

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**DEVELOPMENT CONTROL
COMMITTEE
18 JULY 2013**

**REPORT OF: SERVICE
DIRECTOR PLANNING**

	Agenda Item No. 3
	<p>Application No. 11/1330 - Development of new town centre comprising: a 10,801sq m gross foodstore (Class A1); 8 pump petrol filling station; 35,522 sq m gross retail floor space (Class A1); 600sq m gross cafe space (Class A1); 1,000sq m financial/professional service space (Class A2); 2,390sq m gross food and drink space (Class A3); 1,400sq m gross office space (Class B1); 750sq m gross Class D1 space; 8 screen cinema; 80 bed hotel; 64 dwellings (Class C2/C3); multi storey and surface level car parking; associated access infrastructure, re-profiling of land, landscaping and flood alleviation works (Further information comprising - Environmental Statement addendum, Design and Access Statement addendum and revised plans received August 2012) (Transport Assessment Addendum Report received January 2013).</p>

1. PURPOSE OF THE REPORT

Members are asked to determine the above planning application.

2. RECOMMENDATION

That Members consider the proposals and report and determine the application having regard to the advice given.

3. BACKGROUND

This significant planning application seeks outline planning permission for a large scale retail led development on a site which lies immediately south of the A473 and east of Cowbridge Road (A4222), incorporating the former Purolite and Staedtler factory sites together with the site of

the Leekes department store and an area of the Pant Marsh. The site has an area of approximately 19 hectares (47 acres).

The application was originally reported to a special meeting of the Development Control Committee on 28 February 2013. At that meeting Members resolved to grant outline planning permission subject to conditions and the applicant first entering into a Section 106 Agreement to secure a minimum package of planning contributions.

A copy of the minutes of the 28 February 2013 meeting are attached as **APPENDIX A** to this report.

The copy of my previous report attached as **APPENDIX B** has been updated to incorporate the corrections to the report and conditions and the imposition of the three additional conditions (nos. 71-73) referred to in the minutes attached at **APPENDIX A**.

Members will recall that the outline town centre scheme is proposed to be developed in two phases.

The Phase 1 elements represent the provision of a supermarket (Sainsbury's) and a petrol filling station (PFS) together with the creation of a new northern service yard access to/from the A473, an element of the new southern link road and a flood embankment across the Pant Marsh. (The officer report for the separate 'full' planning application (ref: 12/1102) in respect of the Sainsbury's supermarket and PFS follows this item on the agenda for this meeting).

The Phase 2 elements comprise the remainder of the town centre scheme, including the replacement/new Leekes store and the remainder of the southern link road.

At the 28 February 2013 meeting Members' resolution to grant outline planning permission was in accordance with recommendation, other than in respect of transport/highway issues. Members' resolution proposed an amendment to the recommendation as outlined in the original report that related to the timing of required strategic highway improvements to be required within the S.106 Agreement .

The minutes show that Members had concern over the level of congestion in the area, the amount of traffic that may be diverted to the new supermarket and the level of disruption that would be caused by the Phase 2 highway works taking place on the strategic network after the network had already been disrupted by the Phase 1 works as this could have a significant impact on travel in and out of the County Borough with implications for economic well-being which was clearly not good practice/value for money

The resolution in respect of Transport/Highways obligations was therefore as follows:

An overall Transport/Highways contribution capped at £4.1m, comprising at

Phase 1: Strategic Highway Improvements

- *£550k for improvements to the strategic highway network (works to the A4119/A473) to be paid pre-occupation of the supermarket (Sainsbury's); and*
- *Pre **Occupation** of Phase 1 (excluding Leekes): £1.5m for highway/accessibility improvements on the strategic network (or works in lieu to the value of - see condition 63); ¹*

(ie: £2.05m prior to the occupation of Phase 1)

[Conditions 63 and 65 (related to Phase 1 and Phase 2 Highway works) will need to be amended to reflect Members' request]

Phase 2:

- *Pre-occupation of Phase 2 (excluding Leekes); £250k to mitigate against local highway and transportation impacts;*
- *Within 12 months of occupation of Phase 2 (excluding Leekes); £200k to mitigate against local highway and transportation impacts;*
- *£1.6m (max) of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer).*

In effect Members considered, notwithstanding the recommendation before them at the last meeting, that all of the improvements to the strategic highway network (i.e. £2,050,000 for works to the A4119/A473 roundabout) and the full signalisation geometry of the Glamorgan Vale roundabout (see conditions 63 and 65 in the original report) would be required at Phase 1.

This differs from the officer recommendation which agreed to spread the payment on the A4119/A473 roundabout (£550k in Phase 1 and £1.5m in Phase 2) and required only minor works to the Glamorgan Vale roundabout in Phase 1 as this was considered sufficient to serve Phase 1 of the proposal.

Further to Members' resolution of 28 February 2013 the applicant's agent wrote to the Council on 31 May 2013, to formally respond to the Committee resolution in planning and financial terms. A copy of this letter and an associated further Highway Note (prepared by the applicant's Highway Consultant Vectos) is attached as **APPENDIX C**.

Within the 31 May 2013 letter it is confirmed that the applicant is agreeable to Members' requirement that the full £2,050,000 for improvements on the strategic highway network (works to the A4119/A473 roundabout) is brought forward to Phase 1. This means that £1.5m of this £2,050,000 figure, that was originally recommended as being required at Phase 2, is brought forward. The Phase 2 obligation will reduce accordingly as a result.

The applicant's have justified their agreement with Members' request as follows

"This obligation provides the Council with funding for strategic improvements, as set out in the Council's adopted SPG. Bringing forward this funding to Phase 1 provides the Council with greater flexibility to undertake necessary strategic improvements to facilitate the development. It provides the Council with greater opportunity to undertake strategic highway works in a less piecemeal fashion, and so minimise disruption to the network. This was a significant concern of Members, who wanted to ensure that strategic development occurs with minimal impact on the comfort and well being of existing residents and visitors to RCT.

It is for the Council to consider precisely how best to utilise the monies resulting from this obligation on the identified improvements to the strategic network. It should undertake this consideration comprehensively, not just in the context of the Talbot Green development, but including other strategic changes within the Authority area. For this reason it is most appropriate that this is an obligation and not a Condition to undertake works.

The revised obligation at Phase 1 now makes it more achievable for the Council to make a single and step change improvement to the A4119/A473 strategic network junction. Our client accepts that this is a necessary payment directly related to the development and of a fair and reasonable scale and kind."

In addition the applicant has now also confirmed that they are willing to make the Phase 1 payment of £2.05m in accordance with the following payment structure:

- £50k within 10 working days of the completion of the following three elements – i) signing of the S.106 Agreement; ii) expiration of the JR period and, iii) signing of the S.278 Agreement for the works required for the servicing of the supermarket (Sainsbury's) store.
- £2m within 6 weeks of commencement of development.

Previously, the requirement was for payment for to be made pre occupation of the Sainsbury's store, which could have meant the day before opening.

It is envisaged that the highway and site preparation works will take in excess of 12 months before the site is handed over to Sainsbury's for their 10 month construction programme. Accordingly, the Council would have the full £2.05m payment for the scheme approximately 21 months prior to the opening date for the Sainsbury's store. It is considered that this represents a significant improvement on the payment timing previously proposed (pre occupation) and means that the works to the A4119/A473 roundabout can be significantly progressed and potentially completed before the supermarket (Sainsbury's) store opening. If the site preparation works and the construction of the supermarket (Sainsbury's) store were completed earlier than expected then there remains a risk there will be a gap between the store opening and the highway improvements being completed.

In respect of the full signalisation geometry of the Glamorgan Vale roundabout to serve Phase 1 the applicant has confirmed that they are not agreeable to bring the improvement works forward from Phase 2 to Phase 1 as Members have resolved to require.

Whilst it is stated that the applicant understands Members concerns they consider them to be unfounded in respect of the earlier need for these works. They point to the fact that the Council's own highway officers and appointed consultant concluded that these works are not required at Phase 1.

The Vectos Highway Note received with the 31 May 2013 letter from the applicant's agent seeks to demonstrate that the requirement to undertake the Glamorgan Vale roundabout improvements in Phase 1 could potentially result in a greater degree of disruption than if they were to be left until Phase 2.

In other highway respects the applicant confirms that they are agreeable to the requirements as set out in the original report. (Members will note that it is only the Highway elements of the resolution that are the subject of partial disagreement. The applicant has not sought to disagree with the requirements of the other elements of the S.106 contributions package or condition requirements (outside of conditions 63 and 65, which relate to the required Glamorgan Vale roundabout improvement works).

The Council's Transportation Section have been re-consulted in respect of the additional letter and note that have been received. They have considered this further submission and have commented as follows:

Further comments of the Council's Transportation Section

In respect of the proposed re-phasing of transport contributions, it is accepted that the offer to bring forward a significant element of Phase 2 funding as part of the phase 1 development provides the opportunity to deliver improvements to the strategic highway network at an earlier point in time than would otherwise have been possible within the parameters of the original payment framework. Officers were content with the original phasing but Members were not and it is recognised that the present proposals are an improvement on the earlier ones.

The payment of a tariff accords with the Council's Supplementary Planning Guidance (SPG).

Consequently, there is no objection to the proposed re-phasing of infrastructure payments.

In terms of specific impacts and issues;

A4119/A473 Junction

From a transportation perspective, the main area of concern relates to the A4119/A473 roundabout, accordingly payments under the tariff will be prioritised to provide improvements to this key junction.

In ongoing communications with the developer, officers have continued to highlight the fact that the timing of the payments do not allow physical improvements to be implemented in advance of the proposed food store opening as the payments would be made prior to store opening.

The developer has responded to this matter by offering advanced payments to allow scheme design and construction to take place in parallel with construction of the store. This significantly increases the likelihood that the improvements will be delivered in advance of store opening. On the basis that the anticipated improvements will have sufficient capacity to mitigate additional traffic generated by the entire development, this is considered preferable to the previous situation that envisaged improvements to the roundabout potentially being delivered in two phases

Consequently officers consider that the risk of the store opening ahead of completion of the improvements to the A4119/A473 roundabout is substantially reduced and is considered acceptable as no further works will be needed to mitigate phase 2. No objection is raised to the timing of the payments

In terms of delivering improvements to the A4119/A473 roundabout, hours of operational works and traffic management would be restricted due to the traffic sensitive nature of the roundabout, such works would

have to be undertaken primarily during seasons and at times of the day and days of the week when traffic flows are lower.

The developer has submitted plans for potential Phase 1 and Phase 2 improvements to the A4119/A473 roundabout. The advanced payment of the £2.05m contribution reduces potential additional disruption to traffic as it will be possible to implement a single improvement to the junction rather than 2 stages of improvement with 2 periods of disruption. It also eliminates potential abortive work and reduces the overall cost of improvements due to the efficiencies that accrue from a single construction project.

These proposals are at an early stage and require further design and development prior to implementation. Officers are satisfied that the offered contribution will be sufficient to deliver a significant improvement to the roundabout although it should be acknowledged that there remains a risk that the proposed improvements included in the planning application may not be deliverable with the contribution offered by the developer. In those circumstances either an alternative lower cost and potentially less effective solution may need to be delivered or the Council may need to access additional funding to provide such an improvement. This could create further delays to the delivery of improvements to the A4119/A473 junction. However, the tariff approach has been accepted rather than direct construction and officers consider that this risk is acceptable.

Glamorgan Vale Roundabout

The submission from Vectos primarily considers 2 issues in respect of the Glamorgan Vale Roundabout;

- whether phase 2 improvements are necessary in order to mitigate traffic generated in phase 1, and
- the potential disruption to the network as a result of the phase 2 improvements being carried out at the same time as improvements to the A4119/A473 junction and the construction of the new access to the food store service yard off the A473.

In consideration of their comments;

In respect of capacity, it is accepted that the Phase 1 proposals are capable of dealing with phase 1 traffic and that existing problems occasionally encountered at the roundabout are as a result of queues extending from the Glamorgan Vale Retail Park onto the roundabout. These issues will not be resolved by the Phase 1 or Phase 2 improvements however there is no evidence that either Phase 1 or Phase 2 would exacerbate the problems. If anything by diverting demand from the Retail Park, they will be eased.

Further, officers are satisfied that the proposed Phase 2 improvements which include the provision of traffic signals on the roundabout could actually be detrimental to the free flow of traffic under Phase 1 traffic

conditions. Accordingly there is no material benefit or substantive need to bring forward Phase 2 proposals to mitigate Phase 1 traffic.

In respect of the disruption arising from work on three junctions taking place at the same time, the Vectos paper advances this as a reason to defer Phase 2 works to the Glamorgan Vale Roundabout.

The Highway Authority is satisfied that improvements to the A4119/A473, Phase 1 improvements to Glamorgan Vale Roundabout and the creation of the access to the service yard could be undertaken in tandem subject to appropriate traffic management and control.

As is evident from the further comments above, while direct construction of the A4119/A473 works by the developer may reduce risk, the tariff approach has been accepted and officers consider that this acceptable. It is not considered given the previously expressed acceptance of this approach that an objection could be sustained on this point.

However, in accepting a tariff payment in lieu of direct works Members need to be aware that the proposed improvements (which are yet to be finalised in detail) to the A4119/A473 roundabout may not be completed prior to the Sainsbury's supermarket (should Members resolve to approve application 12/1102) opening.

In terms of the legitimacy of requiring full financial contribution for the A4119/A473 roundabout in Phase 1, the Council is required to carefully consider whether this is justified having regard to the law and policy governing planning obligations (under Section 106) are set out in my previous report at **APPENDIX B**.

At the last meeting Members were clearly of the view that the full package of improvements to the A4119/A473 roundabout needed to be made as part of Phase 1 of the development. Members specifically raised concern regarding existing levels of congestion and the volume of traffic that may be attracted to the development. Members were also concerned about the potential cost of congestion caused by two phases of highway works rather than a single comprehensive scheme.

The technical assessments of highway impacts at the A4119/A473 roundabout suggest that the traffic flows would not warrant the full package of improvements at Phase 1. However, it is accepted that Members' concerns are a material consideration in the assessment of the application. With their extensive local knowledge Members can legitimately hold the view that there is a degree of uncertainty to traffic modelling, as it is not an exact science, and conclude that further mitigation is required in Phase 1 of the development than was initially proposed by the applicant.

Planning Policy Wales makes it clear that the effects on the convenience of other road users of the transport network is a material

planning consideration. The two phased approach of improvements at the A4119/A473 roundabout, as initially proposed by the applicant would have resulted in two periods of disruption to the network. In addition, certain elements of the Phase 1 improvements would have to be replaced within a second phase of improvements. A single phase of works would undoubtedly be less disruptive than two phases of works. Accordingly, the impacts on the network and the potential for disruption to the local and regional economy is reduced.

In conclusion, it is considered legitimate for Members to insist upon the full financial contribution (£2.05m) for mitigation of the A4119/A473 roundabout in Phase 1, notwithstanding the officer recommendation on 28 February 2013. Given the above considerations, this obligation can be considered as necessary, directly related to the development and of a fair and reasonable scale and kind.

It is also worth noting the other highway contributions being made in Phase 2. These comprise £450k to mitigate against local highway and transportation impacts and the facility to 'draw down' against a further sum of £1.6m should unexpected impacts arise (the mechanism for such an eventuality will be set out in the S.106 agreement). By measuring actual impact against that predicted by the applicant and the Council the potential payment of a further contribution for mitigation can be demonstrated as being compliant with the necessary tests.

It is therefore recommended that Members approve the application and include the offer of the full payment for improvements to the A4119/A473 roundabout in the Section 106 agreement and accept that only the Phase 1 works to the Glamorgan Vale roundabout are undertaken prior to the supermarket opening.

Recommendation.

That Committee resolve to **APPROVE** the application, subject to:

- the application being notified to Welsh Government, under the requirements of the 'Shopping Direction' (Welsh Office Circular 61/93) before any permission is issued;
- the recommended conditions as set out below ;
 - the applicant first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of **Planning Obligation contributions**, comprising the following:

Transport/Highways

An overall Transport/Highways contribution capped at **£4.1m**, comprising at

Phase 1:

- **£2,050,000** for improvements to the strategic highway network (works to the A4119/A473 roundabout), to be paid in accordance with the following payment structure:
- Payment of first £50k within 10 working days of completion of the latest of the three elements comprising, i) signing of the S.106 Agreement; ii) expiration of the JR period, and iii) signing of the S.278 Agreement for the works for the servicing of the supermarket (Sainsbury's) store.
- Payment of £2m within 6 weeks of commencement of development.

Phase 2:

- Pre commencement of Phase 2 (excluding Leekes): **£250k** to mitigate against local highway and transportation impacts;
- Within 12 months of occupation of Phase 2 (excluding Leekes): **£200k** to mitigate against local highway and transportation impacts;
- **£1.6m (max)** of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer).

Affordable Housing

A provision of **13 units** on site shall be made if the provision is to be made on site **or** a payment of **£768k** if the provision is to be sought for off site provision.

The contribution would be forthcoming within Phase 2.

Education

The requirement on the basis of 64 dwellings would be a maximum requirement for a financial contribution of **£559k**.

The contribution would be forthcoming in Phase 2.

Provision of Play Area

A financial contribution of **£64k** or an on site play area provision.

The contribution would be forthcoming in Phase 2.

Ecology and Biodiversity Interests

Within Phase 1 a sum of **£50k** would be paid for the management of the Pant Marsh and within Phase 2 a sum of **£205k** would be paid for the maintenance of the proposed pedestrian link through the Coed y

Hendy woodland (which the applicant/developer is to provide), together with the required management of the woodland itself.

Other Contributions

The payment of a financial contribution of **£150k** in order to mitigate impacts to the business/commercial centres of Pontyclun and Talbot Green.

As referred to above the provision of a pedestrian 'Walk Through the Woods' route through the Coed y Hendy woodland together with the provision of a pedestrian bridge over the Afon Clun.

Whilst not a contribution as such it is recommended that the S.106 Agreement include a requirement for the applicant/developer to undertake an annual survey and provide an annual report in respect of the structural integrity of the flood embankment across Pant Marsh.

- that the Service Director Planning be authorised to add, remove, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.

Conditions

1. Approval of the details of the appearance, layout and scale and the landscaping (hereinafter called "the reserved matters") of the development shall be obtained from the Local Planning Authority in writing prior to the commencement of any development within the relevant phase(s) covered by the reserved matters: the development of each phase shall be carried out in accordance with the approved details.

The submitted 'reserved matters' details shall accord with the principles, parameters and objectives laid out in the Illustrative Masterplan/Indicative Site Plan set out in the Environmental Statement and the Design and Access Statement and its Addendum (August 2012), unless any deviation is first agreed in writing by the Local Planning Authority.

Reason: To safeguard the rights of control of the Local Planning Authority in respect of the reserved matters and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990

2. 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, whichever is the later.

Application for approval of all the reserved matters required for the implementation of the development hereby permitted shall be made to the

Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. This permission grants the development of a new town centre development with the following uses and maximum floorspace areas:
- a supermarket (as further defined under condition 8 of this permission) comprising 10,801sq.m. gross/7,230sq.m. net of floorspace, together with an associated car park and petrol filling station;
 - Class A1 retail development comprising 35,522sq.m. gross/26,013sq.m. net of floorspace;
 - Class A1 café floorspace comprising 600sq.m. (gross);
 - Class A2 financial and professional services floorspace comprising 1000sq.m. (gross);
 - Class A3 food and drink floorspace of 2,390sq.m. (gross)
 - Class B1 office floorspace of 1,400sq.m. (gross)
 - A multi screen cinema;
 - A 80 bed hotel;
 - 64 residential (Class C2 and/or C3) units
 - Class D1 floorspace comprising 750sq.m. gross;
 - Car parking facilities.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of building/floorspace keeps within the parameters assessed pursuant to the EIA in relation to the development.

4. The total amount of Phase 2 Class A1 retail floorspace consented by this permission is 35,522sq.m. gross/26,013sq.m. net. Any Class A1 retail floorspace above this figure will require the prior written consent of the Local Planning Authority.

Reason: In order that the development delivers the quantum of retail development that has been assessed within the application and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

5. Of the retail floorspace hereby permitted only the Phase 1 supermarket and the new/relocated Leekes store shall commence trading prior to 1 June 2016.

Reason: In order to ensure compliance with the requirements of the Rhondda Cynon Taf Local Development Plan and in particular the

requirements of policy SSA8.

6. The new/relocated Leekes store to be provided within Phase 2 of the development hereby permitted shall not exceed 12,450sq.m. gross/8,715sq.m. net floorspace

Reason: In order that the overall development delivers the quantum of retail development that has been assessed within the application and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

7. This consent permits a town centre development with the constituent elements as identified under condition 3. The only floorspace to be created:
- within Phase 1 shall be the supermarket development;
 - within Phase 2 the other elements of the development as identified under condition 3.

Reason: In order that the scope of each Phase is clearly defined having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

8. The net sales floorspace (excluding check-outs) of the Phase 1 supermarket hereby permitted shall not exceed 7,230sq.m. net of which no more than 3,100sq.m. shall be used for the sale of comparison goods, unless otherwise agreed in writing with the Local Planning Authority. The store shall not be subdivided into separate retail units without the further written consent of the Local Planning Authority.

Reason: In order that the development accords with the retail assessment undertaken and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place within any phase (or part thereof) until a Construction Environmental Management Plan (CEMP), relating to that phase the subject of the development, has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction traffic;
- the routing of construction traffic on the public highway;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials, storage of plant and materials used in the construction of the development;
- wheel washing facilities;
- the suppression of dust;

- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- location of site compounds;
- use of artificial lighting;
- measures to treat and remove suspended solids from surface water run-off;
- method statement for the working on the retained areas of Pant Marsh SINC;
- the temporary protection of trees and/or hedgerows to be retained during periods of construction.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 10.** Any facilities for the storage of oils, fuels and chemicals associated with the construction compounds shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of inter-connected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In order to prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 11.** Construction of the development, with the exception of prior agreed highway works, shall not take place other during the following times:
- Monday to Friday – 0800hrs to 1800hrs
 - Saturday 0800hrs to 1300hrs
 - Not at any times on Sundays , Bank or Public Holidays

Unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 12.** An Urban Design Statement shall accompany each reserved matters application that shall be submitted for approval in writing by the Local Planning Authority. The statement should demonstrate how the design of that Phases (or parts thereof), the subject of the submission, comply with the relevant design principles, parameters and objectives set out in the approved Design and Access Statement.

Reason: To ensure that a co-ordinated and consistent approach and high design standards and materials are used in the interests of visual amenity in the locality in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 13.** The reserved matters to be submitted for the approval in writing by the Local Planning Authority pursuant to Condition 1 above shall for each development phase(s) (or part thereof) of the development include details of finished floor levels for building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing site levels. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development having regard to the surrounding area.

- 14.** No phase of development (or part thereof) shall commence on site, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with contamination within that development phase (or part thereof) has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- 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. A copy of the Desk-top Study shall be submitted to the Local Planning Authority without delay on completion.
- 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 a) above.
- 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 Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 15.** No phase of the development (or part thereof) hereby permitted shall be occupied and/or operated until the measures approved in the scheme (referred to in condition 14) for the relevant phase (or part thereof) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 16.** 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 revised contamination proposals shall be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 17.** The landscaping of the relevant phase (or part thereof), the subject of the particular reserved matters submission pursuant to condition 1, shall be carried out in accordance with a scheme to be first approved in writing by the Local Planning Authority in the first planting and seeding season following the completion of that phase of the development. Any vegetation planted which within a period of 5 years from the date planted, dies, is removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 18.** The reserved matters referred to in condition 1 shall include, where relevant, details of all areas of public realm and works of public art within the development. These areas shall be provided in accordance with the approved details. The timetable for the full implementation of the areas of public realm and the provision of works of public art shall be agreed in writing by the Local Planning Authority prior to the occupation of the first floorspace within the relevant phase (or part thereof) and the identified area/s shall be used for no other purpose other than as areas of public realm.

Reason: To ensure that the new development makes the necessary and appropriate provision for public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 19.** There shall be no beneficial occupation of any floorspace in relation to any phase (or part thereof) of development, until a Management Strategy for the maintenance of all areas of public realm and works of public art for that phase (or part thereof) has been submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 20.** No works of construction comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) before a Sustainable Development Strategy (SDS) report has been submitted to and approved in writing by the Local Planning Authority, in respect of either that phase or the whole development. The SDS report shall have regard to matters of energy efficiency and the efficient use of other resources and seek to minimise the use of non-renewable resources and minimise the generation of waste and pollution, where practically possible and viable; the conclusions of the report shall be implemented in full within the development.

Reason: In order to secure accordance with policy AW6 of the Rhondda Cynon Taf Local Development Plan.

- 21.** No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof), before a scheme for the provision and implementation of a sustainable urban drainage system to serve the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme and maintained as such thereafter unless otherwise agreed in

writing by the Local Planning Authority.

Reason: In order to ensure the proper drainage of the site in accordance with policies AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 22.** Foul and surface water drainage arrangements for the relevant phase (or part thereof) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling or any other building shall be occupied until the drainage works have been completed in accordance with the approved scheme.

Reason: In order to ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 23.** No development hereby permitted shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: In order to identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

- 24.** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings associated with construction compounds, shall be passed through an oil interceptor, the capacity and design of which shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The interceptor shall be installed prior to the parking areas and hard standings being used and retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: In order to prevent water pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 25.** Each dwelling within the development hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 – Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 26.** Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 – Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure that the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 27.** Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 – Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 28.** Non residential development/buildings shall be constructed to achieve a minimum Building Research Establishment Environmental Assessment Method (BREEAM) overall 'Very Good' standard and achieve a minimum of 6 credits under category 'Ene1 – Reduction of CO2 Emissions' in accordance with the requirements of BREEAM 2008. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure that the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 29.** Unless otherwise agreed in writing by the Local Planning Authority, construction of the non residential development/buildings within the development hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning

Authority, certifying that a minimum BREEAM overall 'Very Good' and a minimum of 6 credits under 'Ene1 – Reduction of CO2 Emissions' has been achieved for each individual building in accordance with the requirements of BREEAM 2008.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 30.** Within 6 months of the first beneficial occupation of the building hereby permitted, the "Final Certificate" shall be submitted to the Local Planning Authority certifying that a minimum BREEAM overall "Very Good" and a minimum of 6 credits under "Ene1 – Reduction of CO2 emissions" has been achieved for that building in accordance with the requirements of BREEAM 2008.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 31.** Prior to import to site, soil material or aggregate used as clean fill or capping material shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Planning Authority: no other fill materials shall be imported to the site.

Reason: To ensure that the site is safe and suitable for its proposed use in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 32.** The reserved matters referred to in condition 1 where this relates to Class A3 uses and Class A1 café uses (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) on the site shall include details of ventilation and extraction equipment together with intended proposals for the prevention of waste cooking oils, fats, grease and solid waste, such as food waste entering the foul drainage system. Prior to first use of any such Class A3 or Class A1 café unit, the ventilation and extraction equipment and method of 'grease trap' operation shall be installed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 33.** Notwithstanding the submitted plans, details of the design of the service yard junction with the A473, for the duration of Phase 1, shall be submitted

to and approved by the Local Planning Authority. The junction shall be constructed in accordance with the approved details prior to beneficial use of the development and shall be operated as a 'left in, left out' junction only (until such time as that element of the service yard associated with development other than Phase 1 supermarket commences construction).

Reason: In the interests of highway safety and the free flow of traffic along the A473.

- 34.** The overall development hereby permitted shall provide no less than 2,632 car parking spaces (excluding required provision for the residential units within the development). These shall be provided in a decked car park and two multi storey car parks (within Phase 2) and a car park to serve the supermarket (within Phase 1). A timetable for the provision of parking within Phase 2 shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of works within Phase 2 (or part thereof). The car park to serve the supermarket in Phase 1 shall be completed prior to first beneficial occupation of the supermarket

Reason: In order to ensure that a satisfactory level of car parking is provided within the development.

- 35.** Prior to the first beneficial occupation of any phase of the development (or part thereof) hereby approved, a scheme detailing the hours of operation of all other activities within that phase of the development (or part thereof) (including a Deliveries and Servicing Plan for each phase of development. The plan shall demonstrate how deliveries and service trips will be managed on a phase by phase basis. The plan shall include a routing agreement for all delivery and service vehicles accessing the site to ensure that deliveries are made via the strategic road network and not via secondary routes) shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approval of any scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard the amenities of the occupiers of residential properties within the development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 36.** Notwithstanding the proposal to develop the site in two phases no development shall commence within Phase 2 until such time as a more detailed phasing plan building upon the second phase principle has been submitted to and been approved in writing by the Local Planning Authority. No development shall begin on any phase of the plan (as maybe approved) until such time as any pre-commencement conditions relating to that phase have been complied with. The development shall be implemented in accordance with the phasing plan unless otherwise agreed in writing by the

Local Planning Authority.

Reason: To ensure that all details relating to a phase of development are submitted and approved prior to any works commencing on that phase and to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 37.** No development shall take place on a phase (or part thereof) until such time as there has been submitted to, and approved in writing by, the Local Planning Authority a plan (at a scale to be first agreed) indicating the positions, design, materials (including, where necessary, samples) and type of boundary treatments to be erected on that phase (or part thereof). The boundary treatments shall be completed in accordance with the approved details as soon as practicable following the completion of that phase, or in any event prior to the first beneficial use of that phase (or part thereof).

Reason: In the interests of the security of the site, the visual amenities of the area and to safeguard the standards of amenity occupiers of properties in that area can reasonably expect to enjoy in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 38.** No construction of any Class A1/A2/A3/B1/C1/C2/C3/D1/D2 or Car Parking (decked or multi storey) building shall commence on any phase (or part thereof) until such time as details of all materials and finishes to be used externally (including the provision of site sample panels where appropriate) on that phase have been submitted to, and approved in writing by, the Local Planning Authority. The materials used shall be in accordance with the details as may be approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 39.** Prior to the commencement of any phase of the development hereby permitted a Noise Impact Assessment Report shall be submitted for the consideration and written approval of the Local Planning Authority. Any required measures of mitigation that may be agreed shall be implemented in full in accordance with the agreed details.

Reason: In the interests of the standards of amenity occupiers of properties in the vicinity of the site can reasonably expect to enjoy in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan

- 40.** Notwithstanding the details submitted as part of the application, development on any phase (or part thereof) shall be occupied until such

time as details of all external lighting (including lighting within the entrance atrium of any retail or other commercial units) relating to that phase (or part thereof) have been submitted to, and approved in writing by, the Local Planning Authority.

Any lighting installed shall be operated in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that residents and wildlife living in close proximity to the site are not unduly affected by the levels of light emanating from the proposed development. In accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 41.** A surface water regulation system, the details of which shall be first submitted to and approved in writing by the Local Planning Authority shall be implemented in accordance with the approved details prior to the construction of any impermeable surfaces draining to the system.

Reason: To prevent the increased risk of flooding.

- 42.** Prior to the commencement of any phase of development (or part thereof) a detailed method statement for the removal or long-term management /eradication of Japanese knotweed on that part of the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: Japanese knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread from the development there would be the risk of an offence being committed, and avoidable harm to the environment occurring.

- 43.** Prior to occupation of any phase of development (or part thereof), a scheme shall be submitted to, and approved in writing by, the Local Planning Authority, detailing measures to be incorporated into the design, construction and operation of the phase (or part thereof) for the prevention of crime (by design). The development shall comply with the details contained in the approved scheme.

Reason: In order to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the requirements of TAN12: Design and Planning Policy Wales.

- 44.** Within 6 months of the first beneficial occupation of any element of the development hereby permitted a "Green Travel Plan", comprising measures to promote and encourage alternatives to single occupancy car use shall be submitted to, and approved in writing by, the Local Planning Authority.

The "Green Travel Plan" should include details of a Travel Plan Co-ordinator, proposals for setting and monitoring targets (including use of public transport, walking, car-sharing and cycling) and mitigation measures if targets are not achieved. The "Green Travel Plan" shall be implemented in accordance with the details approved under this condition.

Reason: To ensure optimum provision for a range of alternative travel modes to and from the site in the interests of sustainability.

- 45.** Prior to the occupation of any floorspace within Phase 2 of the development (excluding the new/replacement Leekes store) details of a customer/visitor information point/facility shall be provided for the written approval of the Local Planning Authority. This facility shall be provided in a form and timescale as shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development integrates with its surrounding and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

- 46.** Prior to any works commencing on site a strategy confirming how it is proposed to maximise mitigation opportunities for soil/grassland from areas of unimproved grassland for use within the site and development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed strategy shall be implemented in full in the course of the development.

Reason: In order to minimise impact on the natural habitat in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 47.** The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences Assessment (FCA) undertaken by Atkins (document 5023353-DG-FRA3-2.doc, dated August 2012) and the following mitigation measures detailed within the FCA:

- a) minimum slab levels to be no lower than 46.5m Above Ordnance Datum (AOD) for the development area;
- b) a proposed mitigation scheme in the form of a raised earthwork embankment on the Pant Marsh, as outlined in section 3 and figure 3.3 of the FCA.

Reason: To reduce the impact of flooding on the proposed development and future occupants and prevent flooding by ensuring the satisfactory storage of fluvial floodwater.

48. No phase of development (or part thereof) shall commence on site until the following components of a scheme to deal with the risks associated with contamination of the site associated with that phase of development shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In order to take account of controlled waters at this site and their high environmental sensitivity and the potential contamination of both soil and groundwater at the site from the historic site use associated with the former Purolite works and Staedtler factory sites.

49. No phase of development (or part thereof) shall commence on site until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the

reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

- 50.** Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site

- 51.** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the size/complexity of the site, and its historic use, it is considered highly likely that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

- 52.** Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling, and also a risk that piling or other foundation excavations could disturb and mobilise residual soil contamination, providing preferential migration pathways to groundwater.

- 53.** The residential units development hereby permitted within Phase 2 shall be acoustically insulated in accordance with a scheme to be previously submitted to and approved in writing by the Local Planning Authority prior to

beneficial occupation. The development shall thereafter be implemented in accordance with the approved scheme.

Reason: In order to ensure a satisfactory form of development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 54.** No beneficial occupation of any commercial building or dwelling hereby approved shall occur until necessary off-site improvements (in accordance with the requirements as outlined in Dwr Cymru's Hydraulic Modelling Report, ref: RT-CA-1369) to the public sewerage system have been completed and this has been confirmed in writing by the Local Planning Authority.

Reason: To protect the existing community and environment from the adverse affects of sewerage flooding and pollution and to ensure the development is effectively drained.

- 55.** Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

- 56.** No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 57.** No phase (or part thereof) of development shall be allowed to commence until ground conditions on the development have been proven (in accordance with the procedure outlined in BRE 365) capable of supporting infiltration methods of drainage and that the groundwater level will not encroach within 1 metre of the underside of such infiltration drainage structures.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

- 58.** No development whatsoever shall be allowed to commence until the structural condition of existing culverted watercourses crossing the site has been determined and measures to protect such culverted watercourses

have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that flood risk associated with the existing culverted watercourses does not increase as a result of any development activities.

- 59.** No development whatsoever shall be allowed to commence until measures to protect the existing private sewerage crossing the site have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that flood risk associated with the existing private sewerage does not increase as a result of any development activities.

- 60.** Prior to the commencement of any development within Phase 2 (excluding the new/replacement Leekes store) details of a new footbridge over the A473 at the western end, to replace the existing footbridge, shall be provided for the written approval of the Local Planning Authority. The footbridge shall be constructed in accordance with the agreed details and be available for public use prior the occupation of any floorspace within Phase 2.

Reason: To ensure a satisfactory choice of appropriate pedestrian access is available to serve the development.

- 61.** Prior to the commencement of any works in Phase 2 (excluding the new/replacement Leekes store) a detailed strategy indicating the form and detailed treatment of the public transport hub along Cowbridge Road and a timetable for its implementation and provision shall be submitted to and be agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed Strategy.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local.

- 62.** Prior to the commencement of any works in Phase 2 (excluding the new/replacement Leekes store) a scheme showing improvements to the public right of way which runs between the southern boundary of the Y Pant School site and the Afon Clun shall be submitted for the written approval of the Local Planning Authority. The improvements as shall be agreed are to be implemented prior to the occupation of any floorspace in Phase 2 (excluding the new/replacement Leekes store).

Reason: To ensure a satisfactory choice of appropriate pedestrian access is available to serve the development.

- 63.** The development of Phase 1 hereby permitted shall not be occupied until the following transportation infrastructure has been completed in accordance with details that shall have been agreed with the Local Planning Authority prior to any other works commencing:-
- i) Improvements to the A473 Glamorgan Vale Retail Park Roundabout and the Southern Link Road and new roundabout serving the proposed Sainsbury's Car Park and petrol filling station including pedestrian linkage toward the Glamorgan Vale Retail Park.
 - ii) Pedestrian and cycle linkage (temporary) between the proposed Sainsbury's and existing pedestrian provision at the A473/A4222 junction.
 - iii) New junction serving the Sainsbury's service yard from A473 which shall be left in / left out only in Phase 1
 - iv) A scheme of signage appropriate to Phase 1 of the development to inform road users of the location of the site and to inform pedestrians and cyclists of routes to and from key local destinations.

The details of the above infrastructure shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response. These proposals shall be in compliance with the current requirements of the Designed Manual for Roads and Bridges (HMSO).

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety.

- 64.** The proposed new/replacement Leekes store shall not be occupied until the Southern Boulevard Link Road has been extended to provide access to the service yard and car park and to a new pedestrian access serving Y Pant School in accordance with details to be agreed with Local Planning Authority prior to any works commencing on the proposed Leekes replacement store and the adjacent decked car park. Details of the Southern Boulevard Link Road shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response.

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety.

- 65.** No part of the Phase 2 development (excluding the new/replacement Leekes store) shall be occupied until the following transportation

infrastructure has been completed in accordance with details that shall have been agreed with the Local Planning Authority prior to any other Phase 2 works commencing:-

- i) Signalisation of the A473 Glamorgan Vale Retail Park Roundabout and completion of the Southern Link Road to connect to the A4222 by a signal controlled junction.
- ii) Signalisation of the new junction off the A473 serving the proposed service yards and multi storey car park.
- iii) A new replacement bridge over the A473 to cater for pedestrians and cyclists attracted to the new town centre development or the reconfiguring of the junction to create at grade pedestrian/cycle crossing facilities. The preferred option to be determined by the Local Planning Authority at reserved matters stage.
- iv) Upgrading of Cowbridge Road (A4222) along the site frontage to include a public transport hub designed to promote public transport use and accommodate passenger interchange and enhanced public realm to facilitate and encourage active travel.
- v) A scheme of signage appropriate to the scale of the completed development to inform road users of the location of the site and to inform pedestrians and cyclists of routes to and from key local destinations.

The details of the above infrastructure shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response. These proposals shall be in compliance with the current requirements of the Design Manual for Roads and Bridges (HMSO).

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety and to ensure that adequate public transport infrastructure is provided, to encourage the greater use of more alternative sustainable modes of travel to and from the development.

- 66.** Detail and Method Statement of a car park and on-site traffic management and operation system for each phase (or part thereof) must be submitted to and agreed in writing by the Local Planning Authority prior to occupation of any Phase 2 development. The scheme shall include appropriate measures to ensure that traffic attracted to the development does not form queues that are detrimental to the safe and efficient use of the public highway. The scheme shall include opportunities for annual monitoring of the effectiveness of the layout and measures by which amendments can be secured. The approved management and operation system shall be implemented on a phased basis to the satisfaction of the Local Planning Authority in conjunction with each phase being brought into beneficial use. The management arrangements shall be subject of a review and monitored to the satisfaction of the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic

- 67.** Notwithstanding the submitted details, a Variable Message Sign and Car Park Guidance System shall be provided at the following locations:

- The proposed signalised junction on the A4222 Cowbridge Road;
- Junction of the A4222 Cowbridge Road with the A473;
- A473 Glamorgan Vale Retail Park roundabout junction;

in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation of any buildings (excluding the new/replacement Leekes store) within Phase 2. The approved details shall be implemented prior to beneficial occupation of any buildings (excluding the new/replacement Leekes store) within Phase 2 of the development.

Reason: In the interests of the safety and free flow of traffic.

- 68.** Details of a geotechnical site investigation and appropriate mitigation measures in relation to highway infrastructure within each phase (or part thereof) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the relevant phase. The approved mitigation measures shall be implemented in accordance with the approved details and incorporated into the highway infrastructure.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety

- 69.** Prior to the submission of reserved matters for layout and scale of any phase relating to retail or leisure uses (excluding the Phase 1 supermarket), a schedule of unit sizes shall be submitted to and approved in writing by the Local Planning Authority. The unit sizes should be appropriate to the town centre nature of the development. Reserved matters for scale and layout within any phase relating to retail and leisure uses (excluding the Phase 1 supermarket) shall be in accordance with the approved schedule.

Reason: To ensure a range of retail and leisure uses is provided, appropriate to the town centre development, and to ensure that impact is as assessed by the Local Planning Authority, having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

- 70.** Prior to its installation a full specification of all fixed building plant (within Phases 1 and 2, or part thereof) shall be submitted to and approved in writing by the Local Planning Authority. Installation shall be in full accordance with the approved details.

Reason: In order to ensure that the plant is not of nuisance to nearby residential occupiers having regard to policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 71.** No development shall take place until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) an appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) details of protective measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles, etc.)
- d) details of specific species and habitat mitigation measures
- e) persons responsible for:
 - i) compliance with legal consents relating to nature conservation;
 - ii) compliance with planning conditions relating to nature conservation;
 - iii) installation of physical protection measures during construction;
 - iv) implementation of sensitive working practices during construction;
 - v) regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) specific species and Habitat Mitigation measures
 - vii) provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 72.** No development shall take place until details of the Flood Bund Habitat Mitigation Plan have been submitted to and approved in writing by the Local Planning Authority.

The Flood Bund Mitigation Plan shall include details of;

- a) purpose, aim and objectives of the scheme;
- b) a review of the plans ecological potential and constraints;
- c) the method statement for the careful stripping and (if necessary) storage of SINC grassland soil/vegetation/seed sources to be lost to the Supermarket development, including timescales and plans showing areas from which habitat material will be salvaged and where material will be stored.

- d) the method statement for the replacement of SINC grassland soil/vegetation/seeds onto the newly constructed flood bund.
- e) a 5 year aftercare plan for the translocated flood bund grassland, to include
 - i) techniques and methods of vegetation establishment,
 - ii) method statements for site preparation and establishment of target habitat features;
 - iii) extent and location of proposed works;
 - iv) aftercare and long term management;
 - v) personnel responsible for the work;
 - vi) timing of the works;
 - vii) monitoring;
 - viii) disposal of waste arising from the works;

All construction activities shall be carried out in accordance with the Flood Bund Habitat Mitigation Plan approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 73.** Prior to commencement of development, constructional details, including cross sectional details, shall be submitted to and approved in writing, which demonstrate the line and edge of the flood bund in relation to the adjacent Public Right of Way. A method statement shall also be submitted which demonstrates how the Public Right of Way will remain open, accessible and unobstructed through the course of the construction, in addition to a schedule of the measures which will be employed to ensure that the foot path is not damaged by the construction, unless agreed otherwise in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity and to ensure the protection of the Public Rights of Way in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

Development Control Committee Agenda - 4 April 2013

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**DEVELOPMENT CONTROL COMMITTEE**

Minutes of the special meeting of the Development Control Committee held at the County Borough Council Offices, The Pavilions, Clydach Vale on Thursday, 28 February 2013 commencing at 5 p.m., adjourning at 6.10 p.m., reconvening at 6.20 p.m. and terminating at 7.35 p.m.

PRESENT

County Borough Councillor R.B.McDonald – in the Chair

County Borough Councillors

L.M.Adams	M.Forey	K.A.Privett
P.Baccara	A.S.Fox	(Mrs) A.Roberts
(Mrs) T.A.Bates	M.Griffiths	G.Smith
D.R.Bevan	P.Griffiths	R.W.Smith
H.Boggis	(Mrs) E.Hanagan	G.Stacey
J.Bonetto	G.Holmes	B.Stephens
S.A.Bradwick	G.E.Hopkins	(Mrs) M.Tegg
J.Bunnage	P.Howe	R.K.Turner
A.Calvert	J.S.James	L.G.Walker
S.Carter	(Mrs) S.J.Jones	(Mrs) J.S.Ward
(Mrs) J.Cass	R.Lewis	P.Wasley
A.Crimmings	(Mrs) C.Leyshon	M.J.Watts
W.J.David	C.J.Middle	(Mrs) M.Webber
A.L.Davies, MBE	A.Morgan	C.J.Williams
(Mrs) A.Davies	B.Morgan	T.Williams
J.Davies	M.A.Norris	C.J.Willis
(Mrs) M.E.Davies	S.Powderhill	R.A.Yeo
J.Elliott	M.J.Powell	

Officers in Attendance

Mrs.J.Cook – Director, Regeneration & Planning
 Mr.S.Gale – Service Director, Planning
 Mr.R.Waters – Service Director, Head of Service, Highways, Transportation & Strategic Projects
 Mr.S.Humphreys – Principal Solicitor
 Mr.D.J.Bailey – Development Control Manager
 Mr.S.Zeinalli – Highways Development & Adoption Manager
 Mr.N.Pilliner – Pollution Control & Public Health Manager

198 APOLOGIES FOR ABSENCE

Apologies for absence were received from County Borough Councillors P.Cannon,QPM, A.Christopher, C.Davies, G.R.Davies, (Mrs) L.De Vet, S.M.Evans-Fear, P.Jarman, W.L.Langford, S.Lloyd, K.Montague, K.Morgan, I.Pearce, S.Pickering, S.Rees, S.Rees-Owen, J.Rosser, G.Thomas, M.Weaver, E.Webster, W.D.Weeks and D.H.Williams.

199 DECLARATIONS OF INTERESTS

The following personal interests were declared in relation to Application No.11/1330/13 - Development of new town centre comprising a 10,801sq.m. gross foodstore (Class A1); 8 pump petrol filling station; 35,522sq.m. gross retail floor space (Class A1); 600sq.m. gross café space (Class A1); 1,000sq.m. financial/professional service space (Class A2); 2,390sq.m. gross food and drink space (Class A3); 8 screen cinema; 80 bed hotel; 64 dwellings (Class C2/C3); multi storey and surface level car parking; associated access infrastructure, re-profiling of land, landscaping and flood alleviation works – Land adjacent to Cowbridge Road and A473 (inc. Leekes Dept. Store and the former Purolite Chemical Works Site and the Staedtler Factory Site), Talbot Green, Pontyclun:-

- (1) from County Borough Councillor M.Griffiths – “I am a past member of the Pontyclun New Town Working Group – ceased May 2012, it is also a prejudicial interest but I will, under Paragraph 14(2) of the Code of Conduct, speak on the proposal and then leave the meeting”.
- (2) from County Borough Councillor P.Griffiths – “I have engaged with residents on this application, it is also a prejudicial interest but I will, under paragraph 14(2) of the Code of Conduct, speak on the proposal and then leave the meeting.

200 HUMAN RIGHTS ACT 1998 AND DEVELOPMENT CONTROL DECISIONS

RESOLVED to note, that when Members determine the development control matters before them, they should have regard to the Development Plan and, so far as material to applications, to any other material considerations and when taking decisions, Members have to ensure they do not act in a manner that is incompatible with the Convention on Human Rights as incorporated into legislation by the Human Rights Act 1998.

201 APPLICATION NO. 11/1330/13 – DEVELOPMENT OF NEW TOWN CENTRE COMPRISING A 10,801sq.m. GROSS FOODSTORE (CLASS A1); 8 PUMP PETROL FILLING STATION; 35,522sq.m. GROSS RETAIL FLOOR SPACE (CLASS A1); 600sq.m. GROSS CAFÉ SPACE

(CLASS A1); 1,000sq.m. FINANCIAL/PROFESSIONAL SERVICE SPACE (CLASS A2); 2,390sq.m. GROSS FOOD AND DRINK SPACE (CLASS A3); 8 SCREEN CINEMA; 80 BED HOTEL; 64 DWELLINGS (CLASS C2/C3); MULTI STOREY AND SURFACE LEVEL CAR PARKING; ASSOCIATED ACCESS INFRASTRUCTURE, RE-PROFILING OF LAND, LANDSCAPING AND FLOOD ALLEVIATION WORKS – LAND ADJACENT TO COWBRIDGE ROAD AND A473 (INC.LEEKES DEPT. STORE AND THE FORMER PUROLITE CHEMICAL WORKS SITE AND THE STAEDTLER FACTORY SITE), TALBOT GREEN, PONTYCLUN.

In his report, the Service Director, Planning set out details of the above-mentioned application which was recommended for approval subject to conditions and the applicant entering into a Section 106 agreement.

The Development Control Manager presented the proposal to Members with the aid of overhead slides.

In accordance with adopted procedures, the Committee received the following public speakers:

- (1) Mr.Peter Waldren (Applicant's Agent)
- (2) Mr.John Warman (Supporter)
- (3) Ms.Areesha Shalton (Supporter)
- (4) Mrs.Ann Bennett (Objector)
- (5) Mrs.Claire Williams (Objector)
- (6) Mr.Jim Bradley (Objector)
- (7) Mrs.Judith Toms (Objector)

The Applicant's Agent exercised his right to respond to the Objectors' comments.

It was noted that although Dr.Len Arthur (Objector), Mr.Gareth Barton (Objector) and Mr.Gary Sutton (Objector) had indicated they wished to address the Committee on the application, they were not present at the meeting to do so.

The Development Control Manager reported orally on "late" letters received from Mr.lolo Whelan and Dr.Len Arthur, both objecting to the application.

The Development Control Manager also reported orally on "late" letters received from the following Planning Consultants on behalf of their clients raising further objections and urging the Council to either defer consideration of the application or refuse it:

- CBRE Limited on behalf of John Lewis Plc;
- Turley Associates on behalf of St.David's Partnership;
- DPP on behalf of House of Fraser

The response received from NLP (Retail Planning Consultants acting on behalf of the Council) in relation to the contents of the "late" letters received from the three Planning Consultants was also outlined to the Committee which confirmed that no new issues had been raised that had not already been considered.

The Development Control Manager then highlighted a number of corrections required to the report, as follows:

- Pages 48, 64 and 67 – under Phase 1 highway works, the report refers to the use of the £550K payment for signalisation works – this should just refer to "works" and not signalisation.
- Pages 19, 49, 64 & 67 – under Phase 2 highway works, the report refers to the £1.5m to be paid pre-commencement – this should read "pre-occupation".

The Development Control Manager advised Members that if they were minded to approve the application, the following three additional conditions should be imposed to cover:

- (i) a requirement for a Species and Habitat Management Plan for those areas of the site adjoining areas of retained march land;
- (ii) a requirement for a Flood Embankment Habitat Mitigation Plan; and
- (iii) a requirement for details to show how the flood embankment will take account of the Public Right of Way crossing the Pant March in its construction.

Also, the following corrections needed to be made to the suggested Conditions Nod.3, 8, 18, 19, 33 and 38 outlined in the report:

- Condition 3 (Page 69) – Reference in the list of comprising elements should be made to "Class D1 floorspace comprising 750 sq.m. gross"
- Condition 8 (Page 70) – Reference to the mezzanine level within the foodstore should be omitted given the outline nature of the application where scale and layout are reserved
- Conditions 18 & 19 (Page 74) – should be redrafted to make clear that works of public art will be required within the areas of public realm.
- Condition 33 (Page 77) – after A473 on the second line, the words "for the duration of Phase 1" should be added

- Condition 38 (Page 79) – on the first line within the list of uses, it was necessary to add in “C1” for the hotel and “D2” for the cinema.

The Development Control Manager also informed the Committee that if approved, the application would have to be referred to the Welsh Government, under the requirements of the “Shopping Direction” (Circ. 61/93), prior to any permission being issued – this was due to the application being received before 30 July 2013 which was before the new notification rules came into effect.

Officers answered questions raised by Members regarding the proposed development.

A lengthy discussion ensued when Members expressed concern over the level of congestion in the area, the amount of traffic that may be diverted to the new supermarket and the level of disruption that would be caused by the Phase 2 highway works taking place on the strategic network after the network had already been disrupted by the Phase 1 works as this could have a significant impact on travel in and out of the County Borough with implications for economic well-being which was clearly not good practice/value for money.

Following further discussion, it was **RESOLVED** to approve the application in accordance with the recommendation of the Service Director, Planning subject to:

- (1) the recommended conditions listed in the report being imposed subject to the amendments referred to above in relation to Conditions 3, 8, 18, 19, 33 and 38;
- (2) the three additional conditions referred to above being imposed in relation to a requirement for a Species and Habitat Management Plan for those areas of the site adjoining areas of retained march land; a requirement for a Flood Embankment Habitat Mitigation Plan; and a requirement for details to show how the flood embankment will take account of the Public Right of Way crossing the Pant March in its construction;
- (3) the applicant first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of planning obligation contributions, comprising the following:

Transport/Highways

An overall Transport/Highways contribution capped at **£4.1m**, comprising at

Phase 1: Strategic Highway Improvements

- **£550k** for improvements to the strategic highway network (works to the A4119/A473) to be paid pre-occupation of the supermarket (Sainsbury's); and
- **PreOccupation** of Phase 1 (excluding Leekes): **£1.5m** for highway/accessibility improvements on the strategic network (or works in lieu to the value of - see condition 63); ¹

(ie: £2.05m prior to the occupation of Phase 1)

[Conditions 63 and 65 (related to Phase 1 and Phase 2 Highway works) will need to be amended to reflect Members' request]

¹[NB Officers recommended that this contribution should relate to Phase 2 but Members considered that these works were necessary for Phase 1 to be acceptable]

Phase 2:

- Pre-occupation of Phase 2 (excluding Leekes): **£250k** to mitigate against local highway and transportation impacts;
- Within 12 months of occupation of Phase 2 (excluding Leekes): **£200k** to mitigate against local highway and transportation impacts;
- **£1.6m (max)** of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer).

Affordable Housing

A provision of **13 units** on site shall be made if the provision is to be made on site **or** a payment of **£768k** if the provision is to be sought for off site provision.

The contribution would be forthcoming within Phase 2.

Education

The requirement on the basis of 64 dwellings would be a maximum requirement for a financial contribution of **£559k**.

The contribution would be forthcoming in Phase 2.

Provision of Play Area

A financial contribution of **£64k** or an on site play area provision.

The contribution would be forthcoming in Phase 2.

Ecology and Biodiversity Interests

Within Phase 1 a sum of **£50k** would be paid for the management of the Pant Marsh and within Phase 2 a sum of **£205k** would be paid for the maintenance of the proposed pedestrian link through the Coed y Hendy woodland (which the applicant/developer is to provide), together with the required management of the woodland itself.

Other Contributions

The payment of a financial contribution of **£150k** in order to mitigate impacts to the business/commercial centres of Pontyclun and Talbot Green.

The provision of a pedestrian 'Walk Through the Woods' route through the Coed y Hendy woodland together with the provision of a pedestrian bridge over the Afon Clun.

The applicant/developer to undertake an annual survey and provide an annual report in respect of the structural integrity of the flood embankment across Pant Marsh.

- (4) That the Service Director Planning be authorised to add, remove, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.
- (5) That the matter be referred to the Welsh Government prior to any permission being issued, in accordance with "Shopping Direction" (Circ.61/93).

(Note: Having previously declared personal and prejudicial interests In the above-mentioned application (Minute Nos.199(1) & (2) refer), County Borough Councillors M.Griffiths and P.Griffiths exercised their rights to speak on the application under paragraph 14(2) of the Code of Conduct and then left the meeting for the item).

(Note: County Borough Councillor J.James, M.J.Powell and L.Walker wished to have recorded that they voted in favour of refusing the application contrary to the recommendation of the Service Director, Planning).

**R.B.McDONALD
CHAIRMAN**

The meeting terminated at 7.35 p.m.

APPENDIX B

Committee Report produced for Planning Committee on 28 February 2013

APPLICATION NO: 11/1330/13 (DJB)
APPLICANT: Talbot Green Developments Limited
DEVELOPMENT: Development of new town centre comprising: a 10,801sq m gross foodstore (Class A1); 8 pump petrol filling station; 35,522 sq m gross retail floor space (Class A1); 600sq m gross cafe space (Class A1); 1,000sq m financial/professional service space (Class A2); 2,390sq m gross food and drink space (Class A3); 1,400sq m gross office space (Class B1); 750sq m gross Class D1 space; 8 screen cinema; 80 bed hotel; 64 dwellings (Class C2/C3); multi storey and surface level car parking; associated access infrastructure, re-profiling of land, landscaping and flood alleviation works (Further information comprising - Environmental Statement addendum, Design and Access Statement addendum and revised plans received August 2012) (Transport Assessment Addendum Report received January 2013).
LOCATION: **LAND ADJACENT TO COWBRIDGE ROAD AND A473 (INC LEEKES DEPT STORE, FORMER PUROLITE WORKS AND STAEDTLER FACTORY SITE), TALBOT GREEN, CF72 8XU**
DATE REGISTERED: 17/08/2012
ELECTORAL DIVISION: Talbot Green

APPLICATION DETAILS

This significant planning application seeks outline planning permission for a large scale retail led development on a site which lies immediately south of the A473 and east of Cowbridge Road (A4222), incorporating the former PuroLite and Staedtler factory sites together with the site of the Leekes department store and an area of the Pant Marsh. The site has an area of approximately 19 hectares (47 acres). A copy of the site plan showing its location within the wider geographical context is attached as **APPENDIX 'A'**.

This outline application is submitted for the entire town centre proposal to allow for a comprehensive development to be presented. All matters, with the exception of "access", are reserved for future consideration. The application recognises the need to adopt a phased approach to the development, given its scale and as recognised by the adopted LDP. The application scheme, therefore is presented in two phases. These comprise:

Phase 1 – a supermarket (Sainsbury's) with car parking, associated petrol filling station (PFS) and associated access and infrastructure.

The supermarket will provide 10,801sq.m. (gross external floor area) of which 7,230sq.m. (or 67%) would comprise net sales floorspace, with 4,130sq.m. (or 57%) being convenience floorspace and 3,100sq.m. (or 43%) being comparison floorspace.

The first phase also includes the creation of a new link road forming a southern arm from the Glamorgan Vale roundabout on the A473. This will provide access to the supermarket and PFS via an internal roundabout.

A new priority junction will also be created to the A473 between the Glamorgan Vale roundabout and the Cowbridge Road (A4222) junction to allow for access/egress to the supermarket's (Sainsbury's) service yard.

Phase 2 - the remainder of the town centre development.

Overall the scheme would include 35,522sq.m. (gross internal floor area) of Class A1 retail floorspace (including the new/replacement Leekes store), and in addition 600sq.m. of Class A1 café floorspace; elements of Class A3 (food and drink), Class A2 (financial and professional services), Class B1 (offices) and Class D1 (non residential institutions) floorspace. An 8 screen cinema and 80 bed hotel is also included, together with parking for 2,632 cars (in a deck car park and two multi storey car parks). This figure also includes the 573 spaces within the supermarket (Sainsbury's) car park, but excludes the dedicated 69 residential units spaces. In addition a residential element provides 64 dwellings (comprising a mix of flats and houses).

(A more detailed breakdown of the constituent elements within the development and their size is shown in the table attached as **APPENDIX 'B'**).

The second phase will also see the completion of the new link road providing a through route between the Glamorgan Vale roundabout on the A473 and Cowbridge Road (A4222).

A copy of the illustrative site masterplan is attached for Members' information as **APPENDIX 'C'**).

The applicant has correctly determined that the proposal would, under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 require an Environmental Impact Assessment (EIA) to be undertaken. Such assessments are necessary if a development is likely to have significant effects (be they positive or negative) on the environment. As such, an Environmental Statement (ES) was submitted with the application. The ES sets out the results of the EIA undertaken to consider the likely significant environmental effects of the proposed scheme and is split into three volumes:

Volume 1 – the document which contains the main text and figures (October 2011).

Volume 2 – contains the technical appendices 1.1 to 7.1 referred to in Volume 1 (October 2011).

Volume 3 – contains the technical appendices 8.1 to 15.2 referred to in Volume 1 (October 2011).

A separate Environmental Impact Assessment Non -Technical Summary (NTS) has been produced, giving a summary and overview of the key issues contained within the individual chapters of the main ES (October 2011).

On receipt of the application in November 2011 the following documents, in addition to the suite of plans, were also received in support:

Planning Statement (ref: A064211 WYG Group)

Design and Access Statement (DAS) (Holder Mathias Architects, October 2011)

Statement of Community Involvement (Warwick Emanuel PR, September 2011)

A Transport Assessment (TA) (dated October 2011) was submitted with the application. This was prepared by Savell Bird & Axon (now known as Vectos) and forms Technical Appendix 5.1 of the ES (within Vol. 2).

In addition since the initial submission of the application the applicant has provided the following:

Environmental Statement: Addendum (WYG Group, August 2012)

Design and Access Statement (DAS) Addendum (Holder Mathias Architects, August 2012)

In addition to the August 2012 documents mentioned above the applicant also submitted a number of revised plans, which in some cases supersede previously submitted plans. A full list of these 'new' plans is set out in the applicant's agent letters of 16 and 20 August 2012.

(It was considered that the revised/further information received in August 2012 represented Supplementary Environmental Information (SEI). Accordingly, in compliance with the EIA Regulations a further round of publicity and consultation was undertaken following its receipt).

The ES contains chapters on traffic and transportation; ecology and nature conservation; hydrology and flood risk; socio-economic, retail and leisure issues; landscape and visual impact; archaeology and cultural heritage; public health issues of air quality, noise and lighting; and geology, hydrogeology and drainage visual amenity, hydrology and drainage. The early chapters of the ES also detail the site and its surroundings, the planning policy context and detail how the scheme has evolved from conception having regard to need and alternatives.

SITE APPRAISAL

The extent of the planning application site is shown on the plan attached as **APPENDIX 'A'** and as previously mentioned the site area comprises approximately 19 hectares, which comprises part of the larger SSA8 allocation in the Council's LDP.

The main bulk of the site sits between the A473 immediately to the north and the Y Pant Comprehensive School to the south. Beyond the A473 and now disused railway line to the north lies the Green Park area of housing (inc. Oak Close, Cherry Tree Walk, Llys Catwg, Ash Walk as well as Green Park itself). Also to the north and north east lies the Glamorgan Vale Retail Park, with beyond that the further retail area of the Tesco Extra store and the Talbot Green Retail Park.

The site itself includes an area of Pant Marsh and a field used for grazing pasture at its eastern side. At its western extent the site fronts onto Cowbridge Road and is currently occupied by the currently fully trading and operational Leekes store, together with its associated car parking facilities. The now demolished Staedtler factory stood to the south of the site. The ground floor slabs of these buildings however have not been broken up and are still visible on the surface. The former Purolite factory stood on what is the north western part of the site. These buildings were demolished and cleared some years ago now and works of site ground remediation undertaken. This part of the site appears as currently vacant open land.

The roundabout on the A473, from/to which a new access will be created lies at the eastern extent of the application site. The northern arm of this roundabout currently provides access to/from the Glamorgan Vale Retail Park.

The western boundary of the site is defined by Cowbridge Road (A4222). A number of small scale commercial uses occupy land on the opposite side of Cowbridge Road from the western end of the site. Behind these commercial uses there are a small number of residential properties within Railway Terrace, whose access is taken from Cowbridge Road (A4222) at a point just south of the traffic light controlled junction with the A473.

The southern boundary of the site follows the northern (side) linear extent of the Y Pant site. However, at its south western corner it adjoins the boundary of the Post Office Delivery Office site boundary and that of the single detached residential property called 'Pontyclun Fach', which fronts directly onto Cowbridge Road (A4222). To its eastern extent the southern boundary of the site is created by the line of the new access road and the associated earthworks as it curves round to meet the Glamorgan Vale roundabout on the A473.

As can be seen from the plan attached at **APPENDIX 'A'** a narrow projection of land extends south from the main body of the rest of the site across Pant Marsh, before sweeping to the east and ending close to the northern bank of

the Afon Clun. It is on this area of the site that it is proposed to create a flood embankment. A well used public footpath runs east-west across Pant Marsh, this then follows a line between the Afon Clun and the southern boundary of the Y Pant site before it reaches Cowbridge Road (A4222).

On the southern side of the Afon Clun the land rises quite significantly up to the Coed yr Hendy woodland, with the relatively recently built residential development of Cefn y Hendy beyond.

Ground levels across the site are relatively consistent but generally the higher levels are on the brown field land at the western end of the site and the lower levels on the Pant Marsh at the eastern end of the site. The highest level of around 50.0m AOD is at the junction of Cowbridge Road (A4222) and the A473, whilst at the eastern end of the site on the Pant Marsh the level falls to under 45.0m AOD. There is currently a fall of between 2.0m to 2.5m down from the Glamorgan Vale roundabout onto the Pant Marsh where the new access road will be created.

PLANNING HISTORY

There are a relatively large number of planning application references going back to 1974 which relate to the former Purolite and Staedtler uses/buildings on the site, together with some minor applications (small additions and advertisements etc) relating to the Leekes site/buildings. These are not listed below. Reference below is only made to those application which it is considered are of greater relevance to this current application.

12/1102	Erection of a supermarket (Class A1), service yard, car park, petrol filling station (PFS), new customer access road from A473, with associated development. (land to the south of the A473 and east of the Leekes Dept. Store site).	Application received by the LPA on 22/10/12. Under consideration
05/1514	Variation of condition (no.7 as imposed on permission ref: 04/1820) to allow a raised clean up target for Ethyl Benzene (former Purolite site)	Cond. Perm. 21/07/06
04/1820	Remediation works (involving demolition and removal of all pipe work and buildings apart from the administration building within the site boundary and removal of soil and groundwater contaminants).(former Purolite site).	Cond. Perm. 18/02/05
94/0845	Renewal of outline permission ref: 91/0636, for a development of Class B1, B2 and B8 uses. (part of Springfield Farm, land R/O former Staedtler site).	Cond. Perm. 09/03/95
93/0705	Outline application for Business (Class B1) and Warehousing (Class B8) Development.	Withdrawn 22/07/94

(land south east of Talbot Green, south of New Park and west of the A4119).

91/0636	Class B1, B2 and B8 development. (outline). (part of Springfield Farm, land R/O former Staedtler site).	Cond. Perm. 06/12/91
90/0836	Roundabout to be incorporated in a new highway – Talbot Green Bypass. (land south of Talbot Green and west of the A4119).	Cond. Perm. 21/12/90
89/0664	Roundabout together with adjacent land for industry, business and warehousing uses. (land south east of Talbot Green, south of New Park and west of the A4119).	Cond. Perm. 26/11/90
87/0560	Single and dual carriageway road, junctions and access roads. (land at A473 west of Talbot Green)	No objections 28/07/87

PUBLICITY

The application has been advertised by means of direct neighbour notification letters, site notices and a press notice. The application was given further publicity following the receipt of revised plans and further supplementary environmental information (SEI) in August 2012; and again following the receipt of the Transport Assessment Addendum in January 2013.

In response to the November 2011 round of publicity

28no. letters and/or emails have been received in objection from local individuals. The objections raised are summarised as follows:

- concerned about the adverse economic and social impact on the villages of Talbot Green and Pontyclun;
- any development should be restricted to brown field land only. There should be no development on the Pant Marsh;
- there do not appear to be any plans to secure the proper management of the marsh and woodlands;
- there would be a huge increase in traffic in the area, which at peak times is already a problem not only on the A4119 and A473 but also on roads within Pontyclun Village. The proposed scheme does not make necessary provision for road/highway improvements to cope with the additional traffic anticipated;
- the proposal is for more retail floorspace than allowed for in the LDP;
- will result in greater parking in nearby streets, such as Pant y Dderwen. These problems already exist in the residential streets near the retail stores in Talbot Green;
- the extra traffic will be dangerous for school children going to and leaving Y Pant School;

- class A3 food and drink uses would result in increased litter and vermin to the detriment of residents;
- the scale and height of the proposed buildings is excessive;
- the size of the development is not determined by local need, but by the developers' ambitions. There is already a supermarket in Talbot Green, four small petrol stations within proximity of Pontyclun, sufficient existing retail and office floorspace, more than enough pubs, restaurants, take-aways and cafes, no demand for a 80 bed hotel and there are a number of multiplex cinemas within a few miles;
- the proposed PFS seemingly makes no provision for LPG vehicles, which help the environment by cutting harmful emissions;
- it is feared that approval of this scheme is a foregone conclusion;
- it is unclear as to how the scheme will 'regenerate' the local area it will not create wealth for local businesses. It is a flawed perception that the development will generate local prosperity;
- calling the proposed scheme a 'new town centre' does not hide the fact that it is an 'out of town' centre, much like McArthurGlen;
- it will lead to the loss of local shops/businesses to the detriment of the whole area;
- job creation figures are used disingenuously by the developer. It would be interesting to know how many full time jobs would be created by the scheme;
- a vast amount of delivery traffic will be generated on top of all the customer traffic adding to existing problems;
- the development is unnecessary and will to a 'clone' town;
- adverse environmental impact from unsustainable construction methods;
- the joining of three valleys towns into a single sprawling urban mass;
- the long term prospects for the site and the likelihood it will be a run-down wasteland in 50 years;
- reduction in my quality of life by reason of loss of well used and valuable green spaces and significant increases in traffic through the village of Pontyclun;
- increase in noise pollution from additional traffic, deliveries and from the cinema and late night bars;
- concern regarding ground contamination under the former Purolite site;
- concerns of privacy and security for the residential properties in New Park, adjacent to the A473 opposite the proposed development;
- fear of an increase in crime;
- increased levels of dust pollution;
- additional housing will put an even greater strain on existing schools and health care facilities;
- the proposed retail development will make the area like Culverhouse Cross in Cardiff, effectively a no go area;
- the scheme does not provide for adequate pedestrian or cycling access;
- the nature and design of the scheme is a misrepresentation;
- the proposed plans show a block of flats between 17-19m high 10m away from my property. These will tower over my house and lead to a

significant loss of residential amenity, by reason of loss of privacy, loss of light and a clear over-dominance;

- loss in property value.

A letter (dated 14 December 2011) received from **Owen Smith MP in which he supports the objections** raised by the Pontyclun New Town Working Group.

In particular he agrees with the Groups observations that the development should provide increased pedestrian and cycling opportunities, as a fulcrum between Llantrisant, Pontyclun and Talbot Green. He further, in particular supports the PNTWG's concerns that the development should be more sustainable and shouldn't extend into green field areas. The Pant Marsh and Coed y Hendy should be protected.

Support is also given to the PNTWG's view that the scale of the proposed buildings is excessive with the heights being proposed.

The PNTWG's engagement with the local community has been extremely useful and I would urge the Council to work with them in order to ensure meaningful consultation.

1no. letter/email in support of the application has been received. The points raised are summarised as follows:

- pleased with the proposed new development for the employment it will generate for the area, but am disappointed at the poor provision made for cyclists and pedestrians.

3no. letters from professional Planning and/or Transport Consultancies on behalf of clients, as follows:

Turley Associates (on behalf of St. David's Partnership (SDP))

Submitted a letter (dated 1 December 2011), stating that a full response will be received when opportunity has been had to fully consider all the application information.

CB Richard Ellis (CBRE) (on behalf of John Lewis Plc)

Submitted a 'holding' letter (dated 19 December 2011) of **objection**. It was indicated that a fuller letter, submitting a full objection would be submitted in the New Year. The points raised in the letter are summarised as follows:

- we are reassured that RCT have invited Cardiff Council to comment on the application (as an adjoining LPA) but feel it necessary to express the concerns of John Lewis who have anchored St. David's 2 since its opening in September 2009 and are committed to continuing their investment in Cardiff;
- have serious concerns for the implications of permitting over 35,000sq.m. of comparison retail floorspace as part of a new town centre at Talbot Green, within 12 miles of Cardiff City Centre;

- the creation of the new retail floorspace at Talbot Green will have significant adverse impacts on the vitality and viability of Cardiff and its ability to compete with other centres in the Region;
- the RIA study uses retail assumptions which are now out-of-date, it doesn't properly assess the impact on Cardiff, does not consider a regional hierarchy or appreciate that the supply of retail units exceeds demand.

Transport Planning Associates (TPA) (on behalf of RREEF (a real estate division of Deutsche Bank) and SWIP (Scottish Widows Investment Partnership))

Submitted an **objection** letter (dated 28 December 2011) with a technical audit of the traffic and transportation elements of the application. A copy of their technical note (which raises more technical points) was also submitted with the letter. The letter indicates that in their opinion:

- the applicant fails to provide sufficient technical information and assessments to support their development proposal;
- the proposal is inadequate in terms of pedestrian access and public transport provision;
- the proposals fail to take into account Welsh Government's transport hierarchy approach in PPW;
- the application is inadequate in its content and formal assessment. Our Technical Note identifies deficiencies regarding the scope, methodology, modelling and network tested within the TA;
- we consider that a decision based on the information submitted would be flawed and open to potential future challenge.

Letters have also been received from the following Groups and Organisations:

The Rhondda Cynon Taf Chambers of Trade & Commerce – who write **raising objection** to the retail element of the application, on the basis that:

- PPW states that new development should not undermine the vitality and viability of existing retail centres;
- there is already an acknowledged problem of empty shops on our High Streets;
- We are in a period of no/very low economic growth which means that the demand and spending power is not there to support the development;
- the only sector with the power to grow/expand in the current climate are the large supermarkets;
- approval would defeat the spending of resources on regeneration schemes in town centres which is supposed to attract new business to these established centres;
- the recently published Mary Portas Report confirms the need to support High Streets and not allow further out-of-town development;
- High Street trade is already being affected by online buying/selling.

Aberdare & District Chamber of Trade & Commerce – who **raise objection** to the application, on the basis that:

- Aberdare is a clear example of the danger of putting out-of-town developments close to an existing centre without regard to spending power in the area;
- the town has required millions of pounds spent on it in an attempt to regenerate it after the development of Tesco, Asda and Lidl;
- we are in a period of no/very low growth which means that the demand and spending power is not there to support the development;
- existing well known retail chains are failing and even Tesco profits are declining in the current climate.

Pontyclun New Town Working Group (PNTWG) (who confirm that PNTWG is comprised of a group of Pontyclun residents which has worked with the local community to identify their aspirations and fears for the site. Two public meetings have been held and 340no. responses to a local questionnaire have been received by PNTWG) – **raise objections** to the application as they consider that the specific actions set out in the application do not meet in several crucial respects many of the key attributes set out by the applicant. The points made are summarised as follows:

- the site is not well connected;
- the highway network that will serve the development is already heavily congested, especially the A4119/A473 intersection. The highway mitigation works offered by the applicant are not sufficient to deal with the issue;
- Pontyclun village suffers from traffic congestion for large parts of the day. The applicant provides no solution or mitigation for the increased traffic that will use Cowbridge Road (A4222);
- poor provision is made for pedestrian and cycle access to/from the proposed development;
- development on the 'green field' of Pant Marsh is not justified. The marsh has SINC status and should be protected;
- the proposal is for significantly more retail floorspace than specified in the LDP;
- there is support for a Phase 1 supermarket, as this would provide competition for the existing Tesco store. However, this should not take place on the 'green field' it should take place on 'brown field' land;
- the applicant has not clarified how habitat management will be financed or undertaken;
- the seeming reliance on car borne shoppers defeats the environmental/sustainability objective of seeking to achieve BREEAM Excellent in the development construction;
- a high quality design using high quality materials should be expected in this area;
- the proposed height of buildings at up to 22m is not consistent with existing development and will be detrimental to local views and residents;
- the applicant should not be allowed to complete Phase 2 before 2016 as there is not sufficient demand;
- the scheme (with the exception of the cinema) does not provide for non-retail users of a 'town centre' would expect to find;

- the development could have devastating effects on the villages of Talbot Green and Pontyclun as it is likely to draw shoppers away from these village centres to the detriment of their vitality and viability.

Pontyclun Action Group – have **raised objection** to the application. Their objections are summarised as follows:

- we have seen no proposals to ensure that the village centres of Pontyclun and Talbot Green will be maintained and their businesses sustained;
- existing traffic problems on the A4119 and A473 and through Pontyclun village will be exacerbated during construction and after completion;
- we understand that there is toxic waste buried in the area of the former Purolite factory;
- the development will have a negative effect on the River Ely and Afon Clun, resulting in potential flooding issues;
- we feel the development is not a 'town centre' but is more accurately described as a 'shopping centre'.

In response to the August 2012 round of publicity

A further **14no. letters/emails of objection** have been received.

Within this number 9no. are further letters/emails from people who wrote in response to the November 2011 round of publicity and whose objections are summarised above (also two of these nine letters are from the same author). Within these letters/emails most of the issues are raised that are covered by the summary of the original 'November 2011' objections. However, a number of 'fresh' points are made:

- further research undertaken by Deloitte's (Store of the Future Report) since December 2011 confirms that internet shopping is expected to grow by 40% over the next 5 years, which raises serious questions about the applicant's model and future demand;
- a town centre should be an area of free open space. Concerns are raised that the freedoms of public open space will not apply within this development;
- instead of considering a new town development the brown field area could be used as an order pick-up point for internet shoppers;
- the revised application and renewed consultation was very revealing of the priorities accorded to local people in the planning process (with the inferred suggestion that the suggestions and views of local people have been and will be largely ignored);
- the 'revised' application shows little sign of any substantial change and therefore I find it entirely appropriate to submit the same letter of objection.

5no. of the 14no. letters are from local individuals who did not write in response to the November 2011 round of publicity. It is considered that the objections raised within 4no. of these letters/emails have been satisfactorily covered by the summary of objections summarised above (under the

November 2011 responses). The 5th response is the same as the further letter of objection submitted on behalf of the Aberdare & District Chamber of Trade and Commerce which is summarised below.

A further letter received from **Owen Smith MP (on behalf of the residents of the eleven properties, nos 6-24 (evens, inc 18a) Cowbridge Road, Brynsadler, Pontyclun) which expresses concerns** regarding the anticipated increase in traffic through Pontyclun, which it is considered will add further pressure to already problematic road conditions

A further **2no. letters of support** have been received.

One writer expresses support for the development but states that it must have a name and suggests 'Pant Meadows'.

The other supporter makes the following points:

- fully supportive of the proposed development provided that changes (specified in the letter) are made to the proposed highways arrangement;
- the provision of a Sainsbury's will not only increase retail competition but will alleviate traffic congestion problems which occur at peak times at Talbot Green Retail Park;
- some vocal self interested people are scare mongering by saying that the development would have a negative effect on the shops in Pontyclun. If this were to happen it may reduce traffic congestion in the village which would be a benefit.

One email has been received in which the writer does not express a clear view either in support of or objection to the proposal. He suggests that the outcome of the application is a "done deal" as of many years ago. He further queries that as the development is being referred to as a new town centre can the Authority be specific on which town.

A further **letter of objection** (dated 18 September 2012) has also been received from CB Richard Ellis (CBRE) (on behalf of John Lewis Plc). In addition to their original letter of 19 December 2011 they make a number of further points, which are summarised below:

- we do not consider that the application accords with the Council's LDP;
- in respect of the proposed size of the development the scheme seeks to provide a greater quantum of floorspace than allocated within the LDP. It thus represents an overdevelopment of the site;
- the applicant's proposed phasing of the development is not consistent with the requirements of the LDP and represents an oversupply of new retail floorspace too early in the plan period;
- we do not consider that the applicant's assumed primary shopping catchment area (PCA) accords with Welsh Government advice in TAN4 as it does not go beyond the Rhondda Cynon Taf local authority

boundary. In our opinion the PCA should also have regard to centres to the south, including Cardiff;

- the applicant's quantitative assessment relies on a 2008 study which we consider out-of-date;
- the sales density of Sainsbury's, which are based on 2010 data, are also questioned;
- the applicant's assumptions do not reflect the current economic climate and over estimate current available expenditure, which is concerning given that a £3.02m expenditure shortfall is already identified;
- the Council should have regard to the regional importance of Cardiff City Centre and that any 'claw back' from that centre also equates to an impact on that centre.

A further **letter of objection** (dated 26 November 2012) has also been received from Turley Associates (on behalf of St. David's Partnership). This letter has been sent further to their initial letter of 1 December 2011. The objections raised are summarised below:

- it is not considered that the applicant's supporting material relating to retail and leisure impacts is sufficiently detailed or robust to enable the LPA to properly evaluate the impact of the proposals;
- the applicant relies upon data set out in an out-of-date assessment and the need for the development has not been adequately demonstrated;
- failure to allow for changing circumstances and cumulative effects;
- failure to assess solus, combined and cumulative impacts on individual town centres as required by PPW – the focus on zones rather than centres is inappropriate;
- failure to explain where a significant proportion of the trade diversion will originate and the associated implications for the wider sub-regional area, including impacts on Cardiff and Bridgend;
- RCT should not proceed to determine the application until such time as these issues have been considered and addressed fully.

A **letter of objection** (dated 15 January 2013) has also been received from DPP (on behalf of House of Fraser). The objections raised are summarised below:

- whilst acknowledging the LDP allocation it is considered that there are material considerations in this case that tip the planning balance in favour of a refusal;
- the application relies upon retail capacity information which dates back to November 2006 and no evidence base update has been carried out;
- the submitted retail evidence base fails to include areas to the south both within the Vale of Glamorgan and Cardiff;
- the retail analysis submitted by the applicant makes no attempt to update, what are now considered to be out-of-date expenditure growth rates, which is a serious shortcoming. PPW clearly indicates that current circumstances, such as the current adverse economic conditions, can represent material considerations;

- the absence of an up-to-date examination of the likely retail impact in relation to Pontypridd should dictate a refusal of planning permission. The information submitted does not take into account the fact the 'Riverside Scheme' on the former Taff Vale site has been "abandoned" leaving Pontypridd open to an even greater impact of trade diversion to Talbot Green;
- the figures given for the turnovers of existing centres (Tonypany, Treorchy and Porth) are assigned as 'benchmark' turnovers, which it is considered are not robust and do not give an accurate picture;
- 'health checks' undertaken by WYG include information that is now 3 years old. Up-to-date information in respect of vacancy rates should be required;
- it is essential that the impacts on individual centres (Bridgend and Cardiff) and specifically identified and the trading impacts quantified, as required by PPW.

A further **letter of objection** (dated 25 November 2012) has also been received from Aberdare & District Chamber of Trade and Commerce. Their additional comments are summarised as follows:

- PPW clearly states that new development proposals should not undermine existing retail centres;
- the required spend capacity to support the proposed development is just not there;
- the development if allowed will not only weaken existing town centres, which are already struggling, but also existing supermarkets.

A further **letter of objection** (dated 18 September 2012) has also been received from Pontyclun New Town Working Group (PNTWG). Their additional comments are summarised as follows:

- it is noted that the amended application almost exclusively seeks to respond to points of negotiation between the developer and RCT. Consequently, we are concerned that the opportunity to respond positively to the many points raised by the local community has been lost. It is with regret therefore that we feel the need to repeat all the objections made in our initial letter;
- the inclusion of a pedestrian path from Cefn yr Hendy through the Coed yr Hendy woodland and across the Afon Clun is welcomed. However, we remain disappointed at the lack of footpath connectivity from Glamorgan Vale Retail Park and Talbot Green Retail Park;
- it is hugely disappointing that the scheme does not include a proposal for a cycle route on the disused rail line and this should have been included as part of the revised application;
- the revised application for the first time offers an indication as to what the scheme will look like from the A473. The illustration is "truly horrendous" and invites comparisons with the Berlin Wall. This is not the design of a welcoming and publicly accessible 'new town centre';
- retail trends are changing with ever greater internet sales. To locate Phase 1 on the green field site in such circumstances is irresponsible. It should be on the brown field land

In response to the January 2013 round of publicity

In response a further 4 **letters/emails of objection** were received. All the letters emails received were from third parties who have previously submitted objections following earlier rounds of consultation. The comments in the main re-affirm previously expressed highway concerns and are summarised as follows:

- residents close to Talbot Green Retail Park suffer greatly from on-street parking. Can we have double yellow lines on the road leading into the Pant y Dderwen estate ?;
- the TA is not clear and is very technical. Accordingly it is very difficult for a lay person to understand. Therefore it is not considered that this amounts to meaningful consultation, enabling local residents to properly respond;
- the TA is difficult to understand and it is not clear that traffic on the A4119 has been taken into consideration;
- the TA's have not been carried out in accordance with WG guidance, WeITAG. The approach is totally inadequate and is based on incorrect data;
- further options should be sought and considered in respect of the A473 and Cowbridge Road junction;
- assurance is sought that the development will not lead to a greater flooding risk for our property.

A further email **letter of objection** has been received on behalf of the Pontyclun New Town Working Group (PNTWG) and their further concerns are covered by the summarised points above

CONSULTATION

Transportation Section - considerable discussions were held with the site developers over a period of several years prior to the submission of the planning application. These included transport matters such as transport mitigation measures (new roads and junctions), principles of access on to the strategic highway network, parking spaces, pedestrian and cycle access and public transport provision.

The planning application was supported by an Environmental Statement, which included a Transport Assessment (TA). The TA covered a wide variety of issues including the following main topics:

- Existing conditions;
- A sustainable transport appraisal;
- Details of the development proposals including new and improved highway proposals;
- A quantitative analysis covering details of additional trips generated and their distribution across the road network;

- A highway capacity assessment for the opening years of each main stage of development and a future design year, including the main junctions at each site access;
- A scheme to make some minor improvements to the A4119/A473 junction as an alternative to the payment of transport tariff;
- A justification of the adequacy of the car parking proposals

The TA identified a number of proposals to provide works to mitigate any adverse transport effects of the development. These included:

- On site parking (573 parking spaces for the foodstore, 328 spaces in the decked car park; circa 1,730 spaces in the shopping centre multi storey car parks and 69 spaces to serve the residential units. Cycle parking was also to be provided at appropriate locations;
- A highway improvement scheme to the Glamorgan Vale roundabout on the A473 forming one of the primary means of access to the site;
- A new signal controlled access to the site from the A473 200m east of the A4222 Cowbridge Road junction;
- An amended signal controlled junction at the A4222 Cowbridge Road/Talbot Green By Pass intersection;
- An extension the 40 mph restriction on the A473 to a point east of the Glamorgan Vale Roundabout;
- A possible at grade pedestrian crossing over the A473, though it was recognised in the submission that this may need to be replaced with a footbridge, should the proposed rail service reintroduction on the adjacent Beddau line come to fruition;
- A new link road/Southern Boulevard connecting the A473 Glamorgan Vale Roundabout with a signal controlled junction on the A4222 Cowbridge Road;
- New pedestrian links to the north of the site via the crossing facility referred to above;
- A wider footway and new footway/cycleway on the western/eastern sides of Cowbridge road;
- New bus stops and taxi bays on Cowbridge Road;
- A facility for local bus services to enter the foodstore site;
- A travel plan.

In addition, subsequent discussions regarding the TA have produced agreements in relation to the provision of a car parking management plan and a detailed development and servicing plan

The highway capacity assessment concluded that the impact would be minimal. In addition, the report queried the validity of the Council's Transport Tariff approach and also proposed an alternative approach where the developers would fund some relatively minor improvements to the A473/A4119 junction that they had identified within the TA. Consequently, they reserved their position regarding payment of the tariff or direct works and indicated that they intended to discuss the issue further with the Council.

In order to put themselves in a position whereby they could provide appropriate advice to Members when the matter came to be discussed at Committee, transportation officers were required to seek detailed advice regarding the adequacy, acceptability and reasonableness of the detailed transportation information submitted in support of the application. In particular, it was necessary to determine whether the proposed mitigation measures and tariff payments were sufficient to counterbalance any adverse effects of the development and make the development acceptable in transportation terms. As a result, Capita were commissioned to undertake a thorough review of the relevant documentation – in particular the transport assessment forming Technical Appendix 5.2 to the Environmental Statement. In view of the importance and potential loss of income, Capita were instructed to provide suitably experienced personnel and provided their Director of Transport Planning from their London office to provide much of the advice. The initial brief supplied to them asked them to undertake the following work:

- Provide advice regarding the validity and implementation of the transport tariff, including any variations that should be made to the supplementary planning guidance;
- Undertake an initial overview of the transport assessment and provide feedback to the Council;
- Undertake a detailed review and assessment of the transport assessment and the travel plan. To determine whether a robust assessment has been undertaken of the traffic and transport impact of the proposals. Any deficiencies in the TA would be identified;
- Assist RCT in preparing a response to the developers' consultants.

The response received from Capita identified a significant number of detailed issues relating to the TA. Many of these were minor, but others but others were of greater concern. There followed a period of detailed discussions between the two parties in which further information and justification was requested from the developers' consultants and differences in opinion were aired. This resulted in an Addendum to the TA being produced (TAA). Capita were again asked to review this in detail. There then followed a further series of negotiations with the developers and their consultants regarding the details of the TA and TAA, the mitigation measures to be provided, the transport tariff and the timing of any payments to be made.

The outputs from this process were:

- An agreed schedule of payments in relation to the transport tariff and for other mitigation measures;
- A further report on the appraisal of the TA and TAA by Capita considering the resolution of the outstanding issues;
- An assessment by Capita of the Council's Transport Tariff SPG and their suggestions for amendments to improve its robustness in similar situations in the future;
- A final recommendation as to how RCT should deal with this planning application (approve / refuse) from a Highway Authority perspective and the reasoning/evidence to support the recommendation;
- An agreed schedule of matters to be covered by a section 106 agreement;

- A recommended set of planning conditions.

The schedule of payments agreed with RCT officers, and would be included in any S106 agreement, is set out below:-

- Before occupation of Phase 1: £550,000 for improvement to the strategic network (or works in lieu to the value of £550k at the A4119/A473 roundabout);
- Pre commencement of Phase 2 (excluding Leekes): £250,000 to mitigate against local highway and transportation impacts;
- Pre occupation of Phase 2 (excluding Leekes): £1,500,000 for highway/accessibility improvements on the strategic network (or works in lieu to the value of);
- Within 12 months of occupation of Phase 2 (excluding Leekes): £200,000 to mitigate against local highway and transportation impacts;
- Top up as discussed (ie, Capita formula, based on expected retail turnover, with account taken of modal shift and subject to an overall transport contribution of £4,100,000).

Funding or works to the strategic network will be targeted to the A473 and A4119, whilst local mitigation (£450k total) will deal with issues such as improved walking and cycling links, public transport, residents parking zones and local traffic congestion issues.

The TA/TAA negotiations have now been concluded and have been resolved or will be addressed by means of conditions or S.106 Planning Obligations. It is felt that these are not of sufficient importance to warrant a refusal of the planning application.

Issues that should be covered in the Section 106 agreement or as planning conditions include the following main issues:

- Improvements to the existing junctions on the A473 and A4222 and the internal link roads within the site;
- The footbridge over the A473;
- Active signage;
- Construction requirements;
- Site wide pedestrian and cycling strategy;
- Travel plan including targets, monitoring and penalty payments;
- Car park management plan;
- Development and service plan.

Accordingly, **no objections** are raised subject to the imposition of conditions and the applicant first entering into a Section 106 Agreement.

Countryside Council for Wales – no objections raised, subject to the imposition of appropriate conditions and the applicant first entering into a S.106 Agreement in order to ensure that:

- the ongoing appropriate management of these (Pant Marsh and Coed y Hendy) areas and the retained areas of SINC habitat are managed in

the long term (25 yrs or more) are properly funded and enforced through appropriate conditions and a S.106

Environmental Agency Wales – advise on general matters and the specific issues of flood risk (including in this case the provision and form of the proposed flood embankment); land contamination and pollution prevention; biodiversity; and, water resources. **No objections** are raised subject to the imposition of conditions, informative notes.

Dwr Cymru/Welsh Water – **no objections** are raised subject to the imposition of conditions and informative notes.

Western Power Distribution – a plan has been provided showing existing WPD apparatus in the vicinity of the site. **No objections** have been raised.

Wales & West Utilities – no comments have been made.

Public Health & Protection – advise on matters of demolition of existing buildings; noise; dust; disposal of waste; contaminated land; air quality; lighting and odours. **No objections** are raised, subject to the imposition of appropriate conditions.

In respect of the PFS element of the application a separate response has been received from the Petroleum Licensing Officer (within PH&P). He has confirmed that there are no observations at this stage, subject to the PFS being designed in accordance with the APEA/IP publication 'Design, Construction, Modification, Maintenance and Decommissioning of Filling Stations (3rd Edition) June 2011.

Countryside Section (Landscape & Ecology) – the EIA undertaken, which includes the full scope of ecological surveys required, in support of the application has underlined the ecological importance of the Pant Marsh. The proposed development has a significant impact on this habitat and the mitigation package to address these impacts will need to be robust and effective.

In respect of protected species it is accepted that the surveys undertaken do not indicate that there is any presence on the site which should be an over-riding constraint to development.

In respect of the impacts of the scheme and the proposed mitigation measures it is noted that the impact on the marsh will be somewhat greater than anticipated at the LDP examination hearing given that a flood bund is now required across the marsh. Pant Marsh, it is considered, will be affected by increased public use, disturbance and lighting impacts. The proposed walk/path through Coed Yr Hendy will have a lesser impact but will lead to some habitat loss.

Subject to comprehensive Habitat Management Agreements for both Pant Marsh and Coed y Hendy, for a minimum period of 25 years, to be covered

within any S.106 Agreement and the imposition of conditions **no objections** are raised.

Land Reclamation & Engineering (Drainage) – no objections raised subject to the imposition of conditions.

Business Support & Development Manager – comments as follows.

The proposal represents a significant private sector led proposal which should have a positive economic impact.

The proposal offers the potential to realise significant job opportunities both in the construction sector, retail sector and leisure sector. There will also be potential employment opportunities in the professional services field.

Whilst the proposal may have some impact on surrounding local shopping centres I trust that the planning officer has satisfied himself as to the retail impact through consideration of the impact studies that have been carried out.

The proposal will not only provide a local retail/leisure focus to the area but has the potential to attract a wide user base from the surrounding areas thereby increasing economic activity and visitors to the area.

Development of this nature is supported by the aims outlined in the Councils Community Plan. The proposal also reflects aspirations contained in the emerging Councils Single Integrated Plan making Rhondda Cynon Taf an attractive proposition by ensuring opportunities exist for the development of major new commercial development in the area.

The draft Economic Regeneration Strategy (ERS) prioritises action to support the development of sustainable employment and concentrates on making the most opportunities to create an environment where businesses want to locate and are able to thrive and grow making RCT more attractive to investors, visitors and local people. Other priorities in the ERS which this project contributes to are: Developing RCT as a location for new business and investment, Regenerating Town Centres, Helping local people find jobs and Improving Transport to support Economic Development.

Overall this development represents a significant opportunity to contribute positively to the economic regeneration aspirations and policies of Rhondda Cynon Taff.

Education & Lifelong Learning – no objections are raised. Both primary and secondary sectors are at a premium in this area and there is no spare capacity in local schools. Accordingly, S.106 contributions will be required in compliance with the adopted LDP Supplementary Planning Guidance (SPG).

(Members are advised that Education officers have been involved in meetings as the scheme has evolved in order that they were clear as to the potential impacts on the school site. Further, it is known that the applicant has also met

with representatives of the school governors in order that they are fully compliant with the nature of the proposals).

Housing Strategy – no objections have been raised on the basis of there being 64no. units and a provision of 20% Affordable Housing, securing 13no. units

WG (Highways) – no objections or comments have been raised.

Sustrans - it is important that pedestrian and cyclist connectivity and permeability, together with public transport movement, is carefully considered in the scheme development.

The Coal Authority – the Coal Authority is satisfied with the broad conclusions of the Environmental Statement, informed by the site investigation works; that coal mining legacy issues are not significant within the application site and do not pose a risk to the proposed development. Accordingly, the Coal Authority **does not object** to the proposed development.

Glamorgan Gwent Archaeological Trust Ltd – no objections are raised to the application. However, the need for archaeological mitigation is identified and it is requested that if approved a condition be imposed requiring the applicant/developer to undertake an intensive 'Watching Brief'.

South Wales Fire & Rescue Service – no objection has been raised to the application. However, it has been indicated that at an early stage the developer should consider the need for the provision of a) adequate water supplies on site for fire fighting purposes; and b) access for emergency fire fighting appliances.

South Wales Police (Crime Prevention Design Advisor) – have advised that a development of this nature and scale has the potential to increase the demand on all the partner agencies within the Community Safety Partnership (CSP). To mitigate and manage this additional demand on resources, it is absolutely imperative that the design creates a safe environment that ensures visitors and residents feel comfortable in their surroundings. In seeking to secure this goal **no objections** have been raised to the application. However, it is requested that a condition is imposed requiring the development to comply with the stated guidelines and principals of 'Secured by Design'. In addition, it is suggested that the CSP will be looking towards a S.106 contribution towards the costs of providing services for this development.

Bridgend County Borough Council – have responded both as an adjoining Planning Authority and as an adjoining Highway Authority. In both responses it is confirmed that **no objection** is raised.

Cardiff County Council - has **no objection** to the proposed development.

Vale of Glamorgan Council – confirm that the Authority wishes to **object** to the proposal for the following reason(s):

- The retail impact assessment submitted with the application makes no reference to any towns in the Vale of Glamorgan including Cowbridge or Barry and in particular impact on retail expenditure in the Vale with specific reference to impacts on the retail centre at Cowbridge. These centres within the Vale are at least as close to the proposed development as centres that have been examined such as Tonypany and Ferndale, and should have been included in any assessment. Accordingly, the Vale of Glamorgan considers that the currently submitted assessment is flawed and does not properly deal with the possible impact of the development upon the retail centres in the Vale of Glamorgan; and,
- The TIA has failed to consider use of the A4222 to Cowbridge and it is considered that the development will generate a significant percentage of additional traffic along this road through Aberthin and Ystradowen. No discussion has taken place with this authority as highway authority to test the robustness of the assumed distribution model. As a consequence the impacts on the settlements in the Vale along the A4222 and other minor roads cannot be determined. There are concerns regarding traffic speed and highway safety.

Llantrisant Community Council – Initially made **no comments for or against the proposal**, as it was considered any such views should have been expressed at the time of the proposed LDP allocation.

In a subsequent letter however, the Community Council strongly urge that changes to the highways come forward in Phase1 and as proposed, in Phase 2. They say the current road structure already struggles to cope with the demands of the neighbouring retail parks and the planners figures of an additional 25 cars per week, hardly seem sufficient to open a new superstore. To improve the highway infrastructure at the initial stage will actually benefit both the new stores and local residents.

Talbot Green residents suffer from workers at the existing shops parking in residential streets. This is the time to pre-empt this problem from happening with the new development. For the size of stores proposed there appears to be an alarming lack of staff parking provided. Please can this issue be addressed before any proposals are approved.

The Community Council would wish to be informed of any agreements made under Section 106. As a Community Council we are very keen that some funds would be used to shore up the river bank beside PROW no. 313.

Pontyclun Community Council – **raises objection** to the application. The Community Council have submitted a detailed 10 page letter in which they set out their concerns regarding and objections to the proposed development. These are summarised as follows:

- The amended application appears to have little effort to seek to respond to the points of concern raised by the local community. This does not reflect well on the priorities of the developer or RCT and raises serious questions about the validity of the consultation process.
- It is considered that the most significant threat to the community of Pontyclun is the potential impact of the proposed development on the viability and vibrancy of the village of Pontyclun.
- The development does not look like a town centre it resembles an out of town shopping centre.
- The application does not, in several crucial respects, meet the key attributes of the development as the applicants themselves set out in their Design & Access (DAS) statement.
- The development is not well connected, in that it is detached from local communities and lacks satisfactory links for the needs of pedestrians and cyclists. The application is at best vague in detailing how it intends to provide new and well planned pedestrian links. The provision of new and improved cycle routes/links, including the re-use of unused rail line should be a requirement of the proposed development not an aspiration.
- The area already suffers from heavy traffic congestion, in particular the approaches to the A4119/A473 junction. The proposed development will exacerbate these problems. In addition, the applicant offers no suggestion as to how the additional traffic (30% using the applicant's figures) which would approach the development from Pontyclun village, using the A4222 would be catered for. This road also suffers from congestion for large parts of the day.
- The extent of the application site should be contained within 'brownfield' land (ie the Leekes site, together with the former Purolite and Staedtler sites). It should not include the incursion onto the 'greenfield' land of Pant Marsh which is environmentally sensitive (it is protected by SINC status).
- The design of highway improvements should be done so as not reduce the area of the Pant Marsh.
- The foodstore proposed as Phase 1 should take place on the 'brownfield' land.
- Whilst the applicant has prepared a habitat management plan it is not confirmed who will finance any management regime.
- The applicant's ambition to achieve a BREEAM rating of excellent is welcomed. However, until such time as it can be demonstrated that the proposed development will be less car dependent the environmental credentials of the scheme are weak.
- The use of innovative design and high quality materials for Phase 2 is welcomed. However, this should be expected in any case and these should not be elements that are subsequently diluted, as has been the case in other developments. In respect of the visual illustrations for the northern frontage (ie the view of the development from the A473) however, the illustration is "truly horrendous" and will invite comparisons with the Berlin Wall. It will not be the design of a welcoming publicly accessible 'New Town Centre'.

- The larger buildings within the development will be too high and out of scale with existing residential and commercial buildings in the area.
- Thought should be given to the use of green roofs within the scheme. This would have the benefit of improving views from higher vantage points to the north and being more environmentally sensitive.
- It should be ensured that Phase 2 is not allowed to be built until such time as there is adequate expenditure demand exists within the area. This was clearly the intention of the Inspector in considering the LDP allocation. At this time it is not considered that the required demand is there.
- The scheme does not provide the range of uses (ie theatre, arts centre, community meeting rooms) that would be anticipated within a town centre.
- The proposal could have devastating effects on the villages of Pontyclun and Talbot Green. It should be ensured that the new development enhances these existing centres with resources ploughed back into mitigating any negative impacts.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

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. Key criteria that will be considered in seeking to achieve this aim are identified.

Policy CS3 – in order to promote sustainable growth this policy allocates a number of specific ‘Strategic Sites’ across the County Borough for the development of a mixture of large scale residential, employment, retail and recreational purposes (Mwyndy/Talbot Green Area is identified as site no. 7 (Policy SSA8)).

Policy CS4 – sets down the requirement for the development of new dwellings within the County Borough during the plan period. Of the 5,000-5,450 units identified to be provided across the Strategic Sites the Mwyndy/Talbot Green Area site should provide 500.

Policy CS5 – confirms the need for the housing requirements identified in Policy CS4 to contribute to the provision of affordable housing over the plan period.

Policy CS7 – identifies the allocation of 23,400sq.m. (net) of retail development floorspace at Strategic Site 7 (Land at Mwyndy/Talbot Green).

Policy CS8 – identifies the implementation of a strategic transport corridor management system in 3 strategic corridor areas, including the A4119/A473 Corridor.

(Supporting paragraph 4.75 of the LDP confirms that appropriately sized development within the identified Corridors will be required to fund the development of a strategic corridor management system. Paragraph 4.78 advises that further guidance in respect of this issue is contained in the Supplementary Planning Guidance (SPG) on Access, Parking and Circulation and Planning Obligations).

Policy AW1 – identifies the requirement for the provision of 14,385 new dwellings within Rhondda Cynon Taf within the plan period. It is confirmed that this will be met, in part, (1.) by the allocations of the LDP.

Policy AW4 – confirms that the Council may seek planning obligation contributions in association with new development. The policy identifies a number of areas (including affordable housing, educational facilities, highway infrastructure works, recreational and leisure, management of Strategic Transport Corridors) where contributions could be sought.

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. Developers will be required to submit comprehensive masterplans for commercial developments of 10,000sq.m. (net) and over. Masterplans must have regard to the need to create high quality, sustainable and locally distinct places.

Policy AW7 – seeks to protect and enhance the built environment.

Policy AW8 – seeks to protect and enhance the natural environment. Under this policy Sites of Importance for Nature Conservation (SINCs) are identified

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 AW14 – deals with the Safeguarding of Minerals. It requires identified sites to be safeguarded from any development which would unnecessarily sterilise them or hinder their extraction. At para 1 (site 'e') identifies Pant Marsh as being a resource of sand and gravel

Policy SSA3 – identifies criteria for both new residential and commercial development in the Principal Town of Llantrisant/Talbot Green. Criteria 5 (of 8) states “Promotes opportunities for new retail, tourism and leisure development”.

Policy SSA8 – allocates the current application site as part of the larger Mywndy/Talbot Green Area Strategic Site (as identified under Policy CS3) for

23,400 sq.m. (net) of new retail floorspace. (A copy of the SSA8 Strategic Site Allocation Plan from the LDP is attached as **APPENDIX 'D'**)

Within supporting paragraph 6.138 it states that the Council would wish to see, in respect of the land with a frontage to Cowbridge Road:

The area of land cross hatched on the indicative concept plan will accommodate a retail development of approximately 0.5 hectares and link road connecting the new town centre with the A473. The balance of the land will remain undeveloped.

- New Town Centre on the Leekes/Staedtler/Purolite site, comprising:
 - 3,700sq.m. (net) convenience retail floorspace
 - 19,500sq.m. (net) comparison retail floorspace
 - Pub/café
 - a) 10,000sq.m. (net) leisure floorspace
 - Library
 - Focal public space plus sensitively integrated car parking
 - Public transport hub
 - Pedestrian and cycle links over the A473 at Cowbridge Road and Glamorgan Vale Retail Park
 - Main road connections at Cowbridge Road and Glamorgan Vale roundabout
 - The new town centre will be laid out in a manner that reflects the characteristics of a town centre, with a range in the size of new retail units to be provided
- Residential development of 100 apartments and town houses.

Supporting paragraph 6.139 comments on the issue of Phasing and confirms that in order to reduce the risk of an over supply of comparison goods floorspace significantly in advance of the identified need for that floorspace, the retail development of the Cowbridge Road area shall be carried out in two phases. Until 1 June 2016 the construction of new retail floorspace will be limited to a new convenience goods floorspace of 3,700sq.m.(net), new comparison goods floorspace of 2,000sq.m.(net) and the replacement of the existing Leekes floorspace with an equivalent amount of new comparison goods floorspace to that existing on those premises at the time of the adoption of the LDP.

Policy SSA11 – identifies the need for new residential development to achieve satisfactory levels of build density. (Justification has to be provided for a build density of <35 dwellings per hectare).

Policy SSA12 – identifies the need for new developments of 5 dwellings or more to provide 20% affordable housing.

Policy SSA16 – establishes the hierarchy of retail centres in the Southern Strategy Area. Llantrisant (including Talbot Green) is identified as a Principal Town Centre. The policy states that proposals for retail development or changes of use to retail uses inside the defined boundaries, which would

maintain or enhance a centre's position in the retail hierarchy will be permitted.

Policy SSA17 – allows for new and improved retail (Class A) facilities and other uses that are appropriate within the retail centres of Pontypridd and Llantrisant/Talbot Green (the 'Principal Town Centres' as identified under policy SSA16) where a number of criteria are met.

Rhondda Cynon Taf LDP SPG – Planning Obligations (March 2011)

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 – Nature Conservation (March 2011)

National Guidance

Planning Policy Wales (Edition 5, November 2012)

Chapter 3 of PPW sets out the fundamental principles of Making and Enforcing Planning Decisions.

Section 3.6 advises on the use of Planning Conditions and the fact that the proper use of conditions can improve the quality of development and enhance public confidence in the outputs of the planning system.

Section 3.7 advises on the use of Planning Obligations and acknowledges that they are a useful tool to overcome obstacles which may otherwise prevent planning permission from being granted. 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. It is essential that arrangements are fair to both the developer and the community, that the process is as transparent as possible, and that development plans provide guidance on the types of obligations which authorities may seek from developers.

Para 3.7.6 highlights the fact that a planning obligation must meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the proposed development; and
- fairly and reasonably related in scale and kind to the development

Para 3.7.10 confirms that planning obligations should only be sought where they are necessary to make a proposal acceptable in land use planning terms. Planning permission may not be bought or sold and negotiations should be conducted in a way that is seen to be fair, open and reasonable.

Chapter 4 sets out Welsh Government policy in respect of Planning for Sustainability.

Para. 4.4.3 sets out a number of considerations which both planning policies and development proposals should seek to achieve in addressing sustainable development.

Section 4.7 identifies the issues to be considered in the provision and location of new development. It is made clear that development plans should promote a sustainable settlement strategy and reflect the goals of the Wales Spatial Plan.

Section 4.9 sets out a preference for the reuse and development of previously developed land in preference to artilage sites, particularly those of high agricultural or ecological value.

Section 4.11 seeks to promote sustainability through good design. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales. The objectives of good design cover such considerations as access, character, community safety, environmental sustainability and movement.

Section 4.12 sets out the policies relating to planning for sustainable buildings stating that development proposals should mitigate the causes of climate change with a move towards zero carbon buildings in Wales through the Code for Sustainable Homes and BREEAM regimes.

Section 6.5 sets out policy in respect of development control and the historic environment. At para 6.5.4 it is confirmed that local planning authorities may impose condition/s requiring that an archaeological watching brief is carried out.

Chapter 7 sets out Welsh Government objectives in respect of Economic Development.

Under section 7.1 Economic Development is defined as 'development of land and buildings for activities that generate wealth, jobs and incomes'. It is clarified that economic land uses not only include traditional employment land uses (offices, industry, warehousing etc) but also uses such as retail, tourism and public services.

Para 7.1.3 confirms that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. Para 7.1.4 goes on to add that local planning authorities should aim to steer economic development to the most appropriate locations, rather than prevent or discourage such development.

Para 7.6.1 states that local planning authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses authorities should take

account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- b) The numbers and types of jobs expected to be created or retained on the site;
- Whether and how far the development will help redress economic disadvantage or support regeneration policies, for example by enhancing employment opportunities or upgrading the environment;
- A consideration of the contribution to wider spatial strategies, for example for the growth of regeneration of certain areas.

Chapter 8 of PPW sets out Welsh Government objectives in respect to Transport.

Section 8.1 requires that development is accessible by means other than the private car. Indeed at para. 8.1.3 it is confirmed that Welsh Government supports a transport hierarchy in relation to new development that establishes priorities in such a way that, wherever possible, they are accessible in the first instance by walking and cycling, then by public transport and then finally by private motor vehicles.

Section 8.2 identifies that walking should be promoted for shorter trips and that planning authorities should promote specific measures to assist pedestrians including the provision of safe, convenient and well-signed routes. In addition cycling should also be encouraged for short trips and as a substitute for shorter car journeys.

Section 8.3 requires local authorities to promote public transport as a means to achieve environmental objectives, to assist in relieving congestion and to encourage social inclusion. Appropriate measures could include improved facilities and services for railway and bus passengers.

Section 8.4 states policy in respect of managing traffic and parking issues. It should be considered how different measures can complement one another and contribute to the achievement of wider planning and transport objectives. Within town centres priority should be given to walking, cycling and public transport.

Section 8.7 sets out a number of considerations to be assessed by local authorities when considering development proposals that have transport implications.

Paragraph 8.7.5 supports, where necessary, the use of planning conditions and planning obligations to secure on-site transport measures and facilities and/or off-site improvements.

Chapter 9 of PPW sets out Welsh Government policy in respect of Housing.

Para. 9.1.1 states that it is Welsh Government's vision for housing that everyone in Wales has the opportunity to live in good quality, affordable housing, to be able to choose where they live and decide whether buying or

renting is best for them and their families. Welsh Government will seek to ensure that:

- previously developed land is used in preference to artilage sites;
- new housing and residential environments are well designed, meeting national standards for the sustainability of new homes and making a significant contribution to promoting community regeneration and improving the quality of life; and
- the overall result of new housing development in villages, towns or edge of settlement is a mix of affordable and market housing that retains and, where practical enhances important landscape and wildlife features in the development.

Para 9.1.2 adds that local planning authorities should promote sustainable residential environments, avoid large housing areas of monotonous character and make provision for affordable housing.

Para. 9.3.1 requires that new housing developments should be well integrated with and connected to the existing pattern of settlements. The expansion of towns and villages should avoid creating ribbon development, coalescence of settlements or a fragmented development pattern.

Para 9.3.4 requires that in determining applications for new housing, local planning authorities should ensure that the proposed development does not damage an area's character and amenity.

Para 9.3.5 confirms that where development plan policies make clear that an element of affordable housing, or other developer contributions, are required on specific sites, this will be a material consideration in determining planning applications.

Chapter 10 sets out Welsh Government policy in respect of Planning for Retail and Town Centres.

Section 10.1 sets out the Welsh Government's broad objectives for retailing and town centres.

Section 10.2 requires local planning authorities through their development plans to consider whether new centres for retail development should be identified and if there is the need for additional provision.

Paragraph 10.2.6 states that good access to, and convenient movement within, town centres are essential. Development plans should encourage the provision of good access to town and other centres for walkers and cyclists and for public transport.

Section 10.3 sets out a number of criteria that local planning authorities should consider when determining planning applications for retail, leisure or other uses best located in a town centre. These are:

- compatibility with any community strategy or up-to-date development plan strategy
- need for the development/extension, unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan
- the sequential approach to site selection
- impact on existing centres
- net gains in floorspace where redevelopment is involved and whether or not it is like-for-like in terms of comparison or convenience
- rate of take-up of allocations in any adopted development plan
- accessibility by a variety of modes of travel
- improvements to public transport
- impact on overall travel patterns
- best use of land close to any transport hub, in terms of density and mixed use.

Chapter 11 sets out Welsh Government policy in respect of tourism, sport and recreation.

Para. 11.3.2 states that local planning authorities may be justified in seeking S.106 Planning Agreements to contribute to the maintenance of safe and attractive facilities and open space and to meet the needs of new communities.

Chapter 12 sets out Welsh Government policy in respect of infrastructure and services.

Para. 12.1.5 the planning system has an important part to play in ensuring that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development, so as to minimise risk to human health and the environment and prevent pollution at source. This includes minimising the impacts associated with climate change.

Para. 12.1.6 the capacity of existing infrastructure, and the need for additional facilities, should be taken into account in the preparation of development plans and the consideration of planning applications. In general, local planning authorities should seek to maximise the use of existing infrastructure and should consider how the provision of different types of infrastructure can be co-ordinated.

Section 12.4 (Development Control and Water) makes it clear that the adequacy of water supply and the sewage infrastructure are material in considering planning applications. Development proposals in sewered areas must connect to the main sewer and it will be necessary for developers to demonstrate to local planning authorities that their proposal site can connect to the nearest main sewer.

Section 12.10 (Development Control and Sustainable Energy) makes it clear that in determining planning applications for any form of development, local

planning authorities should encourage developers to integrate energy efficiency and conservation measures into the design of new development.

Chapter 13 sets out Welsh Government policy in respect of minimising and managing environmental risks and pollution.

Section 13.4 (Development Control and Flood Risk) requires local planning authorities to work closely with the EAW and other drainage bodies to ensure that the development does not increase the risk of flooding or the problem of surface water run-off, which should preferably be controlled by the use of sustainable urban drainage systems (SUDS). The advice of the EAW is to be given due weight as a material planning consideration by local planning authorities when determining individual planning applications.

Section 13.7 (Development Control and Contaminated Land) requires that planning decisions need to take account of:

- the potential hazard that contamination presents to the development itself, its occupants and the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the contamination of the ground and to identify any remedial measures required to deal with any contamination.

Section 13.9 (Development Control and Unstable Land) requires that planning decisions need to take into account

- the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and
- the results of a specialist investigation and assessment by the developer to determine the stability of the ground and to identify any remedial measures required to deal with any instability.

Section 13.12 (Development Control and improving the quality of Water and Air) confirms that the potential for pollution affecting the use of land will be a material consideration in deciding whether to grant planning permission.

Section 13.15 (Development Control and Noise and Lighting) confirms that noise can be a material consideration. Local authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems and prevent light pollution.

Planning Policy Wales Technical Advice Notes:-

TAN 2: Planning and Affordable Housing (2006)

TAN 4: Retailing and Town Centres (1996)

TAN 5: Nature Conservation and Planning (2009)

TAN 8: Planning for Renewable Energy (2005)

- TAN 10: Tree Preservation Orders (1997)
- TAN 11 : Noise (1997)
- TAN 12 Design (2009)
- TAN 15: Development & Flood Risk (2004)
- TAN 16: Sport, Recreation and Open Space (2009)
- TAN 18 : Transportation (2007)
- TAN 22 Planning for Sustainable Buildings (2010)

Welsh Office Circular 35/95 – The use of Conditions in Planning Permissions

People Places Futures – The Wales Spatial Plan (2008)

PLANNING CONSIDERATIONS

This is a planning application proposing a very large development within the County Borough. Accordingly there is a wide spectrum of planning considerations, all of which require careful assessment prior to determination of the application.

Form of the application

The application is submitted in an outline form with all matters, with the exception of “access” being reserved for future consideration.

Nevertheless, by virtue of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, in cases where ‘layout’ is a reserved matter there is still a need to state the approximate location of buildings, routes and open spaces included within the development. Furthermore where ‘scale’ is a reserved matter the application is required to state the upper and lower limits for the height, width and length of each building included in the development proposed. In order to comply with these requirements an Assessment Plan has been prepared for the Environmental Statement (ES) and accompanies the application. Upper and lower limits for width and length have been stated on the drawing as being +/- 5m either side of the building footprints shown on the Assessment Plan.

Design Evolution of the Application

Accompanying the application submission is a Design and Access Statement (DAS). It is the purpose of this document to, in essence, to tell the story as to how the proposed scheme has evolved from inception to the form now presented in the scheme masterplan. The DAS should explain the design concepts and principles applied to the development in relation to (as a

minimum) – access, character, community safety, environmental sustainability and movement to, from and within the development. The DAS should be the communication tool that demonstrates to the reader that the objectives of good design have been considered from the outset of the development process.

Following the introductory Chapter 1 the applicant's DAS seeks to address the following issues:

- Chapter 2: Vision – defining the project's mission established at the outset and also defines the site and wider study area incorporated into the masterplan design process.
- Chapter 3: Assessment – provides an assessment of the site and its surroundings, having regard to planning, historical, physical and natural context whilst exploring constraints and opportunities.
- Chapter 4: Concept Development – an analysis of the project's commercial and sustainability brief; with the design principles being explored, consulted upon and adopted and a concept and movement strategy proposed.
- Chapter 5: Design Proposals – an illustrative masterplan, including a landscape strategy, is described.
- Chapter 6: Movement and Access – movement into and around the development is described.
- Chapter 7: Community Safety – describes how issues of community safety are integrated into the design evolution of the scheme.
- Chapter 8 : Sustainability – explores the scheme's environmental credentials

The DAS Addendum (August 2012) references the changes made in the masterplan and schedules the changes and impacts to the original DAS as a result of the masterplan changes.

Chapter 3 of the DAS Addendum deals with the proposed A473 Service Access, which will be dealt with in greater detail later in this report.

Prior to the submission of the application the applicant sought a 'Design Review' of their evolving scheme with the Design Commission for Wales (DCfW) on three occasions, these being in June 2010, November 2010 and March 2011. Whilst not going into the whole range of issues commented upon by the DCfW it is considered that the following points (made following the March 2011 Review) identify those areas which the Review Panel were of the opinion needed to be given further thought in the scheme's evolution through to a formal submission (to this Council) for planning permission:

- the scheme should be assessed on whether it is capable of delivering a new town centre, rather than a new retail park or shopping mall;
- it needs to be clearly demonstrated how the proposed 'town centre' can connect to other parts of the town and how future development will reinforce accessibility;

- the proposal appears to deliver a scheme which is entirely car orientated, decisions need to be made on access points and pedestrian crossings to improve connectivity, especially from the south. These issues of access and connectivity are important in order to deliver a successful town centre;
- every effort should be made to engage positively with the school in order to resolve issues of pedestrian access.

Following receipt of the DCfW's Review Reports both the applicant and Council officers engaged in regular meetings in an attempt to try and address the shortcomings of the scheme identified by the DCfW and the Council's own officers.

An illustrative masterplan layout accompanies the application which identifies seven key character areas or 'urban quarters':

- Cowbridge Road – it is proposed to create a new shared surface high street environment along this western end of the site, with an area of urban open space/market square, the provision for public transport stops and taxi ranks together with smaller scale retail units which would traditionally be found in a high street environment;
- Retail Quarter – an 'L' shape of pedestrian streets with the central focus of a central square, which would lie outside a new department store;
- Eastern End – essentially providing the setting for the two large format stores and their associated car parking. These being the Phase 1 supermarket (Sainsbury's) store and the new replacement Leekes store;
- Entertainment Quarter – the area which would connect the central square and Cowbridge Road (A4222), providing a 8 screen cinema and restaurant and bar uses;
- Residential Quarter – towards the south western corner of the site an area of town centre type accommodation providing town houses and apartments. This area would link through to a south facing square which itself would be lined with a 80 bed hotel and small cafes/bars;
- Southern Boulevard – which is in effect the new link road from Cowbridge Road (A4222) to the Glamorgan Vale roundabout. It is proposed that this link will be heavily landscaped and provide both pedestrian and cycle access;
- Northern Boundary (A473) – it is proposed to create an 'urban edge' to this road, with larger scale buildings and landscape treatment.

Within the development it is intended that there will be 'landmark' buildings and 'key corners'. Certain buildings, such as the supermarket (Sainsbury's) and the Leekes store, will be landmarks almost by default because of their size. However, other 'landmark buildings, which are identified because of their location, function and massing will be the subject of a somewhat bolder and individual architectural treatment than the surrounding 'background' development. Buildings standing at key or significant corners within the development would also be the focus of greater architectural and design focus in order to create a distinctive and high quality environment.

What are the elements included within the application and when will they come forward

The application is submitted for the entire town centre proposal, which is presented in two phases (as detailed earlier in this report and set out in the table attached at **APPENDIX B**).

Phase 1 elements

Comprise a supermarket (Sainsbury's) with car parking, associated petrol filling station (PFS) and associated access and infrastructure works, which include the provision of a flood embankment structure.

Supermarket (Sainsbury's)

Since the original submission of the application in November 2011 the development proposal evolved to take account of changes to the proposal in respect of the supermarket and PFS requirements. These revisions included a minor repositioning of the footprint of the proposed supermarket building 8m to the east, with consequential changes to the supermarket's car park layout, resulting in a decrease of 37 parking spaces and an increase in the operational size of the service yard layout in order to suit Sainsbury's logistical requirements; the relocation of the PFS to the west; an amended internal roundabout and link road arrangement to serve the relocated PFS and supermarket; and, a revised lighting layout scheme. These revisions were submitted as part of the ES Addendum package to the Council in August 2012.

(For Members information the Council is now in receipt of a full planning application (ref: 12/1102) for the Sainsbury's supermarket, PFS and associated development. This will be brought before Members for consideration at a later date).

The proposed supermarket is sited towards the eastern end of the site and orientated so that its front elevation faces towards the east, with the car park to the front. It is indicated that the supermarket car park would provide 573 spaces. As Members will note from the table attached at **APPENDIX B** it was originally anticipated that the car park would provide 610 spaces. However, as noted above the revisions received in August 2012 have resulted in a decrease in that original number by 37 spaces.

The proposed store will have a gross external floorspace of 10,801sq.m., with a 7,230sq.m. net sales area; of which 4,130sq.m. will be convenience floorspace and 3,100sq.m. will be comparison floorspace. The Assessment Plan considers the impact of the building at a height of 14-16m (For Members information it has been noted that the height of the store shown in Sainsbury's current full application is actually lower at approximately 10m).

The PFS is to be sited to the east of the supermarket and will be separated from the store's car park by the internal access/link road. The PFS will provide 8 fuelling bays/pumps and a jet washing facility. Because of groundwater levels the fuel storage tanks will be above ground in order to satisfy the requirements of the Environment Agency Wales. In order to ensure that these tanks are effectively screened careful consideration will need to be given to their screening and a condition is recommended in this regard. The PFS has been relocated closer to the store than originally proposed because it was considered that it should be more easily accessible to Sainsbury's customers when entering the store or on their departure.

The Sainsbury's supermarket service yard is situated to the rear (west) of the store and sits within the 'Northern Service Yard', which would be used for servicing of the associated retail units in Phase 2 of the development. The reconfiguration of the dedicated Sainsbury's service yard has reduced the overall size of the Northern Service Yard by a small amount. However, it is considered that the remaining area is still sufficient to meet the anticipated servicing needs of those Phase 2 users who would utilise this service yard.

The submitted plans indicate the provision of 2.4m high security fencing around the boundary to the Sainsbury's site. It is not considered that such a treatment would be entirely appropriate and therefore it is recommended that a condition be imposed requiring that full boundary details for Phase 1 be agreed prior to being erected.

Pedestrian access to the supermarket from the north (ie Talbot Green) will utilise the existing footbridge, which crosses over the A473 at a point by the former Council Depot site on the northern side and by the Cowbridge Road (A4222) and A473 junction on the southern side. Accordingly it is proposed that a temporary pedestrian footpath will be created along the southern side of the A473 to the store. It is recommended that a condition requiring the full details of this proposed link and a timetable for its implementation is imposed. (It is proposed that the existing footbridge over the A473 will be replaced with a new footbridge at Phase 2).

A473 Service Yard Access

Vehicular access to the Sainsbury's service yard will be from/to the A473, immediately to the north. The access to be created at this point will not only serve the dedicated Sainsbury's service yard, but also the later Phase 2 elements of the Northern Service Yard and the northern multi storey car park.

The complete new junction arrangement to the A473, which includes the provision of a new off slip lane to the southern side (westerly travelling), will be built within Phase 1 to allow access to the Sainsbury's service yard. The application proposes that at Phase 1 the operation of this junction would operate to allow left in and right out (exit) movements, with temporary physical measures being installed on the ground to ensure that only these vehicular movements will be able to be undertaken.

The Highway Authority, however, do not consider that right out (exit) movements should be allowed at Phase 1. It is considered that the only movements within Phase 1 at this junction should be left in and left out, from and to the A473. Therefore and Sainsbury's service vehicle approaching the store from the east, ie travelling from the A4119/A473 roundabout towards the store would turn left off the A473 at the new junction and into the service yard. On leaving the site the vehicle would have to turn left and travel in a westerly direction and continue to the Lanelay Hall roundabout to turn round in order that it could then return back in an easterly direction towards the A4119/A473 roundabout. Accordingly, it is recommended that a condition be imposed which requires the applicant to provide a plan and details clearly indicating how this will be achieved.

It is proposed that the proposed junction to the A473 (serving the Phase 1 Sainsbury's service yard, the Phase 2 Northern Service Yard and northern multi storey car park) will be signalised at Phase 2. Therefore at that time cars will be able to make both left and right turns when exiting the multi storey car park and service vehicles right turns when exiting the service yards.

New Access Link Road

It is proposed to construct a new link road forming a southern spur from the Glamorgan Vale roundabout (for absolute clarity, this is the smaller roundabout on the A473, by the McDonalds Drive Thru Restaurant, that provides access into/from the Glamorgan Vale Retail Park and not the larger A4119/A473 junction roundabout further to the east). This new link road will, via a new roundabout within the site, provide access to the Supermarket (car park and bus stop) and the associated PFS.

In order to facilitate the provision of this new link road ground levels will need to be raised. These levels vary in height as the new link road alignment sweeps down from the Glamorgan Vale roundabout. At the maximum, at a point approximately adjacent to the proposed PFS, the new carriageway level would be some 3m above the existing level of Pant Marsh. The face of the newly created link road embankment would be tied back into the Pant Marsh level with sloped banks of varying angles of steepness.

Both a pedestrian footpath and a cycleway will be incorporated on the southern side of the new link road within Phase 1 which will tie in with improvements to the Glamorgan Vale roundabout which will provide for pedestrian crossing movements across to/from the Glamorgan Vale Retail Park. The proposed improvements to the Glamorgan Vale roundabout do include a pedestrian linkage which becomes a formalised signalised crossing required at Phase 2 of the development.

It is proposed that for Phase 1 that this new link road would terminate at a point some 50m beyond the new internal roundabout. Within Phase 2 this link road would then be extended to the west to create a new junction with Cowbridge Road (A4222).

Flood Embankment

The site (at the south east corner) is partly located within the flood plain of the Afon Clun. The majority of the application site lies outside the flood extents for the 0.1% annual chance event and only the eastern part of the site is currently affected by extreme floods in the Afon Clun. In mitigation it is proposed to ensure that slab levels are set at a minimum of 46.5m AOD throughout the development (Phase 1 and Phase 2), which will ensure that the development will remain flood free for the 0.1% annual chance event. It is however, proposed that the re-profiling works both within Phases 1 and 2 will create development plateau at levels between circa 47-49m AOD.

It is proposed to provide additional flood storage by raising levels during extreme flood events within the Pant Marsh which will have no detrimental impact on existing development. It is proposed to increase flood levels during extreme flood events within Pant Marsh by constructing a raised embankment close to the western and southern boundary. Members can see the alignment of the proposed bund by the curving projection of the application site red line boundary at its south eastern corner on the plan attached as **APPENDIX 'A'**.

Two existing open shallow ditches which cross the line of the proposed embankment will be culverted beneath the embankment using 600mm diameter pipe culverts. The height of the crest of the bund is 45.9m AOD (which represents a height of approximately 1.5m above the existing level of Pant Marsh) for most of its length. However, this does reduce to 45.75m AOD at its southern extent where closest to the Afon Clun. The width of the base of the embankment is not consistent for its entire length and it narrows particularly at its northern end. However, for the majority of its length the base of the embankment is approximately 8m in width.

At Phase 2 of the development it is intended that the embankment will fulfil a dual role in that as well as its primary function of flood mitigation it will also provide a pedestrian footpath along its length which will link the town centre development to a new footpath link from the south, through the Coed y Hendy woodland.

Subject to conditions and the applicant first entering into a S.106 Agreement in order to secure a annual safety inspection regime for the embankment neither the EAW, CCW or the Council's Drainage Officer have raised objection to the creation of the embankment.

Phase 2 elements

In effect Phase 2 of the development represents everything other than the provision of the supermarket (Sainsbury's), the first element of the new link road and the flood embankment across the Pant Marsh.

The proposed town centre will include not only Class A1 and A2 shops but also opportunities for town centre living in apartments and town houses; a cultural and entertainment quarter, with a 8 screen cinema, a 80 bed hotel

and Class A3 bars and restaurants; Class B1 office space; Class D1 non-residential opportunities and a high quality public realm and areas of open space.

Replacement/New Leekes Building

The first element that the Phase 2 proposal that will need to take place is the building of a new store for Leekes, which will be a direct replacement for their existing store. The new store will need to be built before the old one can be vacated, thereby allowing it to be demolished and allowing for the clearance of the western end of the site.

The existing Leekes store stands with its frontage addressing Cowbridge Road (A4222). The submitted illustrative masterplan indicates its replacement standing towards the eastern end of the town centre, opposite the southern (side) elevation of the supermarket (Sainsbury's) and some small scale retail units.

The store is indicated as having a gross floor area of 12,450sq.m./8,715sq.m. (which is smaller, but comparable with the existing Leekes store). This figure excludes a conservatory display area that is indicated as being attached to the southern elevation of the store. This is shown as being 442sq.m. in footprint floor area. To the southern part of the western elevation of the building Leekes will have a dedicated service yard, within the confines of the main Southern Service Yard. It is also indicated that there is the potential for a Leekes Garden Centre area, adjoining the service yard area.

A decked car park (providing 328 car parking spaces) would be built to directly to the east of the new store. This would lie to the south of the supermarket (Sainsbury's) store car park and the 'Linear Garden' along which pedestrian access into the eastern end of the development is achieved. Access into this decked car park is achieved from/to the new link road/Southern Boulevard.

Retail Quarter

The illustrative masterplan proposes an 'L' shape of pedestrian-only shopping streets (notionally referred to as East Street and North Street on the masterplan) with focus on a central square, which would be sited to the front of the proposed anchor department store. This provides the commercial heart to the development

Whilst illustrative at this stage the masterplan indicates the provision of a wide variety of shop sizes (ranging from under 90sq.m. to over 1600sq.m. in area) within a total of over 50 units, excluding the department store and Leekes. The majority of the larger units are expected to be provided to 'North Street' and be occupied by national fashion retailers, who require a larger format store. All shop units will be built to a minimum height of 7.5m which seeks to ensure a 'town centre' scale and also the give flexibility to retailers to be able to accommodate mezzanine levels. However, the ES Assessment Plan

considers maximum heights of between 11-13m up to 20-25m for the block of units which back onto the northern multi storey car park of the A473 side of the development. The department store at 14-16m sits in the middle of this range.

Cowbridge Road

By creating the new Southern Boulevard link road it is proposed to create a new vibrant high street environment along Cowbridge Road. It will provide a public transport hub and taxi rank bays with a high quality public realm. It is anticipated that this area will form the heart of the town centre.

Within this area the illustrative masterplan indicates would be a parade of 10 smaller shop units (for occupation by local traders as opposed to high street retailers) and to the north of these, closer to the Cowbridge Road (A4222) and A473 junction and opposite the access road which leads to the properties in Railway Terrace, would stand a block of 4 Class B1 office units. These buildings would be between two and four storeys in height.

Towards the southern end of the Cowbridge Road frontage would be a western square, or as it is also referred to within the submission the 'market square'. It is proposed that this area of multi-functional public space could create a focus for seasonal activity. The masterplan does indicate the provision of a free standing building on the southern side of the market square, also fronting Cowbridge Road (A4222). However, the use of the building, or the space if it were not to be built, is at this stage undefined, but could be utilised for a range of community or multi-functional uses.

It is anticipated that a number of the buildings sited around the market square will provide for residential accommodation on their upper levels, which accords with national and LDP policy aims of providing security and contributing to evening/night time activity.

Entertainment Quarter

It is proposed that this area would be a focus for the development's evening/nightlife. It would provide a range of bars and restaurants together with a multi screen cinema. The cinema would be of a similar height to the department store building, to the south east, at 14-16m.

This 'Quarter' in effect occupies the area of the development between the Cowbridge Road area and the main Retail Quarter and so sits around the main pedestrian entrance into the heart of the development from the western side.

Most of the bars/restaurants will have the opportunity to provide areas of outdoor seating, although it is anticipated that there may need to be the provision of covered areas to facilitate this given that the climate in Wales for many weeks of the year is perhaps not as conducive to the 'al fresco' experience as is the case in many areas of mainland Europe.

This Quarter of the development also incorporates a hotel, which it is anticipated would be occupied by a 'budget operator', immediately opposite and to the south of the cinema. In terms of building height the hotel is indicated as being the highest building within the scheme at 26-30m.

Eastern End

This is the area of the development occupied by the supermarket (Sainsbury's) and the Leekes store, which have both been outlined above. However, between the two car parks serving these two constituent elements it is proposed (as part of a wider Landscape Strategy) to provide what is referred to as a 'Linear Garden'. This would fulfil a dual function in that it would not only provide for a pleasant landscaped (both hard and soft) eastern entrance into the new town centre development; but also, provide a transitional zone between the 'harder' urban development to the west and the 'softer' undeveloped and green Pant Marsh to the east.

Residential Quarter

The residential element of the development lies towards the south western corner of the scheme, to the south of the new Southern Boulevard link road. It is the only element of the development that does lie to the south of the Southern Boulevard, as the rest of the scheme lies to the north of this new link road.

The application has identified the provision of 64 dwellings, comprising a mix of flats/apartments and housing. The potential for 'sheltered housing' is sought within the application and therefore permission is sought for both a Class C2 residential use as well as the standard C3 'dwellinghouses' Class. As has been noted above it is anticipated that there may also be some elements of residential usage in the upper floors of some units that front onto the Market Square area, which lies to the north.

The height and form of the residential units is indicated on the masterplan as being 3 storey (ground, first and second floors) 14-16m town houses fronting directly onto the southern side of the Southern Boulevard link road with a separate terrace of lower houses (11-13m) set behind served from a separate road which would also provide access for rear parking areas which would serve the frontage town houses; and, a block of flats/apartments on the corner of Cowbridge Road (A4222) and Southern Boulevard junction. It is indicated on the Assessment Plan that the height of this building would be higher at 17-19m and so it is anticipated it could be up to 4 storeys in height.

The impact of this residential block in particular and its relationship with existing development is considered to be particularly important as it stands closer than any other element within the scheme to an existing residential property. The illustrative masterplan shows the southern end of this block at just over 10m from the back of the detached cottage, 'Pontyclun Fach' which fronts directly onto Cowbridge Road (A4222) at a point between the

development site and the entrance into Royal Mail Depot site. It is noted that there is already a degree of screening vegetation along the northern boundary of Pontyclun Fach, some of which appears to be within the artilage of the property and some of which appears to be within the application site. It is considered that there is scope at the reserved matters stage to include additional landscaping/screening and also to possibly pull the elevation of the block proposed further from the common boundary. Further, consideration could be given to potentially reduce its height at that end in order to ensure that a satisfactory relationship would be achieved. Thereby that there not be such a significantly adverse impact on the level of residential amenity currently enjoyed by that occupier (who has written in raising an objection the application).

Southern Boulevard Link Road

This new road is key to the whole scheme's movement strategy and will be well landscaped, together with footpaths and cycle paths, verges and set backs on both sides. The proposed central reservation may also be landscaped. The line of existing mature deciduous trees currently stand along the northern boundary of the school will however be removed in order to ensure that they do not impede flows within the drainage ditch that also runs parallel to this boundary. It is also proposed to incorporate a new signalised pedestrian crossing from the development across the Southern Boulevard to Y Pant School.

A new signalised junction will be created at Cowbridge Road at a point where the car park to the southern side of the existing Leekes store is currently situated. The new Southern Boulevard link road would then for the majority of its length run parallel with the northern boundary of the adjacent Y Pant School artilage before connecting to the eastern (Phase 1) end of the link and continuing up to the Glamorgan Vale roundabout as detailed above.

Access to/from the southern multi storey car park serving the town centre will be achieved from the Southern Boulevard at a point adjacent to the 'Southern Square' within the entertainment quarter. In addition the Southern Boulevard will also provide access to/from the Southern Service Yard and the decked car park serving the new/replacement Leekes store.

Northern Boundary (A473)

The northern frontage of the development is perhaps the element of the whole development that most people will see, as they travel along the A473. In order to address this very visual aspect of the development it is proposed that the buildings that front the A473 will be of a larger scale and have been identified as being 'landmark buildings', which will be required to demonstrate innovative and memorable architecture and design. This frontage is also important in respect of its landscape treatment and it is intended to incorporate some iconic landscaping.

As has been referred to previously in this report a new access (serving the Northern Service Yard, which includes the physically separate supermarket (Sainsbury's) Service Yard, and the northern multi storey car park will be created along this frontage. The detail of this element of the scheme will be discussed in greater detail below within 'Highway and Transportation Considerations'.

Traffic and Transportation Considerations

It is clear from not only the very lengthy negotiations that have taken place with the applicant and their agents, but also from third party representations received in respect of the application that the traffic and transportation considerations associated with this development are of significance in the determination of this application.

Chronology of TA related documents

It is considered useful at the outset to set out the chronology of the documents considered in the assessment of the traffic and transportation issues in respect of this application.

The applicant provided a Transport Assessment (TA) dated October 2011, which was included as Technical Appendix 5.1 of the ES, as part of the planning application submission. The TA was produced on behalf of the applicant by Savell Bird & Axon, now known as Vectos. The Council, as Highway Authority commissioned Capita Symonds Limited (Capita) to undertake an audit of this TA.

In response to initial points and issues raised by Capita and the Highway Authority Vectos submitted a further Technical Note called 'Clarification of Post Submission Discussions with Rhondda Cynon Taf Council' which was dated August 2012. This document was incorporated as ES Addendum Appendix 2.1 within the ES Addendum package submitted by the applicant in August 2012. Section 2 of that ES Addendum report deals with Traffic and Transportation matters.

In response to this further information Capita produced, on behalf of the Highway Authority, a Transport Assessment Audit (TA Audit)(dated September 2012). Within this document they concluded that the applicant had not yet addressed all the material traffic and transportation issues required. This TA Audit document set out 15 Action Points to be addressed.

The applicant submitted a Transport Assessment Addendum (TAA) document in January 2013. This document seeks to respond to the points and issues raised by the Highway Authority and Capita, on their behalf.

An audit of this further TAA document resulted in Capita, on behalf of the Highway Authority producing a TAA Technical Note Response (dated February 2013). This concludes that Vectos (for the applicant) have

addressed a number of the earlier 15 Action Points but that a number of actions remain outstanding.

This in turn has resulted in the submission of a further document (Transport Assessment Addendum – Supplementary Note (Feb 2013) from the applicant, which seeks to address those outstanding actions.

Capita have considered this further response and have within the Transport Assessment Addendum Updated Technical Note Response (February 2013) confirmed that the five outstanding actions have now been addressed.

On this basis the formal response of the Highway Authority to the application is that no objection be raised on traffic and transportation grounds subject to the imposition of appropriate conditions and the applicant first entering a S.106 Agreement to secure works of highway mitigation. The nature and timing of these works and/or financial payments will be set out later in this report.

The physical highway works proposed as part of the application

Phase 1:

- the creation of the eastern end of the Southern Boulevard to a point approximately 50m beyond the new internal roundabout, from which access to the supermarket (Sainsbury's) and its associated PFS will be achieved;
- a new access to the A473, which within Phase 1 will only serve the dedicated supermarket (Sainsbury's) Service Yard, but within Phase 2 will also serve the whole Northern Service Yard and the northern multi storey car park;
- the creation of a temporary cycleway and pedestrian linkage from the footbridge at the western end of the site.

Extensive discussions have taken place in respect of the principle of creating the new A473 access. Ultimately, its provision has to be considered against the need to balance the primary function of the A473 as a strategic highway with the need to secure a well designed town centre. It is considered that in this case the general presumption of creating new access points to the County's strategic highway network is outweighed by the need to secure an accessible, well functioning and legible town centre development, which ultimately secures a significant development on one of the LDP Strategic Sites. In these circumstances the Highway Authority have recognised the persuasive arguments in favour of the provision of such a junction and have been satisfied that their initial concerns in this regard can be addressed.

As part of Phase 1 all the physical works to create the junction will be provided, including the off-slip road (approx 180m long) from the southern (travelling towards the west) lane off the A473 and other A473 carriageway improvement works (around the area of the new junction and also on the southern lane when leaving the Glamorgan Vale roundabout.. However, as

noted earlier in this report at Phase 1 the only use of this junction will be by service vehicles visiting the supermarket (Sainsbury's) Service Yard and these movements will be conditioned to be a left movement in and a left movement out only, following the concerns raised by the Highway Authority in respect of right out (exit) movements within Phase 1.

At Phase 2 the physical barriers that will be required will be removed and this junction will operate to also provide full vehicular access to the Northern Service Yard and the northern multi storey car park. At this stage the junction will be signalised to allow for both left and right turning movements, from both the service yards and the multi storey car park on exit. On entering the site, however, traffic will only be able to turn left in. It will not be possible to turn right from the northern (travelling towards the east) lane of the A473, across the southern lane and into the site.

The signalisation of this junction does not preclude the provision of an at grade pedestrian crossing across the A473.

The need to accommodate this physical arrangement does result in the fact that there is a break of some 70m in the built development of the scheme which will front the A473. In effect this will leave a 'gap' between the rear of the supermarket (Sainsbury's) and the facing (eastern) elevation of the northern multi storey car park. As has been noted earlier in this report the applicant has recognised the need to achieve 'landmark' buildings and frontages to the A473. In order therefore to try and reduce this highway dominated break the applicant has proposed that a form of architecturally designed scheme be fitted in around the junction arrangement to screen the very functional appearance of the service yard and multi storey car park entrance. Such a screen would need to ensure that adequate visibility is maintained for highway users, but at the same time provide a continuity of the built form in linking the constituent elements that stand along the A473 frontage.

The screening element would be provided within Phase 2 of the development and therefore would be subject to reserved matters approval at a later date. However, the applicant has provided some initial plans as to how such a screen could look and function within the junction setting and these are attached for Members information at **APPENDIX E**.

In terms of pedestrian works within Phase 1 a pedestrian crossing will be established on the eastern side of the Glamorgan Vale roundabout and a temporary footpath will be created from the existing footbridge, along the verge of the A473 to give access to the supermarket (Sainsbury's).

As part of Phase 1 of the development the applicant has agreed to either make a financial payment of £550k to the Council, or undertake the necessary direct works, to secure improvements to the strategic highway network by means of improvements at the A4119/A473 roundabout.

Phase 2 :

- the completion of the Southern Boulevard link road;
- the signalisation and improvement work works at Glamorgan Vale roundabout;
- the creation of a new signalised junction on Cowbridge Road (A4222) to tie in with the Southern Boulevard;
- the 'rebranding' of Cowbridge Road from the new junction, north to its existing junction with the A473;
- the provision of the pedestrian footpath through the Coed y Hendy woodland;
- completion of the capacity enhancements to A4119/A473 junction.

When initially submitted the application proposed that right turning vehicular movements from Cowbridge Road onto the A473 would be prevented and that all eastbound traffic would be required to use the Southern Boulevard link road instead. However, the current proposal is to retain the option of this right turn movement. However, this does have the knock on effect that it does not make it possible, without having an unacceptable impact on traffic flows, to achieve an at-grade crossing at the western end of the site, in addition to or instead of the existing and proposed Phase 2 replacement footbridge over the A473.

Parking provision within the development

In total it is proposed that the overall scheme will provide 2,632 car parking spaces (inclusive of disabled and parent/child spaces).

These would be provided as follows:

- 573 spaces within the Phase 1 supermarket (Sainsbury's) car park;
- 328 spaces within the Phase 2 decked car park;
- 731 spaces within the Phase 2 southern multi storey car park;
- 1000 spaces within the Phase 2 northern multi storey car park;
- (the 69 spaces to serve the residential properties are not included in the total figure given above).

It is considered that the parking provision is distributed around the town centre and enables clear access from which ever direction vehicles may approach the development. The two multi storey car parks will serve the main retail area, with the southern car park also expected to cater for users of the 'entertainment quarter' bars/restaurants and cinema together with people staying at the hotel (which does not have its own car park). A scheme of variable message signs on each approach will direct visitors to car parks with available capacity.

The residential properties within the development will have their own dedicated parking.

A number of third parties have expressed concerns that the development will lead to the parking of both workers' and shoppers' cars in nearby residential streets. They point to the case of the Talbot Green Retail Park and the problems created in surrounding residential streets by that development. With the levels of on site parking to be provided it is not anticipated that this will be the case. However, in order to guard against such an eventuality the Highway Authority has sought as part of the overall Planning Obligation transport contribution an element which would be used for the designation of resident only parking restrictions if needed.

Traffic Flows and Proposed Mitigation

The existing peak traffic flows in the vicinity of the site are recognised and the Council acknowledge that on the County Borough strategic highway network the A4119/A473 roundabout junction is under significant pressure. The concerns expressed by third party groups and individuals that the proposed development would add significantly to these traffic pressures in the surrounding area (not only on the strategic network itself, but also within the communities of Pontyclun, Miskin, Talbot Green and Llantrisant and the wider area, extending beyond the County Borough boundary) is acknowledged and has been carefully considered by the Highway Authority.

There has been a significant amount of highway 'trips' modelling undertaken and assessed by the relevant highway consultants in order to establish as accurately as possible the likely levels of traffic movements that would be associated with the proposed scheme.

As an outcome of the significant amount of modelling work undertaken and in considering the Transport Tariff requirements set out in the Planning Obligations SPG (March 2011) the applicant has offered, by means of a S.106 Planning Obligation, the following financial contributions (in addition to the £550k, or direct works, for the A4119/A473 roundabout works at Phase 1 referred to above) in order to mitigate the traffic and transportation impacts of the development:

- Pre commencement of Phase 2 (excluding Leekes): £250k to mitigate against local highway and transportation impacts;
- Pre occupation of Phase 2 (excluding Leekes): £1.5m for highway/accessibility improvements on the strategic network (or works in lieu to the value of);
- Within 12 months of occupation of Phase 2 (excluding Leekes): £200k to mitigate against local highway and transportation impacts;

Funding or works to the strategic network will be targeted to the A473 and A4119, whilst local mitigation (£450k total) will deal with issues such as improved walking and cycling links, public transport, residents parking zones and local traffic congestion issues.

It is recognised both by the applicant and by the Highway Authority that the best of modelling techniques using the most up-to-date and comparable

information will not deliver a guarantee of the traffic flows that the site will generate. Given the unique nature of the development this will only be apparent when the development is built and operational/trading. In order to take account of this fact it is also proposed by the applicant, as part of the Phase 2 Planning Obligation package, that:

- £1.6m (max) of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer)

It is considered that this approach will enable the Council to retain a longer term control should the development prove to have greater highway impacts than are currently considered to be the case. Your officer's approach to this issue has been influenced by the fact that existing developments in Talbot Green have proved to have far greater impacts than was initially anticipated. However, in those cases there was no control over the applicant whereby the Council could require further contributions or direct works of mitigation.

Retail and Economic Issues

In respect of the retail issues the Council have commissioned Nathaniel Lichfield and Partners (NLP) to review the applicant's submission.

The applicant has included within their ES (at Technical Appendix 8.1) a Retail and Leisure Impact Assessment (RLIA). Additional information regarding retail impacts was provided by the applicant in a letter dated 27 June 2012. The information contained in this letter was effectively reproduced in the ES Addendum package submitted to the Council in August 2012.

Although the scope of retail and leisure uses are mentioned earlier in this report it is considered useful for purposes of clarity that they are repeated in this section of the report.

The application scheme proposes:

- A new supermarket (Sainsbury's), comprising 10,801sq.m. gross/7,230sq.m. net with an associated petrol filling station and 573 space car park;
- 35,522sq.m. gross/26,013sq.m. net of other retail floorspace (including a 12,450sq.m. gross/8,715sq.m. net new/replacement Leekes store and an additional department store of 7,240sq.m. gross/5,086sq.m. net;
- Other commercial uses, including 600sq.m. of Class A1 cafe space, 1,000sq.m. of Class A2 financial/professional services, 2,390sq.m. of Class A3 food and drink space, 750sq.m., of Class D1 space, a multi screen cinema and a 80 bed hotel;

The policy requirements within the LDP (in particular policy SSA8) require the need for a phased and managed development of the site in order to provide for long term growth and retain expenditure in RCT which would otherwise be lost to other areas. This policy requirement was based on evidence prepared by NLP to inform the LDP. Within this evidence it was concluded that there could be the scope for new comparison floorspace (in 2016) and convenience floorspace at this site.

The LDP allocates the site for 23,400sq.m. net new retail (including 3,700sq.m. of net convenience goods) and 10,000sq.m. net new leisure floorspace to come forward as part of a new town centre.

Whilst the principle of a new town centre has been established in the LDP the proposed volume of floorspace exceeds the thresholds in policy SSA8 and cannot be said to be in full compliance with the allocation.

It is not considered that just because the allocation will create a new town centre that 'need' is not a consideration in this application. The town centre does not yet exist and is only designated as such through the LDP, which clearly defines the scale of the town centre through limits on the quantum of floorspace, which this proposal exceeds. The floorspace parameters of the allocation are a function of available expenditure. In identifying the allocated floorspace a number of assumptions were made regarding the floorspace composition and likely turnover density of a new town centre in converting available expenditure to floorspace.

With the current application it is considered appropriate to revisit the previously made assumptions and test the likely turnover of the proposal against available expenditure.

It is estimated that the turnover of the proposed supermarket (Sainsbury's) and other Class A1 convenience goods floorspace would be £2.3m (5%) lower than the identified capacity. It is therefore concluded that there is sufficient quantitative need for the volume of convenience floorspace, predominantly located in the supermarket (Sainsbury's), proposed.

The comparison analysis shows a small deficit of expenditure of £3.02m (3%). However, it is considered that the actual proportion of comparison goods floorspace may be lower than that assessed (74%) and the analysis does not include the fact that there will be a 25% reduction in the Leekes floorspace, which may result in a reduction in turnover for the store. It is also likely that, if a department store is developed as intended, it will have a lower turnover density than the £5,000 per sq.m. for the comparison goods floorspace. It is therefore considered that there is sufficient quantitative need for the comparison goods floorspace proposed.

The qualitative need for the town centre has been addressed through the LDP process and therefore it is considered that both a quantitative and qualitative need exists for the retail elements of the proposal.

The application proposal falls within the boundary of the LDP allocation SSA8 and as such it is considered to accord with the Sequential Approach.

The impact of a new town centre was considered in taking the allocation forward through the LDP process and ultimately by the LDP Inspector in endorsing the allocation as sound. However, notwithstanding this point PPW requires local planning authorities to consider impacts on centres when considering planning applications for retail and leisure developments. It does not afford any exception for proposals that are in accordance with a LDP or located in a town centre. Also, as previously acknowledged the centre is greater in floorspace than that allocated for.

The potential impacts of a retail development on centres can be influenced by a number of factors and not all of these, such a scale of units and layout, are to be determined at this outline stage. It will therefore be necessary for the Local Planning Authority to ensure that such issues are carefully considered at the reserved matters stage.

In terms of the 'convenience impact' it is noted that the turnover densities adopted by the applicant's agent and NLP (acting on behalf of the Council) are different. Accordingly, it is considered that the impact may be slightly higher than that assumed by the applicant, but it is not considered to be a significant variation.

It is agreed that the greatest level of trade diversion will fall on the Tesco (and M&S Foodhall) in Talbot Green, with other smaller impacts on other food stores such as the Asda in Tonypany. It is not considered, however, that the proposed supermarket (Sainsbury's) will unduly effect the viability of the Tesco store and its role within Talbot Green town centre or the other stores such as the aforementioned Asda, which is in an out of centre location. Other impacts on centres are also not considered to be significant.

In respect of 'comparison impacts' it is considered that the applicant has overestimated the diversion from a number of different food stores (predominantly Tesco Talbot Green, Tesco Upper Boat and Sainsbury's Pontypridd). Other comparison diversion in Talbot Green is likely to come from the Talbot Green Retail Park. It is anticipated that the level of trade diverted from Talbot Green would be greater than any spin off Talbot Green may experience. Further, NLP question a number of assumptions made by the applicant regarding trade diversion but consider that the trade diversion from stores outside of the County Borough will be greater than that assumed by the applicant, which it is considered counterbalances some of the questioned assumptions made.

A number of the third party representations have made 'retail impact' based objections to the application and these are acknowledged. Within these objections it is considered that two key themes are common; these being firstly, the use of historical data; and secondly, the impact on centres.

The town centre has been allocated in an up-to-date LDP and the principal of creating a new town centre to support the surrounding and emerging community has been accepted and found sound by the Inspector in 2010. Notwithstanding this a number of objectors do raise concerns over the applicant's reliance on empirical evidence that supported the allocation, including survey data from 2006 and expenditure data from 2008, in assessing the proposed development.

It is recognised that as a whole the UK has experienced an unprecedented period of economic difficulty. As the amount of comparison goods expenditure available to support will not have grown as strongly as projected at the time of the LDP Evidence Base retail study, impacts may be higher as town centre turnovers will not have grown so rapidly. It is considered, however, that at the same time price deflation will also have reduced the comparison turnover of the development.

NLP have assessed the impact of the proposed development taking into account the latest expenditure data and estimates available from Experian (2011). The data is set out in 2011 prices and should therefore not be directly compared to the 2008 Quantitative Retail Study Update, which was in 2005 prices.

As previously acknowledged NLP do not completely agree with the applicant's estimation of trade diversion in respect of the comparison element of the scheme, notably in underestimating the amount of expenditure that would be diverted from centres beyond the County Borough. PPW supports an assessment of impacts on centres, be they within a local authority boundary or outside and this issue is raised by a number of objectors.

It is considered that the main centres beyond the County Borough that need to be assessed in terms of impact are Cardiff, Bridgend, Cowbridge and Barry.

It is estimated that the biggest trade diversion will be from Cardiff, as the new town centre will provide a critical mass of non-food retailers capable of competing at a certain level with the national retailers that would likely duplicate their offer in both locations.

NLP estimate that the figures below represent an estimation of the percentage breakdown of where expected customers of the new town centre will have previously shopped:

Within RCT

- Aberdare – 2%
- Pontypridd – 10%
- Talbot Green – 15%
- Tonypany – 1%
- Retail Parks – 10%

Outside RCT

- Barry – 2%

- McArthur Glen – 2%
- Cowbridge – 1%
- Bridgend – 10%
- Cardiff – 40%

Other outflow – 7%

(Total of 100%)

The implications of this estimated diversion are as follows:

Cardiff

The regional retail centre serving south east Wales, with all of RCT falling within its outer catchment area. The centre has very high footfall and low vacancy rate compared to the national average. It is not anticipated that any stores would seek to relocate from Cardiff to Llantrisant and therefore vacancies through direct impact are unlikely. It is considered that a much more significant proportion of trade will be diverted from Cardiff to Llantrisant than estimated by the applicant. It is estimated by NLP that as much as 40% of the comparison goods turnover of the new town centre (£33.12m) could be diverted from Cardiff. This would represent an impact of 3.2% on Cardiff, which is not considered to be significantly harmful.

(Members will have noted that Cardiff County Council have been consulted in respect of the application, both in November 2011 and on receipt of the ES Addendum package in August 2012, and in both cases have confirmed that they raise no objection the application).

Bridgend

Bridgend is defined as a sub-regional centre and is therefore significantly larger than the proposed town centre at Llantrisant and is a higher order centre. It is observed that Bridgend town centre has not been thwarted by the development of the McArthur Glen Outlet centre which is a large designer outlet village on the outskirts of Bridgend. At most it is considered that an impact of 7.8% on comparison goods floorspace in the town centre. This is not considered to be a significant harmful impact.

(Members will have noted that Bridgend CBC have also been consulted in respect of the application and have, like Cardiff CC above, raised no objection to the application).

Barry

It is considered unlikely that the proposed new centre would have anything other than a small impact on the trade derived from Barry's quaternary catchment. A trade draw equivalent to 2% of the centre's comparison goods turnover would have a low impact of 4% on the comparison goods floorspace of Barry town centre.

Cowbridge

Cowbridge only has a small comparison goods offer, containing mainly independent and niche retailers. Vacancy rates are very low compared with

the national average and the recently opened Waitrose has strengthened the retail offer of the town. Relocations of independent retailers to Llantrisant is considered highly unlikely and trade diversion is likely to be low, representing a 8.3% impact on the comparison goods retailers, which like the other centres would be less on the centre as a whole when convenience goods floorspace is taken into account. This is not considered to be a significant harmful impact.

(Members will have noted that unlike Cardiff and Bridgend Councils that The Vale of Glamorgan has raised an objection to the application. This objection being partly on the grounds that the submission does not properly consider the retail impact on the centres of Barry and in particular Cowbridge).

Impact on RCT Centres

It is considered that there will be a 5.9% impact on Pontypridd's comparison goods floorspace. This is not considered to be harmful on the centre as a whole. Impact on Talbot Green centre is estimated just below 10%. The centre is expected to remain strong and the impact is not considered to be significantly harmful.

In conclusion and overall it is accepted that the proposed development exceeds the retail floorspace set out in the LDP allocation. However, it is considered that the turnover will be close to that on which the LDP Inspector endorsed the town centre allocation. It is considered that the sufficient quantitative and qualitative need exists for the proposal and that the sequential test is satisfied.

The impact of the proposed development has been carefully considered on other centres both inside and outside of the Rhondda Cynon Taf County Borough and it is not considered that the impact will be significantly harmful to any centre either within RCT or beyond.

It is recognised that the Local Planning Authority will need to continue to consider the need of impact at the reserved matters stage when considering the scale and layout of the units to ensure that the proposal complements rather than competes with Talbot Green and Pontyclun. Through negotiation the applicant has agreed to make a contribution of £150k, to be used to mitigate any impacts on the business/commercial centres of both Pontyclun and Talbot Green.

Hydrology and Flood Risk

Chapter 7 of the submitted ES deals with issues of hydrology and flood risk. The chapter principally considers the findings of the Flood Consequences Assessment (FCA) which uses a hydrological and hydraulic model of the Afon Clun and River Ely. The FCA form Technical Appendix 7.1 of the ES.

An update to chapter 7 of the ES was received in the ES Addendum package received in August 2012. Within this Addendum Chapter 4 provides an update, having regard to the development layout changes. As part of the

changes the original FCA has been superseded by an updated FCA (August 2012), which is included within the ES Addendum package as Appendix 4.1.

The ES shows the potential loss of flood plain conveyance and storage in the locality by between 50 and 100mm during the 0.1% annual chance event as a result of the raising of the proposed site. This is considered to have a significant adverse impact on flood levels at Y Pant School and in the downstream catchment. In mitigation it is confirmed that slab levels within the development will be set at a minimum of 46.5m AOD. In addition the flood embankment, as described earlier in this report, will be constructed.

With the mitigation strategy proposed it is not considered that the development will result in adverse impacts for third parties and indeed flood levels within Y Pant School are shown to reduce following development of the site and mitigation works. In summary it is considered that post mitigation impacts will be 'negligible'.

Members will note that no objections have been received from the EAW or the Council's Drainage Officer, subject to the imposition of conditions and the applicant first entering into a S.106 Agreement.

Ecology and Nature Conservation.

Chapter 6 of the submitted ES deals with issues of ecology and nature conservation.

An update of chapter 6 of the ES was received in the ES Addendum package received in August 2012. Within this Addendum Chapter 3 provides an update, taking into account the changes made to the application.

Within Technical Appendix 6.1 of the ES are the full range of completed species surveys that are required and expected for a development of the nature and scale in this location. These include an overall ecological assessment, badger survey, GCN survey, reptile survey, winter bird survey, breeding bird survey, bat survey, dormice survey, invertebrate survey and a national vegetation classification survey. The scope of these surveys had been agreed by both CCW and the Council's Ecologist in the Council's pre-application Scoping Report in June 2010.

No part of the site is covered by a national value designation, ie a SSSI. However, the application site boundary does include 6.11ha of the Pant Marsh, which is designated under policy AW8 of the LDP as a Site of Importance for Nature Conservation (SINC) – AW8.103 (Pant Marsh). The defined red line application site boundary was revised within the ES Addendum package received in August 2012. This resulted in an additional 0.11ha of the Marsh being lost to the development (as originally defined in the submission the loss would have been 6ha). The loss of 6.11ha equates to a loss of 31.6% of the Pant Marsh habitat. This is considered to be a significant impact, without appropriate mitigation.

A number of trees subject to a Tree Preservation Order (TPO) also stand within the Pant Marsh and these will be lost as a result of the proposed development.

Beyond the Pant Marsh element of the application site there are only considered to be some areas of lower quality habitat and previously developed land. However, it has been previously noted that there is a tree line of mature deciduous trees (Comprising sycamore, oak, willow, alder, ash, poplar and copper beech and typically achieving a height of 10-15m) growing along the northern boundary of the Y Pant School site. In the main these trees are to be removed, in order to facilitate the effective operation of the drainage ditch which runs along this boundary. Albeit, if any of these trees are actually found to stand within the school boundary then they will be retained.

Pant Marsh is designated as a fully functioning species-rich flood meadow which floods on an annual basis. It contains significant areas of swamp, marshy grassland, damp semi-improved neutral grassland, wet scrub/woodland and river bank habitats.

It is considered that the majority of the ecological impacts will occur during Phase 1 of the development (at both constructional and operational phases), with ongoing associated impacts during Phase 2; albeit these will be minimal in comparison.

Phase 1 (ie building the new link road, the supermarket (Sainsbury's) with its car park and the flood embankment) will result in the loss of the majority of the high quality habitats, including the affected area of Pant Marsh. The alignment of the new link road within Phase 1 has been kept as far to the north of the Pant Marsh as is technically possible in order to reduce as much as possible the incursion into the marsh. This does have an implication in the need to remove the TPO trees (the TPO Order identifies two groups of seven, so 14 in total, Welsh Oak trees) and some lengths of hedgerow. However, whilst this is clearly regrettable it is considered important that a correct balance of ecological factors is taken into account when assessing the whole overall impact.

Within Phase 2 it is proposed that a pedestrian path through the Coed y Hendy woodland, to the south of the Afon Clun be provided by the applicant/developer. This area of woodland is also designated as a SINC (AW8.102) under policy AW8 of the LDP. It has been clearly established from site visits undertaken by Council officers and representatives of the applicant that this woodland is in need of some significant management. The proposal to provide a footpath through this woodland area and secure management works to the wood itself are therefore welcomed and it is considered represent a positive environmental benefit.

Both CCW and the Council's own Ecologist have carefully considered the impacts that the proposed development would have on ecology and nature conservation interests. They both express their concerns regarding the loss of habitat and agree that the successful mitigation of the impacts of the proposal

on the Pant Marsh habitat are hugely dependent on the ability to secure a long term habitat management plan (HMP) for the area. They have both recommended that the HMP should ensure that the areas are managed for a period of not less than 25 years. The applicant had proposed that the HMP would be for 10 years only. However, the applicant has now agreed to the 25 year period required and has accordingly submitted revised HMP's (for both Pant Marsh and Coed y Hendy) as part of the August 2012 ES Addendum package, as Appendices 3.1 and 3.2.

CCW do identify the need to ensure that mitigation opportunities for soil/grassland translocation from areas of unimproved grassland are maximised within the development and it is recommended that an appropriate condition be imposed to cover this point.

On the basis of the imposition of appropriate conditions and a S.106 Agreement requiring the applicant/developer to make a financial contribution in order to ensure that the Council can ensure the long term implementation of the HMPs; and that the applicant/developer retain ownership and responsibility for the structural adequacy of the flood embankment it is considered that the ecological impact is acceptable.

Visual and Landscape Impacts

This is a very significant development with, relatively tall buildings and will clearly have visual and landscape implications in the immediate and wider locality.

Within Chapter 9 of their submitted ES the applicant has provided a landscape, townscape and visual impact assessment of the proposed development. This assesses visual impact not only from the completed operational development, but also in its constructional phase.

The ES assesses the development having regard to the previously mentioned 'Assessment Plan' (Figure 2.1 in the ES) which gives heights and dimensions (length/width) of buildings. This plan assesses the impact with the highest building (the hotel) being shown at 26-30m in height.

It is considered that the main issues are the:

- potential effect of the proposed development on elevated views from Llantrisant Old Town;
- the appearance of the roofscape of the larger retail units and multi storey car parks from elevated views to the north (ie Y Graig Common and Billy Wynt, Llantrisant Old Town and Caeau'r-ilan);
- the appearance of the proposed development from the main roads and residential areas in close proximity of the site;
- the potential effect on Pant Marsh;
- the potential impact on the character of the 'Llantrisant Surrounds' Special Landscape Area (SLA), which is designated under policy SSA23 (site no.5) of the LDP.

The applicant has confirmed within Chapter 9 of the ES that particular attention has been paid to the information provided by CCW through its LANDMAP dataset.

The applicant has selected 12 representative viewpoints in order to illustrate the potential effects of the proposed development. The selection of these viewpoints was discussed with Council officers beforehand. Of the selected viewpoints it is considered that the areas of highest visual sensitivity are the residential areas of Talbot Green and Llantrisant and the Public Right of Way (ProW) in the vicinity of the site and more remotely on the elevated areas to the north and west.

Of the potential landscape effects it is considered that the most significant (as a major adverse impact) is the loss of the TPO trees in order to create the new link road. Considered to be a moderate adverse impact would be the works required to remove existing vegetation and create the flood embankment within Pant Marsh and the removal of trees that stand along the northern boundary of the Y Pant School site is considered would be a major/moderate impact. The impact on the SLA to the east is considered to be moderate/minor adverse as is the loss of existing grazing meadows within Pant Marsh. Other impacts are considered to be of a minor adverse nature.

In respect of the potential visual effects the most significant (major/moderate adverse) are considered to be from the footbridge which goes over the A473 at the western end of the site, from the residential areas around Heol Johnson in Talbot Green, from the Pant Marsh and the ProW which runs alongside the Afon Clun and the hillside ProW's at Hendy and Craig-lwyd.

The application within both the ES and the DAS does advance a Landscape Concept and Landscape Mitigation Plan.

The overriding concept behind the proposed landscape strategy is the joining of two contrasting landscapes in what the applicant describes as 'the seam'. It proposes a distinctive and high quality public realm running through the heart of the development, with distinctive treatments to the north, south, east and west. For example it is proposed that the landscaping on the northern A473 edge of the development would be of a larger and more ornamental scale than the more native and natural treatments within the south and east. The north would express a more formal treatment within the public realm whereas a much more informal treatment would be used where the site abuts Pant Marsh to the south and east.

Specimen trees would be planted along both sides of the southern boulevard link road(which it is considered would mitigate to a significant extent the removal of existing trees to the southern boundary of the site) and also on the Cowbridge Road frontage, within the supermarket (Sainsbury's) car park and adjacent to the footbridge by the Cowbridge Road/A473 junction. Particular attention will also be paid to landscaping within the area between the new link road and the A473, adjacent to the PFS. It is considered that this area needs careful treatment because of its prominent and clearly visible setting within the

scheme and the need to effectively screen the PFS, together with its above ground storage tanks.

The fundamental principle within the scheme is that the development makes a transition from lower density, with a greater degree of soft landscaping, in the east to higher density, harder urban form at the west which recognises the Pant Marsh setting and the proximity and sensitivity of the SLA further to the east.

It is recognised that the illustrative masterplan acknowledges the importance of views from Llantrisant Old Town in that it seeks to retain a pattern of individual buildings and thereby avoid what could be an over dominance in the roofscape.

It is accepted that a development of this magnitude with large buildings, in the local context, will clearly have both landscape and visual impacts. The loss of trees, especially those covered by the TPO and those along the southern boundary of the site is regrettable but can not be avoided if the scheme is to proceed in its proposed form. Also there will be impacts due to constructional works within Pant Marsh. However, it is considered that with time and the implementation of the HMP and the integration of new landscaping within the development that these initial impacts will reduce to an acceptable level.

Other Issues

Whilst the issues dealt with above may be the more prominent issues in respect of this application there are other matters which also require consideration.

Site Contamination

At a relatively early stage in the consideration of this application concerns were raised by a number of local residents that areas of the site were contaminated by material imported in from a former MOD site in Llanishen, Cardiff. These concerns were passed onto the Council's Public Health & Protection Division, who in turn made investigations with public health colleagues in Cardiff County Council. Officers at Cardiff were able to confirm where waste from the MOD site was deposited and there is no reference to any site in Rhondda Cynon Taf receiving this waste. The waste actually went to the Pwllfawatkin Landfill site, which is located near Pontardawe in Neath Port Talbot.

Chapter 15 of the ES deals with contamination issues and incorporated as Technical Appendix 15 are a Geo-environmental Interpretive Report (as 15.1) and a Detailed Quantitative Risk Assessment Report (as 15.2).

Part of the site was occupied by the former Purolite factory, which produced ion exchange resins between 1947 and 2006. Site investigations carried out in 2003 and 2004 identified soil contamination. Remediation was carried out by excavation of soils and 'pump and treat' for contaminated groundwater

(planning applications 04/1820 and 05/1514 referred in the Planning History section of this report relate to these works).

The site investigations undertaken to inform the ES and this application do record the continuing presence of some contamination on the site. However, with the programme of mitigation proposed it is not considered that there will be any more than a negligible risk to human health as the majority of the development will have substantial areas of hardcover which will provide a barrier between human health receptors and the residual contamination present.

It is noted that the Council's Public Health & Protection Division have raised no objection on these grounds, subject to the imposition of appropriate conditions.

Archaeology and Cultural Heritage

Chapter 10 of the ES deals with issues of archaeology and cultural heritage and at Technical Appendix 10.1 of the ES a desk-based archaeological and cultural assessment report is included.

Glamorgan Gwent Archaeological Trust (GGAT) have been consulted in respect of the proposal. They have commented that archaeological recording mitigation will be required on those areas of the site which have not been previously disturbed. It is noted that a section of tramway, denuded elements of ridge and furrow and the potential remains of Springfield House (of 19th century origin) are anticipated to be uncovered/disturbed.

Subject to the imposition of standard circular conditions to address the mitigation requirements no objections are raised by GGAT.

Affordable Housing, Education and Play Provision

These three distinct areas have been placed under the same heading because in essence the delivery of contributions in these service areas is entirely dependent on the coming forward of the residential element of the application.

This outline application proposes 64 residential units (inc. the option of Class C2 and/or Class C3).

The affordable housing contribution would in accordance with LDP policy be 20%, so 13 units on site. If provided off-site the contribution has been calculated at £768k.

The Council's Head of School Organisation, Planning and Governance has confirmed that all school places in the area of the site, both in the Primary and Secondary sectors are at a premium. Accordingly a full contribution in accordance with the Council's Planning Obligations SPG will be required in this case. This equates to a total financial contribution of £559k.

The requirement for play provision would be the provision of a play area, which is not indicated on the illustrative masterplan or the payment of a contribution of £1k per unit, so in this case a total of £64k.

No objections have been raised to the application in respect of these issues and the proposed level of contributions is in accordance with LDP and SPG requirements.

Geotechnical and Drainage issues

Chapter 12 of the ES deals with geology, hydrogeology and drainage and a geo-hydrological study is included as Technical Appendix 12.1 of the ES.

It is recognised that following development there will be the potential for greater surface water run-off due to the increase in impermeable area. The need to closely control run-off during construction, by means of mitigation control measures, is also considered to be important and required in order to prevent water pollution. The operation of the development will obviously also increase foul flows to be discharged into the public sewerage system.

These issues have been considered by the Council's Drainage Officer, Welsh Water, and the Environment Agency Wales and subject to the imposition of appropriate conditions no objections have been raised.

In respect of ground conditions and previous mine workings The Coal Authority have noted the fact that there is no evidence of any such workings within the site and therefore in this case no specific remedial measures are required.

Public Health Issues (noise/light/dust/air quality/disposal of waste)

These issues have been carefully considered by The Council's Public Health & Protection Division and also in part by the Environment Agency Wales.

Within the ES Chapter 11 deals with matters of air quality; Chapter 13 deals with issues of noise; and Chapter 14 deals with lighting. Each of these chapters has its own technical appendix.

It is not considered that any of these matters raise issues that can not be suitably conditioned at this stage or considered at the reserved matter stage when the full detailed proposals are known.

Issues raised by third parties

It is evident from the 'Publicity' section of this report that the main concerns expressed by most objectors to the application centre on traffic, highways and transportation concerns together with the anticipated retail and economic impacts of the scheme on existing centres and businesses and the loss of

existing habitat at Pant Marsh. It is considered that this report has already dealt with these matters in some depth above.

However, there are a number of other points (which have not been dealt with previously above) on which it is considered appropriate to make further comment.

Concerns have been expressed, when having had regard to the Talbot Green Retail Park situation, that nearby residential streets may be used for parking purposes by workers at and visitors to the new town centre. This concern is acknowledged by the Highway Authority who have identified the possible introduction of parking restrictions in such cases as a use of the transportation financial contributions required of the applicant.

The fear of an increase in crime has advanced by one objector. South Wales Police were consulted in respect of the application. They have raised no objections to the application but recognise that Community Safety considerations must be to the fore when details are advanced at the reserved matters stage. The requirement to have regard to community safety is clearly expressed within TAN12: Design and in PPW.

In January 2012 WG also issued revised guidance (originally issued in March 2010) on 'Crowded Places – The Planning System and Counter-Terrorism (2012). This document recognises that different locations and developments will be subject to different levels of risk. Many of the measures set out within the document as helping mitigate risk relate to the design of buildings and open spaces and it is considered that these be picked up at the reserved matters stage. In addition it is noted that it be intended that the development will be under a co-ordinated ownership and management which it is considered will assist in preventing any criminal activity.

Concerns have been expressed in respect of the perceived failure of the development to properly cater for pedestrians and cyclists. The position of the site, lying as it does with the A473 to the north, Y Pant to the south, Pant Marsh to the east and Cowbridge Road to the west, makes it challenging to secure a town centre development which can be as accessible (to non-car users) as possible.

As part of negotiations officer have secured from the applicant a commitment to provide a footpath through the Coed Y Hendy woodland in order to facilitate pedestrian movement and access to/from the residential area of Cefn yr Hendy to the south.

In the shorter term the former mineral railway line that runs to the west of the site and then crosses the A473 and runs along its northern side is proposed to be utilised for a shared, walker and cyclist Community Route. It is considered that this would greatly increase permeability from the north. It should be noted that in the long term there are stated SEWTA aspirations to bring this line back into use as a passenger rail line, which would of course if it ever happened result in the loss of the Community Route for walkers and cyclists.

Within Phase 2 it is proposed to replace the existing footbridge over the A473 with a new bridge. Further the proposed new A473 junction works do cater, should it be considered desirable, for the provision of an at-grade crossing from the proposed Community Route across the A473.

The new Southern Boulevard link road does provide for both pedestrian footpath and cycleway provision on both sides. At improvements at the Glamorgan Vale roundabout will improve linkages at that point across the A473 to the Glamorgan Vale Retail Park and potentially beyond.

One objector has commented that, firstly that the transport assessment has not been undertaken in accordance with the Welsh Government guidance for the assessment of transport investment (WelTAG); and secondly, he is unhappy that an alternative junction and parking arrangement that he is proposing has not been assessed.

With regard to the former, the WelTAG process is intended as an appraisal method for potential transport strategies and schemes requiring funding from the Welsh Government. It is intended to ensure that publicly funded schemes provide a positive contribution to policy objectives, are good value for money and bring overall benefits for society. They are a mandatory requirement for transport interventions for which WG funding is required. The WelTAG process is not required for projects implemented by the private sector using their own funds. Furthermore, the requirement for developers in proposing transport improvements is to mitigate the effects of their development and not to fulfil the WelTAG objectives. Indeed, it is contended that to require developers to abide by the WelTAG requirements would give rise to improvements not necessarily related to the impact of the development, which can not therefore be justified in planning terms. The proper process that needs to be followed when assessing the transport mitigation measures required is that of the transport assessment. This involves the assessment of the adverse impacts of the development in transport terms and identifies measures that will mitigate them. This is the process that has correctly been undertaken by the applicant. The transport assessment process has been the subject of a review by the Council's consultants and has been found adequate for its purpose. As such, it is considered that the objector is mistaken in his belief that the WelTAG process is needed in this case and also that the approach and data used is inadequate.

With regard to the objector's second point, the applicant has devised junction layouts at the relevant junctions, including that at the Cowbridge Road traffic signals. These have been assessed by the Council's consultants and it has been accepted that they will have adequate capacity. As such there is a no need for the more expensive solution proposed by the objector. Furthermore, the applicant is a private sector developer and is not operating as part of a consortium involving the Council. Therefore, far from avoiding a third party ransom strip as the objector contends, he is introducing one by proposing involving Council land.

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. In determining large residential developments for example most local planning authorities will seek planning obligations for affordable housing, education facilities, recreational/leisure facilities, highway/transport provisions etc.

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:

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

Planning Policy Wales (PPW) (5th Edition, November 2012) at Section 3.7 on the use of Planning Obligations.

Advice within this section confirms 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. It is essential that arrangements are fair to both the developer and the community, that the process is as transparent as possible and that development plans provide guidance on the types of obligations which authorities may seek from developers”.

Welsh Office Circular 13/97 (at Annex B, para B2), PPW (at para 3.7.5) and the Council’s own Planning Obligations SPG (at para 2.2) as a principle make it clear that “acceptable development should never be refused simply because an applicant is unwilling to offer such benefits.”

Having regard to the PPW commentary quoted above the Council adopted, as part of the suite of SPG (in March 2011, in conjunction with the Rhondda Cynon Taf LDP) the SPG document ‘Planning Obligations’. The aim of the SPG, in accordance with the clear steer from WG, is to provide a clear picture of what types of obligations developers may be expected to contribute towards, the likely amounts of these obligations and the trigger points at which different obligations will be sought by the Council. It is intended to form the basis of negotiations between all parties.

Policy AW4 (Community Infrastructure & Planning Obligations) of the Rhondda Cynon Taf LDP confirms that planning obligations may be sought where development proposals require the provision of new, improved or rely on existing services, facilities, infrastructure and related works, to make the proposal acceptable in land use planning terms (the policy also includes a list issues in respect of which contributions may be sought).

The S.106 requirements in this case

Transport/Highways

As has been detailed earlier in this report, but for clarity is also set out below.

An overall Transport/Highways contribution capped at **£4.1m**, comprising at

Phase 1:

- **£550k** for improvements to the strategic highway network (works to the A4119/A473 roundabout) to be paid pre-occupation of the supermarket (Sainsbury's);

Phase 2:

- Pre commencement of Phase 2 (excluding Leekes): **£250k** to mitigate against local highway and transportation impacts;
 - Pre occupation of Phase 2 (excluding Leekes): **£1.5m** for highway/accessibility improvements on the strategic network (or works in lieu to the value of);
1. Within 12 months of occupation of Phase 2 (excluding Leekes): **£200k** to mitigate against local highway and transportation impacts;
 2. **£1.6m (max)** of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer).

Funding or works to the strategic network will be targeted to the A473 and A4119, whilst local mitigation (£450k total) will deal with issues such as improved walking and cycling links, public transport, residents parking zones and local traffic congestion issues.

Affordable Housing

The need for and extent of any affordable housing contribution is dependent on the nature and extent of residential provision within the scheme. The application proposes 64 units which will either be Class C3 or Class C2. The nature of the provision will be clarified at reserved matters stage.

The application site lies in an area of the County Borough which falls within the LDP Southern Strategy Area. As such Policy SSA12 of the LDP requires that the site deliver a provision of 20% affordable housing (AH), which in this case (assuming 64 dwellings) equates to 13no. units.

The Council's Housing Strategy Team have indicated that in this case a provision of **13 units** on site (the preference) shall be made if the provision is to be made on site **or** a payment of **£768k** if the provision is to be sought for off site provision.

The contribution would be forthcoming within Phase 2.

Education

The need for and extent of any education contribution, like affordable housing above, is dependent on the nature and extent of residential provision within the scheme. The application proposes 64 units which will either be Class C3 or Class C2. The nature of the provision will be clarified at reserved matters stage.

The Planning Obligations SPG confirms that education obligations will apply to residential developments providing more than 10 eligible units.

The requirement on the basis of 64 dwellings would be a maximum requirement for a financial contribution of **£559k**.

The contribution would be forthcoming in Phase 2.

Provision of Play Area

The need for and extent of any play area provision contribution is also dependent on the nature and extent of residential provision within the scheme. The application proposes 64 units which will either be Class C3 or Class C2. The nature of the provision will be clarified at reserved matters stage.

The SPG clearly identifies that recreation facilities obligations will apply to residential developments containing more than 10no. residential units. Accordingly, the Council would seek a sum of **£64k** or an on site provision.

Ecology and Biodiversity Interests

Both CCW and the Council's own Ecologist have identified the need for 25 year habitat management and mitigation measures (both inside and outside the boundary of the site) to be included within a S.106 Agreement. The cost to the Council deal with these requirements has been identified as **£255k**.

Within Phase 1 a sum of £50k would be paid for the management of the Pant Marsh and within Phase 2 a sum of £205k would be paid for the maintenance of the proposed pedestrian link through the Coed y Hendy woodland (which the applicant/developer is to provide), together with the required management of the woodland itself.

Other Contributions

The payment of a financial contribution of **£150k** in order to mitigate impacts to the business/commercial centres of Pontyclun and Talbot Green.

As referred to above the provision of a pedestrian 'Walk Through the Woods' route through the Coed y Hendy woodland together with the provision of a pedestrian bridge over the Afon Clun.

Whilst not a contribution as such it is recommended that the S.106 Agreement include a requirement for the applicant/developer to undertake an annual survey and provide an annual report in respect of the structural integrity of the flood embankment across Pant Marsh.

Overall scheme conclusions

This is a major application which represents a significant economic investment in the County Borough, which it is expected to retain a significant element of the amount of retail expenditure currently being spent outside of Rhondda Cynon Taf.

The scheme itself is considered to be in broad accord with the policies of the LDP and national planning policy and guidance. It is considered that the development will deliver a sustainable form of development that will bring forward a key strategic site allocation within the LDP. It will deliver a new town centre development, the principle of which has already been found to be sound by the LDP Inspector.

The increase in the overall quantum of floorspace from that allocated in the LDP is acknowledged. However, it is considered that this increase has been justified.

Throughout its evolution it is considered that the proposal has sought to address the comments and observations of statutory consultees.

Whilst third party objections have been received to the application these are relatively limited in number for a development of this significance, albeit this in no way disregards or deflects from the merit of the concerns and objections that have been expressed. During the planning consideration process regard has been had to the objections and where possible attempts made to try and address these.

The potential traffic and highway impacts have been carefully considered and a comprehensive package of Planning Obligation mitigation secured through negotiations. It is considered that it is important that this level and scope of Planning Obligation mitigation, as identified above, is delivered in order that the scheme delivers the positive benefits identified in this report.

Recommendations

That Committee resolve to **APPROVE** the application, subject to:

3. the application being notified to Welsh Government, under the requirements of the 'Shopping Direction' (Welsh Office Circular 61/93) before any permission is issued;
- the recommended conditions as set out below ;

- the applicant first entering into a legal agreement under Section 106 of the Town and Country Planning Act in order to secure a minimum package of **Planning Obligation contributions**, comprising the following:

Transport/Highways

An overall Transport/Highways contribution capped at **£4.1m**, comprising at

Phase 1:

- **£550k** for improvements to the strategic highway network (works to the A4119/A473 roundabout) to be paid pre-occupation of the supermarket (Sainsbury's);

Phase 2:

- Pre commencement of Phase 2 (excluding Leekes): **£250k** to mitigate against local highway and transportation impacts;
- Pre occupation of Phase 2 (excluding Leekes): **£1.5m** for highway/accessibility improvements on the strategic network (or works in lieu to the value of);
- Within 12 months of occupation of Phase 2 (excluding Leekes): **£200k** to mitigate against local highway and transportation impacts;
- **£1.6m (max)** of 'Top Up' payment to deal with any unexpected highway matters should they arise post opening (it is anticipated that the scheme will be monitored over a number of years and an assessment structure developed by negotiation with the applicant/developer).

Affordable Housing

A provision of **13 units** on site shall be made if the provision is to be made on site **or** a payment of **£768k** if the provision is to be sought for off site provision.

The contribution would be forthcoming within Phase 2.

Education

The requirement on the basis of 64 dwellings would be a maximum requirement for a financial contribution of **£559k**.

The contribution would be forthcoming in Phase 2.

Provision of Play Area

A financial contribution of **£64k** or an on site play area provision.

The contribution would be forthcoming in Phase 2.

Ecology and Biodiversity Interests

Within Phase 1 a sum of **£50k** would be paid for the management of the Pant Marsh and within Phase 2 a sum of **£205k** would be paid for the maintenance of the proposed pedestrian link through the Coed y Hendy woodland (which the applicant/developer is to provide), together with the required management of the woodland itself.

Other Contributions

The payment of a financial contribution of **£150k** in order to mitigate impacts to the business/commercial centres of Pontyclun and Talbot Green.

As referred to above the provision of a pedestrian 'Walk Through the Woods' route through the Coed y Hendy woodland together with the provision of a pedestrian bridge over the Afon Clun.

Whilst not a contribution as such it is recommended that the S.106 Agreement include a requirement for the applicant/developer to undertake an annual survey and provide an annual report in respect of the structural integrity of the flood embankment across Pant Marsh.

- that the Service Director Planning be authorised to add, remove, amend or vary any condition before the issuing of the planning permission, providing that such changes do not affect the nature of the permission or development.

RECOMMENDATION **To Grant Outline Planning Permission Subject to Prior Written Conclusion of a Section 106 Agreement.**

RECOMMENDATION **Grant**

1. Approval of the details of the appearance, layout and scale and the landscaping (hereinafter called "the reserved matters") of the development shall be obtained from the Local Planning Authority in writing prior to the commencement of any development within the relevant phase(s) covered by the reserved matters: the development of each phase shall be carried out in accordance with the approved details.

The submitted 'reserved matters' details shall accord with the principles, parameters and objectives laid out in the Illustrative Masterplan/Indicative Site Plan set out in the Environmental Statement and the Design and Access Statement and its Addendum (August 2012), unless any deviation is first agreed in writing by the Local Planning Authority.

Reason: To safeguard the rights of control of the Local Planning Authority

in respect of the reserved matters and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990

2. 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, whichever is the later.

Application for approval of all the reserved matters required for the implementation of the development hereby permitted shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. This permission grants the development of a new town centre development with the following uses and maximum floorspace areas:
 - a supermarket (as further defined under condition 8 of this permission) comprising 10,801sq.m. gross/7,230sq.m. net of floorspace, together with an associated car park and petrol filling station;
 - Class A1 retail development comprising 35,522sq.m. gross/26,013sq.m. net of floorspace;
 - Class A1 café floorspace comprising 600sq.m. (gross);
 - Class A2 financial and professional services floorspace comprising 1000sq.m. (gross);
 - Class A3 food and drink floorspace of 2,390sq.m. (gross)
 - Class B1 office floorspace of 1,400sq.m. (gross)
 - A multi screen cinema;
 - A 80 bed hotel;
 - 64 residential (Class C2 and/or C3) units
 - Class D1 floorspace comprising 750sq.m. gross;
 - Car parking facilities.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of building/floorspace keeps within the parameters assessed pursuant to the EIA in relation to the development.

4. The total amount of Phase 2 Class A1 retail floorspace consented by this permission is 35,522sq.m. gross/26,013sq.m. net. Any Class A1 retail floorspace above this figure will require the prior written consent of the Local Planning Authority.

Reason: In order that the development delivers the quantum of retail

development that has been assessed within the application and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

5. Of the retail floorspace hereby permitted only the Phase 1 supermarket and the new/relocated Leekes store shall commence trading prior to 1 June 2016.

Reason: In order to ensure compliance with the requirements of the Rhondda Cynon Taf Local Development Plan and in particular the requirements of policy SSA8.

6. The new/relocated Leekes store to be provided within Phase 2 of the development hereby permitted shall not exceed 12,450sq.m. gross/8,715sq.m. net floorspace

Reason: In order that the overall development delivers the quantum of retail development that has been assessed within the application and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

7. This consent permits a town centre development with the constituent elements as identified under condition 3. The only floorspace to be created:
 - within Phase 1 shall be the supermarket development;
 - within Phase 2 the other elements of the development as identified under condition 3.

Reason: In order that the scope of each Phase is clearly defined having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

8. The net sales floorspace (excluding check-outs) of the Phase 1 supermarket hereby permitted shall not exceed 7,230sq.m. net of which no more than 3,100sq.m. shall be used for the sale of comparison goods, unless otherwise agreed in writing with the Local Planning Authority. The store shall not be subdivided into separate retail units without the further written consent of the Local Planning Authority.

Reason: In order that the development accords with the retail assessment undertaken and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place within any phase (or part thereof) until a Construction Environmental Management Plan (CEMP), relating to that phase the subject of the development, has been submitted and approved in writing by the Local Planning Authority to provide for:

- the means of access into and egress from the site for all construction traffic;
- the routing of construction traffic on the public highway;
- the parking of vehicles of site operatives and visitors;
- the management of vehicular and pedestrian traffic;
- loading and unloading of plant and materials, storage of plant and materials used in the construction of the development;
- wheel washing facilities;
- the suppression of dust;
- the sheeting of lorries leaving the site;
- details of plant and equipment;
- methods and types of ground compaction;
- mitigation measures for the control of noise;
- location of site compounds;
- use of artificial lighting;
- measures to treat and remove suspended solids from surface water run-off;
- method statement for the working on the retained areas of Pant Marsh SINC;
- the temporary protection of trees and/or hedgerows to be retained during periods of construction.

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

Reason: In the interests of the safe and free flow of traffic and in order to ensure that the amenities of residents in proximity to the site are not unduly impacted upon in accordance with policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 10.** Any facilities for the storage of oils, fuels and chemicals associated with the construction compounds shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there are multiple tanks, the compound should be at least equivalent to the capacity of the largest tank or the combined capacity of inter-connected tanks plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: In order to prevent pollution of the water environment in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 11.** Construction of the development, with the exception of prior agreed highway works, shall not take place other during the following times:
- Monday to Friday – 0800hrs to 1800hrs
 - Saturday 0800hrs to 1300hrs
 - Not at any times on Sundays , Bank or Public Holidays

Unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 12.** An Urban Design Statement shall accompany each reserved matters application that shall be submitted for approval in writing by the Local Planning Authority. The statement should demonstrate how the design of that Phases (or parts thereof), the subject of the submission, comply with the relevant design principles, parameters and objectives set out in the approved Design and Access Statement.

Reason: To ensure that a co-ordinated and consistent approach and high design standards and materials are used in the interests of visual amenity in the locality in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 13.** The reserved matters to be submitted for the approval in writing by the Local Planning Authority pursuant to Condition 1 above shall for each development phase(s) (or part thereof) of the development include details of finished floor levels for building and finished site levels (for all hard surfaced and landscaped areas) in relation to existing site levels. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development having regard to the surrounding area.

- 14.** No phase of development (or part thereof) shall commence on site, unless otherwise agreed in writing by the Local Planning Authority, until a scheme to deal with contamination within that development phase (or part thereof) has been submitted and approved in writing by the Local Planning Authority. The scheme shall include all the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

- 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. A copy of the Desk-top Study shall be submitted to the Local Planning Authority without delay on completion.

- 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 a) above.
- c) 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 Local Planning Authority by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 15.** No phase of the development (or part thereof) hereby permitted shall be occupied and/or operated until the measures approved in the scheme (referred to in condition 14) for the relevant phase (or part thereof) have been implemented. A suitable validation report of the proposed scheme is to be submitted and approved by the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 16.** 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 revised contamination proposals shall be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the site is safe and suitable for its proposed use, in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 17.** The landscaping of the relevant phase (or part thereof), the subject of the particular reserved matters submission pursuant to condition 1, shall be carried out in accordance with a scheme to be first approved in writing by the Local Planning Authority in the first planting and seeding season following the completion of that phase of the development. Any vegetation planted which within a period of 5 years from the date planted, dies, is

removed or becomes seriously damaged or diseased, shall be replaced in the next planting season with other(s) of similar size and species unless the Local Planning Authority gives its written consent to any variation

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 18.** The reserved matters referred to in condition 1 shall include, where relevant, details of all areas of public realm and works of public art within the development. These areas shall be provided in accordance with the approved details. The timetable for the full implementation of the areas of public realm and the provision of works of public art shall be agreed in writing by the Local Planning Authority prior to the occupation of the first floorspace within the relevant phase (or part thereof) and the identified area/s shall be used for no other purpose other than as areas of public realm.

Reason: To ensure that the new development makes the necessary and appropriate provision for public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 19.** There shall be no beneficial occupation of any floorspace in relation to any phase (or part thereof) of development, until a Management Strategy for the maintenance of all areas of public realm and works of public art for that phase (or part thereof) has been submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall be implemented in accordance with the approved details.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 20.** No works of construction comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof) before a Sustainable Development Strategy (SDS) report has been submitted to and approved in writing by the Local Planning Authority, in respect of either that phase or the whole development. The SDS report shall have regard to matters of energy efficiency and the efficient use of other resources and seek to minimise the use of non-renewable resources and minimise the generation of waste and pollution, where practically possible and viable; the conclusions of the report shall be implemented in full within the development.

Reason: In order to secure accordance with policy AW6 of the Rhondda Cynon Taf Local Development Plan.

- 21.** No development comprising the erection of residential and/or commercial development (buildings) shall commence in respect of any phase (or part thereof), before a scheme for the provision and implementation of a sustainable urban drainage system to serve the development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved scheme and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure the proper drainage of the site in accordance with policies AW6 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 22.** Foul and surface water drainage arrangements for the relevant phase (or part thereof) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling or any other building shall be occupied until the drainage works have been completed in accordance with the approved scheme.

Reason: In order to ensure adequate disposal of foul and surface water drainage in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 23.** No development hereby permitted shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: In order to identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

- 24.** Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hard standings associated with construction compounds, shall be passed through an oil interceptor, the capacity and design of which shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. The interceptor shall be installed prior to the parking areas and hard standings being used and retained thereafter and maintained in accordance with the manufacturer's instructions.

Reason: In order to prevent water pollution in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 25.** Each dwelling within the development hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category 'Ene1 – Dwelling Emission Rate' in accordance with the requirements of Version 3 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 26.** Unless otherwise agreed in writing by the Local Planning Authority, construction of any dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 – Dwelling Emission Rate', has been achieved for that individual dwelling or house type in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure that the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 27.** Prior to the occupation of each individual dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credit under 'Ene1 – Dwelling Emission Rate', has been achieved for that dwelling in accordance with the requirements of Version 3 of the Code for Sustainable Homes.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 28.** Non residential development/buildings shall be constructed to achieve a minimum Building Research Establishment Environmental Assessment Method (BREEAM) overall 'Very Good' standard and achieve a minimum of 6 credits under category 'Ene1 – Reduction of CO2 Emissions' in accordance with the requirements of BREEAM 2008. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To ensure that the development constructed is in accordance with

policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 29.** Unless otherwise agreed in writing by the Local Planning Authority, construction of the non residential development/buildings within the development hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum BREEAM overall 'Very Good' and a minimum of 6 credits under 'Ene1 – Reduction of CO2 Emissions' has been achieved for each individual building in accordance with the requirements of BREEAM 2008.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 30.** Within 6 months of the first beneficial occupation of the building hereby permitted, the "Final Certificate" shall be submitted to the Local Planning Authority certifying that a minimum BREEAM overall "Very Good" and a minimum of 6 credits under "Ene1 – Reduction of CO2 emissions" has been achieved for that building in accordance with the requirements of BREEAM 2008.

Reason: To ensure the development constructed is in accordance with policy guidance in relation to providing sustainable buildings, outlined in paragraph 4.12.4 of Planning Policy Wales (5th Edition) November 2012.

- 31.** Prior to import to site, soil material or aggregate used as clean fill or capping material shall be chemically tested to demonstrate that it meets the relevant screening requirements for the proposed end use. This information shall be submitted to and approved in writing by the Local Planning Authority: no other fill materials shall be imported to the site.

Reason: To ensure that the site is safe and suitable for its proposed use in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 32.** The reserved matters referred to in condition 1 where this relates to Class A3 uses and Class A1 café uses (as defined under the Town and Country Planning (Use Classes) Order 1987 as applicable to Wales on the date of this planning permission) on the site shall include details of ventilation and extraction equipment together with intended proposals for the prevention of waste cooking oils, fats, grease and solid waste, such as food waste entering the foul drainage system. Prior to first use of any such Class A3 or Class A1 café unit, the ventilation and extraction equipment and method of

'grease trap' operation shall be installed in accordance with the approved details and thereafter maintained as such.

Reason: In the interests of neighbouring amenity and in accordance with policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 33.** Notwithstanding the submitted plans, details of the design of the service yard junction with the A473, for the duration of Phase 1, shall be submitted to and approved by the Local Planning Authority. The junction shall be constructed in accordance with the approved details prior to beneficial use of the development and shall be operated as a 'left in, left out' junction only (until such time as that element of the service yard associated with development other than Phase 1 supermarket commences construction).

Reason: In the interests of highway safety and the free flow of traffic along the A473.

- 34.** The overall development hereby permitted shall provide no less than 2,632 car parking spaces (excluding required provision for the residential units within the development). These shall be provided in a decked car park and two multi storey car parks (within Phase 2) and a car park to serve the supermarket (within Phase 1). A timetable for the provision of parking within Phase 2 shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of works within Phase 2 (or part thereof). The car park to serve the supermarket in Phase 1 shall be completed prior to first beneficial occupation of the supermarket

Reason: In order to ensure that a satisfactory level of car parking is provided within the development.

- 35.** Prior to the first beneficial occupation of any phase of the development (or part thereof) hereby approved, a scheme detailing the hours of operation of all other activities within that phase of the development (or part thereof) (including a Deliveries and Servicing Plan for each phase of development. The plan shall demonstrate how deliveries and service trips will be managed on a phase by phase basis. The plan shall include a routing agreement for all delivery and service vehicles accessing the site to ensure that deliveries are made via the strategic road network and not via secondary routes) shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approval of any scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to safeguard the amenities of the occupiers of residential properties within the development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 36.** Notwithstanding the proposal to develop the site in two phases no development shall commence within Phase 2 until such time as a more detailed phasing plan building upon the second phase principle has been submitted to and been approved in writing by the Local Planning Authority. No development shall begin on any phase of the plan (as maybe approved) until such time as any pre-commencement conditions relating to that phase have been complied with. The development shall be implemented in accordance with the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that all details relating to a phase of development are submitted and approved prior to any works commencing on that phase and to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 37.** No development shall take place on a phase (or part thereof) until such time as there has been submitted to, and approved in writing by, the Local Planning Authority a plan (at a scale to be first agreed) indicating the positions, design, materials (including, where necessary, samples) and type of boundary treatments to be erected on that phase (or part thereof). The boundary treatments shall be completed in accordance with the approved details as soon as practicable following the completion of that phase, or in any event prior to the first beneficial use of that phase (or part thereof).

Reason: In the interests of the security of the site, the visual amenities of the area and to safeguard the standards of amenity occupiers of properties in that area can reasonably expect to enjoy in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 38.** No construction of any Class A1/A2/A3/B1/C1/C2/C3/D1/D2 or Car Parking (decked or multi storey) building shall commence on any phase (or part thereof) until such time as details of all materials and finishes to be used externally (including the provision of site sample panels where appropriate) on that phase have been submitted to, and approved in writing by, the Local Planning Authority. The materials used shall be in accordance with the details as may be approved.

Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 39.** Prior to the commencement of any phase of the development hereby permitted a Noise Impact Assessment Report shall be submitted for the consideration and written approval of the Local Planning Authority. Any required measures of mitigation that may be agreed shall be implemented

in full accordance with the agreed details.

Reason: in the interest of the standards of amenity occupiers of properties in the vicinity of the site can reasonably expect to enjoy in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 40.** Notwithstanding the details submitted as part of the application, development on any phase (or part thereof) shall be occupied until such time as details of all external lighting (including lighting within the entrance atrium of any retail or other commercial units) relating to that phase (or part thereof) have been submitted to, and approved in writing by, the Local Planning Authority.

Any lighting installed shall be operated in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that residents and wildlife living in close proximity to the site are not unduly affected by the levels of light emanating from the proposed development. In accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 41.** A surface water regulation system, the details of which shall be first submitted to and approved in writing by the Local Planning Authority shall be implemented in accordance with the approved details prior to the construction of any impermeable surfaces draining to the system.

Reason: To prevent the increased risk of flooding.

- 42.** Prior to the commencement of any phase of development (or part thereof) a detailed method statement for the removal or long-term management /eradication of Japanese knotweed on that part of the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: Japanese knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread from the development there would be the risk of an offence being committed, and avoidable harm to the environment occurring.

- 43.** Prior to occupation of any phase of development (or part thereof), a scheme

shall be submitted to, and approved in writing by, the Local Planning Authority, detailing measures to be incorporated into the design, construction and operation of the phase (or part thereof) for the prevention of crime (by design). The development shall comply with the details contained in the approved scheme.

Reason: In order to comply with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan and the requirements of TAN12: Design and Planning Policy Wales.

- 44.** Prior to the first beneficial occupation of any element of the development hereby permitted a "Green Travel Plan", comprising measures to promote and encourage alternatives to single occupancy car use shall be submitted to, and approved in writing by, the Local Planning Authority.

The "Green Travel Plan" should include details of a Travel Plan Co-ordinator, proposals for setting and monitoring targets (including use of public transport, walking, car-sharing and cycling) and mitigation measures if targets are not achieved. The "Green Travel Plan" shall be implemented in accordance with the details approved under this condition.

Reason: To ensure optimum provision for a range of alternative travel modes to and from the site in the interests of sustainability.

- 45.** Prior to the occupation of any floorspace within Phase 2 of the development (excluding the new/replacement Leekes store) details of a customer/visitor information point/facility shall be provided for the written approval of the Local Planning Authority. his facility shall be provided in a from and timescale as shall be first agreed in writing by the Local Planning Authority.

Reason: To ensure that the development integrates with its surrounding and having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

- 46.** Prior to any works commencing on site a strategy confirming how it is proposed to maximise mitigation opportunities for soil/grassland from areas of unimproved grassland for use within the site and development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed strategy shall be implemented in full in the course of the development.

Reason: In order to minimise impact on the natural habitat in accordance with policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 47.** The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Consequences

Assessment (FCA) undertaken by Atkins (document 5023353-DG-FRA3-2.doc, dated August 2012) and the following mitigation measures detailed within the FCA:

- d) minimum slab levels to be no lower than 46.5m Above Ordnance Datum (AOD) for the development area;
- e) a proposed mitigation scheme in the form of a raised earthwork embankment on the Pant Marsh, as outlined in section 3 and figure 3.3 of the FCA.

Reason: To reduce the impact of flooding on the proposed development and future occupants and prevent flooding by ensuring the satisfactory storage of fluvial floodwater.

48. No phase of development (or part thereof) shall commence on site until the following components of a scheme to deal with the risks associated with contamination of the site associated with that phase of development shall each be submitted to and approved, in writing, by the Local Planning Authority:

- A preliminary risk assessment which has identified:
 - all previous uses
 - 1. potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
- 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: In order to take account of controlled waters at this site and their high environmental sensitivity and the potential contamination of both soil and groundwater at the site from the historic site use associated with the former Purolite works and Staedtler factory sites.

- 49.** No phase of development (or part thereof) shall commence on site until a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to controlled waters have been met and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

- 50.** Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site

- 51.** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the size/complexity of the site, and its historic use, it is considered highly likely that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

- 52.** Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to

groundwater.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling, and also a risk that piling or other foundation excavations could disturb and mobilise residual soil contamination, providing preferential migration pathways to groundwater.

- 53.** The residential units development hereby permitted within Phase 2 shall be acoustically insulated in accordance with a scheme to be previously submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation. The development shall thereafter be implemented in accordance with the approved scheme.

Reason: In order to ensure a satisfactory form of development in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 54.** No beneficial occupation of any commercial building or dwelling hereby approved shall occur until necessary off-site improvements (in accordance with the requirements as outlined in Dwr Cymru's Hydraulic Modelling Report, ref: RT-CA-1369) to the public sewerage system have been completed and this has been confirmed in writing by the Local Planning Authority.

Reason: To protect the existing community and environment from the adverse affects of sewerage flooding and pollution and to ensure the development is effectively drained.

- 55.** Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

- 56.** No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

- 57.** No phase (or part thereof) of development shall be allowed to commence until ground conditions on the development have been proven (in accordance with the procedure outlined in BRE 365) capable of supporting infiltration methods of drainage and that the groundwater level will not

encroach within 1 metre of the underside of such infiltration drainage structures.

Reason: To ensure that drainage from the proposed development does not cause or exacerbate any adverse condition on the development site, adjoining properties, environment and existing infrastructure with regard to flood risk.

- 58.** No development whatsoever shall be allowed to commence until the structural condition of existing culverted watercourses crossing the site has been determined and measures to protect such culverted watercourses have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that flood risk associated with the existing culverted watercourses does not increase as a result of any development activities.

- 59.** No development whatsoever shall be allowed to commence until measures to protect the existing private sewerage crossing the site have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that flood risk associated with the existing private sewerage does not increase as a result of any development activities.

- 60.** Prior to the commencement of any development within Phase 2 (excluding the new/replacement Leekes store) details of a new footbridge over the A473 at the western end, to replace the existing footbridge, shall be provided for the written approval of the Local Planning Authority. The footbridge shall be constructed in accordance with the agreed details and be available for public use prior the occupation of any floorspace within Phase 2.

Reason: To ensure a satisfactory choice of appropriate pedestrian access is available to serve the development.

- 61.** Prior to the commencement of any works in Phase 2 (excluding the new/replacement Leekes store) a detailed strategy indicating the form and detailed treatment of the public transport hub along Cowbridge Road and a timetable for its implementation and provision shall be submitted to and be agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed Strategy.

Reason: To ensure that the new development makes the necessary and appropriate provision for areas of public realm in accordance with policies AW5 and AW6 of the Rhondda Cynon Taf Local.

- 62.** Prior to the commencement of any works in Phase 2 (excluding the new/replacement Leekes store) a scheme showing improvements to the public right of way which runs between the southern boundary of the Y Pant School site and the Afon Clun shall be submitted for the written approval of the Local Planning Authority. The improvements as shall be agreed are to be implemented prior to the occupation of any floorspace in Phase 2 (excluding the new/replacement Leekes store).

Reason: To ensure a satisfactory choice of appropriate pedestrian access is available to serve the development.

- 63.** Prior to occupation of any phase 1 development the following transportation infrastructure shall be completed in accordance with details that shall have been agreed with the Local Planning Authority prior to any other works commencing:-

- Improvements to the A473 Glamorgan Vale Retail Park Roundabout and the Southern Link Road and new roundabout serving the proposed Sainsbury's Car Park and petrol filling station including pedestrian linkage toward the Glamorgan Vale Retail Park.
- Pedestrian and cycle linkage (temporary) between the proposed Sainsbury's and existing pedestrian provision at the A473/A4222 junction.
- New junction serving the Sainsbury's service yard from A473 which shall be left in / left out only in Phase 1
- A scheme of signage appropriate to Phase 1 of the development to inform road users of the location of the site and to inform pedestrians and cyclists of routes to and from key local destinations.

The details of the above infrastructure shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response. These proposals shall be in compliance with the current requirements of the Designed Manual for Roads and Bridges (HMSO).

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety.

- 64.** Prior to occupation of the proposed new/replacement Leekes store the Southern Boulevard Link Road shall be extended to provide access to the service yard and car park and to a new pedestrian access serving Y Pant School in accordance with details to be agreed with Local Planning Authority prior to any works commencing on the proposed Leekes replacement store and the adjacent decked car park. Details of the

Southern Boulevard Link Road shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response.

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety.

65. Prior to occupation of any phase 2 development (excluding the new/replacement Leekes store) the following transportation infrastructure shall be completed in accordance with details that shall have been agreed with the Local Planning Authority prior to any other phase 2 works commencing:-

- Signalisation of the A473 Glamorgan Vale Retail Park Roundabout and completion of the Southern Link Road to connect to the A4222 by a signal controlled junction.
- Signalisation of the new junction off the A473 serving the proposed service yards and multi storey car park.
- A new replacement bridge over the A473 to cater for pedestrians and cyclists attracted to the new town centre development or the reconfiguring of the junction to create at grade pedestrian/cycle crossing facilities. The preferred option to be determined by the Local Planning Authority at reserved matters stage.
- Upgrading of Cowbridge Road (A4222) along the site frontage to include a public transport hub designed to promote public transport use and accommodate passenger interchange and enhanced public realm to facilitate and encourage active travel.
- A scheme of signage appropriate to the scale of the completed development to inform road users of the location of the site and to inform pedestrians and cyclists of routes to and from key local destinations.

The details of the above infrastructure shall include full engineering design and details including drainage, longitudinal and cross sections, street lighting, highway structures, highway verge, public / community transport facilities, swept path analysis and relevant Road Safety Audits with designer's response. These proposals shall be in compliance with the current requirements of the Design Manual for Roads and Bridges (HMSO).

Reason: To ensure the adequacy of proposed development, in the interests of highway and pedestrian safety and to ensure that adequate public transport infrastructure is provided, to encourage the greater use of more alternative sustainable modes of travel to and from the development.

- 66.** Detail and Method Statement of a car park and on-site traffic management and operation system for each phase (or part thereof) must be submitted to and agreed in writing by the Local Planning Authority prior to occupation of any phase 2 development. The scheme shall include appropriate measures to ensure that traffic attracted to the development does not form queues that are detrimental to the safe and efficient use of the public highway. The scheme shall include opportunities for annual monitoring of the effectiveness of the layout and measures by which amendments can be secured. The approved management and operation system shall be implemented on a phased basis to the satisfaction of the Local Planning Authority in conjunction with each phase being brought into beneficial use. The management arrangements shall be subject of a review and monitored to the satisfaction of the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic

- 67.** Notwithstanding the submitted details, a Variable Message Sign and Car Park Guidance System shall be provided at the following locations:
- The proposed signalised junction on the A4222 Cowbridge Road;
 - Junction of the A4222 Cowbridge Road with the A473;
 - i. A473 Glamorgan Vale Retail Park roundabout junction;

in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to beneficial occupation of any buildings (excluding the new/replacement Leekes store) within Phase 2. The approved details shall be implemented prior to beneficial occupation of any buildings (excluding the new/replacement Leekes store) within Phase 2 of the development.

Reason: In the interests of the safety and free flow of traffic.

- 68.** Details of a geotechnical site investigation and appropriate mitigation measures in relation to highway infrastructure within each phase (or part thereof) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the relevant phase. The approved mitigation measures shall be implemented in accordance with the approved details and incorporated into the highway infrastructure.

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety

- 69.** Prior to the submission of reserved matters for layout and scale of any phase relating to retail or leisure uses (excluding the Phase 1 supermarket), a schedule of unit sizes shall be submitted to and approved in writing by the Local Planning Authority. The unit sizes should be appropriate to the town centre nature of the development. Reserved matters for scale and layout

within any phase relating to retail and leisure uses (excluding the Phase 1 supermarket) shall be in accordance with the approved schedule.

Reason: To ensure a range of retail and leisure uses is provided, appropriate to the town centre development, and to ensure that impact is as assessed by the Local Planning Authority, having regard to policy SSA8 of the Rhondda Cynon Taf Local Development Plan.

- 70.** Prior to its installation a full specification of all fixed building plant (within Phases 1 and 2, or part thereof) shall be submitted to and approved in writing by the Local Planning Authority. Installation shall be in full accordance with the approved details.

Reason: In order to ensure that the plant is not of nuisance to nearby residential occupiers having regard to policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 71.** No development shall take place until a Species and Habitat Protection and Mitigation Plan for Construction has been submitted and approved in writing by the Local Planning Authority. The plan shall include:

- a) an appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;
- b) details of protective measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- c) a timetable to show phasing of construction activities to avoid periods of the year when sensitive wildlife could be harmed (such as nesting bird season, hibernating and breeding amphibians and reptiles, etc.)
- d) details of specific species and habitat mitigation measures
- e) persons responsible for:
 - i) compliance with legal consents relating to nature conservation;
 - ii) compliance with planning conditions relating to nature conservation;
 - iii) installation of physical protection measures during construction;
 - iv) implementation of sensitive working practices during construction;
 - v) regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
 - vi) specific species and Habitat Mitigation measures
 - vii) provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 72.** No development shall take place until details of the Flood Bund Habitat Mitigation Plan have been submitted to and approved in writing by the Local Planning Authority.

The Flood Bund Mitigation Plan shall include details of;

- a) purpose, aim and objectives of the scheme;
- b) a review of the plans ecological potential and constraints;
- c) the method statement for the careful stripping and (if necessary) storage of SINC grassland soil/vegetation/seed sources to be lost to the Supermarket development, including timescales and plans showing areas from which habitat material will be salvaged and where material will be stored.
- d) the method statement for the replacement of SINC grassland soil/vegetation/seeds onto the newly constructed flood bund.
- e) a 5 year aftercare plan for the translocated flood bund grassland, to include
 - i) techniques and methods of vegetation establishment,
 - ii) method statements for site preparation and establishment of target habitat features;
 - iii) extent and location of proposed works;
 - iv) aftercare and long term management;
 - v) personnel responsible for the work;
 - vi) timing of the works;
 - vii) monitoring;
 - viii) disposal of waste arising from the works;

All construction activities shall be carried out in accordance with the Flood Bund Habitat Mitigation Plan approved details, unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of ecology and biodiversity and having regard to policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 73.** Prior to commencement of development, constructional details, including cross sectional details, shall be submitted to and approved in writing, which demonstrate the line and edge of the flood bund in relation to the adjacent Public Right of Way. A method statement shall also be submitted which demonstrates how the Public Right of Way will remain open, accessible and unobstructed through the course of the construction, in addition to a schedule of the measures which will be employed to ensure that the foot path is not damaged by the construction, unless agreed otherwise in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of visual amenity and to ensure the protection of the Public Rights of Way in accordance with policy AW7 of the Rhondda Cynon Taf Local Development Plan.

WYG Planning & Design

part of the WYG group



A064211
31 May 2013

By E-mail

Mr Simon Gale
Development Control
Rhondda Cynon Taff CBC
Sardis House
Sardis Road
Pontypridd
CF37 1DU

Dear Mr Gale

**Talbot Green Developments Ltd
Land adjacent to Cowbridge Road and A473, Talbot Green (LPA Refs: 11/1330 and 12/1102)**

We write further to the committee’s resolution of 28th February 2013 in respect of the outline application (ref: 11/1330) and our meeting of 23 May 2013 in respect of both the above applications. We write specifically to set out our client’s position in response to the committee resolution in planning and financial terms.

As you are aware, the outline application was taken to committee on 28th February 2013 and recommended for approval subject to, *inter alia*, the payment of £2.05M for improvements to the strategic highway network (works to the A4119/A473 roundabout), £450k to mitigate against local highway and transportation impacts and a facility to call down a fair and reasonably related sum to provide necessary mitigation against hitherto unforeseen impacts should they arise as a direct result of the development in the future. Each of these sums would be secured under a s106 Planning Agreement in full accordance with the relevant legislation (s122 of the CIL Regulations 2010, as amended) and were split into phased payments relating to phase 1, phase 2 or both.

Other highway works proposed in the application itself were to be required by suggested planning conditions 63 and 65 (and would not, therefore, be the subject of section 106 payments), such as the configuration of the junctions of the proposed southern link road with the A473 at Glamorgan Vale roundabout and Cowbridge Road.

At the 28th February meeting, Members expressed concern over:

- “the level of congestion in the area”;
- “the amount of traffic that may be diverted to the new supermarket”; and
- “the level of disruption that would be caused by the Phase 2 highway works taking place on the strategic network after the network had already been disrupted by the Phase 1 works”. It was raised that “this could have a significant impact on travel in and out of the County Borough with implications for economic well-being which was clearly not good practice/value for money”.

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Accordingly, Members resolved to approve the application subject to altered phasing of highway requirements, as follows:

- a) £2,050,000 for improvements to the strategic highway network (works to the A4119/A473 roundabout), to be paid pre-occupation of phase 1;
- b) The full signalisation geometry of the Glamorgan Vale roundabout to serve phase 1;
- c) £250,000 to mitigate against local highway and transportation impacts, to be paid pre-occupation of phase 2;
- d) £200,000 to mitigate against local highway and transportation impacts, to be paid within 12 months of occupation of phase 2;
- e) Facility to "top-up" the highways contribution, subject to monitoring identifying a need, triggering a payment up to a maximum of £1.6M.

The difference between the Committee's resolution and the recommendation by officers relates to items (a) and (b). Taking each element in turn, our client's response is set out below:

(a) £2,050,000 for improvements on the strategic network to the A4119/A473 roundabout (paid pre-occupation of phase 1)

Our client is willing to meet the requirement of Members' that part of this obligation, originally recommended for Phase 2, is brought forward to Phase 1. This means that the Phase 1 obligation has increased by £1.5m and the Phase 2 obligation has reduced accordingly.

This obligation provides the Council with funding for strategic improvements, as set out in the Council's adopted SPG. Bringing forward this funding to Phase 1 provides the Council with greater flexibility to undertake necessary strategic improvements to facilitate the development. It provides the Council with greater opportunity to undertake strategic highway works in a less piecemeal fashion, and so minimise disruption to the network. This was a significant concern of Members, who wanted to ensure that strategic development occurs with minimal impact on the comfort and well being of existing residents and visitors to RCT.

It is for the Council to consider precisely how best to utilise the monies resulting from this obligation on the identified improvements to the strategic network. It should undertake this consideration comprehensively, not just in the context of the Talbot Green development, but including other strategic changes within the Authority area. For this reason it is most appropriate that this is an obligation and not a Condition to undertake works.

The revised obligation at Phase 1 now makes it more achievable for the Council to make a single and step change improvement to the A4119/A473 strategic network junction. Our client accepts that this is a necessary payment directly related to the development and of a fair and reasonable scale and kind.

(b) The full signalisation geometry of the Glamorgan Vale roundabout to serve phase 1

While our client also understands Members' similar concerns regarding the Glamorgan Vale roundabout, we consider that Members' concerns are unfounded in this instance. The Council's highways officers and their consultants are in agreement that the phase 2 works to this roundabout are not required in phase 1 as traffic flows will be relatively light and capacity at the roundabout is substantial; i.e. it is more than able to accommodate the additional traffic flows.



Furthermore, Members had no information in front of them regarding the potential effects of the various elements of road works and how these could be managed in practice to limit disruption on the network. Accordingly, our client's transport consultants have looked in some detail at the phased approach to mitigation, both at the Glamorgan Vale roundabout and as proposed elsewhere by the application (see attached note). They consider not only that there would be no material benefit in bringing forward all of the Glamorgan Vale roundabout works into phase 1 in terms of reducing disruption, but that it would be counter-productive to do so. They consider that the potential disruption associated with the phase 1 Glamorgan Vale roundabout works are limited due to the minor nature of those works and the fact that the majority of the phase 1 works relate to the construction of a new southern arm (which can be carried out "off-line" with no impact on existing traffic movements). This is beneficial as it minimises potential disruption at this location at a time when the adjacent A4119/A473 roundabout will be undergoing significant works as a result of Members requirement for all mitigation to be carried out at this location in phase 1 with the associated £2.05M payment.

By carrying out the majority of works at the Glamorgan Vale roundabout in phase 2 (the only point at which they are needed) means that the A4119 suffers disruption in phase 1 and other areas of the network (Glamorgan Vale roundabout, A473/A4222 junction and the A4222/southern link road junction) suffer disruption in phase 2. To combine disruption on the A4119 with disruption on the A473 risks making conditions on the network more inconvenient than they need to be.

The absence of any net increase in disruption arising from a two-phase mitigation scheme at the Glamorgan Vale roundabout, as demonstrated by the attached note, demonstrates that there will be no material impact on the economic well-being of the Borough either. Indeed, Members' legitimate interest in economic well-being is likely to be best served by ensuring the development can commence in a timely fashion to ensure the significant investment, construction activity, job creation and expenditure retention, all occasioned by the development, can take effect at the earliest opportunity.

(c) £250,000 to mitigate against local highway and transportation impacts (paid pre-occupation of phase 2)

This is in line with the original officer recommendation and remains in our client's opinion a necessary payment directly related to the development and of a fair and reasonable scale and kind.

(d) £200,000 to mitigate against local highway and transportation impacts (paid within 12 months of occupation of phase 2)

This is also in line with the original officer recommendation and remains in our client's opinion a necessary payment directly related to the development and of a fair and reasonable scale and kind.

(e) Facility to "top-up" the highways contribution, subject to monitoring, up to a maximum of £1.6M

Our client accepts that the impacts identified at the application stage may differ to those experienced once the development is operational. Accordingly, a mechanism secured by s106 to allow the development traffic to be monitored, and impacts directly related to the development to be identified, is appropriate. If such impacts are identified our client accepts that a fair and reasonable payment to mitigate those impacts would be necessary and in accordance with the legislative requirements for s106 agreements. Our client has agreed a formula to allow such payments to be calculated (the "Capita formula", amended to take account of modal shift).



Summary

In summary, our client has listened to the concerns of the Committee and is prepared to offer an alternative section 106 agreement in respect of highway matters, providing the full required mitigation to the A4119/A473 roundabout in phase 1 but with the phasing of the Glamorgan Vale roundabout mitigation remaining as proposed in the original application.

While the above focuses on the s106 agreement and the Glamorgan Vale roundabout works, we can also confirm our client's willingness to undertake the other works set out in the 28th February committee report at conditions 63 and 65. Accordingly, the highway commitments our client is making in respect of both the s106 agreement and necessary planning conditions are as follows (alterations to the Committee's resolved position highlighted in box):

- Phase 1
- £2,050,000 for improvements to the strategic highway network (works to the A4119/A473 roundabout) to be paid pre-occupation of phase 1;
 - The alterations to the Glamorgan Vale roundabout, proposed in the application for phase 1 (as recommended by officers in the 28th February committee report) prior to occupation of phase 1;
 - Pedestrian & cycle linkage between A473/A4119 junction & the south side of the Glamorgan Vale roundabout prior to occupation of phase 1;
 - The building of the Southern Link Road & new roundabout next to Sainsbury's, including pedestrian linkage toward Glamorgan Vale Retail Park prior to occupation of phase 1;
 - Temporary pedestrian & cycle linkage between Sainsbury's and existing pedestrian facilities at A4222/A473 junction prior to occupation of phase 1; and
 - New junction from A473 to Sainsbury's service yard which shall be left-in / left-out only in Phase 1;
 - A scheme of signage appropriate to Phase 1 prior to occupation of phase 1.

N.B. it is worth noting that the above phase 1 highway infrastructure and junction improvement works will cost our client £4.02M in addition to the £2.05M s106 contribution. Accordingly, the total phase 1 value would be **£6.07M**.

- Phase 2
- £250,000 to mitigate against local highway and transportation impacts, to be paid pre-occupation of phase 2 (excluding the relocation of Leekes);
 - £200,000 to mitigate against local highway and transportation impacts, to be paid within 12 months of occupation of phase 2 (excluding the relocation of Leekes);
 - The alterations to the Glamorgan Vale roundabout, proposed in the application for phase 2 (i.e. a signalised arrangement, as recommended by officers in the 28th February committee report) pre-occupation of phase 2 (excluding the relocation of Leekes);
 - Completion of Southern Link Road to connect to the A4222 by a signal controlled junction prior to occupation of any phase 2 development (excluding the new/replacement Leekes store);
 - Reconfiguration and full signalisation of the A473 'service yard' junction (which in Phase 2 will also be access to MSCP) prior to occupation of any phase 2 development (excluding the new/replacement Leekes store);
 - A new replacement pedestrian & cycle bridge over A473 OR reconfiguration of the junction to create at-grade pedestrian & cycle crossing facilities (at LPA's discretion at the reserved matters stage) prior to occupation of any phase 2 development (excluding the new/replacement Leekes store);
 - Cowbridge Road (A4222) upgrade to provide public transport hub pre-occupation of relevant element of phase 2 (excluding the relocation of Leekes); and
 - A scheme of signage appropriate to Phase 2 prior to occupation of any phase 2 development (excluding the new/replacement Leekes store).

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N.B. it is again worth noting that the above phase 2 highway infrastructure and junction improvement works will cost our client £4.63M in addition to the s106 contributions. Accordingly, the total phase 2 value would be **£5.08M**.

Thereafter - Facility to "top-up" the highways contribution, subject to monitoring identifying a need which is directly related to the development, triggering application of the "Capita Formula" (taking account of modal shift) and calculation of a fair and reasonable contribution, up to a maximum of £1.6M.
Top-up total – up to **£1.6M**

The total value of the highway associated works and contributions, therefore, would be **£11.15M + "top up"**, which is a very significant provision that may have been overlooked in the 28 February committee decision.

We trust you will be able to report the above position to the Committee on 18th July.

Yours sincerely



Director

For and on behalf of WYG

End.

- cc Jane Cook – RCT
- Roger Waters – RCT
- Jim Bailey – RCT
- Sarah Feist - RCT
- Mark Jackson – TGDL
- Andy Richardson – TGDL
- Ross McNulty – TGDL
- Paul Williams - WG
- Mike Axon – Vectos
- Matt Russell - Vectos

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Talbot Green Town Centre

Date: 30/04/2013
Subject: Talbot Green – Glamorgan Vale Roundabout.
Reference: TN11-MR-W110033A-GV Roundabout

Introduction

1. This note has been prepared in order to address the Members recommendations for Phase 2 (full implementation of the outline consent) highway infrastructure works at the A473 Glamorgan Vale roundabout to be brought forward to Phase 1 (the Sainsbury's Food store + PFS element of the outline consent).
2. The outline application was considered at the planning committee meeting held on 28th February 2013 with a recommendation for approval, on the basis of delivery of highway improvements in accord with that detailed on the relevant planning drawings. Section 106 payments were also confirmed in relation to transport and highways as set out on page 67 of the Committee Report.
3. The Phase 1 general highway improvements at the Glamorgan Vale roundabout are shown on the following drawings:-
 - W110033A/B/05 (Sheet 1 of 2)
 - W110033A/B/06 (Sheet 2 of 2)
4. Similarly, the extent of the Phase 2 highway works at this junction are detailed on drawing nos:-
 - W110033A/B/03 – Proposed Highway Layout (Sheet 1 of 2)
 - W110033A/B/04 – Proposed Highway Layout (Sheet 2 of 2)
5. However, as noted in the minutes of the development control committee meeting of 28th February 2013, the local Members expressed concern over the level of congestion in the area. Their views were that the traffic diverted to the new foodstore along with Phase 2 highway works associated with the remainder of the town centre coming forward could have a significant impact on travel in and out of the County Borough with implications for economic well-being.
6. This note addresses the following points:
 - Phase 2 Glamorgan Vale roundabout improvement works being brought forward in Phase 1

- The concerns of the Members in relation to congestion at Glamorgan Vale roundabout
- The phased approach to works at Glamorgan Vale roundabout and the ability to manage these in order to minimise the impact on the local highway network.

Phase 2 Works coming forward in Phase 1

7. The Traffic Impact Assessment undertaken to consider the impacts of the Phase 1 and Phase 2 development proposals, considered two development case scenarios. These two scenarios were assessed using the local area Paramics model with individual junction assessments being undertaken as agreed during discussions with RCT and Capita Symonds. The development scenarios considered for the Friday PM and Saturday peak hour were:
 - Phase 1 (Foodstore Only) – Opening year 2014 and future year assessment of 2021
 - Phase 2 (Complete Town Centre) – Base year 2016 and future year assessment of 2021
8. For the Phase 1 development, the works required at the A473 Glamorgan Vale roundabout include the provision of the development arm to the south of the existing roundabout junction along with some minor kerb realignment works on the exit arms of the A473 in both the eastbound and westbound directions.
9. The improvement works for the Phase 1 development scenario have been included in the micro-simulation model (Paramics) and the individual junction assessment work undertaken in ARCADY. The findings from the Paramics modelling were submitted to RCT as part of the original Transport Assessment. Further to this the individual junction assessment for the A473 roundabout for the Phase 1 development only was submitted as part of the post-submission discussions with RCT and Capita Symonds.
10. The post-submission technical meetings and discussions resulted in the Transport Assessment Addendum being submitted which included revised modelling work taking into account the concerns raised by RCT in relation to the use of appropriate trip rates for all land uses (comparison with Cwmbran trip rates) and increasing the percentage of new 'primary' trips to 5% and 10%, in accordance with the RCT/Capita Symonds's requests during post-submission discussions for weekdays and Saturdays respectively .
11. The results from the ARCADY assessment (as included in the Transport Assessment Addendum) are shown below.

Summary of Glamorgan Vale Roundabout ARCADY results				
Scenario	Arm	Queue (vehicles)	Delay	RFC
Weekday PM Peak	Retail Park	1	0.18	0.48
	A473 (E)	2	0.09	0.62
	New Link Road	16	0.94	0.95
	A473 (W)	3	0.13	0.70
Saturday Peak	Retail Park	3	0.25	0.71
	A473 (E)	2	0.09	0.60
	New Link Road	7	0.43	0.87
	A473 (W)	4	0.16	0.77

12. The ARCADY analysis demonstrates that in the 2021 Weekday PM and Saturday peak periods the roundabout is able to accommodate all traffic on the A473 eastbound and westbound arms with spare capacity and minimal predicted queuing. The results were accepted by RCT and Capita and the minor carriageway modifications to the A473 arms along with the layout of the development arm were considered wholly appropriate and acceptable for the Phase 1 development.
13. On that basis there is no requirement to introduce the Phase 2 highway improvements at this junction as part of the Phase 1 development.

Existing Congestion at the Glamorgan Vale Roundabout

14. As part of the discussions with officers from RCT on the run up to the committee meeting, the point was raised by Roger Waters about the concerns over existing queues on the A473 in both directions for traffic entering the Glamorgan Vale Retail Park.
15. Whilst there is no evidence of traffic queues occurring at this location during the site visits that have been made during the planning application process or in the detailed traffic surveys undertaken as part of the Transport Assessment, it is a perceived problem by local residents.
16. This roundabout currently provides access to the Glamorgan Vale Retail Park from the A473 which in turn connects to the wider highway network. There is no evidence from ARCADY analysis or survey data to suggest that the existing junction layout or traffic flow through it is giving rise to queuing on the highway network.
17. On that basis, any queuing that has been observed on the A473 approaches are likely to be as a result of capacity constraints on the entry arm into the Glamorgan Vale Retail Park. This queuing of vehicles is likely to arise from the access road arrangements and internal car park layout of the Glamorgan Vale Retail Park and not the current Glamorgan Vale roundabout layout. As such, the introduction of the Phase 2 works in Phase 1 at this junction will not address the issues associated with the retail park access.
18. However, the development itself will mean a different balance of traffic movement as a result of the choice and competition that it creates. Inevitably this will mean minimising inconvenience and the likelihood that people will act to avoid shopping based queuing occurring.

19. Therefore, the queuing, as a result of overtrading at Glamorgan Vale Retail Park, will not be affected one way or another by physical works at the roundabout. The Phase 1 works at the roundabout are more than sufficient to accommodate the new and changed demands and this is agreed by officers of the Council. The development itself will act to redistribute traffic and mitigate the shopping related queuing that already occurs. The Phase 1 roundabout design comfortably accommodates this.
20. Therefore, there is betterment with the development at Phase 1, and further betterment at Phase 2. There is no technical or other reason to require Phase 2 works before the implementation of Phase 2.

Phasing of works at A473 Glamorgan Vale roundabout

21. The agreement of the RCT technical officers are that the Works proposed by the Applicant for Phase 1 are reasonable and appropriate.
22. No technical work has been carried out and provided to RCTCBC on the degree of highway disruption associated with the TGTC highway improvement works and therefore, there may be some misunderstanding as to the traffic management requirements for the Phase 1 and Phase 2 works. Therefore this note seeks to establish if there is a material disbenefit of having two phases of works.
23. The Applicant's Phase 1 works to the Glamorgan Vale roundabout are minor in the context of highway disruption. They will include the construction of a new southern arm to serve the proposed Sainsbury's foodstore and PFS, as well as minor kerb re-alignment works and revised carriageway markings. . The Sainsbury's access road could be built, almost in its entirety, without requiring any traffic management or disruption to the A473 Glamorgan Vale roundabout as it is positioned outside of the limits of the existing roundabout.
24. There would be a requirement for a minimal amount of traffic management to allow for the integration of the new southern access road with the existing roundabout. The traffic management required for this could be co-ordinated with the kerb realignment works and is likely to amount to minor lane narrowing that would not reduce the ability of the roundabout to accommodate a two-lane circulatory, thereby not affecting capacity. Furthermore, these works can be undertaken outside of the peak periods (when there is greater spare highway capacity) so that the operation of the highway during the peaks is not compromised.
25. Additionally, the pedestrian improvements to the eastern and northern arms are not contained within the existing vehicle movement corridors and as such, would require a modest amount of traffic management for a very short construction period again out of peak times. Overall these works will have a negligible impact on the A473.
26. Therefore the Phase 1 Glamorgan Vale roundabout works can be undertaken with no material impact on background traffic conditions.
27. The implementation of the Phase 2 works at the Glamorgan Vale roundabout will involve a far more detailed traffic management plan, that will include diversions, lane

narrowing, protection for workmen in the road and temporary traffic lights. This will result in periods of noticeable disruption, though the degree will vary depending upon the stage of construction and traffic conditions.

28. It should be noted that the mitigation measures to the A4119 roundabout in Phase 1 and as such, the introduction of the (planned) Phase 2 works at the Glamorgan Vale roundabout during Phase 1, i.e. in tandem with the A4119 works, will further delay some drivers and compound congestion unnecessarily.. The combined effects of both works occurring together is undesirable and unnecessary.
29. Therefore, the best approach for the highway network and level of service on that network, is for the timing of the Phase 2 Glamorgan Vale roundabout works to be independent from any works to the A4119/A473.

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

18 JULY 2013

REPORT OF: SERVICE DIRECTOR PLANNING

REPORT

OFFICER TO CONTACT

Application No. 11/1330 -
Development of new town centre
comprising: a 10,801sq m gross
foodstore (Class A1); 8 pump
petrol filling station; 35,522 sq m
gross retail floor space (Class A1);
600sq m gross cafe space (Class
A1); 1,000sq m
financial/professional service
space (Class A2); 2,390sq m gross
food and drink space (Class A3);
1,400sq m gross office space
(Class B1); 750sq m gross Class
D1 space; 8 screen cinema; 80
bed hotel; 64 dwellings (Class
C2/C3); multi storey and surface
level car parking; associated
access infrastructure, re-profiling
of land, landscaping and flood
alleviation works (Further
information comprising -
Environmental Statement
addendum, Design and Access
Statement addendum and revised
plans received August 2012)
(Transport Assessment
Addendum Report received
January 2013).

Mr Jim Bailey
(Tel. No. 01443 494758)

See Relevant Application File

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