

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2014-2015

**DEVELOPMENT CONTROL
COMMITTEE
14 MAY 2015**

**REPORT OF THE
DIRECTOR LEGAL AND
DEMOCRATIC SERVICES**

Agenda Item No.5

**SITE MEETING
APPLICATION NO. 12/0929 –
DEVELOPMENT OF UP TO 600
RESIDENTIAL DWELLINGS AND
ANCILLARY DEVELOPMENT,
INCLUDING COMMERCIAL/RETAIL
FACILITIES WITHIN USE CLASS A1
(MAXIMUM GROSS INTERNAL
FLOORSPACE OF 464 SQUARE
METRES) TOGETHER WITH
ASSOCIATED INFRASTRUCTURE
WORKS, PROVISION OF FORMAL AND
INFORMAL OPEN SPACE, RETENTION
OF WILDLIFE HABITATS AND
DEMOLITION OF EXISTING BUILDINGS
AND STRUCTURES AT TRANE FARM
(OUTLINE APPLICATION WITH ALL
MATTERS RESERVED). APPLICATION
ACCOMPANIED BY AN
ENVIRONMENTAL STATEMENT
RECEIVED 23 AUGUST 2012 PLUS
TRANSPORT CHAPTER ES ADDENDUM
AND TRANSPORT ASSESSMENT
RECEIVED 25 NOVEMBER 2013
(AMENDED DESCRIPTION 18
FEBRUARY 2014) (AMENDED PLANS
RECEIVED 17 DECEMBER 2014
SHOWING REVISED HIGHWAY
ALIGNMENT AND SECTIONS INCLUDING
RETENTION OF BAT ROOST AT TRANE
LANE AND INDICATIVE PROPOSALS
FOR GREEN CORRIDORS, DARK
CORRIDORS AND ASSOCIATED
HIGHWAY CROSSING POINTS WITHIN
THE DEVELOPMENT SITE – LAND AT
TRANE FARM, TONYREFAIL**

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1. PURPOSE OF THE REPORT

To consider the outcome of the site inspection in respect of the above-mentioned application outlined in the report of the Service Director, Planning, attached at Appendix 1.

2. RECOMMENDATION

To approve the application in accordance with the recommendation of the Service Director, Planning subject to:

- (1) The 40 Conditions listed in the report but that Conditions 1 and 38 be amended to read as follows:

1. (a) Approval of the details of the layout, scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

(c) Applications for the approval of the first, and last, of the reserved matters required for the implementation of the development hereby permitted shall be made before the expiration of three years, and ten years respectively from the date of this permission.

(d) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved in respect of the first phase or parcel of development as identified in the Phasing Programme required by condition 5, whichever is the later.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

38. No works shall take place within any given phase of the approved development until existing and proposed levels (including relevant sections) for that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reasons: To protect residential and visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- (2) The applicant (and any other party/parties with an interest in the land) first entering into a legal agreement under Section 106 of the

Town and Country Planning Act 1990 in order to secure a minimum package of Planning Obligation/s contributions comprising the following:

- (a) Provision of a minimum of 10% Affordable Housing across the whole site.
 - (b) Provision of on-site public open space comprising of 1 x NEAP and 4 x LEAPs.
 - (c) A Leisure/Recreation contribution to upgrade, re-grade and improve off-site sport pitches (in lieu of on-site provision of sport and recreation facilities) and initial maintenance after above works.
 - (d) Future management of the public open space to be provided by a management company.
 - (e) Delivery of a Vision Statement (a written plan prepared by the South and West Wales Wildlife Trust in relation to the future management of the Habitat Areas) and the phased transfer of control of the Habitat Areas to the Wildlife Trust.
 - (f) Delivery and implementation by the developer and all other interested parties of a programme of interim management proposals of the two parcels of Rhos Tonyrefail SSSI until such time that their ownership and management is transferred to the Wildlife Trust as part of this Agreement.
- (3) That the Service Director, Planning be authorised to add, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the development or permission.
- (4) Dependent on Members' resolutions in respect of the above that the Service Director, Planning be authorised to enter into further discussions with the applicant (and/or their agents/representatives) in order to negotiate further the delivery and phasing of Planning Obligation/s contributions to be secured by the proposed development. On conclusion of these further discussions, if the required mitigation provision (or financial contribution) and timing thereof identified above has not been agreed that a further report be brought back to a future meeting of this Committee confirming the outcome of those further negotiations.

3. BACKGROUND

- 3.1 In accordance with Minute No. 190 (Development Control Committee, 16 April 2015) a site inspection was undertaken on 28 April 2015 to consider the impact of the proposal on highways, maintaining the separate identities of Gilfach Goch and Tonyrefail along with ecological and public health issues concerning the site.
- 3.2 The meeting was attended by the Chairman and Vice-Chairman of the Development Control Committee (County Borough Councillors

G.Stacey and M.Griffiths respectively) and Committee Members - County Borough Councillors (Mrs) S.J.Jones, R.Lewis, (Mrs) A.Roberts, G.Smith, (Mrs) J.S.Ward and P.Wasley.

- 3.3 Non-Committee Member/Local Member for Tonyrefail West – County Borough Councillor (Mrs) E.Hanagan – was also in attendance.
- 3.4 Apologies for absence had been received from Committee Members - County Borough Councillors P.Jarman, S.Powderhill, S.Rees and G.P.Thomas.
- 3.5 Members met at the access lane to Trane Farm (Trane Lane) and were informed by the Development Control Manager that the application before them was made in outline with all matters of detail reserved at this stage.
- 3.6 Members noted that the proposal sought in principle consent for the development of 600 dwellings and ancillary development including commercial/retail facilities within Class A1 (maximum gross internal floorspace of 464 square metres) together with associated infrastructure works provision of formal and informal open space, retention of wildlife habitats and demolition of existing buildings and structure at Trane Farm.
The illustrative master plan accompanying the application had been provided to Members in advance of the site inspection and this gave them an indication of how the site could be developed in the form of three main zones. Zone A would be served by a self-contained access directly off Gilfach Road west of Gilfach roundabout. This Zone would be accessed independently of the remainder of the site. Zones B and C would be served and connected via an internal road network from Gilfach Road roundabout and Trane Lane. It was proposed to construct a new arm to the north into the site off the Gilfach Road roundabout which would serve as the principle access. In order to provide a suitable second access, it was proposed to upgrade Trane Lane. The southern section of the lane from the northern kerbline of Gilfach Road would be “stopped up” and the lane diverted to link with Bryngolau/Caergwerlas at a new mini-roundabout junction. The existing lane would then be widened to approximately 5.5 metres wide with a 2.0 metres footway alongside the carriageway. Traffic generated by the proposed development would then access Trane Lane via the Gilfach Road/Bryngolau junction.
- 3.7 The Development Control Officer informed Members that since compiling the report (Appendix 1), a “late” letter had been received objecting to the proposal on the grounds of increased traffic, the impact on demand for school places and medical facilities in the area, the impact on services such as water supply and pressure and also the loss of trees and fields and that such issues had been addressed in the report.

- 3.8 The Highways Officer confirmed that the transport assessment submitted with the application had been reviewed and was considered acceptable in terms of the capacity of junctions and the impact on the local highway network. No objection was, therefore, raised to the proposal subject to the numerous conditions referred to in the report.
- 3.9 A Member made reference to the statement contained in the report regarding the collision analysis for the 5 year period to 31st March 2011 showing that all of the 50 accidents recorded during that time had been attributed to driver error/inattention or careless driving and he wished to point out that since March 2011, there had been 4 fatalities arising from traffic accidents on Gilfach Road.
- 3.10 Members enquired as to whether there was any other alternative means of access to the proposed development rather than utilising Trane Lane. In response, the Development Control Manager stated that the issue of access had been fully explored by the applicant and on balance, for the reasons stated in the report, it was considered that no other access point was achievable to Zones B and C. Members asked why access could not be achievable via a route though 'Bryngolau' itself without involving Trane Lane and the Highways Officer informed them that this option had been investigated but it would have highway safety implications and impact on third party land.
- 3.11 Officers were also asked how many dwellings would be built within Zone A of the proposed development closest to Gilfach Goch and were informed that the indicative plan showed 135. The impact of this development on highway safety at the roundabout at the top end of Gilfach Road was considered.
- 3.12 Non-Committee/Local Member – County Borough Councillor (Mrs) E.Hanagan then raised issues concerning the proximity of the site to Trane Cemetery and the already busy Gilfach Road, off which both accesses to the proposed development would be gained. She was particularly concerned about the highway safety implications of the proposed access route for Zones B & C and considered there was a safer alternative access option available.
- 3.13 Queries were raised regarding the impact on water and sewerage systems in the locality and Members were informed that no more than 50 dwellings could be occupied until water supply upgrades had been carried out in order to protect the integrity of the public water supply. Also, no dwellings could be occupied until off-site improvement to the local public sewerage network had been completed in order to protect the integrity of the public sewerage system.
- 3.14 A Member also queried why more Grampian conditions were not recommended to prevent development of the site taking place before necessary highways, drainage and other environmental requirements

had been put in place and in response, the Development Control Manager reiterated the fact that no more than 50 dwellings could be occupied until all necessary works had been satisfactorily completed.