



PLANNING & DEVELOPMENT COMMITTEE

18 OCTOBER 2018

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

APPLICATION NO: 18/0909/08
(MF)

APPLICANT: **Capita (On behalf of Rhondda Cynon Taff CBC)**

DEVELOPMENT: Proposed new park and ride facility in association with Abercynon Railway Station, creating 311 no. off-street vehicle parking spaces and including the closing up of the two western junctions and alterations to the eastern junction off the existing business park access road.

LOCATION: **LAND AT NAVIGATION PARK, ABERCYNON, MOUNTAIN ASH, CF45 4SN**

DATE REGISTERED: 09/08/2018

ELECTORAL DIVISION: Abercynon

RECOMMENDATION: Approve

REASONS:

The use of the plot for a park and ride facility would alleviate the current on-street parking problems experienced in the locality and would significantly improve the current public transport provision at Abercynon. Further, the facility would improve wider transport connections in the area having significant economic benefits for the County Borough as a whole. Consequently the proposed development is considered acceptable in principle.

Additionally it is not considered the proposed car park facility would have any undue impact upon the existing character and appearance of site or the surrounding business park, or upon the amenities or operation of the nearest properties.

Finally, whilst it is accepted the proposed car park would inevitably increase traffic movements in the locality, it is not considered the proposed development would significantly impact upon highway or pedestrian safety within the vicinity of the site and would actually improve the current issues experienced on the estate by providing much needed off-street parking.

Consequently the application is considered to comply with the relevant policies of the Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

This application is reported to Committee as it has been submitted by the Council and forms a major development.

APPLICATION DETAILS

Full planning permission is sought for the construction of a park and ride facility at Navigation Park, Abercynon, creating 311 no. off-street vehicle parking spaces in association with the nearby Abercynon Railway Station.

The development works would comprise the closing up of the existing southern and central site entrances along the western boundary of the plot, and the alteration of the existing northern site entrance to provide a single, safe, two-way vehicle access point off the existing business park feeder road. The remainder of the plot would be hard-surfaced to provide 311 no. formally laid out vehicle parking spaces and associated vehicle/pedestrian circulation (289 no. standard vehicle spaces, 7 no. disabled spaces, and 15 no. motorcycle spaces). The site is relatively level and therefore no significant engineering works would be required as part of the proposed works.

Further ancillary works would involve the entire site being enclosed with 2.4m high Weldmesh fencing; a 4m wide swing gate and predator traffic flow management system being located at the site entrance to prevent access after operation times; and 11 no. street light columns being located throughout the site for security purposes. Each lighting column would accommodate horizontally mounted, flat lens, LED light sources (10 lux average) to ensure light is directed towards the car parking surface and no light is emitted above the horizontal plane.

A number of further development works would be undertaken outside of the application site to complement the proposed scheme. These works would be implemented through the Council's permitted development rights and do not form part of this application, however they are detailed below for Members information:

- The creation of a 2m wide footway along the northern boundary of the application site to connect the new car park with the existing footway through the business park;
- The creation of 14 no. parallel parking spaces adjacent to the northern boundary of the site for public use;
- The realignment of the existing railway station car park, reducing the number of vehicle spaces from 170 no. to 160 no. to allow for a 13.5m bus to access/egress the site.
- The erection of 9 no. cycle secure stands within the existing railway station car park, adjacent to the railway station entrance.

- The creation of a new bus stop within the existing railway station car park, adjacent to the railway station entrance.

The applicant has detailed the proposed facility and associated works are required to alleviate the current on-street parking problems experienced throughout the business park each day due to the lack of off-street parking at the railway station. Further, the proposed development would significantly improve the current public transport provision at Abercynon.

It is also noted that the applicant is yet to determine whether the new car park facility would be free to all users or if there would be a charge; and that the car park is intended to serve all rail passengers so whilst the hours of operation have not yet been decided, the car park will be made available to meet demand where appropriate, but would likely be closed during the night.

SITE APPRAISAL

The application site forms an irregularly shaped parcel of land amounting to approximately 1.04ha, located at the north-eastern corner of Navigation Park, Abercynon. The site forms the final undeveloped plot at the business park and is currently vacant but overgrown with various scrub vegetation. The plot fronts the main highway through the business park along its western boundary and is enclosed with mature trees/vegetation at all other sides which would remain following development. It is level throughout and at a comparable ground level to the adjacent units. 3 no. vehicle accesses off the main estate feeder road are located along the western boundary of the plot.

The wider business park is comprised of a number of large commercial units that are occupied primarily by offices, however it is noted that one of the immediate neighbouring units is currently in use as a car repair garage. Martin's Terrace, a residential street, is located to the north of the site approximately 30m away, separated from it by a band of mature trees which would remain following development. Abercynon railway station lies approximately 100m north-west.

PLANNING HISTORY

Previous planning applications submitted at the site:

08/0799	Construction of a park and ride facility	Granted 28/08/08
06/2126	Proposed two storey office unit (B1) with parking	Granted 15/01/07

PUBLICITY

The application has been advertised by means of direct neighbour notification and site notices. No letters of objection have been received, however one letter was received from an occupier of a neighbouring unit enquiring how the car park would be occupied and if there would be any charge.

CONSULTATION

Transportation Section – no objection, subject to conditions.

Flood Risk Management – no objection.

Public Health and Protection – no objection has been raised in responses received to date. However, the response in respect of issues of air quality and noise is still awaited. Members will be updated at the meeting.

Countryside, Landscape and Ecology – no objection, subject to condition.

Natural Resources Wales – no objection, subject to condition.

The Coal Authority – no objection.

Dwr Cymru/Welsh Water – no objection, subject to conditions.

South Wales Police – no objection.

Western Power Distribution – no objection.

Wales and West Utilities – no objection, subject to conditions.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is outside of the settlement boundary for Abercynon, but within the boundaries of the established Navigation Park Business Park.

Policy CS1 – outlines how the emphasis on building strong, sustainable communities will be achieved in the Northern Strategy Area.

Policy CS10 – sets out the criteria for the protection of mineral resources.

Policy AW2 – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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.

Policy AW8 – sets out the criteria for the protection and enhancement of the natural environment.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW14 – safeguards minerals from development that would sterilise them or hinder their extraction.

Policy NSA16 – sets out the criteria for re-development of vacant/redundant industrial sites in the Northern Strategy Area.

Policy NSA26 – details criteria for development that will contribute to the achievement of the Cynon Valley River Park Strategy.

Supplementary Planning Guidance

- Design and Placemaking;
- Nature Conservation;
- Access, Circulation and Parking.

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 Chapter 2 (Local Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 12 (Infrastructure and Services), Chapter 13 (Minimising and Managing Environmental Risks and Pollution) and Chapter 14 (Minerals) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 15: Development and Flood Risk;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 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.

Principle of the Proposed Development

Full planning permission is sought for the construction of a new park and ride facility at the application site for use in association with the nearby Abercynon Railway Station.

The application site forms a vacant plot within the wider, established Navigation Park estate which originally gained outline consent in 1992 to redevelop the former Abercynon Colliery site for B1, A1 and C3 use. Consequently, whilst it is acknowledged that the plot is located outside of settlement limits and is not formally allocated for a park and ride facility within the LDP, it lies within the boundaries of the original outline consent where it is considered the general principle of development has already been established. It is also noted that the site was included within the previous planning application for the existing park and ride facility at the train station but was not developed at the time (2008). As such the use of the site specifically for a park and ride facility has also been established.

Subsequently, whilst it is acknowledged that the original Navigation Park outline consent aimed to encourage employment use at the business park and it is regrettable to lose a plot within the estate that would ideally be used to encourage a more strategic B1 business use, with the last planning application for B1 development on the estate submitted in 2006 with no interest since, it is unlikely the site will ever be developed for this type of use. Therefore the use of the plot for park and ride facility that would alleviate the current on-street parking problems experienced in locality and would significantly improve the current public transport provision at Abercynon is considered acceptable in principle. Further, it is considered the facility would have significant economic benefits for the County Borough as a whole.

Visual Impact

The site is relatively level throughout and therefore no significant engineering works would be required. The proposed development works would simply involve the hard-surfacing of the existing plot and its enclosure with 2.4m high Weldmesh fencing, with some associated site drainage works. Therefore, whilst the development would inevitably alter the current overgrown nature of the plot and would form a visible feature in the immediate locality, given the minor nature of the overall works and the minimal engineering works required, it is not considered the resulting car park would appear overly prominent or out of keeping within the wider locality. Additionally, given the siting of the car park within an existing, established business park, it would not be readily visible from outside of the estate and would form a common feature of such locations. Finally, the site is currently overgrown and appears unkempt in character, as such its redevelopment would significantly improve its current visual appearance.

Therefore, in the context of the wider estate, the proposal represents a relatively modest alteration that is required in order to improve the current parking facilities in the area and the public transport provision at the town. As such it is not considered the proposed development would result in the formation of a prominent feature that would be harmful to the character and setting of the application site or the wider locality. The application is therefore considered acceptable in this regard.

Impact upon Amenity

As detailed above, the application site is located within the established Navigation Park estate where the adjacent properties and those within the immediate vicinity of

the site are predominantly commercial in character. As such whilst it is acknowledged that the scale of the proposed car park will inevitably result in some noise and disturbance, it is not considered the nature of the proposed use will result in a significant impact to the amenities or operation of the surrounding commercial units.

Further, the nearest residential properties are located over 30 metres away, beyond a band of mature trees which would remain following development. As such they are screened from the site and whilst they may experience a degree of noise and disturbance, given the nature of the proposed use, the fact that the car park would primarily be used throughout the day time, and the fact that residents of the nearest dwellings would have become accustomed to a degree of disturbance from the existing commercial uses within the estate, it is not considered the car park would result in a degree of impact that would be significant enough to warrant refusal of the application. It is also noted that no objections have been received from the occupiers of the surrounding properties following the consultation process.

The application is therefore considered acceptable in this regard.

Highway Safety

No objections have been raised by the Councils Transportation Section following consultation. They did however suggest a number of conditions be added to any consent requiring a Construction Method Statement be submitted to and approved by the LPA prior to any development works starting on site, and to restrict HGV delivery times.

In their assessment of the scheme the Transportation Section commented that the application site is accessed off an existing junction onto the Navigation Park feeder road which is satisfactory for safe vehicular and pedestrian movements. Further, a review of the collision analysis data submitted details that only one slight-graded collision has occurred within the study area which does not represent a cluster of collisions or present a pattern of collisions which may be exacerbated by the proposed supplementary car park and the associated increase in traffic. As such it is not considered the proposed park and ride facility would impact upon road safety in the area.

With respect to parking provision, the Transportation Section commented that the disabled parking requirement would equate to the provision of 16 no. disabled spaces, with only 7no. provided. However, the disabled spaces within the existing car park are under-utilised and therefore the number of disabled spaces proposed is considered acceptable in this instance. Additionally, motorcycle parking requirement is 5% of all parking provision which equates to 15 no. spaces with 15 no. provided. As such the motorcycle provision is considered acceptable. Finally, bicycle parking requirement is 1 no. secure stand per 20 no. car spaces which equates to 15 no. cycle stands with only 14 no. provided, including the 5 no. existing. Whilst the development would result in 1 no. less stand than required, on the basis that cycle parking demand observations were undertaken at the station and this indicated that the cycle parking is generally under-utilised, the 14 no. proposed is considered acceptable in this instance.

The Transportation Section also noted that a highway impact assessment has been undertaken in order to examine the impact of the proposed car park and associated traffic generation upon the surrounding highway network. The following junctions were assessed:

- A470 off-slip/B4275 roundabout Navigation Park Business Park access road;
- B4275/B4275 signalised control junction; and
- A4054/B4275 signalised control junction.

It was found that all three junctions operate within capacity during the AM and PM peak hours with and without development. Trip generation anticipated from the proposed car park has been estimated based on the trip arrival and departure profile of the existing park and ride car park. The trips estimated were then added to the base-line assessment to assess the impact of the proposal. The base-line traffic movements were also growth to a 2019 opening year and a 2029 design year in order to assess the future operation of the junctions. It was found that all junctions are forecast to operate within capacity with the development proposals in place in both the 2019 opening year and the 2029 design year.

Therefore, in light of the above, the Transportation Section concluded that the proposed car park layout and composition is suitable for its purpose and will improve transport connections within the County Borough. Further, it is unlikely the new facility will result in a material impact upon the operation or safety of the surrounding highway network. As such no highway objections are raised, subject to conditions being added to any consent requiring a Construction Method Statement be submitted to and approved by the LPA prior to any development works starting on site, and to restrict HGV delivery times outside of the morning and evening rush hours.

In light of the above highways assessment, whilst it is accepted the proposed car park would inevitably increase traffic movements in the locality, it is not considered the proposed development would significantly impact upon highway or pedestrian safety within the vicinity of the site and would actually improve the current on-street parking issues in the locality and wider transport connections in the County Borough.

Public Health

No objections have been received from the Council's Public Health and Protection Division in respect of the application. They did however note that a search of their records relating to potentially contaminating past land uses has shown that the application site was formerly occupied by a tip/refuse heap and therefore potential hazards associated with land contamination may exist on site. As such a number of conditions are suggested requiring site investigations be undertaken at the site and the results be submitted to and approved by the LPA prior to any development works starting on site.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust

matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Members are advised that given the scale of the proposed car park facility Air Quality and Noise Assessments reports have been submitted with the application. The reports are still being assessed by the Council's Public Health and Protection Division at the time of writing however Members will receive an oral update from the Development Services Manager at the Committee meeting should any adverse comments be received during the time between the report being written and the Committee meeting.

Vegetation and Ecology

As detailed above, whilst the site forms a cleared industrial plateau, it has regenerated over time and is now covered with various scrub vegetation that has some ecological/arboricultural value. As such a number of relevant ecology/arboricultural reports have been submitted with the application.

The Council's Ecologist has assessed the submitted reports and commented that all necessary ecological/arboricultural survey work has been undertaken and the reports are comprehensive and appropriate studies of the site. With respect to the vegetation, although the short grassland flora is relatively diverse and its clearance would be regrettable, it is not ecologically significant enough to justify an ecology objection. Additionally, no reptiles were found on site but bat usage was recorded and consequently some mitigation measures relating to lighting would therefore be required. Further, the reports also recommend precautionary measures for any residual nesting bird habitat affected. Therefore no ecology objections are raised, but a condition is suggested to ensure the mitigation set out in the relevant reports is implemented on site. The application is therefore considered acceptable in this regard.

Land Drainage

No objections have been raised by the Council's Flood Risk Management (FRM) Section in respect of potential flood risk at the site. The FRM Section commented that the applicant has provided details to support the use of infiltration on site through the provision of infiltration test results identifying a suitable infiltration rate. The applicant has further provided a Hybrid SuDs scheme that takes into account the use of green infrastructure to reduce the risk of flooding within the confines of the site and to lower land owners. The applicant has therefore taken into account the flood risk aspects of surface water and has provided a robust strategy and design to discharge the surface water through infiltration. As such no objections are raised or conditions suggested.

NRW commented that they agree with the conclusions of the submitted drainage risk assessment and details set out within the submitted drainage strategy, noting that they consider the contamination risk to controlled waters is low. As such they have no objection to the scheme subject to a condition being attached to any consent

requiring the developer stop works if any contamination is found during development works.

It is also noted that no objections were raised by Dwr Cymru Welsh Water, subject to standard conditions and advice.

Historic Coal Mining Activity

The application site falls partially within the defined Development High Risk Area and consequently there is a potential for historic mining activities to have an impact upon any future development at the site. In light of this issue a Coal Mining Risk Assessment (CMRA) report was submitted with the application and consultation with the Coal Authority (CA) undertaken.

The Coal Authority commented that parts of the site are likely to have been subject to historic unrecorded underground coal mining at shallow depth associated with a thick coal outcrop, and their records also indicate the presence of a recorded mine entry (shaft) within the site boundary. However, as the CMRA details, the shallow mining of the seam would have been impracticable and the shaft has been fully stabilised to a credible industry standard. As such no objections are raised or conditions suggested.

Other Issues

It is noted that no objections were received from Wales and West Utilities, Western Power Distribution or South Wales Police, subject to standard conditions and advice.

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

The use of the plot for a park and ride facility would alleviate the current on-street parking problems experienced in the locality and would significantly improve the current public transport provision at Abercynon. Further, the facility would improve wider transport connections in the area having significant economic benefits for the County Borough as a whole. Consequently the proposed development is considered acceptable in principle.

Additionally it is not considered the proposed car park facility would have any undue impact upon the existing character and appearance of site or the surrounding business park, or upon the amenities or operation of the nearest properties.

Finally, whilst it is accepted the proposed car park would inevitably increase traffic movements in the locality, it is not considered the proposed development would

significantly impact upon highway or pedestrian safety within the vicinity of the site and would actually improve the current issues experienced on the estate by providing much needed off-street parking.

Consequently the application is considered to comply with the relevant policies of the Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans ref.

APR2-RED-61-XX-DR-C-0001 PO1, APR2-RED-85-XX-DR-Z-0001 PO1, APR2-RED-61-XX-DR-C-0002 PO1, APR2-RED-61-XX-DR-C-0003 PO1, APR2-RED-61-XX-DR-C-0004 PO1, APR2-RED-61-XX-DR-C-0005 PO1, APR2-RED-61-XX-DR-C-0006 PO1, APR2-RED-61-XX-DR-C-0007 PO1, APR2-RED-61-XX-DR-D-0008 PO2, APR2-RED-61-XX-DR-D-0009 PO1 and documents received by the Local Planning Authority on 10/08/18, 13/08/18, 18/09/18 and 19/09/18, 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.

3. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;

- a) the means of access into the site for all construction traffic;
- b) the parking of vehicles of site operatives and visitors;
- c) the management of vehicular and pedestrian traffic;
- d) loading and unloading of plant and materials;
- e) storage of plant and materials used in constructing the development;
- f) wheel cleansing facilities;
- g) the sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence on site until full details of the proposed ecological mitigation on site (as detailed in Section 6 of the submitted Bat Activity Survey report) has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details and any protection measures shall be retained throughout the development period and thereafter.

Reason: In the interests of ecology and to afford protection to animal species in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.
 - i. A desk-top study carried out by a competent person to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk-top study should contain a Conceptual site model.
 - ii. A site investigation shall be carried out by a competent person to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (i) above.
 - iii. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The development hereby permitted shall not be brought into beneficial use until the measures approved in the scheme referred to in Condition 4 have been implemented and a suitable validation report of the proposed scheme is submitted and approved by the Local Planning Authority. Any validation report shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

7. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the development work recommencing. Any revised contamination proposals shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

9. HGVs used as part of the development shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays, with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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