

SECTION A – MATTERS FOR DECISION

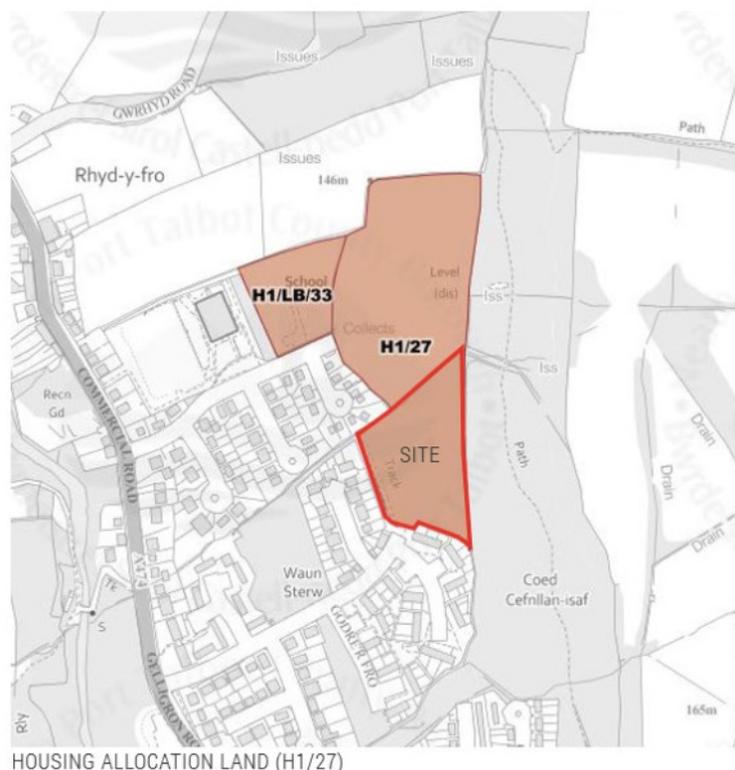
Planning Applications Recommended For Approval

APPLICATION NO: P2019/5543	DATE: 30.10.2019
PROPOSAL:	Full planning permission for the proposed development of 35 zero carbon homes plus community building along with associated works including landscaping, parking, access, engineering works and ecological mitigation.
LOCATION:	Parc Hadau, Land At Waun Sterw, Rhyd Y Fro, Pontardawe
APPLICANT:	Yr Hadau Ltd (on behalf of Sero Homes Ltd)
TYPE:	Full Plans
WARD:	Pontardawe

SITE AND CONTEXT

The application site is located to the north east of Pontardawe in the village of Rhydyfro and forms part of a wider housing allocation (H1/27) within the Neath Port Talbot Local Development Plan.

The allocation totals an area of 3.9ha and proposes to deliver 115 homes. This application site consists of a 1.45ha piece of scrub and woodland which is accessed off Waun Sterw.



The site is set on the eastern side of the valley and falls approximately 10m from its north-east corner to the proposed entrance in the south west. To the east of the site is an area of ancient woodland, to the north an open field, which forms part of the wider housing allocation. To the west and north-west is residential development Cwrt Y Waun and Waun Penlan.



Access to the site from Waun Sterw

The site's biodiversity is one of its key features, benefiting from designation as a site of importance for nature conservation (SINC).

The Local Development Plan identifies that *“The southern portion of the site meets the criteria to be designated a Site of Interest for Nature Conservation (SINC), on-site mitigation or off-site compensation will be required; areas of Ancient Woodland (with appropriate buffer) to the site periphery will need to be excluded from developable area”*



There are a number of habitats that surround the site, with wet woodland, scrub, grassland, rivers and streams offering important green corridors for wildlife.

In terms of accessibility the site is accessed off Waun Sterw, and the A474 beyond, which connects Gwaun Cae Gurwen and Pontardawe. In addition the site lies in close proximity to the St. Illtyd's walk, which runs from Carmarthenshire to Neath.

The wider built up context is varied, but is predominantly residential, with traditional cul-de-sac typology and a mix of older and more modern infill areas of development. In addition the Rhydyfro Primary School lies approximately 10 mins from the site, and provides a key community facility in this area.

LINK TO RELEVANT PLANS/ REPORTS

All plans / documents submitted in respect of this application can be viewed on the [Council's online register](#).

DESCRIPTION OF DEVELOPMENT

This application seeks full planning permission for the proposed development of 35 zero carbon homes plus community building along with associated works including landscaping, parking, access, engineering works and ecological mitigation.



The total site measures 1.45ha in total however, due to the various constraints within the site, only 0.7ha of the site is to be developed, as identified on the above illustration.

The 35 homes proposed on the site will be set around a one-way private access with pedestrian priority, with a communal building located at the south eastern side of the access route. Frontages will face onto this access route with the rear of the dwellings facing a communal open space. Private rear gardens are provided between the homes and the communal areas to provide some space for residents to make their own.



The communal space will consist of pockets of water, through meadow, willow scrub and open areas of grass. The spaces are purposefully not ‘over-designed’ but instead provide play and seating opportunities and allow the community to curate and use the space as they wish.

The homes will be set out in three separate ‘stepped terraces’ – on the western, the north and east sides. A connection is facilitated to the north of the site into the remainder of the allocation. It is currently envisaged that this connection is solely a pedestrian and cycle link which would enable a direct route from the site to Waun Penlan and, significantly, to Rhydyfro Primary School.

Applicant’s Submissions – Nature of Development

The applicant within their submission sets out their aspiration for the development as follows:

“Sero Homes is a newly formed housing provider. They are determined to establish themselves as one of the UK’s best providers of quality homes, overturning the issues around the existing supply of new housing and providing quality, sustainable homes for future generations. To achieve this, Sero Homes is innovating across the board – finances, ownership models, design, energy, sustainability, travel, culture, and more.”

The applicants brief for the site sets out their long term objectives for the development which are to deliver: -

- 35-40 Homes
- Sero homes are in it for the long term - Homes are to be retained and rented not sold.
- An inclusive social design that enables a community to form
- Net zero carbon
- Innovative design and construction
- Aspiration for primary structure to be net zero embodied energy.
- Integrate with Sero energy to provide sustainable energy for residents and grid balancing to the national grid.
- Sensitively landscaped.
- Integrated ecology and biodiversity enhancements.
- Pedestrian and cycle focused layout- Avoid the dominance of the car.

The applicants also state that “The core team at Sero have been building ‘net zero carbon’ and ‘off-grid’ homes for more than a decade and have hands-on experience of financing and delivering more than 300MW of renewable energy generation”.

“Sero believe that peoples’ homes should minimise the harm done to our planet and that they shouldn’t cost the earth to run. People’s homes should be healthy, light and welcoming; they should encourage community and active travel, as well as support the local flora and fauna.

Sero builds primarily homes for the private rental market, which allows them to spend a little bit more on building them. This means that they can exceed current Building Regulations and include renewable energy generation and storage systems in their schemes. Because they maintain their homes throughout their life, they also spend more to ensure that the construction quality is right, the designs are flexible and that the primary building materials are durable.

They still aim to build peoples’ ‘forever home’ though, and their normal contracts allow residents to stay as long as they wish – a lifetime if they desire – with their rent simply being index-linked so there are no nasty surprises. And because we build homes so well and use the latest renewable and storage technology, one of the three-bedroom homes will typically cost less than £40/month to run – that’s less than half what a comparable house would cost.

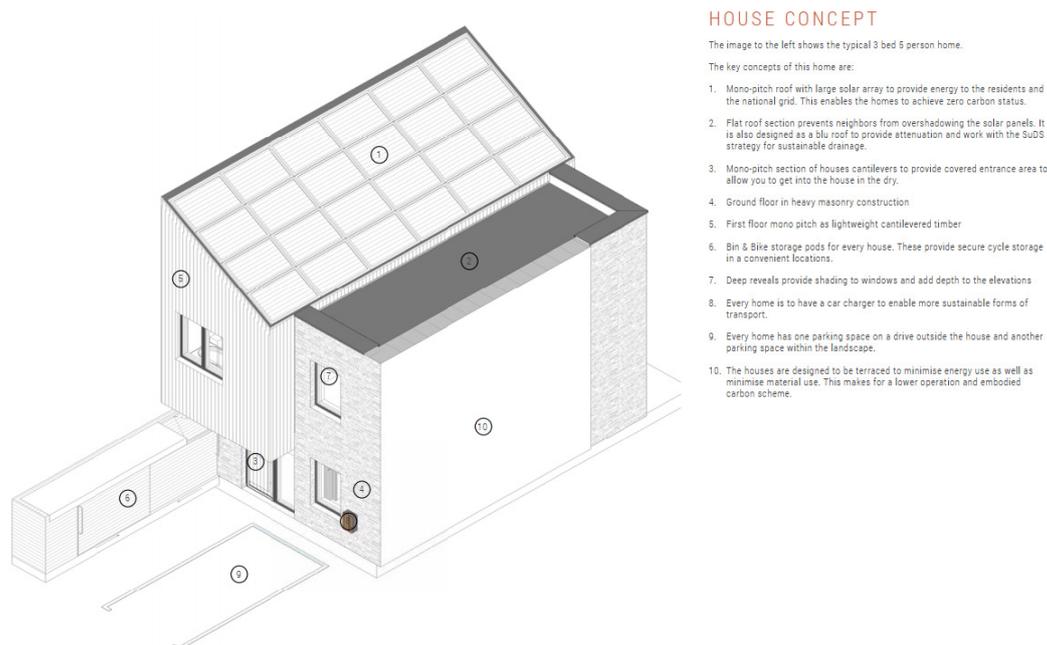
In short, they build affordable, energy-efficient homes that are designed for people to really want to live in.”

The constraints and opportunities of the biodiversity of the site, and the orientation of the buildings, layout of the site, and the design of the houses therefore is constrained, but also defined by these zero carbon and sustainability principles. As such the dwellings themselves in their scale, massing and external appearance celebrate these principles, rather than mask them in a traditional way. The development therefore seeks to inform and openly show its zero carbon and sustainable principles.

Design of Dwellings

The dwellings themselves are a mix of function and form, which seek to use the constraints of this ecologically rich site, and use them to its advantage by integrating them within the development proposals.

The dwellings, as can be seen in the following image, have a modern aesthetic that is led by these overarching principles.



The following artist impressions of the site, outline the character of the properties, and the integration with the existing biodiversity habitats and surrounding landscape.



View of Site entrance.



View into communal garden



View of frontages onto internal access road.

In addition to the residential units a community building/ common room is to be provided. This will both provide a centre and focus for this new development, but also a facility that will be of benefit to the wider existing community.

Public / Private Realm

The site is provided with both public and private realm with the design of the landscape intended to “guide perceptions of public and private space, nurturing a sense of neighbourliness and enabling natural surveillance”.

The fronts of the buildings are actively outward facing to the street promoting a sense of community, liveliness and natural surveillance. Rather than create strong barriers through walls and fencing, they look out towards the planted buffer, across a pedestrian priority/ traffic calmed crescent. Parking is set within planting that comes right up to the front door, creating an attractive, welcoming, entrance to the homes.

The homes are also designed to be double-facing, with all dwellings having a private deck/ garden to the rear which looks out over the large communal garden. The subtle gradation of levels and planting avoids the need for fencing/ harsh lines and instead sensitively defines both private and communal spaces, as well as more open areas to gather and quieter, more enclosed intimate areas to sit. This ensures sufficient privacy, usability and interest to all the residents and a scheme integrated within its natural surroundings.

Thickets of buffer planting (of native woodland species as opposed to lines of yew/ privet), shelter the private garden spaces providing a soft sense of privacy and a ‘green’ backdrop. To access the communal garden, residents walk down through paths in the buffer planting into the meadow grassland.

Communal Gardens

Within the communal garden, meandering loops pass beside wetlands and pockets of water, through meadow, willow scrub and open areas of grassland. The spaces are purposefully not ‘over-designed’ but provide flexible spaces for play, socialising and seating. In this way the landscape invites curation by the community and secures its use and care over time.



NEGOTIATIONS

The applicant undertook extensive pre-application discussions with the Authority, and undertook design review with the Design Commission for Wales. These discussions evolved the scheme, including the retention of habitats and the layout and design of the site, including the extent of hard surfacing and parking.

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, statutory Pre-Application Consultation (PAC) was carried out by the developer.

The informal consultation exercise took place between June/July 2019, followed by the statutory pre application consultation from the 20th September to 18th October. The consultation involved notifying local residents within the surrounding area, together with Ward members, and specialist consultees.

In addition to statutory consultees, 4 public responses were received which have been outlined in the Pre-Application Consultation Report.

PLANNING HISTORY

The site does not benefit from any relevant planning history.

CONSULTATIONS

Head of Engineering and Transport, Drainage Section - Clarify that the development would require SABS sustainable Drainage Approval as a separate consenting process.

Head of Engineering and Transport, Highway Section - No Objection, subject to conditions.

Biodiversity Unit - No Objection, subject to conditions.

Aboricultural Officer – No objection

Dwr Cymru Welsh Water - No Objection.

Pontardawe Town Council - No Objection.

Crime Prevention - Comments regarding detailed design of public spaces.

Woodland Trust - Comments in relation to retention of woodland and management.

REPRESENTATIONS

The neighbouring properties were consulted on 30th October 2019, with a site notice also displayed on 31st October 2019. In response, to date no representations have been received.

The application has also been advertised as a major development in the press. The deadline for submission of responses to the press notice is not until 21st December, however as the application would be subject to a legal agreement (the Heads of Terms are discussed in more details later in this report) permission, if granted, would not be issued until that agreement has been agreed and signed.

Accordingly, it is requested that should Members be minded to approve the application subject to the signing of the Legal Agreement, that if any further representations are forthcoming within the period between this committee and 21st December, and these raise any additional or new issues that have not been considered as part of this report, these comments will be assessed within an addendum report and considered by the Chair of Planning Committee to determine if the application should be brought back to committee for re-consideration prior to any decision being issued, or that the application can proceed in line with

Members resolution at this Committee. If no further representations are received prior to 21st December, subject to the signing of the legal agreement the application can be determined in accordance with the decision of this committee.

Design Commission for Wales – Design Review Panel

In addition to the above, as part of the process to obtain Welsh Government Innovative Housing Programme funding the applicant presented the proposals in a draft form to the Design Commission for Wales (DCFW) in May 2019. The Local Planning Authority attended the design review as an observer.

In summary, the proposals were very well received by the DCFW review panel, with the following points for further work or consideration identified: -

1. To establish a clear hierarchy between public space - semi private space – private space - communal space.
2. To produce further elevations and sections to demonstrate the scale of the scheme and how it sits comfortably within the landscape.
3. The communal landscape space to the centre of the site was welcomed as a positive approach to place-making which encouraged social interaction as well as promoting biodiversity. Consideration of enclosure and protection of public and private space to be considered.

REPORT

The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet its sustainable development (or wellbeing) objectives. This report has been prepared in consideration of the Council's duty and the "sustainable development principle", as set out in the 2015 Act. In reaching the recommendation set out below, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

National Planning Policy:

[Planning Policy Wales](#) (Edition 10) was extensively revised and restructured at the end of 2018 to take into account the themes and approaches set out in the Well-being of Future Generations (Wales) Act 2015, and to deliver the vision for Wales that is set out therein.

PPW10 takes the seven *Well-being Goals* and the five *Ways of Working* as overarching themes and embodies a placemaking approach throughout, with the aim of delivering *Active and Social Places*, *Productive and Enterprising Places* and *Distinctive and Natural Places*. It also identifies the planning system as one of the main tools to create sustainable places, and that placemaking principles are a tool to achieving this through both plan making and the decision making process.

The following guidance is of particular relevance in the assessment of this planning application:

In relation to placemaking, PPW states that;

2.3 The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

2.6 Sustainable placemaking is an inclusive process, involving all of those with a professional or personal interest in the built and natural environment, which focuses on developing plans, making decisions and delivering developments which contribute to the creation and enhancement of sustainable places.

2.7 Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.

In respect of decarbonisation, and new development reacting to climate change, PPW offers the following comment;

5.8.1 The planning system should support new development that has very high energy performance, supports decarbonisation, tackles the causes of climate change, and adapts to the current and future effects of

climate change through the incorporation of effective mitigation and adaptation measures.

The Welsh Government's policy is to secure zero carbon buildings while continuing to promote a range of low and zero carbon technologies as a means to achieve this.

5.8.3 Sustainable building design principles should be integral to the design of new development. Development proposals should:

- mitigate the causes of climate change, by minimising carbon and other greenhouse gas emissions associated with the development's location, design, construction, use and eventual demolition; and
- include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

Local Planning Policies

The Development Plan for the area comprises the [Neath Port Talbot Local Development Plan](#) which was adopted in January 2016, and within which the following policies are of relevance:

Strategic Policies

- **Policy SP1** Climate Change
- **Policy SP2** Health
- **Policy SP3** Sustainable communities
- **Policy SP4** Infrastructure
- **Policy SP6** Development in the Valleys Strategy Area
- **Policy SP7** Housing Requirement
- **Policy SP8** Affordable Housing
- **Policy SP10** Open Space
- **Policy SP15** Biodiversity and Geodiversity
- **Policy SP16** Environmental Protection
- **Policy SP18** Renewable and Low Carbon Energy
- **Policy SP19** Waste Management
- **Policy SP20** Transport Network
- **Policy SP22** Welsh Language

Topic Based Policies

- **Policy SC1** Settlement limits
- **Policy I1** Infrastructure Requirements

- **Policy H1** Housing Sites
- **Policy AH1** Affordable Housing
- **Policy OS1** Open Space Provision
- **Policy EN6** Important Biodiversity and Geodiversity Sites
- **Policy EN7** Important Natural Features
- **Policy EN8** Pollution and Land Stability
- **Policy RE2** Renewable and Low Carbon Energy in New Development
- **Policy W3** Waste Management in New Development
- **Policy TR2** Design and Access of New Development
- **Policy BE1** Design
- **Policy WL1** Development in Language Sensitive Areas

Supplementary Planning Guidance:

The following SPG is of relevance to this application: -

- [Planning Obligations](#) (October 2016)
- [Parking Standards](#) (October 2016)
- [Affordable Housing](#) (October 2016)
- [Pollution](#) (October 2016)
- [Open Space & Greenspace](#) (July 2017)
- [Renewable and Low Carbon Energy](#) (July 2017)
- [Design](#) (July 2017)
- [Development and the Welsh Language](#) (July 2017)
- [Biodiversity and Geodiversity](#) (May 2018)

Issues

Having regard to the above, the main issues to consider in this application relate to the principle of development, together with the impact on the visual amenity of the area, the amenities of neighbouring residents, highway safety and biodiversity.

Principle of Development

The site lies within settlement limits, and is specifically allocated as part of a wider housing allocation under Policy H1 of the Local Development Plan (allocation H1/27 relating to this site, and H1/LB33 referring to the adjoining site).

The principle for residential development has therefore been established through the allocation of the site (albeit as part of a larger site) within the LDP. In this respect the site lies off an existing residential area, and the

proposed use would provide an appropriate and well connected extension to this existing settlement.

Tenure

The applicant has advised that the site will be maintained privately, and the properties retained as long term rental proposals within a single ownership. This is considered to be an innovative approach to housebuilding, and one which will likely attract much interest. For the purposes of this application, though, the tenure is not considered to have any material bearing on the principle of development, other than in matters pertaining to the LDP need for affordable housing, which is considered later in this report.

In addition the development of this site in the manner proposed would not result in a sterilisation of the remaining housing allocation, which can be developed and sustainably connected to this development by pedestrian linkages. It would therefore also comply with Policy BE1 criterion 8(b) which seeks to ensure that the layout and form of the development does not preclude the reasonable use of other adjacent land.

Density of Development

Policy BE1 (8a) requires that development should use resources, including land and energy, as efficiently as possible through making the best and most efficient use of the land available through being of appropriate density taking into account the character and appearance of the area. In the Valleys Strategy Area there is an expectation that site will deliver a minimum of 30 dwellings per hectare.

As referred to earlier, the site as a whole measures 1.45ha, and therefore the gross density per hectare would be 24.1 dwellings per hectare. This lower portion of the allocated site, however, has a number of accepted (and important) constraints which has left a developable area of 0.7ha. Indeed, the developers have sought to embrace such constraints by integrating biodiversity within the heart of the proposals. Based on the developable area the proposed 35 dwellings would achieve a (high) density of 50dph which is considered to be acceptable in light of the site constraints.

Placemaking / Zero Carbon

Although detailed consideration of the scheme and its eco-credentials is addressed later in this report, it is nevertheless emphasised that the principle of developing 'zero carbon' properties at the site, and based upon placemaking principles, is wholly supported by Planning Policy Wales and supported by officers.

Having regard to the above the principle of residential development on the site is appropriate, subject to a detailed assessment of the proposals.

Impact on Visual Amenity

Policy BE1 of the Local Development Plan relates to Design, including impacts upon residential amenity, and requires that all development proposals demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places.

Proposals will only be permitted where all of the following criteria, where relevant, are satisfied:

1. It complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment;
2. It respects the context of the site and its place within the local landscape, including its impact on the important arterial gateways into the County Borough, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;
3. It utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate;
4. It would not have a significant adverse impact on highway safety, the amenity of occupiers of adjacent land or the community;
5. Important local features (including buildings, amenity areas, green spaces and green infrastructure, biodiversity and ecological connectivity) are retained and enhanced as far as possible;
6. It achieves and creates attractive, safe places and public spaces, taking account of 'Secured by Design' principles (including where appropriate natural surveillance, visibility, well lit environments and areas of public movement);
7. It plays a full role in achieving and enhancing an integrated transport and communications network promoting the interests of pedestrians, cyclists and public transport and ensures linkages with the existing surrounding community;
8. It uses resources, including land and energy, as efficiently as possible through:
 - (a) Making the best and most efficient use of the land available through being of appropriate density taking into account the character and appearance of the area, normally a minimum of 35 dwellings per hectare in the Coastal Corridor Strategy

- Area or a minimum of 30 dwellings per hectare in the Valleys Strategy Area;
- (b) The layout and form of the development does not preclude the reasonable use of other adjacent land;
 - (c) Developing brownfield land in preference to greenfield land where possible;
 - (d) Minimising building exposure while maximising solar gain.
9. Its drainage systems are designed to limit surface water run-off and flood risk and prevent pollution;
10. The layout and design of the development achieves inclusive design by ensuring barrier free environments, allowing access by all and making full provision for people with disabilities.

The developer has adopted a sympathetic approach to development of the site, with the proposed development being partially screened from the surrounding area through the retention of the existing woodland, as a buffer to the existing properties, but also to the wider landscape, where the ancient woodland is to be retained.

The orientation of the properties, provides an angled outlook onto the circulatory road around the site, ensuring that there are no issues of overlooking or loss of privacy to the existing properties, and the creation of both private, semi-private and communal spaces will ensure that within the centre of the development appropriate screening and landscaping provides sufficient amenity for proposed occupiers.

The explanation of Policy BE1 goes further to add that “The design of new development has a major influence on the conservation and enhancement of the character of an area and on people's quality of life. The policy addresses concerns raised about dereliction and loss of character and Plan objectives concerning the built and natural heritage of the County Borough. It aims to ensure that development proposals will complement and enhance the area generally, including its arterial gateways, townscapes, landscape and seascape, and retain existing character where this is desirable.

Good design includes paying regard to general amenity as well as appearance, accessibility and resource use. Where a site is to be developed with a mix of uses, careful consideration will need to be given to the interaction and relationship between the uses to ensure that they are compatible and integrate with one another and existing adjacent uses.

Detailed building design, from overall massing to finishing materials, plays an important role and should take account of and enhance the site's surroundings including other buildings, open spaces and topography. Landscaping has an important effect and is a significant part

of the overall design process. The design and layout of new development can also have a significant effect on public safety and the fear of crime. The Local Planning Authority is required to have regard to crime and disorder prevention and the design of development should help to reduce opportunities for crime, disorder and anti-social behaviour.”

The applicant within their design and access statement address a number of these matters in detail, and clearly sets out their logic and justification for the layout, in terms of both its zero carbon and sustainability credentials. Notably, the development also seeks to create a community and a sense of shared responsibility and ownership to the semi-private spaces, and public communal spaces. This is further reinforced by the inclusion of a community building that will provide opportunities to integrate the new development into the local area, providing an additional community focus for new and existing residents alike.

The buildings themselves are modern in appearance, and many aspects of this are integral to the energy performance and Zero carbon requirements. However, they also provide elements that are traditional in finish and form, and therefore still appear of a residential scale and appearance. In this respect while the layout of dwellings is perhaps unusual compared to ‘the usual’ residential developments within NPT, the general approach to the design of the properties and their role in creating a sense of place based around the semi-public open space is positively supported by officers as an example of ‘a different approach’ to placemaking, and one which would have no adverse impact on the overall character of the area.

It is thus accepted that these properties will be of a significantly different character and typology than others in the area, but that the development a whole would achieve many of the placemaking principles set out within Planning Policy Wales, and the overarching principles of good design within Technical Advice Note 12: Design., to the extent that it would meet the Council’s expectations for high quality, sustainable development under Policy BE1 and the approved design SPG.

Impact on Residential Amenity

The proposed development will provide sufficient distances and screening to ensure that the amenity of existing properties adjoining the site are retained. In this respect it is considered that the proposals would not result in any unacceptable overlooking or other impacts upon nearby properties.

In order to protect the amenity of the new residents, the detailed design of the interior of the site including the blending of the private, semi-private and communal areas will need careful and sensitive consideration beyond the indicative arrangements shown. To ensure that the amenity of residents are maintained, together with addressing those comments on security provided by the Crime Prevention officer, a suitably worded condition is attached which will secure a well thought out and detailed landscaping scheme and means of enclosure proposal.

Parking and Access Requirements and Impact on Highway Safety

The development proposes 2 off street car parking spaces to serve each property, and in addition the developer intends that the site will not be adopted by the Local Authority, as it neither wishes to achieve adoptable standards, for its own zero carbon and sustainability reasons, but also as it will be wholly managed by a company that will cover all aspects of maintenance of the site as a long term rental offer for residents.

The Head of Engineering and Transport, offers no objection to the proposed development subject to conditions.

The site will be maintained privately, and the properties retained as long term rental proposals within a single ownership. Therefore the management and maintenance of the highway within the site will be undertaken by the relevant management company.

It is considered that details of the surfacing arrangements and materials, to ensure that it provides both a robust and suitable surface, but also one that reflects the overall character the applicant is to achieve, together with lighting proposals that are both relevant to highway and pedestrian safety, and biodiversity, will be required as conditions of any permission issued.

In addition the need to ensure that a robust and well managed construction management plan to both protect the habitat on the site, and prevent pollution of the environment will be essential for this development site. A condition requiring this will be imposed.

Biodiversity / Ecology

As stated previously within this report biodiversity is one of the key features of the site; benefitting from a designation as a Site of Importance for Nature Conservation (SINC). Indeed there are a number of habitats that surround the site, with wet woodland, scrub, grassland, rivers and streams offering excellent green corridors for wildlife.

In terms of the landscaping and ecological proposals, the proposal is sensitively embedded into the surroundings. The design will encourage neighbourliness and a sense of community – both with each other and with the environment. People, nature and water can pass through the site without obstacles or hard barriers. Solid lines of fencing do not sever the spaces, rather planting is able to flourish, and water is not directed below ground in drains but rather brought to surface and celebrated. Planting is inspired from the natural setting to promote ecology and create an attractive low maintenance environment. Materials are to be from a robust, fuss-free and refined palette.

The site's ecological characteristics are significant, and accordingly the development has been influenced by its surroundings and seeks to incorporate key principles including:

- Green Corridors: The design will protect and enhance these ecologically rich boundaries. There is opportunity to improve these by diversifying the habitats within the buffer zones and encourage overlooking for passive surveillance and to deter flytipping. The design will incorporate typical native hedgerow species such as

birch, hawthorn, blackthorn and field maple within the boundary and as part of the buffers between buildings.

- Trees: A 15m buffer zone will be established to protect the ancient woodland, with opportunity to enhance the habitats within this zone. The design will be mindful of the impact of the development on the buffer, especially with regards to lighting and access. Wherever possible, the landscape will reinstate the existing tree species that may be lost.
- Water: The design will utilise the natural topography of the site to support water flow and attenuation, integrating SuDS and retaining and maximising diverse and appropriate planting to ensure effective drainage and enhanced ecology.
- Flora: Native mixes for meadow, wetlands, woodlands and pond edges will be used throughout the landscape to provide for wildlife, especially pollinators, and to compensate for loss of habitat.
- Wildlife: Habitat interventions for wildlife on site will be integrated throughout the landscape.

LDP Policy EN6 - Important Biodiversity and Geodiversity Sites – states as follows: -

Development proposals that would affect Regionally Important Geodiversity Sites (RIGS), Local Nature Reserves (LNRs), Sites of Interest for Nature Conservation (SINCs), sites meeting SINC criteria or sites supporting Local Biodiversity Action Plan (LBAP) or S42 habitats or species will only be permitted where:

1. They conserve and where possible enhance the natural heritage importance of the site; or
2. The development could not reasonably be located elsewhere, and the benefits of the development outweigh the natural heritage importance of the site.

Mitigation and/or compensation measures will need to be agreed where adverse effects are unavoidable.

The supporting text (5.3.34) emphasises that where harm to biodiversity sites is unavoidable, effective mitigation measures will be required to ensure that there is no reduction in the overall value of the area or feature, and that where mitigation is not possible, compensation measures will normally be required to offset harm as far as practicable.

Policy EN7 of the Local Development Plan in respect of Important Natural Features further states that;

“Development proposals that would adversely affect ecologically or visually important natural features such as trees, woodlands, hedgerows / field boundaries, watercourses or ponds will only be permitted where:

1. Full account has been taken of the relevant features in the design of the development, with measures put in place to ensure that they are retained and protected wherever possible; or
2. The biodiversity value and role of the relevant feature has been taken into account and where removal is unavoidable, mitigation measures are agreed.

The supporting text states further that “In addition to designated SINCs and sites that meet SINC criteria, there are numerous local landscape features that are of importance for biodiversity, such as trees, woodland, hedgerows and other field boundaries, watercourses, wetlands and ponds and green lanes. These features can serve as 'corridors' or 'stepping stones' that connect areas of biodiversity importance and allow movement of species. Many such features may be multi-functional, having important roles as footpaths or cycle routes connecting settlements, as recreational open space and as visual / landscape features as well as their biodiversity role. Such features and areas should be retained and enhanced wherever possible.”

In seeking compliance with the above Policies, and the general requirement within Planning Policy Wales which seeks positive biodiversity outcomes, it is clear that through their design of the scheme Yr Hadau has made a long-term commitment to positive biodiversity management of the retained part of the site. It is acknowledged, however, that the development will give rise to the loss of more Section 7 habitat (marshy grassland and willow scrub) than can be physically or practically accommodated through their replacement within the site boundary. For this reason, both on-site enhancement and off-site compensation are sought to ensure that the proposals give rise to an appropriate amount of biodiversity compensation to account for the lost habitat (as required by Policy ENV6).

In addition to mitigating on site for habitat to be lost, therefore, the applicant will be required to provide off-site enhancement/compensation for those areas which cannot be addressed through on site enhancement. Negotiations have secured ‘land off Groll Road, Godre’rgraig’ as a compensation site which would be the subject of a Habitat Management Plan (HMP) for retention / creation of habitat for a minimum of 25 years, and managed in line with a detailed management plan to include the following and which shall comply with the principles set out in ‘Parc Hadau – Off-site Compensation: Principles of Management’: -

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparations of a work schedule (including an annual work plan capable of being rolled forward over a minimum of a 25-year period).
- g) Details of the body or organisation responsible for the implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The HMP would also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and /or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives or the originally approved scheme.

This would need to be secured by Legal Agreement. While negotiations on the precise requirements for the legal agreement for this element of the scheme have not progressed in detail – for example it is unclear which areas of the site are to be included, its extent and who is going to do the management - the general principles set out in Parc Hadau – Off-site Compensation: Principles of Management’ are generally accepted by the ecologist subject to further detail being provided.

Accordingly, subject to the above being agreed through the legal agreement, the Biodiversity Unit offer no objection to the proposed development, subject also to conditions including matters such as the need for an Ecological Clerk of Works, Construction Environmental Management Plan, and long term management and maintenance of the landscaping and habitats.

In addition to the above, it is noted that The Woodland Trust has provided the following representations:

“The site of this proposed development contains and adjoins an area of Ancient Semi Natural Woodland, designated as such on the Ancient Woodland Inventory. While the Trust notes that the applicant’s Design &

*Access statement references a 10-15m buffer zone for the ancient woodland, we wish to emphasise that the buffer should be a **minimum of 15m**, in order to protect the woodland from adverse impacts.*

We note also that the Design & Access statement mentions a potential future footpath link leading through the ancient woodland on the eastern side of the site. The Trust considers that the inclusion of a footpath through the ancient woodland would be inappropriate, as the clearing of vegetation and installation of hardstanding required to create a formal path would result in damage and loss to this irreplaceable habitat.

Finally, the applicant outlines their intention to create new areas of scrub by transplanting from areas of existing scrub on site, and states ‘...appropriate tree species will be integrated, as well as woodland spring flowering bulbs such as those found in the adjacent ancient woodland.’ We trust that the applicant intends to mirror the species found in the ancient woodland, and not transplant bulbs from the ancient woodland, as this would be damaging to the delicate woodland flora”.

Having regard to these comments, it is noted that Planning policy wales (6.4.26) emphasises that “Ancient woodland and semi-natural woodlands ... are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss”.

The scheme has incorporated a buffer zone which is considered to protect the Ancient Woodland and its biodiversity value, and to have reached an appropriate balance between these conservation objectives and the need to develop such sites for new housing. A condition is also recommended to ensure that any footpath link fully considers potential impacts on biodiversity. In this respect it is noted that the ecologist and NRW have raised no objections with the proposals, such that it is considered to accord with the objectives of PPW and LDP Policy EN7.

Having regard to the above, it is considered that there would be no adverse impacts upon biodiversity subject to appropriate controls through condition and legal agreement for off-site compensation. Accordingly it would comply with Policies ENV6 and ENV7 of the LDP.

Drainage

The development will require SABS approval and is to incorporate as an intrinsic part of the site layout a sustainable drainage system, which will both deliver in terms of drainage, but also enhance biodiversity and create landscape value and diversity within this site.

This is to be consented as part of a separate consenting process by the Authority's SABS approval body. However, based on the integration of this sustainable drainage system into the site layout, and in enhancing the biodiversity of the site, it is considered that the proposals accord with the overarching sustainability principles set within Planning Policy Wales, and the Local Development Plan.

Renewables and Low Carbon Energy

Policy RE2 of the Local Development Plan relates to 'Renewable and Low Carbon Energy in New Development' and states that:

Schemes that connect to existing sources of renewable energy, district heating networks and incorporate on-site zero / low carbon technology (including microgeneration technologies) will be encouraged.

The following proposals will be required to submit an Energy Assessment to determine the feasibility of incorporating such a scheme and where viable, would be required to implement the scheme:

- (a) Residential development for 100 or more dwellings;
- (b) Development with a total floorspace of 1,000 sq.m. or more

The explanation of this policy adds further clarification: "Development proposals which incorporate schemes that generate renewable and low carbon energy will be encouraged. The Authority has completed a 'Renewable Energy Assessment' which evaluates the potential within Neath Port Talbot to generate electricity and heat through various renewable energy technologies.

Where appropriate, development applications will need to be accompanied by an 'Energy Assessment' which investigates the potential to incorporate on-site zero and low carbon equipment and establish connections to existing sources of renewable energy. Opportunities for linking with district heating networks and where appropriate sharing renewable energy with the wider public should also be explored.

The assessment will be required to set out how the proposal can make a contribution towards increased levels of energy generation from renewable and low carbon sources."

Whilst this development provides less than the 100 house threshold under which an energy assessment is required, the development is for Zero Carbon housing and therefore is supported by an Energy Statement which sets out the core principles upon which this development is based.

The submissions emphasise that these homes are built to generate their own energy from renewable sources – in this case solar PV - and to store this in batteries and thermal stores so that it is available when residents want it. This storage also allows the applicant's sister company, Sero Energy, to feed energy to the National Grid and draw from it at optimum times. As a result, they can pass some of these benefits on to the residents, whilst easing the energy burden of the homes on the National Grid.

This technology means the homes significantly reduce carbon emissions, since when they use power from the National Grid it is typically when that power generation emits the lowest levels of carbon. To ensure 'grid zero carbon' is achieved they would log every single kWh of energy and its consequential carbon emissions (or the emissions avoided) in their neighbourhoods. The homes' renewable generation is powering the National Grid, they record the carbon being avoided, so that when they need to draw a bit of power back, this can balance the Grid emissions from those avoided beforehand.

Technology Used

To achieve 'true grid carbon zero' level through active energy management the homes will include a number of energy saving features and through two main stages:

- Stage 1 – Reduce Demand

This will be achieved with a fabric first approach, with the homes first and foremost designed to demand less energy, with their construction going beyond current building regulations to build highly insulated homes that avoid cold spots and minimise draughts. In construction terms, they have low U-values, very low thermal bridging values and very low air leakage to give low overall heat demand. This means the homes need much less energy to be warm and comfortable.

Because they build homes to help fight climate change, they also think about how they will perform in the future climate. Overheating can be a real issue, which is why the homes include thermal mass that helps

moderate overheating on hot days by absorbing the warmth to keep the rooms cool.

Particular focus will be placed on site to reduce the performance gap between design and constructed reality. This will be achieved through training and site inspections as well as early site air testing. This will ensure that the in use performance matches the design performance.

The houses are also designed to be terraced to minimise energy use as well as minimise material use. This makes for a lower operation and embodied carbon scheme.

Finally the materials have also been chosen for their embodied energy. Stone is a natural product with low embodied energy. It is also easy to reuse and recycle at the end of the buildings life. Timber has a low embodied energy and it also has the ability to sequester and store carbon that it has absorbed during its life. A-rated energy efficient appliances will be installed.

- Stage 2 – Servicing the Demand

The PV panels will generate electricity for the homes with each house type incorporating panels on the roof – for example an average 3-bed home will have 24 panels (around 35sqm).

Solar energy production is more closely aligned with demand. People are generally in their homes in the mornings and evenings and are out at midday so by angling the solar panels away from direct south it means more of the solar energy can be used at source and less is exported to the grid. The surplus energy not used by the residents will be stored in batteries for use when renewable sources are not producing energy. Sero Energy will also offer grid balancing to the national grid from the energy not used in the homes.

A heat pump system will also capture thermal energy from the ground, this energy will be absorbed into a fluid and passed through a compressor to raise its temperature. This will be used mainly for space heating and water heating in the homes. The energy required to run the pumps will be sourced from the PV panels. Electric car charging points will be installed and integrated with the battery storage. This will reduce the residents use of fossil fuels

In relation to how these matters are monitored and assessed going forward the applicant has provided the following clarification:

A significant proportion of the IHP funding (around £882k of the £2.4m) relates to the zero carbon element of the development. Part of the agreement is that the Welsh Government require a metering and monitoring programme for the homes for a minimum of 3 years after completion – this includes design and construction checks. Sero must provide detailed information throughout, and once completed this will include data from the homes on a 15 minute basis that includes energy generation and usage. This means the funding is probably the most comprehensively checked of any scheme under the IHP funding.

All of the above submissions go a long way to demonstrate the sustainable credentials of this development, which are both to be applauded and monitored with interest. They also significantly exceed the requirements set out within Policy RE2, and in any event are not required to make the development of this allocated site acceptable. For this reason, and because the development will have to achieve these targets as part of its innovative housing models funding, it is not considered necessary to include a condition requiring submission of information to demonstrate compliance with the stated aims and objectives (although officers will show an active interest in liaising with the developer to assess the success of such aspirational development).

Section 106 Planning Obligations/ Viability

Local Development Plan **Policy SP 4** (Infrastructure) states that “Developments will be expected to make efficient use of existing infrastructure and where required make adequate provision for new infrastructure, ensuring that there are no detrimental effects on the area and community. Where necessary, Planning Obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable”.

Policy I1 (Infrastructure Requirements) then states that “In addition to infrastructure improvements necessary to make a development acceptable in health, safety and amenity terms, additional works or funding may be required to ensure that, where appropriate, the impact of new development is mitigated. These requirements will include consideration of and appropriate provision for: Affordable housing; Open space and recreation facilities; Welsh language infrastructure (in language Sensitive Areas); Community facilities including community hubs; Biodiversity, environmental and conservation interests; Improving access to facilities and services including the provision of walking and cycling routes; Historic and built environment and public realm improvements; Community and public transport; Education and training.

The Community Infrastructure Levy Regulations 2010 came into force on 6th April 2010 in England and Wales. They introduced limitations on the use of planning obligations (Reg. 122 refers). As of 6th April 2010, a planning obligation may only legally constitute a reason for granting planning permission if it is:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

In this case, the proposal relates to a planning application for the development of 35 zero carbon homes plus community building.

In view of the type and form of development proposed in this location, having regard to local circumstances and needs arising from the development, the following assessment is made in respect of the level of planning obligations which are considered necessary to make the development acceptable in planning terms and to meet the policy and legislative tests for planning obligations.

Affordable Housing

Policy AH1 of the Neath Port Talbot Local Development Plan states that all new housing developments will be required to contribute to affordable housing provision. Within Pontardawe spatial area, a 10% affordable housing target is sought.

The applicant has provided viability information to show that the site cannot support the provision of affordable housing (as per existing definition set by Welsh Government and the Policy and SPG adopted by this Authority). These viability submissions have been accepted, and it is considered that in terms of delivering a percentage of affordable housing in line with the existing definition the development, due to its reliance of funding, cannot provide a traditional contribution. As stated elsewhere in this report, however, the development is based on long term rental, with the site retained within one single ownership, managed and maintained to ensure that the energy consumption and production are appropriately controlled.

In this respect, the applicants have made lengthy submissions which refer to the issue of fuel poverty and 'lifetime' and 'whole cost' affordability. These include: -

"In terms of the definition of affordable housing or more specifically the whole cost of living point, the main source of information which supports this is the review of affordable housing in Wales. In May of this year an Independent Review of Affordable Housing in Wales published. Instructed by the then Housing Minister, Rebecca Evans AM, the Panel were tasked to examine current arrangements supporting the delivery of affordable housing and to make recommendations for changes designed to increase supply and improve delivery from the resources available.

One of the key areas they looked at was Rental Policy. Three main outcomes and recommendations came out of this, one of those was looking at value for money for rent. Page 29 of the Review (link below) refers to "Social landlords need to consider affordability for tenants, taking into account the whole cost of living in a property e.g. rent, service charges and energy costs of properties. Affordability for tenants was a challenge for those living in 1 bedroom flats reflecting rent and service charges;". In July of this year, the WG issued their response to the Panel's findings (link below), this confirmed that the WG accepted the recommendation and would review the living costs for rents recommendation (page 11). Their findings/proposals are due to be published in December 2019. At the time of writing, this information has yet to be issued.

<https://gov.wales/independent-review-affordable-housing-supply-launches>
<https://gov.wales/sites/default/files/publications/2019-07/independent-review-of-affordable-housing-supply-government-response.pdf>

Accordingly the applicants are arguing that this development is assisting with ‘Affordable Lifestyles’” which is one where a resident can afford:

- To pay their rent (and council tax);*
- To have power and water and internet;*
- To be able to travel to a place of work and to necessary shops.*

The main point is that, from the residents’ point of view, just being able to achieve the first item is not actually much use if they can’t do any of the rest.

Based on their assessment, they state that

“Affordable Lifestyle delivery at Parc Hadau will actually offer equal or better value than a traditional social affordable rent, once energy bills and the cost of transport is added in, assuming our residents take the EV lease offer instead of an car lease. This proposed development is based on an affordable model that includes the whole cost to the occupier, including energy use, and provides Zero Carbon development that in their view provides a true affordable and sustainable form of development.

They further advise that Sero have met directly with the current Minister to discuss and outline the Sero model and how this fits in with the Review.

Overall, these submissions are noted and it is of interest that the applicant is engaging with WG in respect of this new model of housing delivery. Nevertheless as detailed above, Officers are satisfied through the submission of a viability assessment that the site would not sustain any contribution towards affordable housing.

Public Open Space / Community Space

The applicant is providing on site informal open space, and this is intrinsic to the site layout, providing a central communal space, that can be used for informal play and recreation. In addition the applicant is providing a community space that can serve as a focus for both this community and the existing community (shown below).



Policy OS1 of the Local Development Plan refers to Open Space Provision, and states that;

Where there is a quantitative deficiency in outdoor sport, children's play, informal space or allotments, provision will be sought, including the requirement for maintenance, in conjunction with all new residential developments of 3 or more dwellings.

As referred to above, it has been accepted that there is no potential for a financial contribution for off-site works on viability grounds. Nevertheless, the applicant is providing on site informal open space and play provision, plus a community building (over and above these requirements) to the extent that it is considered that the scheme would address the requirements of Policy BE1 and OS1.

Education

Where viable, housing development would normally be expected to contribute towards education. In this case, however, viability of the development does not allow contributions. Nevertheless, the applicant is providing a community building that in both their general supporting information, and within their Welsh Language Action Plan, will be available to both the wider community and on site residents. Furthermore the developer has already undertaken engagement with the local School to set out the aspirations for the site, and this will continue.

Welsh Language Impact

LDP Policy WL1 – Developments in Language Sensitive Areas - states that residential developments for 10 or more developments in an identified language sensitive area, which includes Pontardawe, will be required to submit a Welsh Language Action Plan setting out the measures to be taken to protect, promote and enhance the Welsh language.

Further clarification regarding a WLAP can be found in NPTCBC's Planning Obligations SPG and Development and the Welsh Language SPG which states that there is a need to mitigate the negative effects from new development through supporting the use of the language in the local community and helping residents of new housing to learn and use the language.

The application has been accompanied by a WLAP.

Statistical information is provided as part of the 2011 Census for the Ward of Pontardawe. In terms of demographics, at the time of the 2011 Census, the population of Pontardawe Ward was 5,421 (aged 3 and over). Of this population, 20.14.% (1,092) were able to read, write or speak Welsh, while the same figure for the County of Neath Port Talbot was only 10.48%. On a national level, this figure was 14.09%.

As a result of the fact that the ward where the site is located has not only a greater proportion of individuals with an understanding of Welsh than at a County and National level, it is evident that the Welsh language forms an important role and feature of the community. Any proposed development within this community must wherever possible protect and promote the Welsh Language, as well mitigate any negative impacts such a development may introduce.

The applicant assesses the locality and then offers the following actions;

- Action Plan - Schools

The development could result in an additional 4-5 children requiring a place at Ysgol Gynradd Gymraeg Pontardawe and 3-4 children requiring a place at Ysgol Gyfun Gymraeg Ystalyfera and as there are surpluses at both Ysgol Gynradd Gymraeg Pontardawe and Ysgol Gyfun Gymraeg Ystalyfera – Bro Dur all of the children could receive a Welsh medium education at both primary and secondary school and means there is no need for a financial contribution to be made with regards to the provision of additional places at the Welsh medium schools that will serve the proposed

development.

- Action Plan – Street Names
The proposed development consists of a single street which will incorporate the name Parc Hadau.
- Action Plan – Welcome Pack
Sero Homes provides each purchaser with a 'Welcome pack' upon completion of the sale of a property. This pack includes details of the various features of the house, instructions for the various appliances, sustainable travel information and other relevant matters.

Therefore, it is proposed to include within this pack details of Welsh language services and groups available in and around Pontardawe. These could include:

- 'Menter Iaith CNPT' (for general welsh language events in and around Pontardawe and beyond)
- Mudiad Meithrin, Pontardawe – Sesiwn Ti a Fi (Baby & Toddler Group)
- Mudiad Meithrin, Pontardawe – Sesiwn Meithrin (Pre-School)
- Merched Y Wawr
- Tyr Gwrhyd
- Welsh Book Club

It is recommended that these matters are dealt with as a condition of any permission issued.

LEGAL MATTERS

Members are advised that, while the Council is not the applicant, the application site is currently in Council ownership with contracts having been exchanged subject to planning permission being granted.

It is emphasised that the ownership of this site has no material bearing on the determination of this application, as assessed above. It does, however, provide a complication in respect of the completion of a legal agreement to secure the required off-site mitigation since the applicant does not currently have an 'interest' in the site, and therefore cannot enter into a Section 106 legal agreement in advance of permission being granted.

Accordingly, the recommendation below simply seeks completion of a 'legal agreement(s)' since this enables Officers within the Legal services

team the flexibility to secure the necessary mitigation through appropriate legal agreement(s) having regard to the land disposal and the need to ensure such agreement runs with the land.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises the Neath Port Talbot Local Development Plan (2011–2026) adopted January 2016.

It is considered that the proposal represents an appropriate form of residential development on an allocated housing site, as defined within the adopted Development Plan. The proposals provide a unique opportunity for a Zero Carbon development, that within its core principles, adheres to the long term sustainability and decarbonisation agenda of both Welsh Government and Neath Port Talbot. Once developed, the site would provide a potential exemplar for this form of development, and one that would potentially inspire further developments of its type on a larger scale. It is one that will be unique within Neath Port Talbot and one that would generate great interest from further afield, due to its environmental and sustainability credentials.

It is considered that subject to conditions, and the signing of a legal agreement in respect of the off-site mitigation and enhancement, together with the proposed long term management and maintenance responsibilities for the site, that the development would not have an unacceptable impact upon biodiversity, residential amenity, the visual amenity or character of the area as a whole, or highway and pedestrian safety.

Accordingly, the proposed development is in accordance with Policies SC1, I1, H1, OS1, EN6, EN7, EN8, RE2, W3, TR2, BE1 and WL1 of the Neath Port Talbot Local Development Plan.

It is further considered that the decision complies with the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

RECOMMENDATION

1. That provided no further representations are received within the period between this committee's resolution and 21st December 2019 (when the press notice advertising period expires), that planning permission is granted subject to the completion of an appropriate legal agreement to secure the following Heads of Terms: -
 - a. Provision of off-site ecological mitigation including Habitat Management Plan (HMP).

And subject to the detailed conditions listed below.

2. That in the event, further representations are received within the period between this committee's resolution and 21st December 2019 (when the press notice advertising period expires), Delegated Authority is given to the Development Manager – Planning, in consultation with the Chair of Planning, to determine whether these raise any additional or new issues that have not been considered as part of this report, and to determine whether the application should be brought back to committee for re-consideration prior to any decision being issued, or otherwise should proceed to a decision in line with Members resolution at this Committee.

CONDITIONS

Time Limit Conditions

- 1 The development shall begin no later than five years from the date of this decision.

Reason:

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

List of Approved Plans

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

Location Plan 1912 - PARC HADAU - OS MAP- L100

Parc Hadau_1912 - S001 rev A - Proposed Site Plan

Parc Hadau_1912 - S150 rev A - GF CONTEXT PLAN - TYPE A - B - G

Parc Hadau_1912 - S151 rev A - FF CONTEXT PLAN - TYPE A - B - G
Parc Hadau_1912 - S152 rev A - ROOF LVL CONTEXT PLAN - TYPE A - B - G
Parc Hadau_1912 - S160 rev B - GF CONTEXT PLAN - TYPE C - C1
Parc Hadau_1912 - S161 rev B - FF CONTEXT PLAN - TYPE C - C1
Parc Hadau_1912 - S162 rev B- ROOF LVL CONTEXT PLAN - TYPE C - C1
Parc Hadau_1912 - S170 rev A - GF CONTEXT PLAN - TYPE D - D1 - D2 - E - E1
Parc Hadau_1912 - S171 rev A - FF CONTEXT PLAN - TYPE D - D1 - D2 - E - E1
Parc Hadau_1912 - S172 rev A - ROOF LVL CONTEXT PLAN - TYPE D - D1 - D2 -
E - E1
Parc Hadau_1912 - S180 rev A - GF CONTEXT PLAN - TYPES E - F
Parc Hadau_1912 - S181 rev A - FF CONTEXT PLAN - TYPE E - F
Parc Hadau_1912 - S182 rev A - ROOF LVL CONTEXT PLAN - TYPE E - F
Parc Hadau_1912 - S400 rev A - Proposed Site Section 01
Parc Hadau_1912 - S401 rev A - Proposed Site Section 02
Parc Hadau_1912 - S402 rev A - Proposed Site Section 03
Parc Hadau_1912 - SUB01 - Substation
Parc Hadau_1912 HOUSETYPE A rev A
Parc Hadau_1912 HOUSETYPE B rev A
Parc Hadau_1912 HOUSETYPE C rev A
Parc Hadau_1912 HOUSETYPE C.1 rev A
Parc Hadau_1912 HOUSETYPE C.2 rev A
Parc Hadau_1912 HOUSETYPE D rev A
Parc Hadau_1912 HOUSETYPE D.1 rev A
Parc Hadau_1912 HOUSETYPE D.2 rev A
Parc Hadau_1912 HOUSETYPE E rev A
Parc Hadau_1912 HOUSETYPE E.1 rev A
Parc Hadau_1912 HOUSETYPE F rev A
Parc Hadau_1912 HOUSETYPE G rev A
Parc Hadau_191023-FarrerHuxley-ParcHadau730-FH-XX-00-DP-L-201-hard
Parc Hadau_191023-FarrerHuxley-ParcHadau-730-FH-XX-00-DP-L-401-soft
Parc Hadau_194718 - Transport Statement - Appendices R 18.10.19
Parc Hadau Design and Access Statement
Parc Hadau_Drainage Statement - Rev A
Parc Hadau_Ecological Assessment
Parc Hadau_PAC FINAL Issued 24 October 19
Parc Hadau_PL-101 Rev 03 - Engineering Layout
Parc Hadau_PL-102 Rev 01 - Highway Longitudinal Sections
Parc Hadau_R0001 - 3564CA - Planning Statement - Sept19
Parc Hadau_R0002 - 3564CA - Welsh Language Impact Assessment -Sept19
Parc Hadau_R0003 - 3564CA - Energy Statement

Reason: In the interests of clarity.

Pre-Commencement Conditions

3 Before beginning any development at the site, you must do the following: -

a) Notify the Local Planning Authority in writing that you intend to commence development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and

b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.

Reason:

To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.

4 No development shall commence (including any site clearance), until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Construction method statement shall be in accordance with the requirements of British Standard BS5228-1:2009 - "Code of practice for noise and vibration control on construction and open sites". The approved Statement shall be adhered to throughout the and construction phases. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) Routes of vehicles, plus delivery and construction times, taking into account the proximity of residential dwellings;
- d) storage of plant and materials used in constructing the development;
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- f) wheel washing facilities to prevent deposition of material onto any hard surface road;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- i) scheme for the erection of temporary/semi-temporary signage warning drivers of speed restrictions;
- j) The frequency and size of vehicles used to transport the waste material arising from the demolition works;
- k) Measures to prevent stacking of vehicles onto the public highway;
- l) Identification of the significant construction and demolition noise sources, detailing the physical and operational management controls necessary to mitigate emissions from these noise sources, as well as noise complaint investigation procedures;
- m) Hours of working on site, and specified hours for deliveries and any elements of the demolition or construction that could lead to amenity issues from noise and disturbance to adjoining properties.

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1, EN8 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 5 Notwithstanding the soft landscaping plan submitted, no development shall take place until a detailed landscaping plan has been submitted to and approved in writing by the LPA. This shall set out: a palette of species to be planted that will be a majority of native and/or wildlife friendly species, the retention of semi-natural habitat and shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, taking into account potential growth, together with measures for their protection in the course of the construction; the design of the site wetland features, including design of watercourse encroachment, wetland creation and attenuation ponds to reinstate, create and enhance, where possible, the biodiversity interest of such features; together with associated planting proposals.

The approved scheme shall be carried out in the first planting season after completion of the phase of construction or its occupation, whichever is the sooner and any trees or plants which

within a period of five years are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and the same species, unless the local planning authority gives written consent to any variation.

Reason

In the interest of biodiversity, visual amenity and to accord with Section 197 of the Town and Country Planning Act, 1990 and Policies BE1, EN6 and EN7 of the Neath Port Talbot Local Development Plan

6 Prior to the commencement of works on site (including site clearance) a Construction Environmental Management Plan shall be submitted and approved in writing by the LPA. The CEMP (biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones" (including retained habitat areas, buffer areas including the 10-15m eastern buffer, ancient woodland, wildlife receptor sites).
- c) Details of pre-commencement checks for protected species.
- d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). Measures shall include, but are not limited to: a method statement for the conservation of reptiles and common Toads (including details of receptor sites and their suitability); measures to prevent wildlife becoming trapped in excavations; measures to prevent pollution of watercourses on and off-site; measures to eradicate invasive non-native species; measures to deter species where necessary.
- e) The location and timing of sensitive works to avoid harm to biodiversity features.
- f) The times during construction when specialist ecologists need to be present on site to oversee works.
- g) Responsible persons and lines of communication and the role and responsibilities and operations to be overseen by an appropriately competent person (e.g. an ecological clerk of works or on-site ecologist)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) A programme of updated surveys to address any changes in ecological constraints which may occur as a result of the construction timetable / phasing.

The approved strategic CEMP shall be adhered to and implemented throughout the construction strictly in accordance with the approved details, and the Ecological Clerk of Works appointed until completion of the construction phase of the development.

Reason

In the interests of biodiversity and the protection of habitats and the environment, and to accord with Policies BE1, EN6 and EN7 of the Neath Port Talbot Local Development Plan.

- 7 No development shall commence on site (including site clearance), until such time as a Habitat Management Plan (HMP) has been submitted to and approved in writing by the LPA for all areas of retained/created habitat onsite, including wetland features. The content of the HMP shall include the following and shall deliver the measures set out in the Ecological Assessment and Parc Hadau-comments on ecology chapter (letter 3/12/2019):
 - a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparations of a work schedule (including an annual work plan capable of being rolled forward over a minimum of a 25-year period).
 - g) Details of the body or organisation responsible for the implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The HMP shall also include details of the legal and funding mechanism(s) by which the longterm implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the HMP are not being met) how contingencies and /or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives or the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason

To secure appropriate means to manage and monitor biodiversity mitigation measures.

Action Conditions

- 8 Prior to the occupation of any dwelling hereby approved a scheme indicating the positions, height, design, materials and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed, as approved, prior the first beneficial use of that property and retained as such thereafter.

Reason:

In the interest of visual amenity and to ensure compliance with Policy BE1 of the Neath Port Talbot Local Development Plan.

- 9 Prior to occupation of any part of the development, a lighting design strategy for the site taking into full consideration the biodiversity on and adjoining the application site shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall:

a) Identify those areas/features on site (particularly along the eastern and northern parts of the site) that are particularly sensitive for nocturnal wildlife, especially bats, and that are likely cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging;

and

b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstance should any other external lighting be installed.

Reason

To ensure nocturnal wildlife are not adversely affected or disturbed by the lighting of the site and to ensure compliance with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended), and Policies BE1, EN6 and EN7 of the Neath Port Talbot Local Development Plan

- 10 Prior to the first occupation of any dwelling hereby approved, a vehicle electric charging point shall be provided for each property, and retained as such thereafter.

Reason

In the interests of sustainability, and Policy RE2 of the Neath Port Talbot Local Development Plan.

- 11 Prior to the first occupation of any part of the development hereby approved, a long term management and maintenance plan for the site as a whole shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out the management and maintenance schedule and responsibilities for a minimum of 25 years from first occupation, and shall include as a minimum:

- a) All communal and shared spaces, including all hard and soft landscaping, habitat features, including wetland areas. Together with a plan identifying all communal areas, which will remain as such thereafter, and shall not be incorporated into any residential curtilage, and the frequency of any inspection, and maintenance work.
- b) All Roads, car parking areas and associated lighting.
- c) Community building use and operation.
- d) Land and surface water drainage systems.

The scheme as approved shall be fully implemented in strict accordance with the approved details, which shall be reviewed after the first 12 months and subsequently on the 3rd and 5th year, and every subsequent 5 year anniversary from the date of approval.

Reason

As the site is proposed to be maintained and managed in its entirety by a management company, and is not being designed to adoptable standards that could in the future be adopted by the Local Authority. In addition, to ensure that the amenity of future residents is protected, and that the site is managed and maintained in the interests of amenity, highway and pedestrian safety, and pollution control and to ensure the development complies with

Policies SP15 and BE1 of the Neath Port Talbot Local Development Plan.

- 12 The development hereby approved shall be connected to the mains sewerage system prior to the first beneficial use of that dwelling and retained as such thereafter.

Reason:

In the interest of satisfactory drainage of the site, and ensure the development complies with Policy SP16 and BE1 of the Neath Port Talbot Local Development Plan.

- 13 The developer shall carry out the recommendations as set out within Section 5 of the Welsh Language Assessment, Sept 2019.

Reason

To accord with Policy WL1 of the Neath Port Talbot Local Development Plan.

- 14 With the exception of the section of the northern watercourse buffer stated as to be impacted in Parc Hadau-comments on ecology chapter (letter 3/12/2019), a 7m buffer zone shall be put in place from all watercourses (as measured 7m either side, from the top of the bank) within which development will not take place. The zone shall be permanently/temporarily fenced-off prior to any site clearance or development taking place, and maintained as a development free buffer thereafter.

Reason

In the interests of biodiversity, and to maintain the riparian habitat and corridor.

- 15 All mature native trees shall be retained as they may provide habitats for nesting birds and roosting bats. Notwithstanding the tree survey submitted, no tree works shall be undertaken within the buffer zone or ancient woodland unless in line with the HMP and/or CEMP for the development. If any features that may be used by bats (crack, crevices, gaps, loose bark etc) are identified during the works then the branches shall be section felled, lowered carefully and left on the ground for a minimum of 24 hours to allow any wildlife, such as bats, to escape if present. In addition, if bats are discovered during the works, work shall stop immediately. NRW shall be contacted as a licence may be required to continue. A 15m buffer zone shall be put in place from the ancient woodland within

which development will not take place. The zone will be temporarily/permanently fenced-off prior to works taking place, including and site clearance, and permanently maintained thereafter as a development free buffer.

Reason

To protect ancient woodland, to conserve habitats that support species such as birds and bats; and to ensure compliance with the Conservation of Habitats and Species Regulations 2010 and the Wildlife and Countryside Act 1981 (as amended).

- 16 Details of the provision of artificial nesting sites for birds or roosting opportunities for bats shall be submitted to and approved in writing by the Planning Authority and implemented prior to building completion. Provision can be made in the form of manufactured bird/bat bricks incorporated into the fabric of the building or artificial boxes placed on the outside of the building or trees.

Reason

To contribute towards the mitigation of loss of wild bird habitat to the development and to comply with the Conservation of Habitats and Species Regulations 2010 and to comply with the biodiversity conservation duty under the Environment (Wales) Act 2016.

- 17 Habitat piles and structures for hedgehogs and invertebrates shall be provided on site prior to the first occupation of any dwelling hereby approved, in accordance with a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be retained in accordance with the approved details.

Reason

To contribute towards the mitigation of loss of wildlife habitat to the development and to comply with the biodiversity conservation duty under the Environment (Wales) Act 2016.

- 18 Prior to first beneficial occupation of any dwelling hereby approved, a scheme detailing a refuse and recycling strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented from first beneficial occupation, and thereafter the site shall be managed in full accordance with the approved scheme

Reason:

In the interest of highway and pedestrian safety, the environment, and the amenity of residents, and to ensure accordance with Policies BE1 and TR2 of the adopted Neath Port Talbot Local Development Plan.

- 19 The developer shall provide to the Local Planning Authority on an annual basis, for a period of 3 years from the first date of occupation an annual report of the metering and monitoring for the proposed development as a whole on the operation of the energy efficiency and renewable energy / zero carbon aspirations of the site.

Reason

In the interests of sustainability and Policy RE2 of the Neath Port Talbot Local Development Plan.

Regulatory Conditions

- 20 The community Building shall be used for a community building only and for no other purpose (including any other purpose in class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason:

In order that other changes of use can be assessed in the interests of amenity and to accord with Policies SC1 and TR2 of the Neath Port Talbot Local Development Plan.

- 21 No footpath link into the ancient woodland to the west of the site shall be implemented until such time as a scheme for the path has been submitted to the Planning Authority for approval. The scheme shall include an assessment of impacts of the proposals on biodiversity and the ancient woodland of the route and details of mitigation measures.

Reason

To ensure that the impacts of any infrastructure is fully assessed in relation to biodiversity impacts.

- 22 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 23 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a highway, carriageway, shared driveway or footpath.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for such enclosures having regard to the particular layout and design of the development, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 24 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.

Reason:

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for extensions, having regard to the particular layout and design of the development and need to protect the

amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development Plan.

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed without the prior grant of planning permission in that behalf.

Reason

In order to safeguard the amenities of the area by enabling the Local Planning Authority to consider whether planning permission should be granted for such additional doors / windows, having regard to the particular layout and design of the development and need to protect the amenity of nearby properties, and to accord with Policies BE1 and SC1 of the Neath Port Talbot Local Development.