5 of the Merthyr Tydfil Local Development Plan.