

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2015-2016

**DEVELOPMENT CONTROL
COMMITTEE
5 NOVEMBER 2015**

**REPORT OF:
SERVICE DIRECTOR
PLANNING**

Agenda Item No. 12

**APPLICATION NO: 14/1310/03
OBSERVATIONS REQUESTED BY
ADJACENT PLANNING AUTHORITY: THE
DEVELOPMENT OF UP TO 630
RESIDENTIAL DWELLINGS (USE CLASS
C3 INCLUDING AFFORDABLE HOMES),
PRIMARY SCHOOL (USE CLASS D1),
VISITOR CENTRE/ COMMUNITY CENTRE
(USE CLASS D1) OPEN SPACE
(INCLUDING CHILDREN'S PLAY
SPACES), LANDSCAPING,
SUSTAINABLE URBAN DRAINAGE,
VEHICULAR ACCESSES, BUS LANES,
PEDESTRIAN AND CYCLE ACCESSES
AND RELATED INFRASTRUCTURE AND
INFRASTRUCTURE AND ENGINEERING
WORKS, LAND NORTH AND SOUTH OF
LLANTRISANT ROAD, NORTH WEST
CARDIFF**

1. PURPOSE OF THE REPORT

To recommend observations on the above planning application which is to be determined by the City of Cardiff Council.

2. RECOMMENDATION

To forward the observations detailed below to the City of Cardiff Council.

3. BACKGROUND

APPLICATION DETAILS

The application is an outline application, with strategic access included, made to the City of Cardiff Council for up to 630 dwellings, a primary school, open space and other infrastructure.

The development will be a comparatively small part of a large urban extension to the north west of Cardiff, proposed in the emerging Cardiff Local Development Plan (Strategic Site C). The City of Cardiff Council have also consulted this Authority on an application for the majority of Strategic Site C (up to 5970 dwellings, ref. 14/1698/03), a further application for a smaller number of houses (up to 290 dwellings) that also form part of this strategic site (ref. 14/1337/03), and the proposed mixed use development including up to 1500 houses on another strategic allocation in the emerging Cardiff Local Development Plan (Strategic Site D) between the A4119 Llantrisant Road and Junction 33 of the M4 (ref. 14/0814/03). In total approximately 9500 houses are proposed along the north west corridor between Cardiff and Rhondda Cynon Taf and will cumulatively impact on the A4119 corridor.

Rhondda Cynon Taf were consulted on this application in October last year. However, observations have not been given due to discussions that have been taking place between Officers from Rhondda Cynon Taf and Cardiff Councils in respect of the issues raised by allocations for housing in Cardiff's emerging Local Development Plan (LDP). Observations are being proposed at this point as revised plans and documents have been submitted in respect of this application, in order for the Developer to try and progress it to Cardiff's Planning Committee in advance of adoption of the Cardiff LDP. The City of Cardiff Council have verbally requested that observations are forwarded at the beginning of November in order that they can progress this application as quickly as possible. It is understood that Heads of Terms for a potential Section 106 Agreement are still under discussion and are focussed on a new primary school. The proposed transport mitigation relates to the A4119 along the site frontage only.

The application subject of this report is accompanied by a number of documents, including a Planning Statement, Design and Access Statement and an Environmental Statement, which includes a Transport Assessment, and addenda to these documents.

SITE APPRAISAL

The site comprises 29.217 hectares of agricultural land in the north west of Cardiff, which borders Radyr, Danescourt and Fairwater. The A4119 Llantrisant Road, which runs towards Groesfaen and Talbot Green in the west, cuts through the middle, between the two parcels of land forming the site.

PLANNING HISTORY

As the application is in a neighbouring authority, this is unknown.

PUBLICITY

No publicity has been undertaken by Rhondda Cynon Taf as part of this consultation.

CONSULTATION

Highways Development Control- Have raised concerns regarding the adequacy of the assessment undertaken by the developer and the impact on traffic levels on the A4119 and A473 within Rhondda Cynon Taf. In accordance with Cardiff's emerging LDP, it is considered that the provision of a financial contribution towards both mitigating the impact of the development on the strategic highway network, in particular measures to mitigate the impact on public transport journey times within Rhondda Cynon, Taf may help to address these concerns.

Public Health and Protection- No objections raised.

Land Reclamation and Engineering- No objections raised, subject to new development not creating additional run off when compared to the undeveloped situation.

Countryside- No comments made.

Education- No comments made.

POLICY CONTEXT

Local Policy

The site forms part of proposed Strategic Site C in Cardiff's emerging Local Development Plan.

Draft Policy KP2(C) which covers the whole strategic site is relevant to this proposal. (This policy is subject to changes resulting from the examination of the draft Cardiff LDP, which will embed infrastructure requirements in the text of the policy and provide a diagrammatic masterplan.)

National Policy

Planning Policy Wales: Chapter 8- Transport
Technical Advice Note 18: Transport is also relevant.

REASONS FOR REACHING THE RECOMMENDATION

The need for additional housing in Cardiff is accepted. However, it is considered that satisfactory transport mitigation measures are required to

reduce impacts on the strategic highway network in Rhondda Cynon Taf.

There is currently a significant shortfall in Cardiff's housing land supply (the 2014 Cardiff 5-year supply was 3.6 years; in 2015, under TAN 1, Cardiff is deemed to have no housing land supply in the absence of an adopted LDP). Therefore it is accepted that a substantial amount of land is required to be allocated via the Local Development Plan (LDP) process to ensure there is sufficient land available over Cardiff's LDP period (up to 2026). Their emerging LDP caters for a requirement for 41,415 new homes. The LDP Strategy is predicated on achieving a 50/50 model split between sustainable transport and the private car over the plan period.

However, Rhondda Cynon Taf have made representations on Cardiff's draft LDP raising concerns about the potential impact on the highway network in this County Borough due to the allocation of the strategic site that this forms part of, and two other strategic sites in North West Cardiff. The concerns raised were that the impacts on Rhondda Cynon Taf have not been fully assessed, and that adequate mitigation measures are not provided for.

The Examination process for Cardiff's LDP has closed and the Inspector's Report is now awaited. There have been ongoing discussions between Officers from Cardiff and Rhondda Cynon Taf in respect of the above issues. Therefore, following revisions proposed for Cardiff's LDP, draft Policy KP2(C) requires development of Strategic Site C (which this site forms part of) to provide off-site infrastructure including bus priority enhancements on the Western Bus Corridor and measures to improve linkages into Rhondda Cynon Taf. It is considered such measures are necessary to achieve higher levels of walking, cycling and public transport use, and junction improvements, in order to help mitigate the impact of the additional traffic on the highway network including public transport services in Rhondda Cynon Taf from this proposal.

While the amendments to the emerging LDP acknowledge the need for developments in the north west corridor to support mitigation measures in Rhondda Cynon Taf, the current application offers no transport mitigation beyond the measures included along the frontage of the A4119. Consideration is therefore necessary regarding whether measures proposed in respect of transport mitigation are satisfactory to Rhondda Cynon Taf and fulfil the above criterion of draft policy KP2(C) of Cardiff's emerging LDP. Without such measures, there would be concern that the proposal in accumulation with others in North West Cardiff would cause significant harm to the highway network in Rhondda Cynon Taf, in particular junctions along the strategic A4119 / A473 routes and Junction 34 of the M4.

The Planning Statement submitted with the application advises that in order to meet the above policy criterion, an inbound bus lane is provided on the

A4119. It is noted that this bus lane would be provided in the immediate vicinity of the site only. In addition, the document suggests that the proposed Park and Ride at Junction 33 of the M4 will assist in reducing the impact of traffic on Rhondda Cynon Taf. The measures anticipated to mitigate the impact of the development of strategic sites in north west Cardiff are much wider ranging than localised provision of bus lanes, and require a financial contribution to implement. In addition, as it is considered that people using the Park and Ride at Junction 33 from either the new developments or Rhondda Cynon Taf County Borough are most likely to travel there via the A4119 and Junction 34 of the M4, the impact of the Park and Ride for Rhondda Cynon Taf traffic movement would tend to be fairly neutral. However, the cumulative impact of additional traffic on the A4119, both east and west bound will be detrimental to existing commuters and public transport services that link Talbot Green with Cardiff.

At the time of writing, it is understood that Officers from the City of Cardiff Council are still undertaking work looking at the viability of the strategic sites in the emerging LDP within north west Cardiff, and the level of contribution that will be sought from these sites for infrastructure that will be required in relation to Cardiff's transport strategy, which includes links to Rhondda Cynon Taf.

It is accepted that this application is for a relatively small part of Strategic Site C, comprising 9% of the dwellings that have been applied for. However, while relatively small, this is not considered to be an insignificant number of houses. In the absence of the above piece of work, and an apparent mechanism for collecting these contributions on the strategic sites, there is concern that the developer is not proposing any financial contribution towards improving linkages to Rhondda Cynon Taf, as part of this application.

It is acknowledged that there is a much larger application for this Strategic Site is still to be determined, which is likely to result in a much greater contribution towards all mitigation measures via a Section 106 Agreement. However, it would be of concern if any planning permission granted on the proposal subject of this report did not result in a proportionate contribution being made towards mitigation measures in respect of the highway network in Rhondda Cynon Taf, as this would be setting a poor precedent and may make it more difficult to recover this as part of a later planning permission.

It is therefore considered the applicant's current proposals in the Planning Statement are insufficient in respect of the relevant criterion of Policy KP2(C).

It should be noted that Cardiff Council will not have a Community Infrastructure Levy regime until after their LDP is adopted, therefore Section

106 agreements are the only means of financing off-site infrastructure provision to facilitate development. It should also be noted that under the Community Infrastructure Levy Regulations 2010 (as amended), Local Planning Authorities can only pool Section 106 contributions from 5 planning permissions or less in order to pay for a project. Given the number of houses proposed along the north west corridor, there is a risk that money to pay for improvements will come from more than five planning permissions. This issue will therefore have to be managed in negotiations with the City of Cardiff Council and in the managing and programming of works.

OTHER ISSUES

There are not considered to be any further significant issues for Rhondda Cynon Taf County Borough.

CONCLUSION

The need to provide additional housing within Cardiff is accepted. However, there is concern regarding the adequacy of the transport mitigation measures proposed as part of this application, and it is considered a proportionate financial contribution, or a commitment to carry out appropriate physical works, should be made via a Section 106 Agreement for transport mitigation measures to reduce the impact from traffic on the highway network in Rhondda Cynon Taf.

RECOMMENDATION

i). That the following observations are forwarded to the City of Cardiff Council:

Rhondda Cynon Taf County Borough Council accepts the need to provide additional housing within Cardiff.

However, in respect of this site, Rhondda Cynon Taf County Borough Council is concerned that the measures outlined at 5.11 of the applicant's Planning Statement Addendum do not include a proportionate financial contribution for improving linkages into Rhondda Cynon Taf, in compliance with draft Policy KP2(C) (MAC5 version, October 2015), of the emerging Cardiff Local Development Plan.

In the absence of such a contribution, Rhondda Cynon Taf County Borough Council **objects** to this planning application in its current form and requests that the City of Cardiff Council negotiates the provision of a proportionate financial contribution or physical works within Rhondda Cynon Taf to protect public transport journey time reliability, prior to the determination of this

application, in order to remove this objection. It is also requested that Officers of the City of Cardiff Council consult with Officers of Rhondda Cynon Taf County Borough Council prior to recommending a level of contribution for this purpose to their Planning Committee.

ii). That the Service Director Planning be authorised to withdraw the objection, following consultation with the Chair of the Development Control Committee and Cabinet Member for Economic Development and Planning, if it is considered appropriate transport mitigation measures to reduce the impact from traffic on the highway network in Rhondda Cynon Taf have been negotiated between the City of Cardiff Council and the applicant.

LOCAL GOVERNMENT ACT 1972

as amended by

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

LIST OF BACKGROUND PAPERS

DEVELOPMENT CONTROL COMMITTEE

5 NOVEMBER 2015

REPORT OF SERVICE DIRECTOR PLANNING

REPORT

**APPLICATION NO: 14/1310/03
OBSERVATIONS REQUESTED BY
ADJACENT PLANNING AUTHORITY:
THE DEVELOPMENT OF UP TO 630
RESIDENTIAL DWELLINGS (USE
CLASS C3 INCLUDING AFFORDABLE
HOMES), PRIMARY SCHOOL (USE
CLASS D1), VISITOR CENTRE/
COMMUNITY CENTRE (USE CLASS
D1) OPEN SPACE (INCLUDING
CHILDREN'S PLAY SPACES),
LANDSCAPING, SUSTAINABLE
URBAN DRAINAGE, VEHICULAR
ACCESSES, BUS LANES,
PEDESTRIAN AND CYCLE
ACCESSES AND RELATED
INFRASTRUCTURE AND
INFRASTRUCTURE AND
ENGINEERING WORKS, LAND
NORTH AND SOUTH OF
LLANTRISANT ROAD, NORTH WEST
CARDIFF**

OFFICER TO CONTACT

**MRS H WINSALL
(Tel. No. 01443 494721)**

See Relevant Application File