

PLANNING & DEVELOPMENT COMMITTEE

24 FEBRUARY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 21/1095/16 (JE)
APPLICANT: Amey Infrastructure Wales
DEVELOPMENT: Application for reserved matters pursuant of condition 9 of 19/0380/15 for Phase 4 - demolition of existing railway bridge and construction of new bridge including lifts.
LOCATION: TAFFS WELL RAILWAY STATION, CARDIFF ROAD, TAFF'S WELL, CARDIFF, CF15 7PE
DATE REGISTERED: 03/08/2021
ELECTORAL DIVISION: Ffynon Taf

RECOMMENDATION: APPROVE

REASONS: The proposal represents the fourth submission of reserved matters (pursuant to the outline element of 'hybrid' consent 19/0380/15) and comprises Phase 4 of the wider scheme.

19/0380/15 establishes in principle the establishment of a new rail depot and works to the railway station at the site, to service the needs of the South Wales Metro Core Valley Lines network.

It is considered that the development can be undertaken at the site without having significant adverse impacts upon the character and appearance of the area or the neighbouring amenity. The application proposal is assessed to comply in the main with the relevant policies of the Council's LDP and national planning policy and guidance

REASON APPLICATION REPORTED TO COMMITTEE

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

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 construction of a new railway footbridge represents Phase 4 of the scheme and the fourth submission of reserved matters. The extent of this Phase 4 site, is shown within the context of the larger, wider site on the submitted Site Location Plan (TRAN01-ARC-R0-TAF-DDR-AR-000004 rev P02).

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:

1. Phase 1 (20/0161) CVLICC building – Approved 12/08/20
2. Phase 2 (20/0806) Highway remodelling works to Ffordd Bleddyn – Approved 13/01/22
3. Phase 2A (20/1369) Engineering works comprising piling works associated with proposed Ffordd Bleddyn bridge – Approved 23/12/21
4. Phase 3 (21/0568) New South Wales Metro Core Valley Lines main depot facility – Approved 13/01/22
5. Phase 4 (21/1095) Demolition of existing Taffs Well Railway Station pedestrian railway bridge and replacement with new bridge, incorporating lifts – to be determined (*this application*)

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 4 (this application) the relevant discharge of condition application is 22/0098, which seeks in respect of Phase 4 the discharge of conditions 18 (CEMP

– Construction Environmental Management Plan), 25 (CMS – Construction Method Statement), 28 (Materials), 30 (Boundary Treatment) and 41 (Phasing).

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 4 are condition nos. 11, 14, 29, 31, 34, 35, 36, 37, 40 and 42.

The proposal would see the construction of a new railway footbridge at Taffs Well Railway Station. The proposed footbridge would be located to the north west of the existing footbridge and would see the existing platform widened utilising an area of railway sidings to the west and an area of car park to the north.

The proposed footbridge would consist of 2no. towers sited on either side of the railway measuring a width of 3.1 meters by a depth of 2.8 metres. These structures would accommodate lifts and would be connected via a single span footbridge. The towers would measure a maximum height of 9.8 metres with the top of the bridge parapet measuring a height of 6.2 metres above the ground level of the platforms. To access the footbridge there would be a steel steps extending to the south east that would allow direct access from either platform. Along the western side staircase would be a 1.8 metres perforated balustrade to act as a privacy screen. The proposal would also see the construction of a lift motor room located beneath each staircase.

Once the construction of the proposed footbridge is completed, the existing traditional stepped footbridge would be removed from the site.

The proposal forms part of the larger transformation works at Garth Works, Taffs Well which are associated with the CVL Transformation works. The CVL transformation includes a number of upgrades that will modernise the network so that it can support more services of a higher quality. As part of the investment required to transform the rail network, additional depot and stabling facilities are required to accommodate the new fleet of rolling stock. One of the main elements of the whole CVL transformation project is the construction of this new rolling stock depot at Taff's Well. In addition to the stabling and maintenance of the fleet, the depot facility will also comprise of an accommodation block consisting of offices, welfare facilities and training rooms for the depot maintenance staff, train drivers and train crew. A car park and gatehouse building will be constructed to the South of the depot to provide staff parking

SITE APPRAISAL

The application site for Phase 4 relates Taff's Well Railway Station. However, the full application site of the outline consent effectively incorporates the extent of the whole of the former Garth Works Industrial Estate, which included the large Forgemasters building, which stood to the eastern side of the site, with the exception of the very northern part for which Phase 1 reserved matters approval (under 20/0161) has already been granted for the CVLICC building, on which work is well advanced, with the building itself appearing substantially complete (at least externally).

The eastern boundary of the site of Phase 4 is defined by the existing station car park and the highway verge at Ffordd Bleddyn, whilst the western boundary of the site is

bounded by disused railway sidings which separates the site from properties at Llys Hafn and Alfred's Terrace beyond.

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.

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 AIW/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 (Current application subject of this report)

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
Approved 13/01/22

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
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 Ffordd Bleddyn and Cardiff Road, including the construction of bridge structures to facilitate rail access into the proposed Taffs Well Rail Depot
Approved 13/01/22

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 direct notification to neighbouring properties as well as notices displayed at the site.

No letters of objection or representation have been received.

CONSULTATION

Transportation Section: No objections are raised and no further conditions suggested on the basis that the conditions imposed by the overarching application 19/0380 would apply to all phased elements of the development.

Flood Risk Management (Drainage): no objection raised to the application, subject to compliance with the requirements of the drainage conditions 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.

Countryside (Ecology): No objection raised as ecology interests have been covered through the granting of outline consent.

No other consultation responses have been received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021 and that it is in the process of being reviewed. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the

provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LPD for determining planning applications until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Taffs Well.

Policy CS2 – Sets out the criteria for new development proposals in the Southern Strategy Area of the County Borough.

Policy CS8 - identifies the need for the provision of public transport improvements, as part

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

of wider strategic transportation network improvements, within the County Borough.

Policy AW2 – promotes development in sustainable locations

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

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

- Design and Placemaking
- Delivering Design and Placemaking: Access, Circulation & Parking Requirements
- Nature Conservation

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).*

Planning Policy Wales (Edition 11) (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications. Future Wales: The National Plan 2040 (FW2040) sets out guidance for

development at both regional and national level within Wales, with the thrust and general context also aimed at sustainable development.

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 FW2040, 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 12 – Regional Connectivity
- Policy 36 - South East Metro

Policy Wales Technical Advice Notes (TANs)

- TAN 11: Noise
- TAN 12 Design
- TAN 18: Transportation
- TAN 23: Economic Development

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

Principle of development

The proposed construction of the new station footbridge together with ancillary works represents Phase 4 of the wider scheme for which the principle has already been established by virtue of the 18/0314 and 19/0380 consents.

Impact upon character and appearance

Whilst the proposal would inevitably form a highly prominent addition to the site, the design or external appearance of the proposed works is not considered to injure the amenity of the area. This view is taken for the following reasons:

The proposed development would be located within an existing railway station and in close proximity to the location of an existing footbridge and infrastructure. The proposed development is a common feature at railway stations, and it would be of a similar design to other existing all access footbridges on the CVL network.

The proposed footbridge would be visible from neighbouring properties to the south and west but would be viewed in the context of the existing station and associated infrastructure. Additionally, the footbridge has been appropriately designed to reflect its use, and its siting has been considered carefully to fulfil its purpose which is required to meet the relevant access and safety criteria. Furthermore, given the significant redevelopment works taking place as part of the wider CVL Transformation works at Garth Works Industrial Estate, it is considered that any potential visual impacts would be minimised in the wider context of the overall scheme.

Members should also note that this proposal could be completed under Part 11 Class A Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 subject to prior approval.

Impact upon neighbouring amenity

Whilst the proposed footbridge would result in a prominent addition within the vicinity and would be sited closer to residential properties in comparison to the existing bridge at the railway station. The footbridge has been sited so it is located inline within the highway between Llys Hafn and Alfred's Terrace which results in the proposal being at 90degree angle from the closest residential dwellings. In addition, the existing vegetation would be retained on land separating the footbridge from the closest neighbouring properties and would provide an element of screening. As such, the bridge is considered to result in an acceptable visual impact from the closest neighbouring properties at Llys Hafn and Alfreds Terrace.

With regard to overlooking, as the proposed footbridge would incorporate screening along the western side staircase and bridge span, it is considered that these features would restrict the most harmful opportunities for overlooking from occurring. Members should also note that during the design phase, the proposal under consideration was considered the preferred option when assessing the impact upon neighbouring residents.

Taking the above into account, the proposal is not considered to result in any adverse impact upon the amenity and privacy of the closest neighbouring properties.

Highway safety

The Council's Transportation Section were consulted during the consultation period in order to provide comments in relation to highway safety. The following response was received:

The proposal would remove the existing stepped footbridge and provide a new structure incorporating lifts to facilitate disabled access close to the location of the existing structure to minimise the distance wheel chair users would have to travel. The proposal is contained within railway land under the control of TfW would not adversely affect highway or pedestrian safety and encourage use of public transport by members of the public unable to easily utilise the existing stepped access, including disabled, elderly and persons with pushchairs or taking bicycles on the train to facilitate multimodal journeys. Therefore, the proposal is considered acceptable.

As a reserved matters application associated with outline approval granted at application 19/0380 each phase of the overall development is subject to conditions imposed at the overarching consent requiring provision of construction method statement to be provided in connection with each phase of the development. Therefore, conditions requiring provision of construction Method statement are not required and it is expected that the works will be undertaken within the existing road closure of Ffordd Bleddyn.

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. Appropriate conditions to address issues were imposed on 19/0380 and those relevant to the development of Phase 4 have either been previously submitted and the details agreed or are under current consideration.

Phasing of the proposed depot works

AIW/TfW's indicated construction programme has slipped from those start dates given within the submission. However, they indicate the following:

1. Phase 1 – Maintenance shed and office building (April 2021 - June 2022)
2. Phase 2 – Stabling facilities and associated track (May 2021 - August 2022)
3. Phase 3 – Car Park and security office/gatehouse (Oct 2021 – Oct 2022)
4. Phase 4 – Landscaping and final works (Oct 2021 – Oct 2022)
5. Phase 5 – Testing and commissioning (March 2022 – Oct 2022)

Whilst the timescales have slipped it does indicate a full construction period of some 18 months.

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 CIL liable under the CIL Regulations 2010 (as amended).

Conclusion

Taking the above considerations into account it is concluded that the principle of development of the site has been positively established by the granting out the outline application. It is considered that the appearance, layout and scale of the footbridge is considered acceptable and would not have a detrimental impact upon the character and appearance of the area; the residential amenity of those living closest to the site or the highway safety and free flow of traffic in the area. As such, it is considered that the application is compliant with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s)
 - TRAN01-KAW-R0-R2P-DDR-A-AR-000004 – P02
 - TRAN01-KAW-R0-R2PDDR-A-AR-000500 – P02
 - TRAN01-KAW-R0-R2PDDR-A-AR-000502 – P02
 - TRAN01-KAW-R0-R2PDDR-A-AR-000504 – RevP01
 - TRAN01-KAW-R0-TAF-DDR-A-AR-000014 – RevP01

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

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.