

Agenda Item 5

DATE WRITTEN	1st February 2022
REPORT AUTHOR	Judith Jones
CASE OFFICER	David Cross
COMMITTEE	Planning and Regulatory
COMMITTEE DATE	9th February 2022

Application No.

P/21/0416

Date

16th December 2021

Determining Authority

MTCBC

Proposed Development

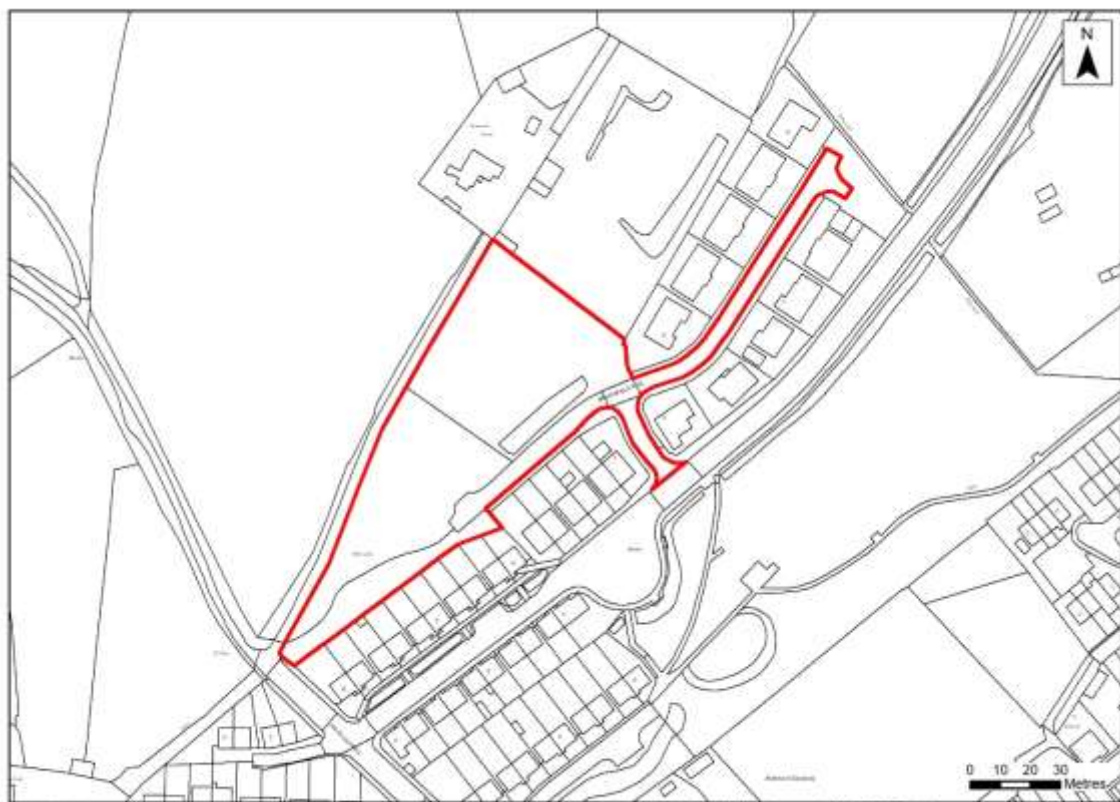
Proposed residential development comprising 23 affordable dwellings with associated drainage and access works

Location

Land At Springfield Rise
Treharris
Merthyr Tydfil

Name & Address of Applicant/Agent

c/o Agent
c/o Mr Sam Courtney
LRM Planning Ltd
22 Cathedral Road
Cardiff
CF119LJ



P/21/0416

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APPLICATION SITE

This application relates to an area of land that is roughly triangular in shape measuring approximately 0.69 of a hectare, located on the northern edge of Treharris, adjacent to Springfield Rise. The site previously comprised of a large and steep mound of earth and rubble, which was thought to be the residual waste material left over from the ground works associated with the construction of Springfield Rise. In 2015, planning permission was granted for the residential development of the site, which involved the re-profiling of the land. Although some ground works had initially started, the development was later abandoned for a number of years.

Much of the land in the south-west part of the site was levelled out to accommodate a new access road and the footings for new dwellings. The land in the north-east part of the site slopes up to a much higher level, which is similar to that of the nearby existing dwellings. The difference in level is also noticeable by the presence of a high brickwork retaining wall along part of the south-east boundary that abuts the existing highway.

The ground within the site has been significantly disturbed, but given its abandonment for some years, new scrub vegetation has emerged across the site. Notably along the north-west boundary of the site, there is a long and continuous hedgerow, in an elevated position, that runs alongside an existing access lane, which serves a residential property to the north (Reservoir House).

The site is bound to the north and west by land that forms part of the open countryside. To the south-east is a row of semi-detached dwellings that front on to Twynygarreg Road. These properties are generally elevated above the main highway and some have elevated garden areas due to the change in levels. To the north-east is a group of large self-build detached dwellings that front on to Springfield Rise. It is noted that some of these dwellings are elevated above the highway with integral garages at the lower ground level and raised front garden areas.

The access road serving the site and the adjacent properties has a patchy tarmac surface, with no formal pedestrian segregation. Due to its incomplete and poor condition, this road does not form part of the adopted highway. There is also a legal Right of Way that crosses the site from the south-west corner (accessed from Twynygarreg Road) to the north-east, where it extends behind the existing dwellings and then continues to the south-east where it links back to Twynygarreg Road.

PROPOSED DEVELOPMENT

Full planning permission is sought for the construction of 23 residential units comprising 4 pairs of semi-detached dwellings, a detached dwelling and two buildings that would provide a total of 14 walk-up flats. The development would largely provide 1 and 2 bedroom properties with a pair of semi-detached dwellings providing 3 bedrooms and the detached dwelling providing 4 bedrooms.

The general layout of the development would involve extending the existing access road to the south-west, adjacent to the rear garden boundaries of the dwellings that front on to Twynygarreg Road. The proposed flats and five of the dwellings would be positioned to have a frontage on to this road in a linear form with a new turning head

provided at the end of the street. A new access would also spur off the road to the northern elevated part of the site, to serve the upper levels of the flats and four dwellings. The existing section of the access road serving the site would be improved to adoptable standards with a new footpath provided along both sides of the carriageway. Additionally, the existing highway serving Springfield Rise to the north-east would be improved and brought up to adoptable standards. The vegetation in the south-west corner of the site would be cleared to accommodate a new pedestrian route that would form part of the diverted right of way.

Each of the dwellings would accommodate at least 2 parking spaces on driveways and one parking space would be provided for each of the flats in designated parking spaces to the front and rear of each block. Private garden areas would be provided to the front and rear of the dwellings. A landscaping scheme has been provided which illustrates planted areas would be provided along the street to enhance the quality of the public areas. The existing hedgerow along the north-west boundary would be retained and a new retaining wall would be constructed along this boundary to support the steep embankment that was created by the previous developers.

The proposed flats (Block A, Units 1-8) would be located adjacent to the north-east boundary opposite 5-6 Springfield Rise with a frontage onto the existing access road. The building would measure 18.9m wide by 9.7m deep. Due to the change in levels the building would be 12.8m high (three storeys) when viewed from the front and 6.8m high (single storey) when viewed from the rear. Four of the flats would be accessed from the front via the existing road at the lower ground level and the other 4 flats would be accessed from the new access road to the rear of the building. It is noted that two of the flats would be accommodated within the roof space, which would include dormer windows on the rear roof plane and roof lights to the front.

The proposed flats (Block B, Units 9-14) would adjoin Block A opposite 3-4 Springfield Rise with a frontage onto the existing access road. This building would measure 18.9m wide by 8m deep. Due to the change in levels the building would be 12.2m high (three storeys) when viewed from the front and 9.2m high (single storey) when viewed from the rear. Two of the flats would be accessed from the front via the existing road at the lower ground level and the other 4 flats would be access from the new access road to the rear of the building.

To accommodate some amenity space for the flats, the majority of the units would include recessed balcony areas along the south-east elevation of the buildings. The material finishes for both blocks of flats would comprise facing brickwork on the elevations and fibre cement slate on the roof.

The detached dwelling on Plot 15 would be located in the south-west part of the site (to the rear of 46 Twynygarreg) with the front elevation orientated to the north-east towards the access road. The dwelling would measure 9.9m wide by 9.3m deep and 8.4m high with a pitched roof. The building has been designed with a single storey annexe on the south-east side to further setback the main bulk of the dwelling away from the neighbouring properties. The dwelling would also be setback from the rear garden boundaries to accommodate the proposed diverted right of way.

The semi-detached dwellings on plots 16-19 would be located at the centre of the site and orientated to the south-east with a frontage onto the access road. Each pair of these dwellings would measure 12.6m wide by 8.4m deep and 9m high with a pitched roof.

The semi-detached dwellings on plots 20 & 21 would be located in the top northern corner of the site and orientated to the south-east with a frontage onto the access road. These dwellings would measure 17.4m wide by 6.2m deep and 7.9m high with a pitched roof.

The semi-detached dwellings on plots 22-23 would be located close to the north-west boundary of the site adjacent to the existing turning facility. These dwellings would be oriented to the south-west with a frontage onto the access road. The pair of dwellings would measure 13m wide by 9.1m deep and 9.3m high with a pitched roof.

The dwellings would be of a modest design incorporating some brickwork bands and detailing around windows. Each property would include a canopy above the front entrances and photovoltaic panels would be installed on the roofs. The material finishes of all of the dwellings would comprise facing brickwork on the elevations and fibre cement slate on the roof.

PLANNING HISTORY

- P/15/0276 - Erection of 9 detached dwellings.
Permission GRANTED on 27.11.2015
- P/09/0300 - Erection of two dwellings (pair of semi detached).
REFUSED permission on 05.05.2010 due to poor design and impact on the right of way.
- P/05/0476 - Drainage, road access and plot layout (to serve residential development consent ref: P/04/0029).
Permission GRANTED on 30.09.2005
- P/04/0029 - Residential development - 26 plots (Outline).
Permission GRANTED on 10.09.2004

CONSULTATION

- Head of Engineering highway - No objection subject to conditions relating to design, ground investigations and retaining works.
- Planning Division's Policy Officer - No objection.

Planning Division's
Ecologist

- No objection subject to conditions relating to reptile mitigations and ecological enhancements.

Welsh Water

- No response.

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, letters were sent to the neighbouring properties on the 16th December 2021 and three site notices were displayed within the vicinity of the site on the 17th December 2021. A press notice was also published in the local newspaper on the 23rd December 2021.

As a result of this publicity exercise, 1 letter of objection has been received, which raises the following concerns:

1. It was understood that 20 executive type houses would be built within the site, consisting of 4/5 bedroom homes. The proposal for 16 flats is unacceptable, it is not in keeping with the area and would be an eye-sore in an already elevated position.
2. The diversion of the right of way would be strongly opposed.

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 12 Design, March 2016
- TAN 15 Development and Flood Risk, July 2004
- 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 EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.
- Policy EnW4 - Environmental Protection
- Policy EnW5 - Landscape Protection
- Policy EcW10 – Sustainably Supplying Minerals
- Policy EcW13 – Minerals Safeguarding

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 principle

This application relates to an area of land located within the settlement boundary where the majority of new development is generally encouraged and supported in principle by policy SW4 of the LDP. The site is situated adjacent to a predominantly residential area and planning permission has previously been granted for the

residential development of the site on a number of occasions. The application site would constitute previously developed (brown field) land, given that works have previously commenced involving significant ground works and the construction of foundations at the time, which was later abandoned. As such, the proposal would deliver an alternative residential scheme to complete the development of the site and the wider Springfield Rise estate. Additionally, the development would make a modest contribution towards the provision of new affordable homes in line with policy SW1 and SW2 of the LDP. Accordingly, the principle of the development is acceptable.

Design approach

The development of the site is largely constrained by its awkward shape and the steep topography in some areas. The general layout has been informed by the intention to utilise and extend the existing access road with the front of the buildings orientated towards the road to provide an appropriate street scene. A new road would be constructed that spurs off to the northern corner of the site in order to provide access to the upper parts. The layout would provide an appropriate response to the row of dwellings opposite (south-east) and would be seen, in relation to the detached dwellings (north-east), as a continuation of the street. The dwellings and flats have been setback from the access road to maximise the separation distance from the residential properties to the south-east. Whilst the existing right of way that crosses through the site is currently largely inaccessible, the layout would accommodate a new footpath that would better link to nearby pedestrian routes.

The house types in the surrounding area vary in their style from traditional rendered terraced properties (to the south) to modern semi-detached/detached dwellings with brickwork finishes to the south-east and north-east. Some of the modern dwellings incorporate sand stone quoins, contrasting brickwork band details on the elevations, solar panels, gable features and dormer windows. Additionally, due to the topography, the majority of the modern properties include elevated gardens, with some also having integral garages at the lower ground level.

The proposed block of flats would be located adjacent to the north-east boundary and would appear as three storey buildings. They would essentially be 'cut-in' to the existing steep embankment with the ground floor flats access from the front and the upper flats accessed to the rear from the new access road. Whilst there are no three storey buildings in the general area, there are a number of properties adjacent to the site that are nonetheless of a similar scale. In particular to the dwellings to the north-east are elevated above the road with integral garages at the lower ground floor level and elevated front garden areas. As such, the scale of the blocks of flats would not appear out of context and would not differ significantly in height to the existing elevated properties. The provision of ground floor flats also presents an active frontage on to the access road rather than extending the high boundary walls already present in the area.

The design of the proposed dwellings are of a typical modest design and where appropriate brickwork detailing would be used on the elevations to provide some visual interest to the properties. The dwellings have all been positioned to front onto the access road to provide appropriate frontages along the street. All of the dwellings

would incorporate solar panels on the roofs that contribution to sustainable building design by utilising renewable energy.

The overall design of the development, including the layout, scale and appearance is acceptable. The general appearance of the dwellings and flats would incorporate a number of features that compliments the nearby properties. The proposed material finishes, which includes facing brickwork on the elevations and fibre cement slate roofs would enable the development to integrate well with the adjacent dwellings. As such, the development would not have an adverse impact on the character of appearance of the surrounding area. Therefore, the proposal complies with policy SW11 of the LDP.

Amenity impact

The properties that have the potential to be affected by the development includes Reservoir House to the north, Springfield Rise to the north-east and the dwellings to the south-east that front on to Twnygarreg Raod.

The dwellings on plots 22 & 23 would be closest to the Reservoir House (to the north), with a separation distance of approximately 38m. The proposed development would be at a much lower level to this neighbouring property with intervening vegetation that would limit any potential overbearing or overlooking concerns.

The proposed flats would be closest to the detached dwellings along Springfield Rise (to the north-east) and would be positioned approximately 24m to the side of these properties. Given the separation distance and the fact that flats would be at a similar level, there would be no significant overbearing impacts. There would also be no windows proposed on the side elevation of the flats that may otherwise give rise to any overlooking concerns.

It is noted that the proposed flats would be located opposite No. 1-6 Springfield rise, which are at a lower level. Although their rear garden areas back on to the existing access road, there is limited boundary treatments that may otherwise secure more private amenity spaces. Instead, there are open hardstanding areas on the top parts of the gardens to accommodate off-street parking. The proposed flats have been setback from the access road to increase the separation distance from houses opposite, to minimise any potential overlooking or overbearing impacts. The flats would be between 25m to 28m away from No. 1-6 Springfield Rise. For context, the existing detached properties to the north-east are approximately 19m to 23m apart.

Given the open nature of the rear garden areas, there would likely be a degree of overlooking from the flats, which may not differ significantly to what you may expect from typical back-to-back housing. Although the residents have enjoyed greater privacy to the rear, due to the lack of any development, it is noted that the application site was always intended to be developed since works commenced on Springfield Rise. The siting of the flats is deemed to be a sufficient distance to not give rise to significant overbearing concerns or direct overlooking into the properties opposite. The lower parts of the rear gardens would remain partially private where they are screened by parked vehicles, sheds and low level fences that enclose part of the gardens. As

such, the flats would not have a significant impact on the amenities on the surrounding properties.

Similarly, the two storey dwellings on plots 16 to 19 would be positioned a sufficient distance away from No. 50 to 60 Twynygarreg Road to not impinge on their residential amenity. In this regard, it is noted that these existing properties have fully enclosed rear gardens and vegetation that provides additional screening.

The dwelling on plot 15 would be positioned approximately 16m away from No. 46 & 48 Twynygarreg and would be in close proximity (approx. 4m) to their rear garden boundary fence. The proposed dwelling would present its side elevation to the neighbouring properties, which would be void of any side windows. As such, there would be no overlooking concerns. To minimise any overbearing impacts, the dwelling would incorporate a single storey annexe adjacent to the rear garden boundary. This would result in the two storey element of the dwelling being setback approximately 7m from the adjacent garden. Whilst the presence of a dwelling to the rear of No. 46 & 48 would be obvious, its design together with a sufficient setback from the garden boundary would not give rise to significant overbearing concerns.

Overall the development would not have an unacceptable impact on the amenities of the neighbouring properties. In this regard, it is acknowledged that no objections have been received that raises such concerns. Therefore the proposal complies with policy SW11 of the LDP.

Highway implications

The existing access road serving the application site and the wider Springfield Rise estate was partly constructed some year ago, but it was never completed. The road does not currently form part of the adopted highway due to its substandard condition. It is proposed as part of the development that this existing highway, serving both the development and the rest of Springfield Rise, would be improved to adoptable standards i.e. the carriageway would appropriately be surfaced, with a suitable drainage system in place and the provision of footpaths.

The proposed access would be completed to the appropriate standards, which would include a 4.8m wide carriageway and a footpath along both sides. The extended parts of this highway to serve the dwellings in the south-west and northern parts of the site, would be designed as shared surfaced roads with limited traffic movements in those parts of the site. Adequate turning areas would be provided within the site to enable vehicles to enter and leave in a forward gear. The proposed layout would not impact on the access for existing residents. Furthermore, the existing junction on to Twynygarreg is deemed to be of an acceptable design to accommodate the development.

There would be highway improvements, not only in terms of the quality of the access in general, but also in terms of pedestrian safety with the provision of segregated footpaths. Additionally, the development would improve the links to the open countryside to the south-west with the provision of a new footpath that replaces the existing right of way.

It is noted that the legal right of way route, which extends across the site does not appear to be frequented often, with sections of the route being inaccessible. The point of access in the south-west corner of the site is currently obscured by overgrown vegetation. The section of the right of way that extends behind the existing detached dwellings to the north-east is now blocked by garden boundary fencing. There is also no obvious exit point back onto Twynygarreg Road to the east of the site. As such, the alignment of the right of way cannot be reasonably maintained and its realignment to follow the proposed access road would be acceptable. An informative should be attached to any decision notice to ensure the developer is aware that the realignment of the right of way requires a separate permission from the Rights of Way Division.

The proposed highway arrangements are deemed to be acceptable and it is acknowledged that the Head of Engineering has not raised any highway safety concerns. Therefore, the proposal complies with policy SW11 of the LDP.

Ecological impact

The application site lies on the edge of the residential area of Twynygarreg and adjacent to the open countryside to the north and west. Whilst considerable engineering works have previously taken place, the site has been abandoned for a number of years, which has led to new vegetation reclaiming the land. As such, there is potential for new habitats to have been created across the site. Additionally, it is noted that the site lies in close proximity (100m to the north-east) to the Coed Cefnfforest & Cwm Cothi (SINC 46) and (100m to the west) Treharris Park & Cardiff Road Woodlands (SINC 47) Sites of Importance for Nature Conservation. Accordingly, a Preliminary Ecological Assessment (PEA) has been submitted in support of the application, together with a Reptile Survey.

It was identified in the PEA that the hedgerow along the north-west boundary of the site, may have some potential to be used occasionally by foraging bats and this feature would be retained as part of the development. Across the site, the report considers the development to have some potential to negatively impact on reptiles, nesting birds and result in the loss of open mosaic habitat. It is noted in the Reptile Survey that a slow worm and 2 common lizards were present within the site. Although the survey considered there to be a small population of reptiles, it is noted that one of the common lizards was a juvenile, which suggests the presence of a breeding population within the locale. As such, the report recommends that any reptiles found within the site would need to be translocated to another suitable location. The PEA also recommends that the loss of habitat environments within the site should be appropriately mitigated. It is therefore proposed that land outside of the application site, approximately 70m to the south-east (within the applicant's ownership) would be utilised to provide a new habitat environment for reptiles. This would involve the clearance of some vegetation and the construction of a reptile hibernacula, which typically comprises of rubble stone and brash, roughly covered in soil and turf to create a small mound that can then be used by reptiles for hibernation. The creation of the reptile hibernacula and its management should be secured by condition, prior to any site clearance works commencing.

The submitted plans illustrate the potential for the development to incorporate appropriate planting across the site. It is advised by the Planning Division's Ecologist

that native plant species should be used to enhance the biodiversity interest where possible. Further details of the proposed landscaping scheme shall be secured by condition. Additionally, it is proposed that 4 integrated bat boxes and 4 bird boxes would be provided on the buildings across the site. It is acknowledged that the Planning Division's Ecologist is satisfied with the survey work that has been undertaken and the conclusions reached, subject to conditions to ensure the appropriate mitigation measures are undertaken. Although the development would likely have some potential to impact on protected species and habitats, appropriate mitigation, compensation and enhancement measures would be secured to overcome these concerns. Therefore, the proposal complies with policy EnW1 and EnW2 of the LDP.

Planning obligations

Policy SW9 of the LDP sets out the need to seek contributions towards affordable housing, where appropriate having regard to the viability of the development. In 'Other Growth Areas', which includes Treharris, where 10 or more homes are proposed, an on-site contribution of 5% affordable housing shall be sought. In this instance, the development would provide 100% affordable housing, which would be managed by the applicant (Merthyr Tydfil Housing Association). Therefore, the proposal complies with policy SW9 of the LDP. Additionally, the development would have a positive contribution towards the delivery of affordable housing across the County Borough in line with policy SW2 of the LDP.

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.

The proposed development is situated in a sustainable location within the settlement boundary and would make a positive contribution towards the provision of affordable new homes within the County Borough. The general design of the development appropriately responds to the context of the site and surroundings. The issues raised by the objector have been addressed in the planning considerations section of the report. Highway improvements works would provide a benefit to local residents and provide better access to the open countryside. Appropriate ecological mitigations and enhancements measures would be implemented.

For the above reasons, the proposed development is 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:

Drawing No. 00001, Rev P3 - Site Location Plan, received 26.01.2022
Drawing No. 1103, Rev P12 - Proposed Site Layout, received 21.01.2022
Drawing No. 0101, Rev P4 - Typical Walk-up Flats Block A, received 16.12.2021
Drawing No. 0201, Rev P4 - Typical Walk-up Flats Block B, received 16.12.2021
Drawing No. 0301, Rev P4 - House Type A Plot 15, received 16.12.2021
Drawing No. 0401, Rev P4 - House Type B Plots 16-19, received 16.12.2021
Drawing No. 0501, Rev P4 - House Type C Plots 20 & 21, received 21.01.2022
Drawing No. 0601, Rev P4 - House Type D Plot 22 & 23, received 16.12.2021
Drawing No. 1800, Rev P3 - Street Scenes, received 16.12.2021
Drawing No. 1000, Rev P1 - Boundary Details, received 16.12.2021
Drawing No. 6901, Rev P1 - Garden Shed Details, received 16.12.2021
Drawing No. 6902, Rev P1 - Typical Bin Store Details
Drawing No. 1107, Rev P3 - Section AA, received 16.12.2021
Drawing No. 1108, Rev P3 - Section BB, received 16.12.2021
Drawing No. 1109, Rev P3 - Section CC, received 16.12.2021
Preliminary Ecological Assessment, Version V3, dated 25.01.2022
Reptile Survey Report, Version V3, dated 25.01.2022

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

3. **Prior to any construction works commencing on site**, details of the proposed brickwork to be used on the elevations of the buildings and boundary walls 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 SW11 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. **Prior to the occupation of the dwellings**, the boundary walls and fences, as illustrated on Drawing No. 1103 Rev P12 (site layout plan) and on Drawing No. 1000 Rev P1 (boundary details), shall be erected in accordance with the approved details.

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.

6. **No development or site clearance shall take place** until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, including a landscape management plan for a period of at least 5 years. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

Reason - To ensure that the new development will be visually attractive in the interests of amenity and to provide suitable biodiversity enhancements, to accord with Policies SW11, EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

7. 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 provide suitable biodiversity enhancements, to accord with Policies SW11, EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan

8. **No development or site clearance shall take place** until full mitigation details have been provided to compensate for the loss of open mosaic habitat, including the precise location of the proposed reptile hibernacula on the land outlined in blue on the site location plan (Drawing No. 0001 Rev P3) have first been submitted to and agreed in writing by the local planning authority. The reptile mitigation measures, including the construction of the reptile hibernacula shall be carried out in accordance with the details set in the Reptile Survey Report (dated 25.01.2022) prior to any works commencing on site.

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 construction works commencing on site** a reptile management plan for a period of at least 5 years, to ensure the success of the translocation of reptiles to the receptor site is appropriately managed, shall be submitted to and approved in writing by the local planning authority. The reptile management plan shall be implemented fully 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 works commencing on site**, details of the four integrated bat boxes and four integrated bird boxes, including a plan illustrating their location on the buildings, shall be submitted to and approved in writing by the local planning authority. The bat and bird boxes shall be installed during the construction 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.

11. **Prior to the installation of any external lighting**, a detailed lighting scheme shall be 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 along the boundaries of the site and that the access points to bat boxes shall remain unilluminated, in accordance with the recommendations of the Preliminary Ecological Assessment, dated 25.01.2022. 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.

12. **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

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 and so as to accord with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

13. The proposed residential units hereby approved, shall only be used for affordable housing purposes in accordance with the definition of affordable housing as set out in paragraphs 5.1 and 5.2 of Technical Advice Note (TAN) 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The residential units shall be affordable for both the first and subsequent occupiers.

Reason - To ensure the residential properties are only used for affordable housing in accordance with Policy SW9 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

14. 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.

INFORMATIVES

1. The grant of planning permission does not entitle developers to obstruct a public right of way. Enforcement action may be taken against any person who obstructs or damages a right of way. Development, in so far as it affects a right of way, should not be started; and the right of way should be kept open for public use until the necessary order under s.247 or s.257 of the Town and Country Planning Act 1990 for the diversion or extinguishment of the right of way has come into effect. Nor should it be assumed that because planning permission has been granted an order will invariably be made or confirmed. If you need help or advice concerning the diversion or extinguishment order you should contact the Rights of Way Division on 01685 725309/rightsofway@merthyr.gov.uk.

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