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REPORT AUTHOR	Judith Jones
CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	18th January 2023

Application No.
P/16/0077

Date
9th June 2022

Determining Authority
MTCBC

Proposed Development

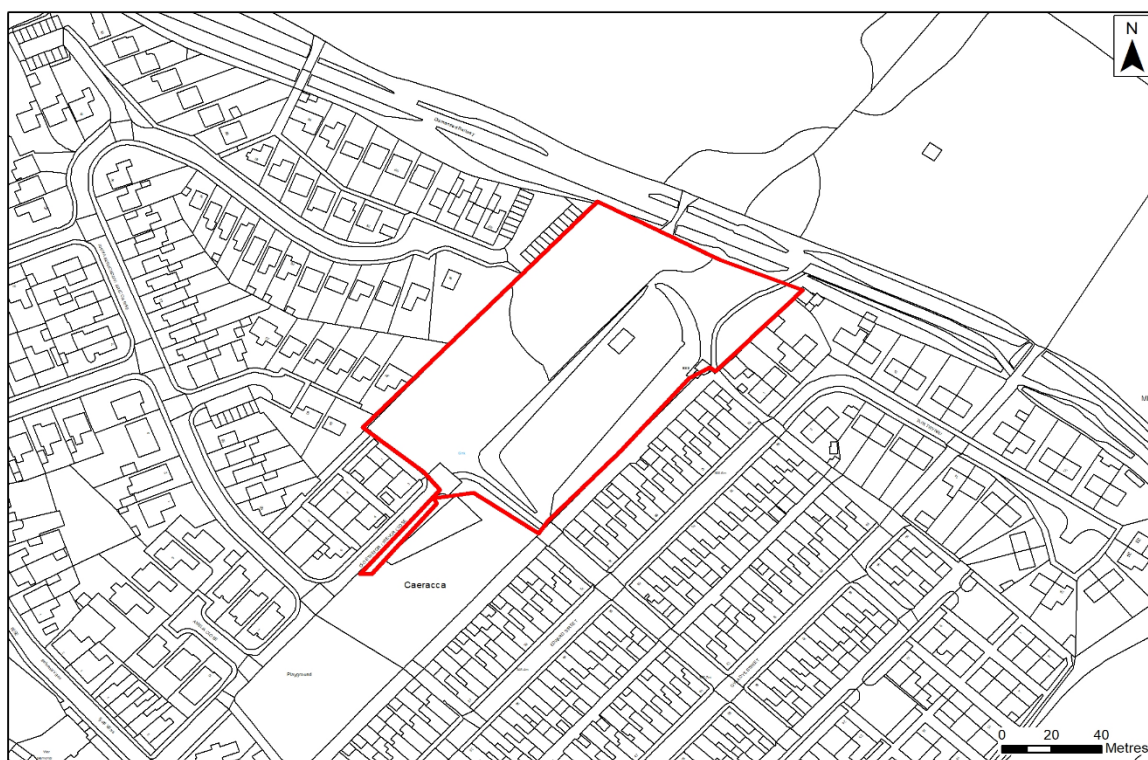
Location

Name & Address of Applicant/Agent

Residential development comprising 21 self build plots with associated highway works

Land to the rear (north-west) of 53-83 Edward Street and 1-7 Tair Twynau Pant Merthyr Tydfil

Palace Homes (Wales) Ltd
c/o Stephen George Architects
25 Courtland Terrace
Merthyr Tydfil
CF47 0DT



P/16/0077

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APPLICATION SITE

This application relates to an area of vacant grassland, which is roughly rectangular in shape measuring approximately 1.15 hectares. The site is located to the north-east of Trevor Close and is bound to the north-west by Brecon Rise which is at an elevated

level. To the south-east is a rear access lane that serves the properties along Edwards Street. To the south-west is an area of open space, which includes a grassed area and a formal playground.

The site generally slopes down gradually from north-east to south-west with embankments along the north-west, north-east and south-east boundaries. An open watercourse also extends through the centre of the site from north-east to south-west where it connects to an existing culvert. The land has not been managed for some time, which is evident by the overgrown appearance of the majority of the site. This is particularly obvious along the north-west and north-east boundaries where there are also a number of trees and dense vegetation.

Access to the site is primarily along the highway serving Trevor Close. There is also a pedestrian link that runs alongside the south-west boundary and an informal track leading to the embankment (former railway line) to the north-east.

PROPOSED DEVELOPMENT

Outline planning permission is sought for a residential development comprising of 21 self-build plots. All matters relating to the access, appearance, landscaping, layout and scale have been reserved for future consideration. As such, this application only seeks to establish the principle of developing the site for residential purposes.

An indicative site plan has been submitted to demonstrate a potential layout for the development, including details of where the dwellings could be located, the potential access arrangements and areas of public or private open space. This plan indicates 12 plots could be located along the north-west boundary of the site, which would back on to a large retaining wall that serves the garden boundaries of Brecon Rise. The remaining 9 plots could be located adjacent to the south-east boundary backing on to the adjoining lane. Three of the plots could also be orientated to the south-west to present a frontage towards the public open space.

Whilst the details of the proposed dwellings are not provided at this stage, the submitted design brief indicates the dimensions of the dwellings would measure between 8.5m to 11m wide by 9m to 12m in length and 5.7m to 9.5m high. This would suggest the dwellings would likely be two storey, with some potential to provide accommodation within the roof space. The scale parameters also give some flexibility to address any changes in ground levels.

Access to the plots could involve extending Trevor Close through the centre of the site to the north-east with the majority of the proposed dwellings fronting onto the new road. This would result in the loss of the existing hammerhead on Trevor Close, which is used as a turning facility and informally as an area for residents to park. A new turning facility could be provided within the site and it is proposed that a new parking area (with 6 parking spaces) could be provided for the residents of Trevor Close immediately adjacent to the site. The submitted plans indicate the dwellings could be setback from the new road with at least 2 parking spaces provided on driveways.

The submitted plans indicate the existing watercourse that extends through the centre of the site could be culverted and a landscaped corridor provided. An ecological buffer

zone could also be provided along the north-west boundary and the woodland/scrub vegetation in the north-east corner of the site could be retained.

PLANNING HISTORY

P/07/0445 - Erection of 28 dwellings and associated highway works.

Permission GRANTED on 30.06.2011

CONSULTATION

Head of Engineering & Highways	-	No objection subject to conditions relating to foundation details, retaining works, highway engineering details and surface water drainage.
Planning Division's Policy Officer	-	No objection subject to a S106 being agreed to secure affordable housing contributions.
Planning Division's Ecologist	-	No objection subject to conditions relating to a lighting plan, landscape and ecology management, reptile method statement and invasive species method statement.
Landscape Architect	-	It was advised that the layout of the development should relate well with the adjoining open spaces.
Environmental Health Manager	-	No objection subject to conditions relating to hours of construction, dust mitigation and land contamination.
Natural Resources Wales	-	No objection subject to a condition relating to a lighting plan.
Welsh Water	-	No objection subject to a condition relating to surface water management and foul water drainage details.
Wales & West Utilities	-	No objection.
Western Power Dist.	-	No objection.

PUBLICITY

In accordance with Town & Country Planning (Development Management Procedure) (Wales) Order 2012, the application was initially publicised by means of letters to neighbouring properties on the 14th March 2016 and four site notices were displayed

within the vicinity of the site on the 21st March 2016. A notice was also published in the local newspaper on the 24th March 2016.

Following amendments to the scheme, to include additional land and a change in the nature of the proposal, (from a full application for 23 dwellings to an outline application for 21 self-build plots) a further consultation exercise was carried out. Letters were sent to neighbouring properties on the 26th June 2019, four site notices were displayed within the vicinity of the site on the 2nd July 2019 and a notice was published in the local newspaper on the 4th July 2019.

No representations have been received as a result of these publicity exercises.

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.

Policy 2: Supports the growth and regeneration of towns and cities, which should contribute towards sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed use centres and public transport, integrated with green infrastructure.

Policy 7: seeks to increase the delivery of affordable homes in response to local and regional needs and to explore all opportunities to increase the supply of affordable housing.

Policy 9: To ensure the enhancement of biodiversity, the resilience of ecosystems and the provision of green infrastructure. This can include safeguarding areas of ecological importance, as well as identify opportunities where existing and potential green infrastructure could be maximised as part of placemaking.

Policy 12: Improving regional connectivity should be supported and in urban areas, priority should be given to improving and integrating active travel and public transport. Active travel must be an essential and integral component of all new development, large and small.

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 4.0.3 seeks to ensure new development is designed in a way that minimises the need to travel, reduced dependency on the private car and enable sustainable access to employment, local services and community facilities. This is achieved through integrating development with sustainable transport and maximise the provision and use of sustainable forms of travel.

Para 4.1.40 encourages the use of ultra low emissions vehicles including the provision of charging points for electric vehicles.

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 4.2.17 states that maximising the use of suitable previously developed and/or underutilised land for housing development can assist regeneration and at the same time relieve pressure for development on greenfield sites.

Para 4.2.25 – 4.2.34 set out the need to secure affordable housing for those who cannot afford market housing, both on first occupation and for subsequent occupiers and there should be an appreciation of the demand for different types of housing

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 2 Planning and Affordable Housing
- TAN 5 Nature Conservation and Planning, September 2009
- TAN 12 Design, March 2016
- TAN 18 Transport, March 2007

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 CW1 - Historic Environment
- Policy EnW1 - Nature Conservation and Ecosystem Resilience

- Policy EnW2 - Internationally and Nationally Protected Sites and Species
- Policy EnW3 - Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.
- Policy EnW4 - Environmental Protection
- Policy EcW9 - District Heating

Supplementary Planning Guidance (SPG):

- SPG 1 Affordable Housing, March 2012
- SPG 2 Planning Obligations, March 2012
- SPG 4 Sustainable Design, July 2013
- SPG 5 Nature and Development, May 2015

PLANNING CONSIDERATIONS

Land use

The application site lies 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 identifies 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 site is allocated for residential development (No. 9: Trevor Close, Pant) comprising 20 units. It is also acknowledged that planning permission was previously granted on the north-west part of the site for 28 dwellings. Accordingly, the principle of the development is acceptable, which would make a modest contribution towards the provision of new homes in a sustainable location.

Design approach

Whilst the general design of the development, including the layout, appearance, scale and landscaping have been reserved for future consideration, as part of a reserved matters application, the indicative site plan sets out the principles of how the site could be developed.

To integrate the development with the surrounding area, it is suggested that the existing highway serving Trevor Close would be logically extended through the site. The dwellings could then be located along the north-west boundary, backing on to the existing garden areas serving Brecon Rise, with a frontage on to the new road. This would appear as a continuation of the street and provide an appropriate response to the existing pattern of development in the area. The dwellings along the south-east boundary could also front on to the new road and back on to the adjoining lane, which currently serves a number of garages located at the bottom of the rear gardens of Edward Street. This would be an appropriate response that is not dissimilar to the street pattern to the south-east where terraced properties largely back on to narrow rear lanes. To integrate the development with the adjacent public open space, the site plan suggests some of the dwellings could be orientated to have a south-west frontage

that could provide some natural surveillance over the public realm. The indicative site plan demonstrates that a suitable layout could be provided within the site to accommodate 21 self-build plots that can integrate well with the neighbouring properties and open spaces.

The scale parameters for the proposed dwellings indicate that the development would generally cater for large detached properties that may provide some accommodation within the roof space. Within the vicinity of the site, there are a number of properties that vary in scale from the traditional two storey terraced properties along Edward Street, the detached dwellings within Amelia Close and the properties along Brecon Rise that vary in their style, with some having narrow or wide frontages. Additionally, it is noted that the semi-detached dwellings along Caeracca Villa (to the south-west) are elevated due to the change in levels and include accommodation within the roof space. Given the context of the surrounding area, it is considered that the proposed scale parameters are acceptable and would enable the dwellings to be appropriately designed in response to the constraints of the site and would not appear out of context with the surrounding area.

The character and appearance of the existing properties within the vicinity of the site vary from more traditional terraced houses of a modest design to modern properties with gable features, bay windows and integral garages. It is considered that the development would generally be viewed in the context of the modern housing estate to the west. The external material finishes generally include render or facing brickwork on elevations with concrete roof tiles. It is suggested in the submitted Design Brief that the proposed dwellings could have brickwork finishes to reflect the adjacent properties along Trevor Close.

Although a detailed landscaping scheme has not been provided at this stage, the submitted site plan demonstrates that adequate private amenity space could be provided for each of the plots and that some planted areas could be utilised to offer ecological mitigation (as well as a sustainable drainage scheme to manage surface water).

Accordingly, it has been sufficiently illustrated that an appropriate residential scheme could be provided on the site that integrates well with the surrounding environment without adversely impacting on the character or appearance of the area. Therefore, the proposal complies with policy SW11 of the LDP.

Amenity impact

The properties that have the greatest potential to be affected by the development in terms of overlooking or overbearing impacts, are those situated adjacent to the site boundaries, being Brecon Rise to the north-west, Trevor Close to the south-west and Edward Street to the south-east. Given that the layout of the development is not being considered at this stage, the precise location of the dwellings within each plot is not finalised. Nevertheless, the indicative site plan suggests the dwellings along the north-west part of the site could be positioned at least 17m away from the side elevation of the properties along Brecon Rise, which are elevated above the application site. Given the orientation, separation distance and level changes, there would be a minimal impact on the residential amenity of these properties.

The dwelling on plot 1 could be positioned approximately 6m to 7m away from the front (northern) elevations of No. 1-3 Trevor Close. Whilst this may be close to the properties, it is noted that the front elevations include particularly small and narrow windows, which greatly minimises any outlook. This contrasts with the larger windows provided on the rear elevations that overlook small rear gardens. These properties also do not have any front gardens and directly front on to a footpath, which is currently enclosed along one side by a fence. Whilst the development may have some impact on the residents of No. 1-3 Trevor Close, it is considered that the development of plot 1 would not give rise to significant overbearing or overlooking concerns. The proposed dwelling on plot 1 could also be designed to further minimise any unacceptable impacts.

The proposed dwellings along the north-east boundary of the site could be positioned at least 20m to 30m away from the rear elevation of the properties along Edward Street and would be separated by a lane and a landscaped embankment. The proposed dwellings could be adequately positioned to ensure a suitable separation distance from Edward Street to minimise any potential overbearing or overlooking concerns.

Furthermore, it is acknowledged that no local objections were received as a result of the publicity exercises undertaken. Therefore, the site could be carefully developed without giving rise to significant impacts on residential amenity, which complies with policy SW11 of the LDP.

Highways implications

Whilst details of the proposed access serving the development have been reserved for future consideration, the submitted site plan indicates the existing highway (Trevor Close) could be extended through the centre of the site. The road could measure 5.5m wide with a 2m wide footpath that links to the existing highway in the vicinity. The driveways serving each plot could then be positioned on either side of the road. Additionally, a turning area could be provided which could be utilised by service vehicles. It has been adequately demonstrated that a suitable means of access into the site could be accommodated to serve the proposed development.

The access off Trevor Close would result in the loss of the existing turning head, which has also been used informally as a parking area by some residents. To mitigate any impact and minimise the amount of on street parking, it is proposed that 6 new parking spaces could be provided to one side of the carriageway. These could then be utilised by the residents of Trevor Close, who currently have limited parking provision.

A highway assessment was submitted in support of the application that reviewed the existing traffic movements along Trevor Close and Pant Road. It has been highlighted by the Head of Engineering and Highways that the development would result in an increase in traffic movements in the area. However, this would amount to just one additional vehicle per minute, which is not deemed to be excessive and can be accommodated within the existing highway network. Additionally, it has been noted that the 6 parking spaces to be provided along Trevor Close should be implemented prior to the development of the residential plots to minimise any congestion in the area.

during the construction phase. This can be secured by condition. Accordingly, the Head of Engineering and Highways has not raised any highway safety concerns.

It should be noted that planning permission (P/07/0445) was previously granted for 28 dwellings across the western part of the site. This application initially proposed a further 23 dwellings on the eastern part of the site, which would have greatly increased the size of the development to 51 dwellings. However, revisions were made to the current proposal resulting in an overall reduction to 21 dwellings across the western and eastern parts of the site to accommodate detached dwellings within larger self-build plots. Therefore, the traffic associated with the proposed development would likely be less than that associated with the previously approved scheme for 28 dwellings.

It has been adequately demonstrated that a suitable means of access could be provided and that the development would not adversely impact on traffic movements in the area or give rise to highway safety concerns. Therefore, the proposal complies with policy SW11 of the LDP.

Ecology

To determine the potential impacts of the development on any protected species or habitats within the site, a Preliminary Ecological Appraisal (PEA) and Bat Survey have been undertaken. The PEA has identified a number of habitats (including areas of scrub, bare ground, tall ruderal vegetation, semi-improved grassland and heath), which have the potential to support a range of protected species, such as bats, badgers, dormice, breeding birds, reptiles, otter and invertebrates. It is also noted that there are a number of trees and a stream crossing the site.

The report concludes that the site is not generally suitable for amphibians, dormice, otter or badgers and there is little evidence of such species using the site. The survey report points out there is evidence that the site is used by bats for foraging. Further bat surveys have revealed the site is used by common pipistrelle, soprano pipistrelle, myotis and lesser horseshoe bats. The site is considered to offer an optimal habitat for reptiles, including slow worm, common lizard and grass snake. Although the report assumes that reptiles would be present, it considers the population density would be low given the amount of disturbance and the size of the habitat area identified. The PEA considers there to be suitable habitats within the scrub, scattered trees and tall ruderal vegetation that would support nesting birds. Although some common and widespread invertebrates (such as grayling butterflies) may be present in the surrounding area, there is a lack of variety of food plants found within the site to support this species.

The PEA concludes that the site is of moderate ecological value at a local level and that several mitigation measures are proposed to minimise any harm to protected species. The report recommends that dark corridors be maintained along the boundaries and in the north-east corner of the site to ensure that bats can continue foraging in the area. In this regard, a 3m to 4m deep ecological buffer zone is proposed along the north-west boundary with the existing embankment and vegetation being retained. Additionally, the development would not encroach on to the land in the north-east corner of site. The submitted site plan illustrates a number of landscape zones

across the site that could include the planting of native species to mitigate for the loss of habitats. A lighting plan to ensure dark corridors are maintained would be required, together with a reptile mitigation strategy and details for the provision of bird and bat boxes. These mitigation measures can be secured by condition and would form part of a landscape and habitat management plan. Accordingly, it is acknowledged that the Planning Division's Ecologist has not raised any objection to the development. Therefore, it has been adequately demonstrated that the site could be developed without adverse harm to protected species or habitats and complies with policies EnW1, EnW2 and EnW3 of the LDP.

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, residential developments, comprising 10 or more dwellings within the Primary Growth Area, shall be required to provide 10% on-site affordable housing. Policy SW9 also requires the provision of open space where there is an identified need, together with any other relevant obligations not included in the Community Infrastructure Levy (CIL).

Using the Three Dragon's Toolkit, the Town Planning Division's Policy Officer has assessed the viability of the development. In this instance, a financial contribution towards the provision of affordable housing in the area is required, together with an appropriate monitoring fee. This would be secured by means of a Section 106 agreement. The terms of the Section 106 agreement would require the applicant to pay an affordable housing contribution of J25,000 to the Council.

A financial contribution towards affordable housing and improved play provision was previously secured as part of application P/07/0445 (for 28 dwellings), which includes one-half of the application site. It should be noted that the contribution (J15,000) towards the improvement of the existing playground facilities (to the south-west of the site) has already been provided, given that some ground works had initially commenced at the time. This application (if implemented) would essentially supersede the previous permission. As such, the contribution towards improved play provision has been included in the viability assessment of the current proposal. In addition to the financial contributions, it is highlighted that the proposal includes the provision of a parking layby (opposite Trevor Close) with 6 parking spaces. This would be available for local residents and could be secured by condition prior to construction works commencing on site.

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 principle of the residential development is acceptable and it has been adequately demonstrated that a suitable scheme could be developed without having an adverse impact on the site or the surrounding area. Therefore, the development is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

RECOMMENDATION: BE APPROVED subject to the following **CONDITIONS** and the applicant (and anyone else with an interest in the land) **ENTERING INTO A SECTION 106 AGREEMENT.**

1. Details of the access, appearance, landscaping, 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 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

2. 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 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

3. 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 and Part (3)1 of the Town and Country Planning (General Development Procedure) (Amendment) (Wales) Order 2012.

4. **In conjunction with the statutory "reserved matters"** required by Condition 1, details for the provision of an ecological buffer zone along the north-west boundary of the site, as indicated in the Ecological Assessment (May 2021 Issue 1, VC), shall be submitted to and approved in writing by the local planning authority. The details shall include sections of the boundary fence/wall to protect the buffer zone and provide a dark corridor for foraging bats. All works

shall be completed in accordance with the approved details prior to any construction works commencing on site.

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **No development shall commence on site**, until existing and proposed site levels including full cross sectional drawings for each plot have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

6. **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 prior to the occupation of the dwellings.

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 .

7. **Prior to the occupation of the dwellings**, 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 be completed as approved prior to the occupation of the dwellings.

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

8. **Prior to works commencing on site**, details for the provision of 5 integral bat boxes on the dwellings and 3 bird boxes within landscaped areas, shall be submitted to and approved in writing by the local planning authority. Plans shall be provided to illustrate their location within the site and their position on the dwellings and in the landscaped areas, together with details for a mixture of bat boxes and bird boxes to support a range of species. The bat and bird boxes shall be provided in accordance with the approved detail 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.

9. **Prior to any site clearance or construction works commencing on site** a reptile mitigation strategy, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

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

10. **Prior to the occupation of the dwellings**, a detailed lighting scheme shall be submitted to and approved in writing by the local planning authority. The details shall include:

- horizontal and vertical illuminance plans demonstrating dark corridors/routes along the north-west and north-east boundaries, together with dark routes for access to the integral bat boxes.
- the lux levels within the dark corridors shall not exceed 0.2 lux on the horizontal plane and 0.4 lux on the vertical plane
- the onsite lighting shall include appropriate colour temperatures of no more than 2700 Kelvin and peak wavelengths of no more than 550nm.

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

Reason - To protect the natural environment and important habitats in accordance with Policies EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

11. All planting, seeding or turfing comprised in the approved details of landscaping 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.

12. **Prior to the occupation of the dwellings**, a detailed landscape and habitat management plan, including management responsibilities and maintenance schedules for all landscaped and habitat areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. The landscape and habitat management plan shall be carried out in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to protect the natural environment in accordance with

Policies SW11, EnW1, EnW2 and EnW3 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason - To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

14. **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.

15. **No construction works shall commence**, until a Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The plan 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 and monitor the emission of dust and dirt during construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works;

Reason - In the interests of the highway safety and free flow of traffic and to protect the environment in accordance with Policy EnW4 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.

17. **Before construction works commence on site** details for the provision of 6 parking spaces to be provided adjacent to the carriageway along Trevor Close, shall be submitted to and approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details prior to construction works commencing on site. The parking spaces shall be retained for such purposes at all times thereafter.

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

18. **No development or site clearance shall take place**, until details of a scheme for the eradication of Japanese Knotweed (*Fallonia 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.