

**PLANNING & DEVELOPMENT COMMITTEE**

**13 JANUARY 2022**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 20/0806/16 (DJB)  
**APPLICANT:** Keolis Amey  
**DEVELOPMENT:** The submission of reserved matter details (pursuant to condition 9 of consent 19/0380/15) for Phase 2 highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot; together with the submission of materials and boundary treatment details, as they relate to Phase 2 (pursuant to conditions 28 and 30 of consent 19/0380/15); and, an updated phasing plan (pursuant to condition 41 of consent 19/0380/15).  
(Additional and/or new information received: 14/09/21 (Taffs Well Station Car Park Feasibility Study (05/08/21))

**LOCATION:** **LAND AT GARTH WORKS INDUSTRIAL ESTATE AND TAFF'S WELL RAILWAY STATION, WEST OF THE A470**

**DATE REGISTERED:** 05/08/2020  
**ELECTORAL DIVISION:** Ffynon Taf

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**RECOMMENDATION: Approve, subject to a S.106 Planning Obligation**

**The proposal represents the second submission of reserved matters (pursuant to the outline element of 'hybrid' consent 19/0380/15) and comprises Phase 2 of the wider scheme.**

**19/0380/15 establishes in principle the need for the highway remodelling works at Ffordd Bleddyn and Cardiff Road in order to facilitate rail access into the proposed Taffs Well Rail Depot.**

**The proposed works constitute an essential element to a major development and significant investment within the County Borough. It is considered that the development can be undertaken at the site without having significant adverse impacts within the locality. The application proposal is assessed to comply in**

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**the main with the relevant policies of the Council's LDP and national planning policy and guidance**

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## **APPLICATION DETAILS**

### Background and Context to the Application

In July 2018 Committee considered hybrid application 18/0314, (part full and part outline) submitted by Transport for Wales (TfW) for the demolition of the existing building at the Garth Works site and the creation of a rolling stock depot facility together with ancillary works, car parking and improvement works to Taffs Well Railway Station. That application was approved, with the decision notice dated 1 August 2018.

Subsequently a further s.73 application (19/0380) was submitted following the appointment of KeilosAmey (KA) as the Operator and Development Partner (ODP).

KA reviewed the plans approved under 18/0314 and as a result submitted 19/0380, which proposed a number of changes to the approved indicative masterplan, which would also result in modifications to approved section and elevation drawings.

Application 19/0380 was made under Section 73 of the Planning Act and in effect sought not to comply with condition 10 – list of approved plans (as imposed on 18/0314) by replacing it by a condition which lists the plans of the modified rolling stock depot and Taffs Well railway station, thereby allowing reserved matters application/s to come forward in line with the parameters set within the modified plans.

Members of Committee were advised when considering 19/0380 (at the 3 October 2019 meeting of Planning & Development Committee) that approval of the application (19/0380) will still mean it is necessary for KA/TfW to submit detailed submissions for the matters reserved by the outline planning permission – i.e. layout, scale and appearance of the buildings, the means of access thereto and the landscaping.

This current reserved matters submission application for the highway remodelling works to Ffordd Bleddyn and Cardiff Road represents Phase 2 of the scheme and the second submission of reserved matters. The extent of this Phase 2 site, is shown within the context of the larger, wider site on the submitted Phasing Plan (rev P01, date 26/06/20).

*(Note: Since the original submission was made a number of technical highway revisions have been made and suitably amended and/or additional information submitted. These submissions follow, in the main, detailed assessment of the proposals by the Council's Highway Development Control Section).*

The scope of this current submission also seeks approval of details of materials (condition 28 of 19/0380 refers) and boundary treatment details (condition 30 of 19/0380 refers) in as far as they relate to the Phase 2 works proposed. In addition approval is also sought for the updated Phasing Plan (as referred to above), pursuant to condition 41 of consent 19/0380.

To give some context as to how this phase of works fits into the wider Taffs Well Rail Depot scheme the list of applications below confirm the other reserved matter submissions have also been lodged with the Local Planning Authority in respect of other phases of the scheme:

- Phase 1 (20/0161) CVLICC building – Approved 12/08/20
- Phase 2 (20/0806) This application
- Phase 2A (20/1369) Engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge – Approved 23/12/21
- Phase 3 (21/0568) New South Wales Metro Core Valley Lines main depot facility (also on this agenda for Committee's consideration and determination)
- Phase 4 (21/1095) Demolition of existing Taffs Well Railway Station pedestrian railway bridge and replacement with new bridge, incorporating lifts – to be determined

In conjunction with each of these reserved matter submissions noted above there sits a separate application seeking a discharge of conditions (as imposed on the 19/0380 consent) as relevant to that individual phase of the development.

In the case of Phase 2 (this application) the relevant discharge of condition application is 21/1256, which seeks in respect of Phase 2 the discharge of conditions 18 (CEMP – Construction Environmental Management Plan), 25 (CMS – Construction Method Statement), 38 (CNMP – Construction Noise Management Plan) and 39 (Construction Hours).

Other pre-commencement conditions as imposed on Part B (the outline element) of 19/0380 apply site wide and have been the subject of earlier discharge of condition applications which have been submitted to and granted by the LPA. Those considered relevant to Phase 2 are condition nos. 11, 14, 29, 31, 34, 35, 36, 37, 40 and 42.

Further discharge of condition application/s will be forthcoming in respect of conditions 21, 24 (both highway details) and 32 (drainage details), as they relate and apply to the Phase 2 works.

## **SITE APPRAISAL**

The application site effectively incorporates the extent of the length of Ffordd Bleddyn from a point approximately 35m to the north of the northern extent of the dedicated Taffs Well Railway Station car park down to the junction with Cardiff Road at the southern extent. The submitted plan also confirms that elements of Cardiff Road,

either side of the Ffordd Bleddyn junction, lie within the application site, thereby creating a hammerhead shape to the defined Phase 2 reserved matters site at this point. An initial length of the main vehicular access into the Depot site itself, which will be taken from a new roundabout feature, is also included within the Phase 2 works.

The former Garth Works Industrial Estate buildings have now been cleared from the site and consented site preparatory works are now well advanced. Ffordd Bleddyn itself has been closed to vehicular traffic at the southern (Cardiff Road) end for some months now and a significant amount of inert material, required as part of the construction works, has been deposited on the carriageway.

The Core Valley Lines Integrated Control Centre (CVLICC) building (approved in August 2020), which represents Phase 1 of the overall development, is now largely externally complete and stands at the northern end of the overall scheme site.

## **PLANNING HISTORY**

The former Garth Works Industrial Estate had a long planning history, with a high number of relatively minor and advertisement applications, relating to individual buildings/units within the former Estate. However, that has now been cleared and so only the recent relevant applications associated with the KA/TfW scheme are referred to below. *(It should be noted that the history below does not list every single application submitted. In addition to the main applications referred to below there have also been a number of Discharge of Condition and Non-Material Amendment applications relating to both 18/0314 and 19/0380 and the individual Phases of development).*

- |         |   |
|---------|---|
| 21/1095 | Phase 4 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the demolition of the existing Taffs Well Railway Station pedestrian footbridge and replacement with new footbridge, incorporating lifts<br>Still to be determined  |
| 21/0568 | Phase 3 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for the creation of a new South Wales Metro Core Valley Lines main depot facility<br><i>(also on this agenda for Committee's consideration and determination)</i>   |
| 20/1369 | Phase 2A submission of reserved matters (pursuant to condition 9 of consent 19/0380) for engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge<br>Approved 23/12/21  |
| 20/0806 | Phase 2 submission of reserved matters (pursuant to condition 9 of consent 19/0380) for highway works, incorporating the remodelling of<br>Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot<br><i>(current application, subject of this report)</i> |

- 20/0161 Phase 1 submission of reserved matters (pursuant to condition 9 of 19/0380) for the erection of a new Core Valley Lines Integrated Control Centre (CVLICC) building.  
Approved 12/08/20
- 19/0380 Section 73 application seeking amendments to Condition 10 as imposed on 'hybrid' planning permission 18/0314 (which granted (A) full planning permission for the demolition of existing buildings on the Garth Works Industrial Estate part of the site; and (B) outline planning permissions for a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works  
Cond. Perm 09/10/19
- 18/0314 Hybrid Planning Application to deliver a rolling stock depot on the existing Garth Works Industrial Estate site comprising of the following: Part A: Full planning application for the demolition of existing warehouses on the existing Garth Works Industrial Estate site.  
Part B: Outline planning application to provide a rolling stock depot comprising of a warehousing building, stabling area accommodating rolling stock, substation, wash down point, sanding facility and delivery tracks, ancillary workshop and offices, decked car parking providing a maximum of 214 car parking spaces, demolition and relocation of existing railway footbridge and platforms, and associated landscaping, highways and access infrastructure works.  
Cond. Perm 01/08/18

## **PUBLICITY**

The application has been advertised by means of the posting of site notices in the vicinity of the site and by direct neighbour notification letter.

No responses have been received.

## **CONSULTATION**

**RCT Highway Development Control Section** – an initial response of highway objection was received which together with raising a significant number of technical highway issues indicated that insufficient information had been submitted in terms of road safety audit, departures from standards, details of appropriate mitigation measures and improvements to shared use cycle route between Ffordd Bleddyn and

RCT/Cardiff CC boundary to allow an assessment of the proposed highway improvements at Ffordd Bleddyn/Cardiff Road to be undertaken.

However, following a significant amount of interaction, over a lengthy period, with the applicant and their highway agents the applicant submitted comprehensive proposals for the remodelling of Ffordd Bleddyn and the signalised junction with Cardiff Road

In light of the assessment of this revised and additional information **no highway objections** are raised, subject to the imposition of a condition to ensure suitable alternative provision for users of the Taff Trail (NCN Route 8) is provided and maintained throughout the construction period.

It is also noted that the Highway Authority will also require the applicant/developer to:

- Enter into legally binding agreements under sections 38 and 278 of the Highways Act 1980 and section 111 of the Local Government Act 1972;
- Undertake statutory consultations in respect of any Traffic Regulation Orders (TROs) associated with the development;
- Provide commuted sums for any highway infrastructure that requires extra over maintenance liability; and,
- Progress the stopping up of areas of existing highway to accommodate the development, under the provisions of section 247 of the Planning Act.

**Welsh Government – Transport (Network Management Division)** – Welsh Government does **not object** although a full s.278 (of the Highway Act) agreement shall be entered into.

Notwithstanding the s.278 process and prior to entering into this, design works shall also be accompanied by a structural assessment of the effect of the carriageway realignment on the bridge in accordance with CS454 with the required provision of an assessment certificate.

The existing parapet is not suitable for mounted cyclists on the NMU Active Travel route. This should meet standards and be amended a part of the s.278 detailed design drawings

**RCT Public Health & Protection – no objections** have been raised to the works the subject of this reserved matters submission. However, significant concerns have been raised in respect of the detail submitted in respect of the Phase 2 associated discharge of condition/s application 21/1256, with particular reference to condition 38 (CNMP- Construction Noise Management Plan). Whilst no objection has been raised to the indicated periods of daytime working, there is clear concern expressed in respect of the anticipated noise levels likely to experienced by the occupiers of some nearby properties during some periods of night time working.

**RCT Flood Risk Management** – raise **no objections** to the application, subject to compliance with the requirements of the drainage conditions (32 and 33) as imposed

on the outline planning permission. It is also highlighted that the applicant will also need to attain approval under the SuDs consenting regime, approval for which lies outside scope of planning approval.

**Natural Resources Wales** – have **no objection** to the proposed development as submitted.

**Dwr Cymru/Welsh Water** – We have **no objection** to the application for approval of the reserved matters subject to compliance with the requirements of the drainage conditions imposed on the outline planning permission, and the subsequent applications to vary the conditions thereon

**Western Power Distribution (Electricity)** – **no objections** raised but advise that they would require the applicant to apply to Western Power Distribution if they require a new connection or a service diversion.

**Sustrans** – indicate **support** this development which is an essential section of infrastructure to our future CVL transport system. However, comments are made in respect of the need to ensure that the scheme is fully compliant with Active Travel Design Guidance having regard to the interests of pedestrians and cyclists.

## **POLICY CONTEXT**

The LDP policy context set out below is as was indicated in respect of the whole, wider scheme in respect of 19/0380.

### **Rhondda Cynon Taf Local Development Plan (LDP)**

The application site lies entirely within defined settlement limits.

#### **Core policies**

**Policy CS2** – confirms that in respect of development in the Southern Strategy Area the emphasis will be on sustainable growth that benefits the County Borough as a whole. 8 key criteria that will be considered in seeking to achieve this aim are identified. Criteria specifically relevant to this proposal are noted below:

Criteria 2 – states that “Protecting the culture and identity of communities by focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings”

Criteria 5 – states that “Providing opportunities for significant inward investment, in suitable locations, that will benefit the economy of Rhondda Cynon Taf and the Capital Region”

Criteria 6 – states that “Reducing daily out commuting by private car and promoting sustainable forms of transport”

Criteria 8 – states that “Promoting and enhancing transport infrastructure services to support growth and investment”

**Policy CS8** (Transportation) identifies the need for the provision of public transport improvements, as part of wider strategic transportation network improvements, within the County Borough.

#### Area Wide policies

**Policy AW2** – promotes development in sustainable locations. Sustainable locations are defined by a number of criteria.

Criteria specifically relevant to this proposal are noted below:

Criteria 1 – are within defined settlement boundaries

Criteria 2 – sites where the proposed use would not conflict with adjoining uses

Criteria 3 – sites that have a good accessibility by a range of transport modes

Criteria 4 – sites with good access to key services and facilities

Criteria 6 – support the roles and functions of the Principal Towns, Key Settlements and Small Settlements

Criteria 8 – sites that are well related to utility services

**Policy AW4** – provides for the negotiation of planning obligations

**Policy AW5** - identifies design criteria (under the headings of Amenity and Accessibility) for new development.

**Policy AW6** - supports development that promotes high quality design which makes a positive contribution to place making.

**Policy AW7** - seeks to protect and enhance the built environment.

**Policy AW8** - seeks to protect and enhance the natural environment.

**Policy AW10** – confirms that development will not be permitted where it would cause or result in an unacceptable risk of harm to health and/or local amenity (identified issues include air pollution, light pollution, noise pollution, water pollution, contamination, landfill gas, land instability and flooding or any other identified risk to the environment, local amenity and public health or safety).

**Policy AW11** – seeks to only allow the appropriate re-use of existing employment and/or Retail Uses

#### Southern Strategy Area policies

Policy SSA20 – confirms that provision for Park and Ride (P&R) facilities will be provided within the identified developments, no.6 in the list of 6 sites being Taffs Well Station

#### **Supplementary Planning Guidance**

Rhondda Cynon Taf LDP SPG – Design and Placemaking (March 2011)

Rhondda Cynon Taf LDP SPG – Delivering Design and Placemaking: Access, Circulation & Parking Requirements (March 2011)

Rhondda Cynon Taf LDP SPG – The Historic Built Environment (March 2011)



Rhondda Cynon Taf LDP SPG – Nature Conservation (March 2011)

Rhondda Cynon Taf LDP SPG – Planning Obligations (December 2014)

Rhondda Cynon Taf LDP SPG – Employment and Skills (June 2015)

### **National Guidance**

*In the determination of planning applications regard should also be given to the requirements of national planning policy which are not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.*

Planning Policy Wales Edition 11 (PPW) was issued on 24th February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). *(This was after the granting of the 'hybrid' application 19/0380/15).*

PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

PPW at Chapter 4 (Active and Social Places) at para. 4.1 (Transport) states that the planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. Para. 4.1.9 confirms that Welsh Government is committed to reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport.

Para. 5.3.6 states that planning authorities must promote and facilitate the provision and decarbonisation of high quality public transport infrastructure...which could include improved facilities for park and ride schemes, new rail lines, including light rail, the provision of enhanced passenger services on existing lines.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow
- Policy 2 – Shaping Urban Growth
- Policy 3 – Supporting Urban Growth

- Policy 6 – Town Centre First *(although this site itself doesn't lie within a town centre, it should be recognised that the development as a whole has a much wider significance in terms of supporting towns centres, such as Pontypridd and Aberdare, by facilitating the significant improvements to the Core Valley Lines rail network)*
- Policy 9 - Resilient Ecological Networks and Green Infrastructure Planning

#### Policy Wales Technical Advice Notes (TANs)

TAN 5: Nature Conservation and Planning (2009)  
 TAN 11: Noise (1997)  
 TAN 12 Design (2016)  
 TAN 15: Development & Flood Risk (2004)  
 TAN 18: Transportation (2007)  
 TAN 23: Economic Development (2014)  
 TAN 24: The Historic Environment (2017)

#### **Government Circulars Other Relevant Documents**

- Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management

#### **Other relevant Welsh Government Documents**

- The Wales Transport Strategy 2021 – sets out the overall vision as to how Wales's transport system can help deliver Welsh Government's priorities, helping to create a more prosperous, green and equal society. *(At 7.3 of the published (10 March 2021) document the Strategy identifies delivery of the transport Metro systems (in all parts of Wales) as a Welsh Government priority over the next five years).*
- Wales Infrastructure Investment Plan – this sets the context for investment infrastructure in Wales, including transport infrastructure.
- Welsh Transport Appraisal Guidance (WelTAG) – a framework for assessing the impact and benefits of proposed transport interventions. It is aligned with the seven national well-being goals.

#### **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

## PLANNING CONSIDERATIONS

The proposed highway works, incorporating the remodelling of Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot represent Phase 2 of the wider scheme for which the principle has already been established by virtue of the 18/0314 and 19/0380 consents.

It should be noted that the detail submitted with both the 18/0314 and 19/0380 applications indicated the provision of a second bridge running beneath Cardiff Road. This would have provided a second link from the Depot to the railway line. However, since the initial submission of this reserved matters application the Cardiff Road bridge has been withdrawn from the scope of the Taffs Well depot and has therefore been withdrawn from this submission of reserved matters.

It is understood that some significant utilities infrastructure was found to lie in a position (or in such close proximity) that would have required major diversion works to be undertaken. Such works would have had both significant cost and time implications for the delivery of the overall scheme. Accordingly, this second bridge was omitted and the scheme redesigned to function by only having the one bridge, with the twin track link between the depot and the railway line running beneath the remodelled Ffordd Bleddyn, as is the current proposal.

It is considered that the main issues in the consideration of this application are the technical highway aspects of the proposals, including and the consideration given to pedestrians and cyclists. In addition the impacts on the amenity of the nearest residential occupiers, together with the visual impacts of the remodelled highway require careful consideration.

### Issues of Highways/Access/Traffic (pedestrian/cyclist/vehicular)

The submitted proposals for the remodelling of Ffordd Bleddyn and the signalised junction with Cardiff Road are proposed to accommodate a rail (under) and road access from Ffordd Bleddyn into the proposed new South Wales Metro Core Valley Lines main depot facility.

The works consist of:

- construction of a new arm from the existing roundabout to provide access to the CVLICC building, as approved as Phase 1 of the development under 20/0161.
- construction of a new roundabout junction on Ffordd Bleddyn to provide access to the Rail Depot Site.
- Construction of a new 'in/out' junction at the northern end of the Taffs Well Railway Station car park onto Ffordd Bleddyn. *(This will replace the current access point at the southern end of the car park which will be closed).*

- changes to the vertical alignment of the road to accommodate the under-bridge rail access to the depot including piled retaining walls.
- construction of bridge structure and wing walls.
- provision of new highway drainage system.
- provision of 3m wide shared use pedestrian/cycle path along the eastern road edge to form part of the Taff Trail
- provision of drop-off/pick up bay to the western side of Ffordd Bleddyn adjacent to the station.
- provision of a zebra pedestrian crossing at Ffordd Bleddyn to accommodate both pedestrian and cycle use.
- replacement of traffic signals at the junction of Cardiff Road with Ffordd Bleddyn to incorporate traffic detection at Cemetery Road and Toucan crossing facilities.
- vehicle restraint barriers, pedestrian guardrail and temporary post and rail fencing to secure the site frontage until such time that permanent security fencing is erected as part of the Phase 3 (Depot) works.

The sequencing of the stages of construction of the proposed works is set out in the Construction Method Statement (CMS) submitted in respect of condition 25, under discharge of condition/s application 21/1256.

- Phase 1 this initial stage includes the bridge and structures works and include bridge excavation, bridge construction and associated works.
- A short phase 1c allows for the lengthening of an existing footpath and the upgrading of traffic signals.
- Phase 2 (which will overlap with phase 1b) will create the new entrance at the northern end of the Taffs Well Railway Station car park.
- The elements of phase 3 provide for new deep drainage runs for the highway.
- Phase 4 incorporates the scope of highway 'civils' work within the 'south west roundabout quadrant' area – which is opposite the entrance into/from the CVLICC building.
- Phase 5 incorporates the scope of highway 'civils' work within the 'north west roundabout quadrant' area – which is opposite the entrance into/from the CVLICC building
- Phase 6 incorporates the scope of highway 'civils' work within the 'north east half of the roundabout' area – which is outside the entrance into/from the CVLICC building
- Phase 7 provides for site clearance works on the east half of Ffordd Bleddyn, in order to generate as much space for working on the west half.
- Phase 8 incorporates the roadworks to the western half of Ffordd Bleddyn.

- Phase 9 incorporates the roadworks to the eastern half of Ffordd Bleddyn and the southern roundabout area.
- Phase 10 incorporates the roadworks on the eastern half of (the southern part of) Ffordd Bleddyn.
- Phase 11 for the carrying out of roadworks that depend on the entire area of Ffordd Bleddyn either side of the southern roundabout.
- Phase 12 roadworks carried out under night shift closures to the northern extent of Ffordd Bleddyn in proximity to the station car park and CVLICC building access entrances.
- Phase 13 comprises the roadworks at the southern end of Ffordd Bleddyn and includes works to its junction with Cardiff Road, together with the Cardiff Road junction with Cemetery Road (*Upon completion of phase 13 the Ffordd Bleddyn highway will re-open in full, as will the East footpath/Taff Trail*).
- Phase 14 provides for the roadworks required within the southern half of Cardiff Road across the junctions with Ffordd Bleddyn and Cemetery Road.
- Phase 15 (to be carried out under weekday night shift road closures) allows for final construction operations that depend on the junction areas of Cardiff Road, Cemetery Road and Ffordd Bleddyn.

There has been considerable dialogue, over a period of more than a year, between the Council's Highway Officers and the applicant and their Highway consultants to get to the current position.

It is considered that the proposals are now in a form that are satisfactory in highway functionality and safety terms and that any minor outstanding issues can be satisfactorily dealt with under the required technical highway agreements and approval of the required discharge of condition/s submission/s required in respect of conditions 21 and 24, as imposed on 19/0380 (as they relate to these Phase 2 works).

The highway remodelling proposals in their technical scope and nature are very much as anticipated from the 19/0380 hybrid application, albeit recognising that the second underbridge, beneath Cardiff Road no longer forms part of the proposed scheme. However, one aspect that has changed significantly in its scope is the anticipated timescale for the length of required closure of Ffordd Bleddyn as a consequence of the proposed works.

The information presented by the applicant at the 19/0380 hybrid (outline) stage (when two bridges were being proposed – one under Cardiff Road and one under Ffordd Bleddyn) indicated the following lengths of anticipated closure (*extracts taken from the Committee report presented to the 3 October 2019 meeting of this Committee*):

- *works to create the new bridge structure under Cardiff Road it is indicated that in total the works would comprise a 12 month construction period in the highway, with one lane fully closed for 9 months and with 6 months of overnight lane/road closures. Option 2 identifies a 'Jack Box' construction solution which would require a total construction period of 7 months, but only 2 months of construction in the highway and 4 weeks of overnight lane/road closures.*

- *The works to create the bridge under Ffordd Bleddyn would see, under Option 1 (a piled solution) a total construction period of 14 months, with one lane fully closed for 9 months, overnight lane/road closures for 6 months. Under the Box Jacked, Option 2 solution the total construction period would be 7 months, with 4 of those months requiring works in the highway, together with 8 weeks of overnight lane/road closures. In addition a full Ffordd Bleddyn road closure for up to 8-12 weeks.*

As part of their current submission the applicant has submitted a document titled 'Ffordd Bleddyn Programme Elongation Review' (dated August 2021).

Within this document it is acknowledged that at the 19/0380 application stage it was anticipated that limited road closures (*as detailed above in the committee report extracts*) would be required.

However, the report notes that ground conditions at the site prevented the preferred method of construction being used and that the design and complexity of the project has developed through the detailed design stage, which has altered the methodology, sequencing and programme of works.

As a consequence of the ground conditions a third option for the bridge beneath Ffordd Bleddyn was developed, which consisted of an in-situ design (i.e. the construction of the bridge structure following excavation of the bridge portal). The ground investigations also identified concerns with the existing sheet piled wall to the east of Ffordd Bleddyn (in that the depth of the existing piles was not sufficient to retain the proposed increase in height along Ffordd Bleddyn highway. Therefore an extension of the proposed retaining wall was required. This along with the revised proposed in-situ bridge box resulted in the need for an extended road closure of 24 months.

Following discussions with Council officers the applicant was asked to review the programme further and investigate opportunities to reduce the 24 month closure period presented.

The main opportunity identified by the applicant to shorten the period was to extend the working hours and increase the proposed periods of night time working, together with some re-scheduling of the depot programme to allow for temporary services diversions to be re-routed around the east of Ffordd Bleddyn, thereby de-linking them from the critical path allowing other activities to commence earlier. These measures were considered to reduce the programme to 14.5 months.

The Highway Development Control Section have raised concern over the closure of Ffordd Bleddyn for this length of time, due to the impact on all highway users and users of the Taff Trail. It should also be recognised that the road has already been closed since late August 2021, without works commencing, albeit is currently anticipated that the required sheet piling works consented under 20/1369 will start in late January.

Further, it should be recognised that the Council's PH&P Officer has raised significant concern with some of the periods of night time working identified in the applicant's

Construction Noise Management Plan (CNMP), as submitted in seeking a discharge of condition 38, under the scope of discharge of condition application 21/1256.

Accordingly, it is recognised a potential outcome is that in order to satisfy the concerns of night time noise and the adverse impact that would have on some residents that the period of night time working is reduced. This however, would mean the period of road closure extends back up towards (and potentially beyond) the 24 month period initially presented. There is no ideal solution to this predicament and it is considered a balanced view will need to be taken between the interests of reducing the highway closure period and protecting the amenity of those nearest residents from excessive night time noise. The applicant is aware of the Council's concerns in this regard and has been asked to revisit their submitted CNMP and put forward measures of mitigation to address these concerns. The CNMP is being considered under discharge of condition application 21/1256, not this application, which seeks an approval of reserved matters.

As a consequence of the closure of Ffordd Bleddyn site traffic (as was indicated at the 19/0380 stage) is diverted north of the site on the A470 to the Nantgarw interchange and then diverted via Moy Road onto Ffordd Bleddyn from the north. The applicant clearly states that no construction traffic will be allowed through Taffs Well village.

#### Interests of Non-Motorised Users (NMU) - pedestrians and cyclists

An important consideration in the assessment of the submitted highway details are the provisions incorporated for both pedestrians and cyclists, especially given the location of the site in relation to the Taff Trail, which forms part of the National Cycle Network Route (NCN Route 8). This includes the need to ensure that satisfactory alternative diversionary provision is made for users of the Taff Trail during the construction phase and a condition requiring such provision is recommended.

Following submission of the application comments on the plans/proposals were received from Sustrans who raised comments/concerns with regard to issues such as – the width of shared use paths (SUPs); the location and form of walking and cycling priority crossing points; the provision of appropriate signage; and the fact that the scheme should be compliant with Active Travel Design Guidance and that walkers and cyclists should not be seen as less important than car drivers, in fact they should be seen as more important given they travel sustainably.

Following receipt of these comments the issues raised were highlighted with Transportation colleagues and raised with KA/TfW (including the Active Travel Lead at TfW) and their highway consultants.

As a consequence of the proposed works, closure of a small section of the Taff Trail is required, thereby necessitating a temporary diversion. Initially, prior to the commencement of the initial sheet piling works (as approved under Phase 2A – 20/1369) a local diversion will be put in place whereby the route is moved from the eastern side of Ffordd Bleddyn to the western side.

However, as works progress and in order to allow the Phase 2 highway remodelling works to be undertaken a temporary diversion, requiring users of the Taff Trail to follow a section of Public Right of Way and utilise Cemetery Road and Forest Road is

proposed. It is anticipated that the physical works required to provide this diversion route will include the provision of advisory cycle lanes and speed cushions on Cemetery Road together with the introduction of new signage and carriageway markings on Forest Road.

Whilst significant progress has already been made in working up this diversion route scheme arrangement the works to enable and secure the provision of the diversion route will be the subject of a separate approval by the Highway Authority, following appropriate statutory public consultation.

### Parking

Condition 22 as imposed on the outline (19/0380) permission requires that a minimum of 178 car parking spaces be provided within the (then anticipated) decked park and ride car park. *(This is the same figure as was identified under the initial 18/0314 consent).*

The proposals put forward under 19/0380 indicated an intention to deck over the existing Taffs Well Railway Station P&R car park (providing a two level decked parking facility), as part of what was at that stage identified as Phase 4 of the overall scheme. It was confirmed in the officer's report for 19/0380 that the existing Taffs Well Station P&R car park provides 93 spaces at the time of the consideration of that application.

However, during the course of the submission of this application KA/TfW have indicated that there is no longer an intention to provide this decked car park solution as was previously indicated. Four alternative solutions are now proposed:

- Option 1: Moy Road, within the former Rhys Davies Logistics site, 150m north of Taffs Well Train Station;
- Option 2: within the industrial unit north west of Rhys Davies Logistics depot 350m north of Taffs Well car park;
- Option3: build a multi storey prefabricated car park south east of Taffs Well Station, within the new depot
- Option 4: in effect implement the original intention of a decked car park on the site of the existing Station P&R car park

KA/TfW have submitted a Taffs Well Station Car Park Feasibility Study outlining the benefits and opportunities presented by each option.

The Study has been considered by Transportation officers, who have agreed with the conclusions of the Study that all 4 options are feasible, with the preferred option being Option 1.

The Option 1 site is the location on the site being developed as the temporary car park, for use by users of the railway station during the course of construction works. However TfW have only secured a lease for use of the site until 2025 and therefore it is considered important that suitable provision is made for an alternative site for parking if control of this site can not be secured on a permanent basis going forward beyond 2025.



It is intended that this matter will be controlled and secured by use of a legally binding S.106 planning obligation.

It is intended that the planning obligation be aligned to this consent (should Members be minded to grant approval) as opposed to the main depot proposal, 21/0568 (also on this agenda). The reason for this being the implementation of works under this consent is likely to come first, thereby triggering a further requirement of the planning obligation which is for the payment of a financial sum towards the costs of the Council appointing a traffic regulation/enforcement officer to help enforce any traffic regulation orders in force within Taffs Well during the construction period of the whole development (*not just the Phase 2 highway works*)

### Visual impact and Residential Amenity

In their consideration of 19/0380 (the 'outline' permission) Members noted the fact that the remodelling of Ffordd Bleddyn, in particular its vertical realignment towards the southern end, where it rises to meet Cardiff Road will create a new visual element within the locality. Whilst this will undoubtedly be an evident change in the locality it remains the assessment (as was the case when considering 19/380) that the alteration to a large extent will be seen in the context of the redevelopment of the wider depot site itself (as proposed under 21/0568, also on this agenda). Accordingly, it is not considered that highway remodelling and new under-bridge will introduce visual elements to the area which could be considered as having any significant visual impacts on the wider area or the amenity of nearby residents.

It is not considered that the remodelled highway and the bridge structure and their future use will have any significant impact on the levels of residential amenity currently enjoyed by occupiers of properties to the east in Cardiff Road, Llys Hafan, Alfred's Terrace, Leon Avenue, Anchor Street or Church Street (all these properties lie on the western side of the railway line, whilst Ffordd Beddyn lies on the opposing western side).

However, as noted earlier in this report, one aspect of potential impact on residential amenity that does currently cause concern relates to the projected night time noise levels that would be experienced at some properties as a consequence of some of the periods of proposed night time working. These are concerns being considered until the parallel discharge of condition (38) application, 21/1256 and are matters to be appropriately considered under that submission. However, Members should be assured that full and proper assessment of these issues will be undertaken before any discharge of condition is agreed.

### Ecology/Biodiversity

On 23 October 2019 (so 2 weeks after 19/0380 was granted) Welsh Government's Chief Planner wrote to all LPA Heads of Planning advising that Planning Policy Wales (PPW) 10 (since superseded by Edition 11 – February 2021) sets out that "planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit

for biodiversity". This policy and subsequent policies in PPW respond to the Section 6 Duty of the Environment (Wales) Act 2016.

The letter clarified that in light of the legislation and Welsh Government policy outlined above, where biodiversity enhancement is not proposed as part of an application, significant weight will be given to its absence, and unless other significant material considerations indicate otherwise it will be necessary to refuse permission.

It is important that biodiversity and ecosystem resilience considerations are taken into account at an early stage in development plan preparation and when proposing or considering development proposals. Planning authorities should be proactive and embed appropriate policies into local development plans to protect against biodiversity loss and secure enhancement.

Securing a net benefit for biodiversity within the context of PPW requires a pragmatic response to the specific circumstances of the site. Working through the step wise approach and if biodiversity loss cannot be completely avoided (i.e. maintained), and has been minimised, it is useful to think of net benefit as a concept to both compensate for loss and look for and secure enhancement opportunities.

At the 19/0380 stage it was confirmed that no part of the (whole scheme) site lies within any local of statutory ecological/habitat designation. However, to the east of the site, on the opposite side of the A470, lies the Fforest Fawr SINC (Site of Interest for Nature Conservation), designated under policy AW8 of the LDP (site no. AW8.157). Slightly further away, to the west of the site lies the River Taff SINC (AW8.142). At a further distance of approximately 0.1km lie elements of the national level designated Cardiff Beech Woods Special Area of Conservation (SAC). The element to the south west lies on the other side of the River Taff and covers the wooded slopes around Taffs Well Quarry (operated by Cemex), on the left as one drives up the hill from Morganstown to Pentyrch. The element of the SAC to the south east of the application site comprises the wooded slopes around Castell Coch.

Appropriate supporting ecological assessment (Preliminary Ecological Appraisal PEA and Bat Survey) information was included within the overall 19/0380 submission. The Council's Ecologist considered the information and raised no objection, subject to the imposition of conditions. In addition, the comments NRW were sought in respect of the proximity of the site of potential impacts on the Cardiff Beech Woods SAC. NRW raised no objection and confirmed their agreement with the conclusions reached in the report presented by the applicant's ecological consultant.

It should be noted that site wide (across the extent of the whole scheme) information has previously been submitted to and agreed (on 14/02/20) by the LPA in respect of conditions 29 (Bat and Bird Mitigation) and condition 31 (Wildlife Protection Plan) as imposed on 19/0380, under discharge of condition application ref 19/1145. It is considered therefore that full and proper consideration has been given to interests of ecology and biodiversity and that the scheme is compliant with local and national planning policy and guidance in this regard.

### Other issues

The impact on and consequences for wider interests such as drainage and flood risk, geotechnical issues, noise, lighting and historic environment were fully considered at the outline (19/0380) stage and it is not considered that the details proposed under this current reserved matters submission will result in any greater impacts than those anticipated at the outline stage (with the possible exception of some aspects of construction period night time noise, which is discussed above). Appropriate conditions to address issues were imposed on 19/0380 and those relevant to the development of Phase 2 have either been previously submitted and the details agreed or are under current consideration (with the exception, as noted above, of conditions 21, 24 and 32 for which discharge of condition applications still need to be made).

### Conditions 28 (materials), 30 (boundary treatment details) and 41 (phasing plan)

As noted in the application description of development the scope of this application also seeks a discharge of conditions:

- 28 (materials)
- 30 (boundary treatment details)
- 41 (phasing plan)

with specific relevance to the Phase 2 works proposed.

The scheme will utilise standard highway finishes/paving/surfacing and boundary treatments throughout and no objection is raised to the details presented.

The phasing plan submitted (in compliance with condition 41, as imposed on 19/0380) to confirm the scope and extent of Phase 2 within the wider scheme is also seen as acceptable.

### **Community Infrastructure Levy (CIL) Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not liable for a charge under the CIL Regulations 2010 (as amended) and therefore no CIL is payable

### **Section 106 Contributions / Planning Obligations**

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

- i) necessary to make the development acceptable in planning terms;
- ii) directly related to the development; and,
- iii) fairly and reasonably related in scale and kind to the development.

Planning Policy Wales advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

#### The Section 106 planning obligation requirements in this case

- i) the payment of a financial sum (the exact figure to be agreed) towards the costs of the Council appointing a traffic regulation/enforcement officer to help enforce any traffic regulation orders in force within Taffs Well during the construction period of the whole development (not just the Phase 2 highway works)
- ii) that the applicant/developer shall provide a minimum of 178 car parking spaces to serve Taffs Well Railway Station. That the applicant/developer confirm which one of four presented options it will pursue by 30 April 2023 and deliver these spaces by the end of the term of the existing car park lease. That the development will not operate unless a minimum of 178 public car parking spaces to serve Taffs Well Railway Station are available.

#### **RECOMMENDATION: Approve, subject completion of the S.106 planning obligation and imposition of the conditions below**

1. The development hereby approved shall be carried out in accordance within the following approved plans/drawings:
  - TRAN01-KAW-R0-TAF-DDR-D-HW-000019 P03 - General Arrangement Plan Phase 1 Sheet 1 of 3
  - TRAN01-KAW-R0-TAF-DDR-D-HW-000020 P03 - General Arrangement Plan Phase 1 Sheet 2 of 3
  - TRAN01-KAW-R0-TAF-DDR-D-HW-000021 P03 - General Arrangement Plan Phase 1 Sheet 3 of 3
  - TRAN01-KAW-R0-TAF-DDR-D-HW-000070 P03 – Sign Location Plan Phase 1 Sheet 1 of 3
  - TRAN01-KAW-R0-TAF-DDR-D-HW-000071 P03 - Sign Location Plan Phase 1 Sheet 2 of 3

- TRAN01-KAW-R0-TAF-DDR-D-HW-000072 P03 - Sign Location Plan Phase 1 Sheet 3 of 3
- TRAN01-KAW-R0-TAF-DDR-D-ST-000302 P04 - Ffordd Bleddyn Proposed Highways Structure Layout
- TRAN01-KAW-R0-TAF-DDR-D-ST-000303 P04 - Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000304 P03- Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000305 P05 - Ffordd Bleddyn General Arrangement
- TRAN01-KAW-R0-TAF-DDR-D-ST-000306 P03 - Ffordd Bleddyn General Arrangement

unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: In order to define the extent by the permission hereby granted and in order to ensure that the development is carried out in accordance with the approved plans.

2. A suitable diversion route scheme, the detail of which shall be submitted to and agreed in writing by the Local Planning Authority, for all users of the Taff Trail, (NCN Route 8) shall be provided and maintained throughout the construction period of the scope of the Ffordd Bleddyn highway remodelling works hereby approved. The diverted route shall be implemented in accordance with the approved details and be provided and available for use prior to closure of the length of Taff Trail on Ffordd Bleddyn *(for clarity the initial local diversion of this route from the eastern side of Ffordd Bleddyn to the western side does not comprise 'closure' of the route, for the purpose of this condition).*

Reason: To ensure availability of National Cycle Network Route 8, Taff Trail as a strategic route for active travel journeys and to encourage use of sustainable modes of travel in accordance with local and national policy