

DELEGATED REPORT

Application No:	P/22/0286
Site Address:	Land Adjacent To Kingsley Terrace Aberfan Merthyr Tydfil
Development:	Erection of four pairs of semi-detached dwellings with associated engineering and landscaping works
Case Officer:	David Cross
Site Visit:	30th November 2022
Application Expiry Date:	26th December 2022
Consultation reply date expired:	7th December 2022

APPLICATION SITE

This application relates to an irregular plot of land measuring approximately 24m deep by 75m wide with an overall site area of approximately 0.34 hectares. It is bound to the north and south by an area of vacant scrub land. To the west of the site is the main highway serving the site and a row of traditional properties that form part of Kingsley Terrace. To the east is a watercourse and the Taff Trail, which is also used as a rear access lane serving the nearby terraced properties forming part of Thomas Street and Perthyglesion.

The western part of the site is reasonably level with the adjoining highway and slopes downwards steeply at the eastern part of the site towards the watercourse. Part of the southern section of the application site is separated by an existing narrow footpath providing a link between the main highway (to the west) and the Taff Trail (to the east). There are also several trees and vegetation along the eastern boundary, which runs the length of the watercourse adjoining the site.

PROPOSED DEVELOPMENT

Full planning permission is sought for the erection of four pairs of semi-detached dwellings, which would be positioned in a row from north to south, with a frontage onto the main highway (Kingsley Terrace) to the west. The 2 bedroom semi-detached dwellings on plots 1, 2, 7 & 8 would measure 10m wide by 9.9m deep and 8.3m high with a pitched roof. The 3 bedroom semi-detached dwellings on plots 3, 4, 5 & 6 would measure 11m wide by 9.9m deep and 8.6m high with a pitched roof. The external material finishes would comprise rough cast render on the elevations with stone cills and headers. Reconstituted slate would be used on the roof with solar panels provided on the front roof plane.

A shed (one of two types) would be provided in the rear garden of each property, measuring between 1.5m to 2.2m wide by 2.2m deep by 2.8 to 2.9m high with a pitched roof. The sheds would be of a typical timber construction with a door on one elevation.

Access to the development would be from the adjoining adopted highway with two parking spaces provided on each plot to the side of the dwellings. The existing footpath, which links Kingsley Terrace to the Taff Trail, would be retained between plots 6 and 7. The dwellings would be set back 4.1m back from the edge of the existing carriageway to accommodate a new 2m wide footpath and small front garden areas.

A detailed landscaping scheme has been submitted, which illustrates the construction of a retaining wall along the eastern boundary to support the rear garden areas where the land slopes steeply. In front of the wall, understorey native shrubs would be planted to fill in any gaps within the existing trees adjacent to the Taff Trail. Ivy would also be planted across the top and bottom of the retaining wall. Shrub planting would be introduced on either side of the existing footpath between plots 6 & 7, together with two trees. Planting would also be introduced in the front gardens, which would also form part of a sustainable drainage scheme.

PLANNING HISTORY

- P/17/0245 - Erection of 8 dwellings with attached garages
Permission GRANTED on 10.01.2018
- P/15/0259 - Variation of a condition attached to planning permission P/11/0294 for residential development to extend the period of time for the submission of reserved matters.
Permission GRANTED on 15.10.2015
- P/13/0048 - Removal of Condition 7 of Planning Permission P/11/0294, relating to the submission of a development phasing plan.
REFUSED permission on 03.05.2013 and subsequently ALLOWED at appeal on 25.09.2013 (ref: APP/U6925/A/13/2199131)
- P/11/0294 - Erection of 6 No. detached dwellings.
Outline permission GRANTED on 19.10.2012
- P/11/0158 - Erection of detached dwelling (outline with some matters reserved).
REFUSED permission on 21.10.2011

CONSULTATION

- Head of Engineering & Highways - No objection subject to conditions relating to the construction of a footpath, parking and surface water.
- Ecologist - No objection subject to conditions relating to Knotweed, construction environment management, lighting strategy and landscaping.

Environmental Health Manager	-	No objection subject to conditions relating to construction hours, dust and land contamination.
Welsh Water	-	No objection subject to conditions relating to foul and surface water drainage and the protection of existing Welsh Water assets.
The Coal Authority	-	No objection subject to a condition relating to further site investigations.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, two site notices were displayed within the vicinity of the site and letters were sent to the neighbouring properties.

No representations were received as a result of this publicity exercise.

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW), Edition 11, February 2021:

Para 3.5 – 3.15 set out the importance of high quality design to ensure inclusive design, to promote environmental sustainability and ensure high environmental quality. Regard should also be given to the special characteristics of an area, community safety and to encourage sustainable forms of transport.

Para 3.55 notes that previously developed land wherever possible should be used in preference to greenfield sites where it is suitable for development.

Para 4.1.43 – 4.1.56 set out the need to reduce the level and speed of traffic in new development, the provision of car parking and how this may be integrated into new development to minimise the reliance on cars. Transport assessments are also an important mechanism to determine anticipated impacts a development proposal may have.

Para 6.4.21 – 6.4.23 note 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 any potential impacts on protected species which may result in disturbance or harm to the species or its habitat.

Technical Advice Notes (TAN):

- TAN 5, Nature Conservation and Planning, September 2009
- TAN 18, Transport, March 2007

- TAN 12, Design, March 2016

Local Planning Policy

Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031:

- Policy SW1 - Provision of New Homes
- Policy SW2 - Provision of Affordable Housing
- Policy SW3 - Sustainably Distributing New Homes
- Policy SW4 - Settlement Boundaries
- Policy SW9 - Planning Obligations
- Policy SW11 - Sustainable Design and Placemaking
- Policy SW12 - Improving the Transport Network
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW2 - Internationally and Nationally Protected sites and species
- Policy EnW4 - Environmental Protection

Supplementary Planning Guidance (SPG):

- SPG1 - Affordable Housing, March 2012.
- SPG2 - Planning Obligations, March 2012.
- SPG4 - Sustainable design, July 2013.
- SPG5 - Nature and Development, May 2015.

PLANNING CONSIDERATIONS

Land use

The application site is located within the settlement boundary where the majority of new development is generally encouraged and supported in principle by policy SW4 of the LDP. To facilitate the sustainable population growth of the County Borough policy SW1 of the LDP concludes that 2,250 new homes would be required over the period of the plan. This is largely expected to be delivered through the development of land that is allocated for housing under policy SW3 of the LDP, with preference given to previously developed land. In this regard, it is acknowledged that the development would be located in the southern part of a site that is allocated for residential development (No. 31 – Opposite Kingsley Terrace, Aberfan) comprising up to 12 dwellings. Furthermore, planning permission was previously granted (P/17/0245) on the site for the development of 8 dwellings with attached garages. Outline planning permission was also granted (P/15/0259) for the development of 12 dwellings, which included the site and the adjoining land to the north. Accordingly, the principle of the development is acceptable.

Design approach

The existing houses within the immediate vicinity of the application site are predominantly traditional terraced properties that have a frontage onto the main highway with some having small front gardens. There are also a number of semi-detached properties within the area, located further south of the site along Pleasant View. As such, the proposed semi-detached properties would not appear out of context with the character of the area.

The layout of the development is largely informed by the constraints of the site, resulting in a linear form, with the dwellings orientated towards Kingsley Terrace, which compliments the pattern of development in the area. The siting of the dwellings with a setback from the highway to provide small front gardens also reflects the character of the existing properties opposite the site.

The scale of the proposed dwellings in terms of their width, depth and height is appropriate for the site and would generally reflect the scale of the existing properties in the vicinity. The dwellings have been designed to complement the appearance of the existing properties along Kingsley Terrace, incorporating similar fenestration, a hipped roof canopy above the front doors to reflect the bay windows in the area and the use of similar external material finishes. The front garden areas would be planted to form part of a sustainable drainage scheme and hedge planting would be introduced to define the front boundaries. Although the provision of a brickwork boundary walls would better reflect Kingsley Terrace, it is noted that there is a hedgerow boundary to the north of the site. Additionally, the planting would provide additional interest to the street and would compensate for some of the loss of existing vegetation within the site.

It is noted that the development would be located close to the Taff Trail and may have some impact on its recreational use by cyclists and pedestrians. The proposed dwellings would be positioned approximately 18m away from the Taff Trail with the rear garden boundaries (comprising a retaining wall with fencing above) approximately 12m away from the Taff Trail. There would be an ecological buffer zone provided alongside the rear garden boundaries, which includes the retention of existing trees and vegetation. Planting would also be introduced to fill in any gaps and strengthen the quality of the buffer zone. This would help to screen the rear aspect of the development and maintain a sense of the green environment along the Taff Trail. It should also be noted that the section of the Taff Trail adjacent to the site is already bound by a number of residential properties to the west and is utilised as vehicular access to nearby garages. The development of the site would not adversely impact on the recreational use of the Taff Trail and the existing footpath, which provides a link to the trail from Kingsley Terrace, would be maintained and enhanced with native planting to either side.

The layout of the site and design of the proposed dwellings is acceptable and would not adversely impact on the character or appearance of the street or surrounding area. Therefore, the proposal complies with policy SW11 of the LDP.

Amenity impact

The properties most likely to be affected by the development are those located along Kingsley Terrace (to the west). The properties to the east (Cross Street and Thomas Street) are considered to be a sufficient distance away (at least 20m) from the site boundary to not give rise to overlooking or overbearing concerns. Additionally, the existing trees/vegetation along the eastern boundary of the site would provide some screening that minimises any visual intrusion.

The existing properties along Kingsley Terrace are elevated above the main highway and would be approximately 16m away from the front elevation of the proposed dwellings. The separation distance between these properties and the development is deemed to be sufficient and would not result in an adverse impact on the amenities of existing residents, in terms of overlooking or overbearing impacts. In this regard, it is noted that the existing properties along the nearby streets generally tend to be much closer together.

Furthermore, the submitted plans illustrate the siting of the dwellings would essentially follow the same building line as the 8 dwellings previously approved (P/17/0245). Therefore, the development complies with policy SW11 of the LDP.

Highway implications

The existing highway serving Kingsley Terrace measures approximately 9m wide, this includes a 1.7m wide footpath along one side of the road. A new 2m wide footpath would also be provided within the site, along the western boundary abutting the highway. This would ensure that suitable pedestrian segregation is provided in front of the dwellings, which connects to the existing footpath linking Kingsley Terrace to the Taff Trail.

The existing highway is of an adequate standard to accommodate the additional vehicular movements generated by the development and would not adversely impinge on the free flow of traffic in the area. It is acknowledged that some sections of the highway become narrow in places, largely due to the high level of on-street parking in the area. Notwithstanding this, two-way traffic can be adequately accommodated along most of the highway network in the area.

Parking in the area is mostly provided along the street, with a number of properties in the vicinity (particularly to the south along Pleasant View) having garages and driveways. Two off-street parking spaces would be provided on driveways located to the side of each dwelling, which is deemed to be adequate to serve the 2 & 3 bedroom properties. Additionally, a limited amount of on-street parking could also be accommodated along the highway in front of the proposed dwellings. Although the parking arrangement would result in reserving manoeuvres onto the highway, there would be sufficient driver visibility to react to oncoming traffic. The development may limit the opportunity for existing residents to park on both sides of the highway. However, there would still be adequate on-street parking available along Kingsley Terrace. The proposed access and parking arrangement are acceptable and would not give rise to highway safety concerns. In this regard, the Head of Engineering and Highways has not raised any objection. Therefore, the proposal complies with policy SW11 of the LDP.

Ecological impact

The proposed development would be situated in close proximity to a number of existing trees and dense vegetation along the eastern boundary of the site, which forms part of the embankment to the adjacent watercourse. A Preliminary Ecological Assessment (PEA) has been submitted in support of the application to identify any potential impacts on protected species or habitats.

The report concludes that the site supports a limited range of habitats, including poor semi-improved grassland, dense continuous scrub, scattered broadleaved trees, running water and bare ground. The report considers corridors of trees and scrub provide a suitable habitat that support locally foraging and commuting bats, nesting birds and to a lesser extent common reptiles.

To mitigate the impacts of the development, the report indicates a scrub corridor should be retained with a 3m wide ecological buffer zone between the proposed rear gardens and the adjacent watercourse. The retention of this corridor would minimise the negative impacts to habitat connectivity and fragmentations for bats. The report considers the proposed planting scheme alongside the new retaining wall would help reinforce the buffer

zone and strengthen the wooded corridor. Additionally, any external lighting should be carefully placed to minimise any impact on foraging bats. The timing of any clearance works should also avoid the bird nesting season and where appropriate it should be under the supervision of a qualified ecologist.

Whilst parts of the site may provide a suitable habitat for reptiles, the report considers it unlikely that reptiles would be present due to the regular human disturbance, dog walking, vehicle tracks and fly tipping. However, it is recommended that a reptile hibernaculum be provided within the ecological buffer zone. Additionally, 2 bat boxes and 2 bird boxes shall be provided on the new dwellings, together with a landscaping that utilises native species with known biodiversity benefits.

It is acknowledged that the Planning Division's Ecologist is satisfied with the conclusions and recommendations of the PEA and has not raised any objection to the development. Accordingly, the development complies with policies EnW1 and EnW2 of the LDP.

Ground conditions

The site is located in an area identified by The Coal Authority to be at high risk to past coal mining operations. As such, a Coal Mining Risk Assessment has been submitted in support of the application. The report acknowledges that past coal mining activities have taken place in the area, of which a nearby mine shaft associated with the Perthi-gleision Pit is thought to be located adjacent to No. 1 Kingsley Terrace. The report notes that the shallowest worked seam is the Tillery Brithdir, which lies approximately 21m below ground level. There is also a recorded coal seam (unnamed) at a depth of 442m below ground level.

In regard to the mine shaft, The Coal Authority have noted that previous efforts to determine its precise location have not been successful. However, the report considers the likely location of the mine shaft and anticipated depth of rockhead would present a low stability risk. Notwithstanding this, it is recommended in the report that further investigations are required to assess the depth of the rockhead and determine if crown-holes could form on the surface. The additional site investigations would then inform the foundation design for the dwellings. It is acknowledged that The Coal Authority is satisfied with the preliminary assessment provided and has not raised an objection to the development, subject to conditions that require further site investigations to be carried out and details of any remediation works and/or mitigation measures to address land stability. It should also be noted that the design of the foundations would be a matter that can be addressed through the Building Regulations. Therefore, it is considered that the ground conditions of the site do not pose a significant risk to the development and that adequate mitigation measures could be implemented to address any stability concern.

Planning obligations

Policy SW2 of the LDP sets out the target for development proposals to deliver up to 253 affordable dwellings across the County Borough to meet an identified housing need. Where appropriate and having regard to the development viability, Policy SW9 of the LDP seeks contributions towards the provision of affordable housing. In this respect, a financial contribution would normally be sought on residential schemes consisting of between 5 and 9 homes. However, it is noted in the Planning Statement that the development would provide 100% on-site affordable housing that would be managed by Merthyr Valley Homes.

It is noted that typically at least 5% on-site affordable housing would be sought on residential developments (10 or more dwellings) in 'Other Growth Areas'. Given that the proposal would secure 100% affordable housing in the form of eight 2 & 3 bedroom properties, the development would adequately meet the requirements of policy SW2. Accordingly, the affordable housing provision shall be secured by condition.

CONCLUSIONS

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.

For the above reasons, the proposed development is considered to be acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: **BE APPROVED** subject to the following **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:

Dwg No. LT2202.04.01 Rev K - Proposed Site layout, received 10.03.2023

Dwg No. LT2202.04.02 Rev C - Proposed Site Section, received 01.02.2023

Dwg No. LT2202.04.03 Rev B - Block Plan, received 27.02.2023

Dwg No. LT2202.04.05 - Shed Details for 5P 3B House, received 01.02.2023

Dwg No. LT2202.04.06 - Shed Details for 4P 2B House, received 01.02.2023

Dwg No. LT2202.04.100 Rev E - 4P 2B House Type, received 27.02.2023

Dwg No. LT2202.04.101 Rev F - 5P 3B House Type, received 08.03.2023

Dwg No. TC22081_LA2 Rev 8 - Planting Plan, received 09.03.2023

Dwg No. TC22081_LA1 Rev 8 - Landscaping Strategy, received 09.03.2023

Dwg No. 22023-S-101-0 - Proposed Redi-Rock Retaining Wall GA and Sections, received 01.02.2023

Dwg No. 22023-S-102-0 - Proposed Redi-Rock Retaining Wall Elevations, received 01.02.2023

Doc Ref. E22108301/DOC 01 Issue 4 - Preliminary Ecological Appraisal, dated 20.02.2023

Doc Ref. ArbTS_1345.2_Kingsley Terrace - Arboricultural Report, dated 08.07.2022

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

3. **Prior to the occupation of the dwelling** hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall include gaps for hedgehogs in accordance with the recommendations of the Preliminary Ecological Appraisal. The boundary treatment shall be completed as approved prior to the occupation of the dwellings.

Reason - To ensure that the new development will be visually attractive, in the interests of residential amenity and in the interest of the natural environment, in accordance with Policies SW11 and EnW1 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **No development shall take place** until 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 SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No construction works shall take place** until an intrusive 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, in accordance with policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

6. 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 5, 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, in accordance with policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

7. **No development shall take place** until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the Local Planning Authority. The results of the site investigation shall be made available to the Local Planning Authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for

the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures before development begins. If during the course of development any contamination is found that has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures before the development is occupied.

Reason - In the interest of health and safety and environmental amenity and so as to accord with Policy EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. **No development or site clearance shall take place**, until details of a scheme for the eradication of Japanese Knotweed (*Fallonica japonica*, *Rouse decraene*, *Polygonum cuspidatum*) has been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved scheme.

Reason - To ensure compliance with the Wildlife and Countryside Act 1981.

9. **Prior to any construction works commencing on site**, a Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP shall provide full details of the mitigation measures to be employed to protect the 3m ecological buffer zone and stream during construction, in accordance with the recommendations of the Preliminary Ecological Appraisal. All works shall be completed fully in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

10. **No external lighting shall be installed on the dwellings**, until a detailed lighting scheme has first been submitted to and approved in writing by the local planning authority. The lighting scheme shall demonstrate that dark corridors for bat foraging/commuting will be maintained and that the access points to bat boxes remain unilluminated, in accordance with the recommendations of the Preliminary Ecological Assessment. The lighting scheme shall be carried out in accordance with the approved details.

Reason - To protect the natural environment and important habitat in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. The two integral bat boxes and two integral bird boxes, as detailed in the Preliminary Ecological Appraisal, shall be provided on the dwellings as illustrated on the approved plans (Dwg No. LT2202.04.100 Rev E & Dwg No. LT2202.04.101 Rev F), prior to the occupation of the dwellings.

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

12. **No development shall commence** until details have been submitted to and approved by the local planning authority demonstrating the structural condition of the 800mm and 27 inch water mains, located adjacent to the eastern boundary, are protected at all times during the construction and restoration works. The development shall be implemented in accordance with the approved details.

Reason - To ensure that the proposed development does not affect the integrity of the public water supply system in the interests of public health and safety.

13. All planting, seeding or turfing comprised in the approved details of landscaping (Dwg No. TC22081_LA2 Rev 8 - Planting Plan & Dwg No. TC22081_LA1 Rev 8 - Landscaping Strategy) shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. **Prior to commencement of development** a scheme for the provision of affordable housing as part of the development shall be submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than one of the housing units;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason - To ensure an appropriate level of affordable housing is delivered in accordance with Policies SW2, SW9 and SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

15. **Prior to the occupation of the dwellings** details for the provision of a 2m wide footpath as illustrated on approved site plan (Dwg No. LT2202.04.01 Rev K) shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details prior to the occupation of the dwellings.

Reason - In the interests of road safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

16. 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 Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Director of Neighbourhood Services

DATE:

15/3/23