

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

18TH JULY 2017

TREFOREST INDUSTRIAL ESTATE AND PARC NANTGARW LOCAL DEVELOPMENT ORDER ADOPTION

REPORT OF THE DIRECTOR OF REGENERATION AND PLANNING IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR R BEVAN

AUTHOR: Simon Gale, Service Director Planning - 01443 494716

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek approval to adopt the Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO) (**see Appendix 1**). This will result in certain proposals within the LDO area not requiring a formal planning application.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 The draft LDO for Treforest Industrial Estate and Parc Nantgarw is adopted.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The LDO is being proposed as a tool for encouraging further economic development within Treforest Industrial Estate and Parc Nantgarw, through removing the need for a formal planning permission for specified developments and therefore making the planning process easier for developers. Once adopted the LDO will be publicised and promoted with businesses and other stakeholders in the area and accompanying user guides will be finalised and published.

4. BACKGROUND

- 4.1 The Council is working with partners to improve the structure and identity of Treforest Industrial Estate which is a regionally significant site, creating key employment and innovation opportunities. The Estate has major potential to deliver economic benefit for the wider City Region due

to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

- 4.2 The LDO is proposed for Treforest Industrial Estate and Parc Nantgarw with the aim of encouraging further development within this area and to help deliver the above outcomes. LDOs remove the need for formal planning applications for specified developments.
- 4.3 The proposed LDO boundary incorporates both Treforest Industrial Estate and Parc Nantgarw (“The Estate”) and broadly follows that of Policy SSA 27 in the adopted Rhondda Cynon Taf Local Development Plan (LDP) (**see Appendix 2 for policy**). A few additional areas have been added in the vicinity, including Upper Boat Business Park to maximise the benefits of the LDO.
- 4.4 The LDO essentially permits development that would support the implementation of Policy SSA 27 of the LDP, which allows for development in B1, B2 and B8 (these are business type uses) Use Classes under the Town and Country Planning (Use Classes) Order 1987, and other similar employment uses. Other uses are only permitted by the policy where they would be considered complementary and ancillary to the primary purpose of the area, to ensure that its integrity as an employment site is not undermined.
- 4.5 Within the parameters of this policy, The LDO aims to effectively grant planning permission for as wide a range of developments as possible, subject to site constraints. The development permitted by the LDO is explained in more detail in the Statement of Reasons (**See Appendix 3**):
- 4.6 Statutory consultation has been carried out on the draft LDO under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. This included consultation with owners and tenants within the LDO boundary and consultation with other interested parties, including those who would normally be statutory consultees on a planning application and neighbouring residents.
- 4.7 Following the statutory consultation, the draft LDO was modified. Following a Level 3 Decision in Consultation with the Cabinet Member for Enterprise, Development and Housing (**See Appendix 4**), the modified LDO was sent to the Welsh Ministers to seek their views, in accordance with procedures under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.
- 4.8 The Welsh Ministers have confirmed that they do not wish to make a direction requiring submission of the LDO to them for approval (**See Appendix 5**), and therefore the Council is able to adopt the LDO if it wishes.

- 4.9 This extensive consultation process has allowed for impacts on traffic, flooding, neighbours, listed buildings, etc to be fully considered and balanced against the benefits of introducing the LDO. The result is the plan attached at **Appendix 6** outlining the 4 'zones' of the LDO which are designed to address the consultation responses on matters such as flooding, residential amenity and statutory services and infrastructure.
- 4.9 A User Guide is being produced to assist in the interpretation of the LDO and the LDO and supporting documents will be translated into Welsh.. While there is no statutory requirement to publicise the adoption of the LDO, it is considered that publicity would be beneficial, and this will be undertaken with the relevant businesses and other stakeholders in the area.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment (EqIA) screening form has been completed previously for the project. It found that a full assessment is not required. There have been no changes since which would lead to the contents of the form being altered nor a greater impact on equality.

6. CONSULTATION

- 6.1 Consultation has been carried out on the LDO as outlined in paragraph 4.6 above.

7. FINANCIAL IMPLICATION(S)

- 7.1 The LDO will mean that that anyone who wishes to develop under the Local Development Order will not be required to pay a planning application fee. However, the impact on fee income is expected to be small and this is considered to be outweighed by the economic benefits of the LDO.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 The LDO has been drafted in accordance with the Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 which allow for LDOs to be implemented and set out the procedures for these. Legal Services were consulted during the statutory consultation and discussions have been held with them throughout the drafting of the LDO.

9. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP / FUTURE GENERATIONS - SUSTAINABLE DEVELOPMENT

9.1 This project links to the Corporate Plan as it contributes to the aim of Building a Stronger Economy, through making it easier for businesses to set up, grow and provide jobs. It also contributes to supporting Businesses to Thrive and Grow, as set out in the Single Integrated Plan.

10. CONCLUSION

10.1 The proposed LDO is considered to be beneficial to the performance of Treforest Industrial Estate and Parc Nantgarw, and consequently economic development within the County Borough and wider City Region. It has been written to maximise these benefits, while also taking into account of the constraints in the local area. Therefore it is recommended that the modified draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), is approved for adoption

Other Information:-

Relevant Scrutiny Committee

Public Service Delivery, Communities and Prosperity Scrutiny Committee

Contact Officer

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LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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COUNCILLOR R BEVAN**

Officer to contact: Simon Gale, Service Director Planning: Tel 01443 494716

**Treforest Industrial Estate and Parc Nantgarw
Local Development Order**

**Adopted Version
[Insert Date]**

Rhondda Cynon Taf County Borough Council



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Town and Country Planning Act 1990 (as amended)

Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

Definitions

In this Order:

All definitions in the Town and Country Planning (General Permitted Development) Order 1995 (as amended) apply to this Local Development Order, except where otherwise defined within this Order.

“Area 1” constitutes the following land:

- Land that falls within 35 metres of the boundary of a residential curtilage;
- Land that falls within 10 metres of the railway line, identified as shaded in green within Schedule 5;
- Land which forms part of recorded mine entries or is within their zone of influence;
- Land that falls within 10 metres of a building listed for its special historical or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Land that falls within 7 metres of an open watercourse;
- Land that falls within the 165 metre easement for the high pressure gas main, identified as edged in brown within Schedule 5;

“Area 2” constitutes the land that is shaded in red in Schedule 6;

“Area 3” constitutes the land that does not fall within Areas 1, 2 or 4;

“Area 4” constitutes the land that is shaded in blue in Schedule 7;

“Building” is defined as a building which is primarily there to provide floor space for a specific purpose;

“EIA Development” has the same meaning as in regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016;

“Extension” is defined as an increase in the volume of a building or a structure;

“External works” are defined as works to areas of the site other than buildings, including the erection of enclosures, hard landscaping, lighting, renewable energy developments and vehicle charging points;

“Floor space” means the total floor space in a building or buildings;

“Highest point of the roof” is defined as the highest point of the roof structure, excluding any chimneys, antenna or other structures attached to the roof;

“Land” is defined as land where it falls within the boundary of the LDO, including that which is covered by buildings and structures;

“Open watercourse” is defined as the channel of any part of a watercourse that is not culverted;

“Shelter” is defined as a largely open structure with a roof which is primarily used as shelter from inclement weather while outside, such as bicycle shelters, bus shelters, smoking shelters and trolley shelters;

“Site” is defined as the land which forms an operational planning unit, or will form an operational planning unit following development permitted by the LDO;

“Structure” is defined as a structure which rises above ground level, but is not primarily there to provide any floor space for a specific purpose.

Treforest Industrial Estate and Parc Nantgarw Local Development Order

1. This Local Development Order (“LDO”) is made by the Rhondda Cynon Taf County Borough Council (“the Council”) under Section 61A of the Town and Country Planning Act 1990 (as amended) and shall be known as The Treforest Industrial Estate and Parc Nantgarw Local Development Order 2016.
2. This LDO takes effect on the date that it is adopted by the Council and will remain in force for a 10 year period from its adoption following which the LDO shall lapse.
3. This LDO applies to the land edged red on the map attached as Schedule 1 only.
- 4. This LDO grants planning permission for developments within Schedule 2, subject to the exclusions, limitations and conditions as set out in this Order.**
5. Nothing in this LDO grants planning permission for development which is EIA Development.
6. Nothing in this LDO grants planning permission for development affecting a listed building within the meaning of Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or within the curtilage of a listed building.
7. Nothing in this LDO grants planning permission for developments containing the following on any sites:
 - i. Any boilers where the total output is above 5 Megawatts (thermal);
 - ii. Any boilers or furnaces run on biomass where the total output is above 50 Kilowatts (thermal);
 - iii. 300 or more additional vehicle parking spaces.
8. This LDO can be revoked or revised at any time prior to it lapsing after 10 years from being adopted.
9. Should permission granted by the LDO be withdrawn due to the Order being revoked or revised or lapsing following the 10 year period after its adoption, any development commenced under the version of the Order in force at the time of commencement is permitted to be completed.
10. Nothing in this LDO grants planning permission for development that is contrary to a condition on a planning permission unless the reason for that condition has the effect of stating that the condition is for the purpose of clarifying the extent of the permission granted.

Schedule 1- LDO Boundary



Schedule 2- Developments Permitted by the LDO

Part 1- Area 1

A. Permitted Development within Area 1:

- i. Change of use of land, where the land forms part of a site where a change of use is permitted within another part of this schedule.

B. Development Not Permitted within Area 1:

- i. Part 1 does not permit operational development within Area 1;
- ii. Where development is permitted on a site which involves the change of use of land that falls within Area 1, no part of the land within Area 1 shall actually be used on an operational basis for any purpose for which it is not currently used.

C. Conditions- Development is permitted by Part 1 subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 2- Area 2

A. Permitted Development within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

B. Development Not Permitted within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 2A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 2A does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- iii. Part 2A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- iv. Part 2A does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 2A does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 2A does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 2D subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

D. Permitted Development within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

E. Development Not Permitted within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 2D.

F. Conditions and Limitations within Area 2- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 2G subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 3- Area 3

A. Permitted Development within Area 3- Land, Buildings and Structures for Specific Uses:

i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:

- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Vehicle hire and sales;
- Plant hire;
- Builders yards;
- Industrial laundries;
- Gymnasium and fitness facilities; and
- Vocational training facilities.

B. Development Not Permitted within Area 3- Land, Buildings and Structures for Specific Uses:

i. Development is not permitted by Part 3A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;

ii. Part 3A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;

iii. Part 3A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

iv. Part 3A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;

v. Part 3A does not permit buildings, extensions or structures more than 10 metres in height, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure, within 15 metres of the boundary of the curtilage of a listed building;

vi. Part 3A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;

vii. Part 3A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 3- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 3A subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 3A:

i. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;

ii. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on this date, whichever is the lesser.

E. Permitted Development within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 3E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 3E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- iii. Part 3E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- iv. Part 3E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 3E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 3E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 3E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 3- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 3- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 3H.

J. Conditions and Limitations within Area 3- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 3E subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. Conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 4- Area 4

A. Permitted Development within Area 4- Land, Buildings and Structures for Specific Uses:

i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:

- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Vehicle hire and sales;
- Plant hire;
- Builders yards;
- Industrial laundries;
- Gymnasium and fitness facilities;
- Vocational training facilities; and
- Classes A1, A2 and A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

B. Development Not Permitted within Area 4- Land, Buildings and Structures for Specific Uses:

i. Development is not permitted by Part 4A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.

ii. Part 4A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;

iii. Part 4A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

iv. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;

v. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;

vi. Part 4A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;

vii. Part 4A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 4- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 4A subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 4A:

i. Part 4A only permits development under Use Classes A1, A2 and A3 where the total gross internal floor space in any unit used for that purpose, including storage, staff welfare and office space, would be 300 square metres or less;

ii. Any individual A1, A2 or A3 unit or extension permitted by Part 4A shall remain as that unit, or in the case of an extension part of the unit for which it was permitted, and shall not be joined with any other unit at any point in time to become a larger unit for an A1, A2 or A3 purpose;

iii. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;

iv. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on that date, whichever is the lesser.

E. Permitted Development within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Development is not permitted by Part 4E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 4E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- iii. Part 4E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 4E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 4E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 4E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 4E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 4- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 4- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 4H

J. Conditions and Limitations within Area - Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 4I subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Schedule 3- Letter of Compliance

A. No development permitted by this Local Development Order (LDO) shall commence until:

- i. An application form, plans and other documents have been received as set out in Schedule 8 to the LDO;
- ii. A letter has been issued by the Local Planning Authority confirming the proposed development complies with Schedule 1 and 2 of the LDO; and
- iii. The conditions set out in Schedule 4 have where relevant been discharged.

Schedule 4- Conditions Schedule

A. Where development is permitted by the LDO, it shall comply with the conditions as set out below.

Condition no.	The developments permitted by the LDO that the condition applies to	Condition	Reason
1.	All development.	The development shall be commenced before the expiration of five years from the date of letter set out in Schedule 3.	Reason: To ensure there is an appropriate time limit on the implementation of a development.
2.	Development where retaining walls are proposed which are over 1 metre high.	The development shall not be commenced until details and design calculations of any retaining walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: In the interests of public safety.
3.	Development where the means of access is proposed to be changed or the existing access does not meet the standard required for the development proposed.	The development shall not be commenced until details of the means of access, together with the vision splays, have been submitted to and approved in writing by the Local Planning Authority. The access and vision splays shall be provided in accordance with the approved details prior to the development being brought into beneficial use and shall be retained as such thereafter.	Reason: In the interests of highway safety.
4.	Development where	The development shall not be commenced until details of a turning	Reason: To ensure that

	the turning space is proposed to be changed or the existing access does not meet the standard required for the development proposed.	space, to enable vehicles to enter and leave the site in a forward gear, has been submitted to and approved in writing by the Local Planning Authority. The turning space shall be provided in accordance with the approved details prior to the development being brought into beneficial use shall be retained as such thereafter.	adequate on site turning facilities are provided in the interests of highway safety.
5.	Development of vacant sites, the complete redevelopment of sites, and development where existing landscaping is proposed to be removed.	The development shall not be brought into beneficial use until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development. It is expected that the scheme will include the retention of existing mature and structural landscaping. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following beneficial use or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.	Reason: To ensure that the new development will be visually attractive.
6.	Development of vacant sites, the complete redevelopment of sites and developments where the existing storage	The development shall not be commenced until details of the proposed refuse storage and collection facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the development being brought into beneficial use, and shall be retained thereafter.	Reason: To ensure refuse arising from the development is appropriately managed.

	arrangements for refuse will no longer be there.		
7.	New buildings and extensions, and developments where parking is to be removed.	The development shall not be commenced until details of space to be laid out within the site for vehicles to be parked and secure cycle parking racks or cages have been submitted to and approved in writing by the Local Planning Authority. The provision shall be in accordance with the parking standards as set out in the Supplementary Planning Guidance: "Delivering Design and Placemaking: Access, Circulation, & Parking Requirements" (March 2011). The parking shall be provided in accordance with the approved details, prior to the development being brought into beneficial use and shall not thereafter be used for any purpose other than the parking of vehicles and cycles.	Reason: To ensure that vehicles are parked off the highway in the interests of highway safety.
8.	New buildings and extensions.	The development shall not be commenced until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be provided in accordance with the approved details prior to the development being brought into beneficial use.	Reason: To ensure adequate disposal of foul and surface water.
9.	New buildings and extensions.	The development shall not be commenced until a safe method of pedestrian access has been submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be provided in accordance with the approved details.	Reason: In the interests of pedestrian safety.

10.	New buildings and extensions.	The development shall not be commenced until the materials to be used in the construction of the external surfaces of the buildings and external areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings.
11.	New buildings and extensions where the site, or part of the site, falls within a Coal Mining High Risk Area.	The development shall not be commenced until a Coal Mining Risk Report has been submitted to and approved in writing by the Local Planning Authority. The report shall be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that will be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development shall be carried out in accordance with the approved details.	Reason: The site may be unstable due to past coal mining activity and as such a report is required to ensure satisfactory precautions are taken.
12.	New buildings and extensions where the site has been identified as potentially contaminated due to its past use.	<p>The development shall not be commenced until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures:</p> <p>A desk-top study 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;</p> <p>A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority; and</p>	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.

		A written method statement for the remediation of contamination affecting the site.	
13.	Sites where condition 12 is relevant.	The development shall not be brought into beneficial use until the measures approved in the scheme approved in condition 12 have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
14.	Sites where condition 12 is relevant.	If during development works any contamination is 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 in condition 12, then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the development re-commencing. The development shall be re-commenced in accordance with the new approved details.	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
15.	Sites where condition 12 is relevant.	Piling or any other foundation designs using penetrative methods shall only be permitted where it has been demonstrated that there is no resultant unacceptable risk to groundwater, and where a scheme for this has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details	Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.
16.	New buildings which are within the C1 and	The development shall not be commenced until details of the finished ground floor level is submitted to and approved in writing	Reason: To ensure that the floor levels of any proposed

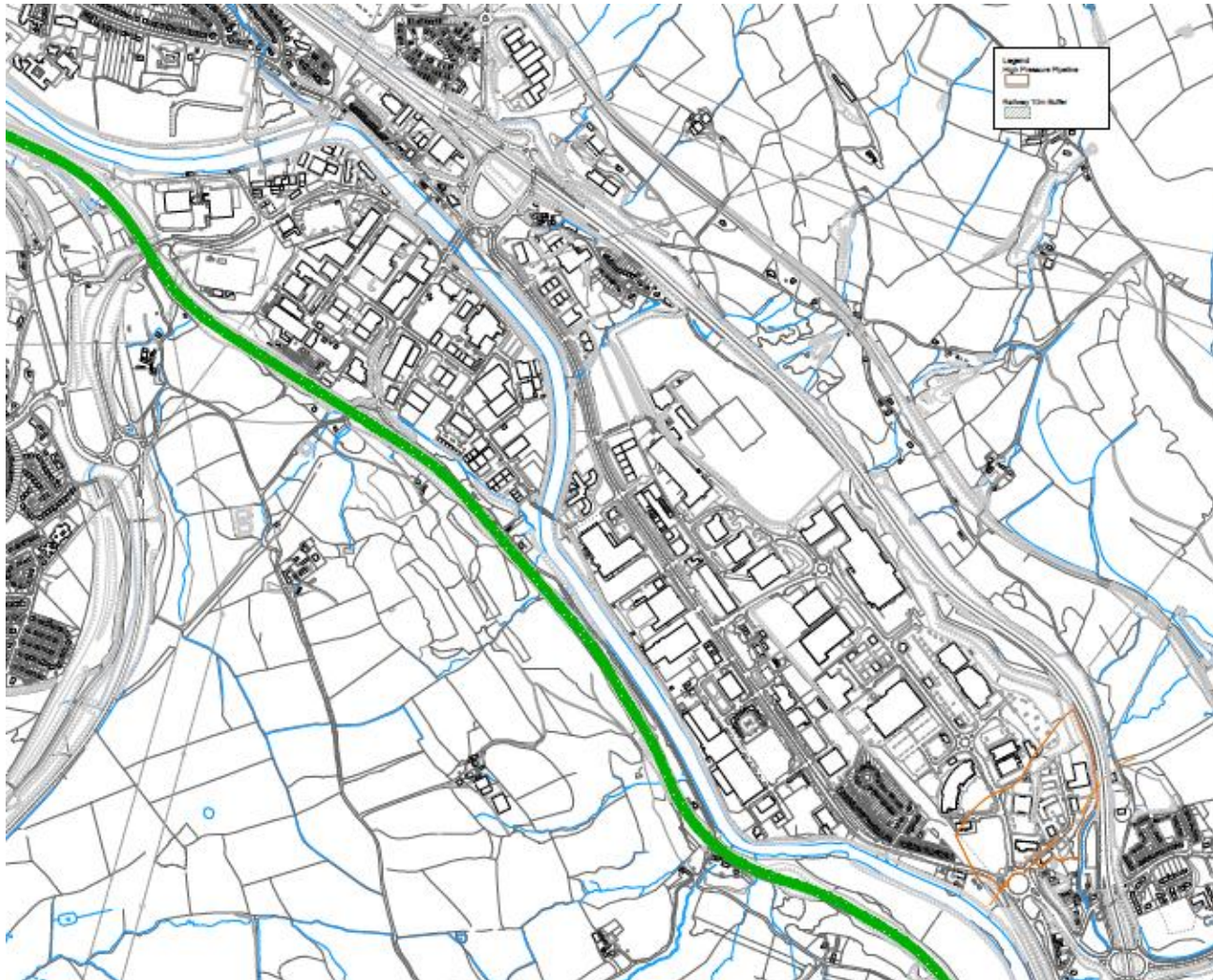
	C2 zones on the Welsh Government's Development Advice Map.	by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	buildings are above the flood level.
17.	New buildings and extensions which are over 250 square metres in floor space and are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be brought into beneficial use until a flood emergency / flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the approved details.	Reason: In the interests of public safety.
18.	New buildings and extensions which are over 250 square metres in floor space.	The development shall not be brought into beneficial use until a Travel Plan is submitted to and approved in writing by the Local Planning Authority setting out how the development will contribute to achieving a reduction in car journeys. The development shall operate in accordance with the approved details.	Reason: To minimise the impact that development has on the traffic using the local highway network.
19.	All development within 20 metres of the bank of the River Taff involving additional external lighting.	The development shall not be commenced until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To minimise the impact that the development has on bats.
20.	All developments where bats and nesting birds are likely to be affected	The development shall not be commenced until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:	Reason: To afford protection to animal and plant species, particularly bats and birds.

- 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 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).
- d. Persons responsible for:

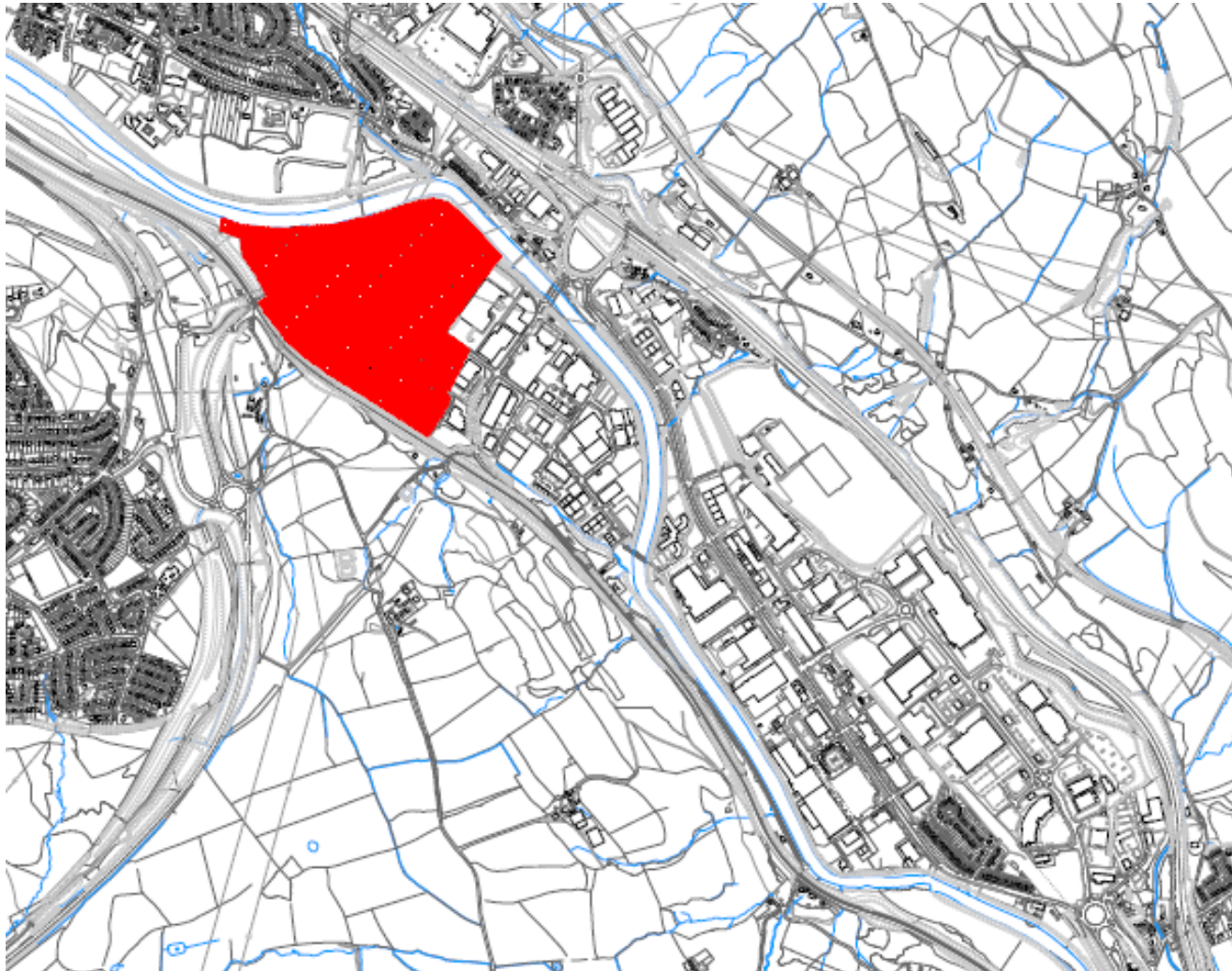
- Compliance with legal consents relating to nature conservation;
- Compliance with planning conditions relating to nature conservation;
- Installation of physical protection measures during construction;
- Implementation of sensitive working practices during construction;
- Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction;
- 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.

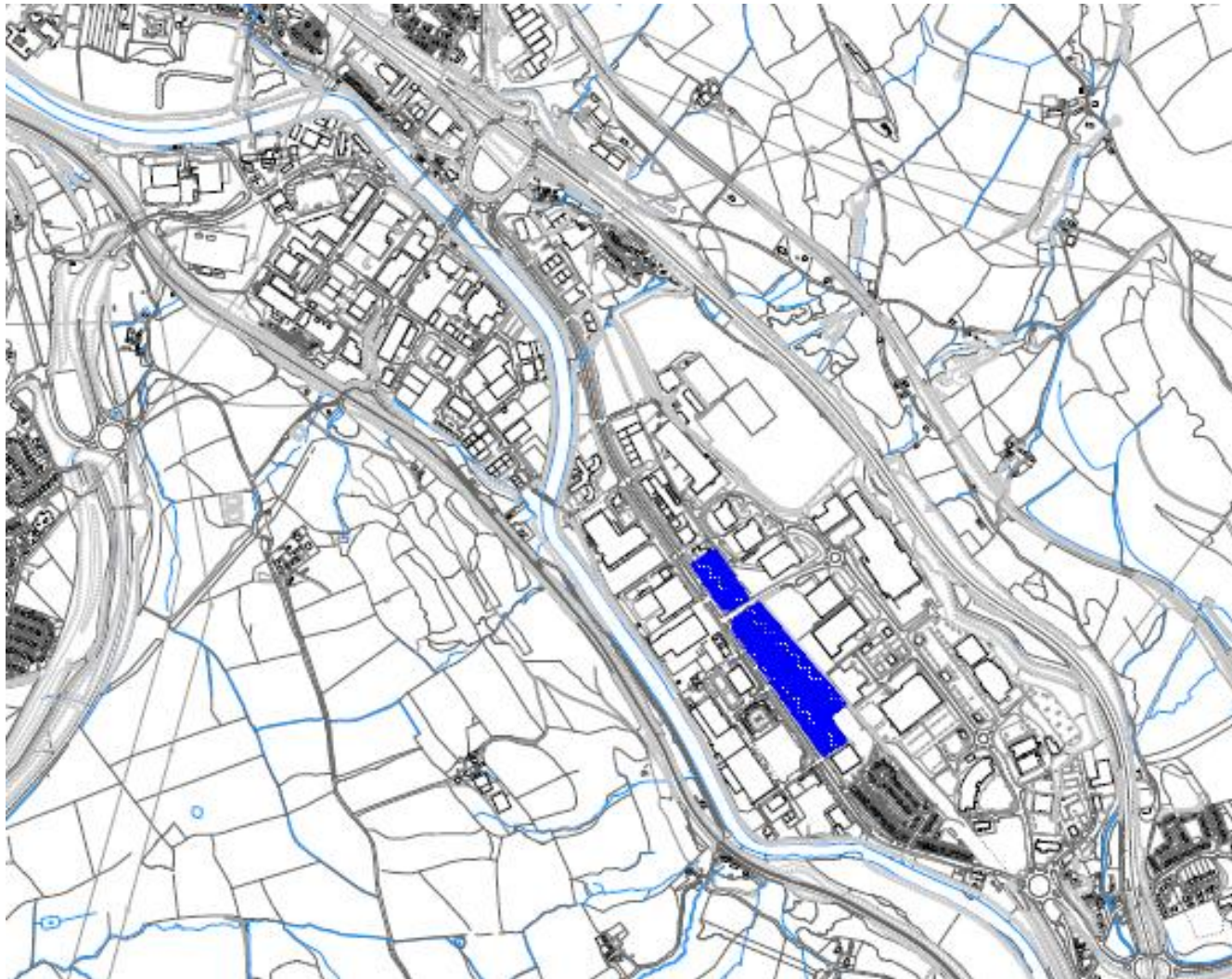
Schedule 5- Plan showing Gas Pipe and Railway Line



Schedule 6- Area 2



Schedule 7- Area 4 (Retail Zone)



Schedule 8- Application Form

Rhondda Cynon Taf County Borough Council
Application for a Determination of Compliance with Schedules 1 and 2 of the
Treforest Industrial Estate and Parc Nantgarw Local Development Order

1. Applicant Details

Name:

Address:

Telephone Number:

Email:

2. Agent Details

Name:

Address:

Telephone Number:

Email:

3. Description of the Proposal

Description:

Is this development a (tick all that apply):

Change of use of an existing building or site?;

The redevelopment of a vacant site?;

A new building or structure?;

An extension to an existing building?;

Minor improvement works to an existing site or building?;

A new retail (A1, A2 or A3 use class) building?

4. Site Address

5. Existing Use

6. Existing Buildings and Trees on the Site

Are there any existing buildings on the site? Yes/No (please delete as appropriate)

Approximate date when buildings were constructed:

Are any buildings proposed to be demolished as part of the proposal? Yes/No (please delete as appropriate)

Were there any buildings on the site that have been demolished? Yes/No (please delete as appropriate)

Date of demolition:

Will the proposal involve re-roofing works? Yes/No (please delete as appropriate)

Will the proposal involve cutting into an existing roof structure or the removing of/alterations to an existing roof structure? Yes/No (please delete as appropriate)

Are there any mature trees on the site? Yes/No (please delete as appropriate)

Are there mature trees proposed to be felled, or works to mature trees as part of the proposal? Yes/No (please delete as appropriate)

Are you aware if any bats (or evidence of bats) have been found in association with, or seen emerging from, any buildings, trees or other structures on the site? Yes/No (please delete as appropriate)

Are any birds nesting on the site or known to use the site for nesting? Yes/No (please delete as appropriate)

7. Proposed Use

8. Floor Space and Employment

Existing gross internal floor space on the site (square metres):

Gross internal floor space to be lost by demolition (square metres):

Total gross internal floor space proposed on the site (square metres):

Total gross internal floor space within an A1 use (including storage, office space, etc):

Net additional gross internal floor space following development (square metres):

How many people are currently employed at the site?

Full time

Part Time:

Full time equivalent:

How many people will be employed at the site following development?

Full time

Part Time:

Full time equivalent:

9. Proposed External Finishing Materials (where relevant)

Existing

Proposed

Walls:

Roof:

Windows:

Doors:

Boundary Treatment:

Outdoor Surfaces:

Other:

10. Signature and Date

Signature:

Applicant/Agent (please delete as appropriate)

Date:

11. Please indicate preferred method of reply:

Post/Email (please delete as appropriate)

Please include:

- A 1:250 location plan with the site edged red;
- A 1:500 block plan of the existing and proposed site layout (including access, turning and parking arrangements);
- A 1:50 or 1:100 existing and proposed plans and elevations;
- Recent photographs of all elevations of any existing buildings and any mature trees on the site, with the date they were taken;
- Where ground levels are proposed to change, sections through the site at a scale of 1:50 or 1:100 showing the changes;
- Any other information you think may assist the Case Officer in determining whether the proposal complies with the Treforest Industrial Estate and Parc Nantgarw Local Development Order

The application form and plans can be submitted electronically to planningservices@rctcbc.gov.uk or by post to Rhondda Cynon Taf CBC, Planning Services, Sardis House, Sardis Road, Pontypridd, CF37 1DU. Please note any documents and plans will be retained for Council records and no documents and plans will be returned.

Rhondda Cynon Taf aims to reply to these requests within 10 working days of receipt. Further information may be requested to determine compliance. Impact on bats will also be assessed through this process to ensure compliance with the LDO.

When designing a layout, it is important to take account of the requirements of all the conditions, and to ensure that the layout can accommodate these requirements. Failure to do so may result in the site not being permitted to be developed as planned, even if a Letter of Compliance has been received. Officers will advise if there appears to them to be an issue over the potential to comply with conditions, but this will be informal advice only and will not be exhaustive. **It is the responsibility of the developer to ensure all conditions can be complied with.**

It is important to note that no development is permitted to commence under the Treforest Industrial Estate and Parc Nantgarw Local Development Order until a letter stating that the proposal complies is received and all relevant conditions with the Order have been discharged.

APPENDIX 2

Local Development Plan Policy SSA 27 - Treforest Industrial Estate / Parc Nantgarw

Within the defined boundary of Treforest Industrial Estate / Parc Nantgarw, development, redevelopment and changes of use will be permitted for offices, research & development, light and general industry, storage and distribution (Use Classes B1, B2 and B8) and other sui generis employment generating uses which display the characteristics of B-Class Uses. Other uses including retail (A1), financial & professional services (A2), food and drink (A3), hotels (C1), non-residential institutions (D1) and assembly and leisure (D2) will only be permitted where they are complimentary and ancillary to the main B class uses

**Draft Treforest Industrial Estate and Parc Nantgarw
Local Development Order**

**Modified Draft Version (Post Statutory Consultation)
March 2017**

Rhondda Cynon Taf County Borough Council



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Executive Summary

Rhondda Cynon Taf Council is working with partners to improve the structure and identity of Treforest Industrial Estate which is a regionally significant site, creating key employment and innovation opportunities. This opportunity area is in a regionally strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M4. The Estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

Rhondda Cynon Taf County Borough Council is proposing to introduce a Local Development Order (LDO) for Treforest Industrial Estate and the neighbouring Parc Nantgarw with the aim of encouraging further development within this area and help deliver the above aims.

The LDO would grant planning permission for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments.

The area within the LDO boundary is divided into four for the purposes of the LDO.

Area 1- Where there are significant constraints. Due to this, no operational development would be permitted within Area 1 and changes of use would only be permitted where the land forms part of a site where a change of use would be allowed by another part of the LDO.

Area 2- In order to minimise the consequences of flooding, it was identified that significant development in an area in the north should not be permitted by the LDO. Therefore, this has become Area 2, and no development which increases the volume of buildings would be permitted under the LDO in this area. Some minor works in conjunction with existing buildings and uses would be permitted. In addition, changes of use of existing buildings would be permitted, as long as the uses complied with Policy SSA 27 of the LDP and were not classed as “highly vulnerable” under Technical Advice Note 15: Development and Flood Risk.

Area 3- All areas not covered by Areas 1, 2 and 4, and this comprises the majority of land within the LDO boundary. Uses that fall within B1, B2 and B8 of the Use Classed Order (UCO) would be permitted, subject to exclusions, limitations and conditions. Some sui generis uses which are considered to be similar in character to B-Class Uses are also permitted. Part 3 would also permit

existing A1, A2 and A3 uses under the UCO to change to any other use within Class A, subject to exclusions, limitations and conditions. In addition Part 3 would permit some minor works on all sites to allow and encourage minor improvements for existing businesses. The minor works permitted do not include do not permit new buildings or an increase in the volume or height of existing buildings.

Area 4- An area in the vicinity of the existing Local Centre. Developments that would be permitted by Part 3 would be permitted in this area. In addition, small, new A1, A2 and A3 uses would be permitted within due to existing uses and its central and accessible position. There is a limit on the size of retail unit that would be permitted (300 square metres), to ensure no large scale retail units are built under the LDO.

No development would be permitted to commence under the LDO until the developer has obtained a letter from the Council stating that the development complies with requirements of the LDO. The Council would acknowledge when proposals were received and would aim to provide a full reply within 10 working days of the receipt of details. In addition no development would be allowed to start until all the relevant conditions of development in the LDO have been discharged.

It is intended the LDO will be in place for 10 years. In order to measure the success and impacts of the LDO, a report will be issued on an annual basis along with the Local Planning Authority's Annual Monitoring Report for the Local Development Plan.

1. Introduction

Rhondda Cynon Taf County Borough Council is proposing to introduce a Local Development Order (LDO) under Section 61A of the Town and Country Planning Act 1990 (as amended), for Treforest Industrial Estate and Parc Nantgarw.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development and business growth on Treforest Industrial Estate and Parc Nantgarw. It is proposed to be in place for 10 years following the date of adoption.

The LDO would only grant planning permission as specified by the Order. It does not override any other forms of consent that may be required in order to develop or operate on sites. The LDO does not supersede any existing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The reasons for proposing the Order and the extent of development proposed within it, along with a plan showing the proposed boundary, are contained within the **Statement of Reasons** at **Appendix 1**.

A copy of the **draft LDO, as modified following consultation**, is contained within **Appendix 2**.

2. Informal Consultation

An “informal” consultation exercise took place July-August 2015, to seek views on the content of an LDO. Views were sought from local businesses, residents, statutory consultees and other potentially interested parties.

In total, 20 responses were received, and these were used to assist in drafting the LDO.

A summary of the **informal consultation responses** is contained within **Appendix 3**.

3. Statutory Consultation

A statutory consultation took place under Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) between Thursday 14th January and Friday 12th February 2016.

As part of this consultation, comments were again requested from local businesses, residents, statutory consultees and other potentially interested parties. 15 responses have been received, and following these modifications have been made to the LDO.

A **Consultation Summary**, including responses to the statutory consultation, is contained within **Appendix 4**.

4. What Happens Next

The LDO now requires the approval of the the Welsh Ministers and Council's Cabinet prior to adoption.

Please contact Helen Winsall, tel. 01443 494721, email helen.e.winsall@rctcbc.gov.uk for further information.

APPENDIX 1

Treforest Industrial Estate and Parc Nantgarw Local Development Order

Statement of Reasons

1 Introduction

- 1.1 This Statement of Reasons accompanies a Draft Local Development Order (LDO) for Treforest Industrial Estate and Parc Nantgarw.
- 1.2 The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nantgarw. It is proposed to be in place for 10 years following the date of adoption.
- 1.3 The LDO would only grant planning permission as specified by the Order. It does not override any other forms of consent that may be required in order to develop or operate on sites.
- 1.4 It is important to note that the LDO does not supersede any existing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). In addition, the LDO should be viewed as a set of additional rights to carry out development. It is not a policy document and does not prejudice the submission of any planning application within Treforest Industrial Estate and Parc Nantgarw.

2 Reasons for Making the Order

- 2.1 Treforest Industrial Estate and Parc Nantgarw together (“the Estate”) are a regionally significant strategic employment area, and are considered to play a key role in the economy of South East Wales. The Council is working with partners to improve the structure and identity of the Estate, creating key employment and innovation opportunities. The Estate is in a regionally

strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M4. The Estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

2.2 It is considered that making an LDO could help this process and therefore have a significant economic development and regeneration benefit for the County Borough, through encouraging further development in the Estate. The LDO can encourage this in the following ways:

- Increasing the level of certainty for developers;
- Decreasing the amount of time taken by the planning process;
- Reducing the costs associated with the planning process;
- Being a tool that can be used to help market the Estate as a good location for business.

2.3 It is intended that such further development would have the following effects:

- Increasing the number of employment and training opportunities available;
- Improving the quality of the environment by removing vacant sites and replacing/reoccupying vacant buildings;
- Giving businesses a greater level of confidence in the Estate as a good place to locate;
- Potentially making more funds available for investment in infrastructure.

3 Reasons for Selecting the Boundary

3.1 The boundary broadly follows that of Policy SSA 27 in the adopted Rhondda Cynon Taf Local Development Plan (LDP). A few additional areas have been added adjacent to the Estate which are either vacant land or contain primarily employment sites. Upper Boat Business Park has also been added as it accommodates businesses of a similar nature to many on the nearby Treforest Industrial Estate.

Figure 1- Plan of Boundary (outlined in red)



4 Policy SSA 27

4.1 The LDO permits development that will support the implementation of Policy SSA 27 of the LDP, which is as follows:

“Within the defined boundary of Treforest Industrial Estate / Parc Nantgarw, development, redevelopment and changes of use will be permitted for offices, research & development, light and general industry, storage and distribution (Use Classes B1, B2 and B8) and other sui generis employment generating uses which display the characteristics of B-Class Uses. Other uses including retail (A1), financial & professional services (A2), food and drink (A3), hotels (C1), non-residential institutions (D1) and assembly and leisure (D2) will only be permitted where they are complementary and ancillary to the main B class uses.”

4.2 Policy SSA 27 allows for development in B1, B2 and B8 Use Classes under the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO). However, it also allows for other employment uses of a similar nature. Other uses are only permitted by the policy where they would be considered complementary and ancillary to the primary purpose of the Estate, to ensure that the integrity of the Estate as an employment site is not undermined.

4.3 Within the parameters of this policy, The LDO aims to grant planning permission for as wide a range of developments as possible, subject to site constraints. The Estate has been split into four areas for the purpose of the LDO. What is permitted in each area is set out in Schedule 2 of the LDO and is explained in Sections 6-9 below.

5 Constraints

5.1 The main constraints are explained below, and a plan showing some of these is included as Figure 2.

Flood Risk- Much of the area within the boundary is within zone C1 of the Welsh Government's Development Advice Maps accompanying Technical Advice Note 15, with a smaller area in zone C2. This would normally carry the expectation that Flood Consequences Assessments are submitted with planning applications for anything other than small developments where the impact on the consequences of flooding would be considered as negligible. . Therefore a Strategic Flood Consequences Assessment has been undertaken for the Estate, and this, along with additional modelling work to predict

the potential consequences of additional buildings on flood waters, has been used to inform the drafting and modification of the LDO. In order to minimise the consequences of flooding, it was identified during this work that significant development in an area in the north of the Estate (Area 2) should not be permitted under the LDO. Therefore, no development which increases the volume of buildings is proposed as part of the LDO in this area. Limits to the sizes of buildings and extensions permitted by the LDO are proposed in the rest of the Estate, to reflect those used for the modelling work that has been carried out. It is acknowledged that despite the above, the modelling work still identifies that if all the development permitted under the LDO took place, this would have the potential to cause additional off site flooding outside the LDO boundaries. Therefore Natural Resources Wales (NRW) still have concerns regarding this (See Appendix 4).

It is noted that the number of additional properties predicted to be impacted in both flooding events is relatively small, including two residential properties in the 1 in 100 year flooding event and nine in the 1:1000 year flooding event, and it is noted the greatest depth of flood water is predicted to be 0.1 metres. It is also noted there are more widespread increases in predicted flood water depths, where flooding would already be predicted to occur without development permitted by the LDO. Outside the boundary of the Estate, the maximum increase in flood depth is predicted to be 0.062 metres in a 1:100 year flood event and 0.187 metres in a 1:1000 year flood event. It is noted however that the location subject to both these increases is predicted to be under 1.537 metres of flood water in a 1 in 100 year event and 2.581 metres of water in a 1 in a 1000 year event without development due to the LDO. Greater increases in water levels are predicted within the Estate itself, but this is considered to be of less concern due to there being no residential properties within the Estate and that the potential benefits of the LDO to the businesses in the Estate have to be weighed against this. NRW have not raised an objection to the predicted increase in water levels in the Estate itself.

Therefore, having considered the comments that NRW have made and the potential economic benefits of the LDO, it is not considered necessary to reduce the level of development permitted by the LDO due to the concerns NRW have raised. The principle reason for the above is that while the LDO is drafted to give as many sites and premises as possible a chance to develop extensively to help make the Estate an attractive location for investors, this does not necessarily mean that all this development will happen. Records show that 70 planning applications have been submitted on the Estate between the beginning of 2012 and the beginning of 2017. This is an average of 14 planning applications a year. While the LDO aims to increase this rate of applications and subsequent development, given these background figures it is considered unlikely that every business on the Estate will seek to utilise the full extent permitted by the LDO. Therefore, the model is considered to be very much a “worst case scenario in respect of flood risk which is very unlikely to happen. It is considered that even in this worst case, the increase in detriment in relation to flood risk is small. Therefore if the level of development does not take place to its full extent, it is likely, in reality that the impact of the LDO in terms of off-site detriment will be minimal. It should

also be noted that the LDO will be monitored by the Council on an annual basis with an opportunity to review the document. If the level of development appears to be very high, then the issue of flood risk can be reviewed again at that point. Detailed discussions have taken place with Natural Resources Wales (NRW) over the issue of flood risk and a significant level of work has been done in respect of assessing the impact of the LDO on flood risk. A separate document is being produced which discusses this in more detail.

Traffic and Junction Capacity- A Traffic Study has been carried out to assess the impact of traffic generated by development permitted by the LDO on junction capacity. This looked at the traffic impact of developing seven identified vacant sites for B1, B2 and B8 uses. It has concluded that if all these sites are developed, there is likely to be some additional detrimental impact to that caused by general traffic growth. However, this has to be balanced against the area being considered key for employment, and therefore an area where appropriate development would be encouraged regardless of the LDO. It is considered that provision of curtilage parking and travel plans can assist in mitigating any impact on highway safety and operation.

Residential Properties- There are residential properties in close proximity in Oxford Street, Rhyd yr Helyg, Heol Ty Maen and Williams Place, as well as some others in the area. A 35 metre buffer zone is proposed around the curtilage of residential properties. Operational development would not be permitted by the LDO within this area, to minimise the impact on residential properties.

Listed Buildings- These and their curtilages are excluded by law from LDOs. Operational development has also been excluded from a 10 metre buffer zone around listed buildings where this falls outside their curtilages, to ensure the impact on the setting of listed buildings is minimised. Heights of new buildings and extensions are further restricted in Part 1 where development is within 15 metres of the curtilage of a listed building.

High Pressure Gas Main- This is located close to the southern boundary of the proposed LDO area. A 165 metre easement to either side of the gas main is proposed where development would be excluded from the LDO. This is to ensure compatibility with the Health and Safety Executive's advice in respect of the location of development in relation to a high pressure gas main. Wales and West Utilities have also raised concern that development involving excavations should not be permitted by the LDO close to the pipeline.

Railway Line- This is located to the west of the site. Network Rail have asked to be consulted regarding any development within 10 metres of the railway line. As this would add an element of uncertainty to the LDO, operational development would not be permitted by the LDO within this area.

Bats- Bats are a European Protected Species and the Council has a legal duty to consider them in exercising its planning function. Due to the location of the Estate alongside the River Taff, it is considered the area has potential for bat habitat. Any site will have to be assessed as having low potential for a bat roost, or the nature of the proposal will have to be assessed as having a low likelihood of impacting on bats, or a satisfactory bat survey will have to be provided before a development is permitted under the LDO. Question 6 of the application form and submitted photographs will be used to help determine whether there is any requirement for a bat survey. In addition, these will also determine whether there is a potential for nesting birds, and an appropriate condition in respect of wildlife and construction will be expected to be complied with if there is such potential.

Existing Landscaping- While some of the landscaping could be cleared if necessary, some of the landscaping of the Estate is considered to make a significant contribution to the setting and the environment of the area. It is expected that this will be included in any landscaping scheme required by condition. This includes mature trees, which could also provide potential bat and bird habitat.

Watercourses- The River Taff runs through the Estate, and there are also other minor watercourses within the boundary area. In order to protect open watercourses, a buffer zone of 7 metres is proposed and operational development would not be permitted by the LDO within this area.

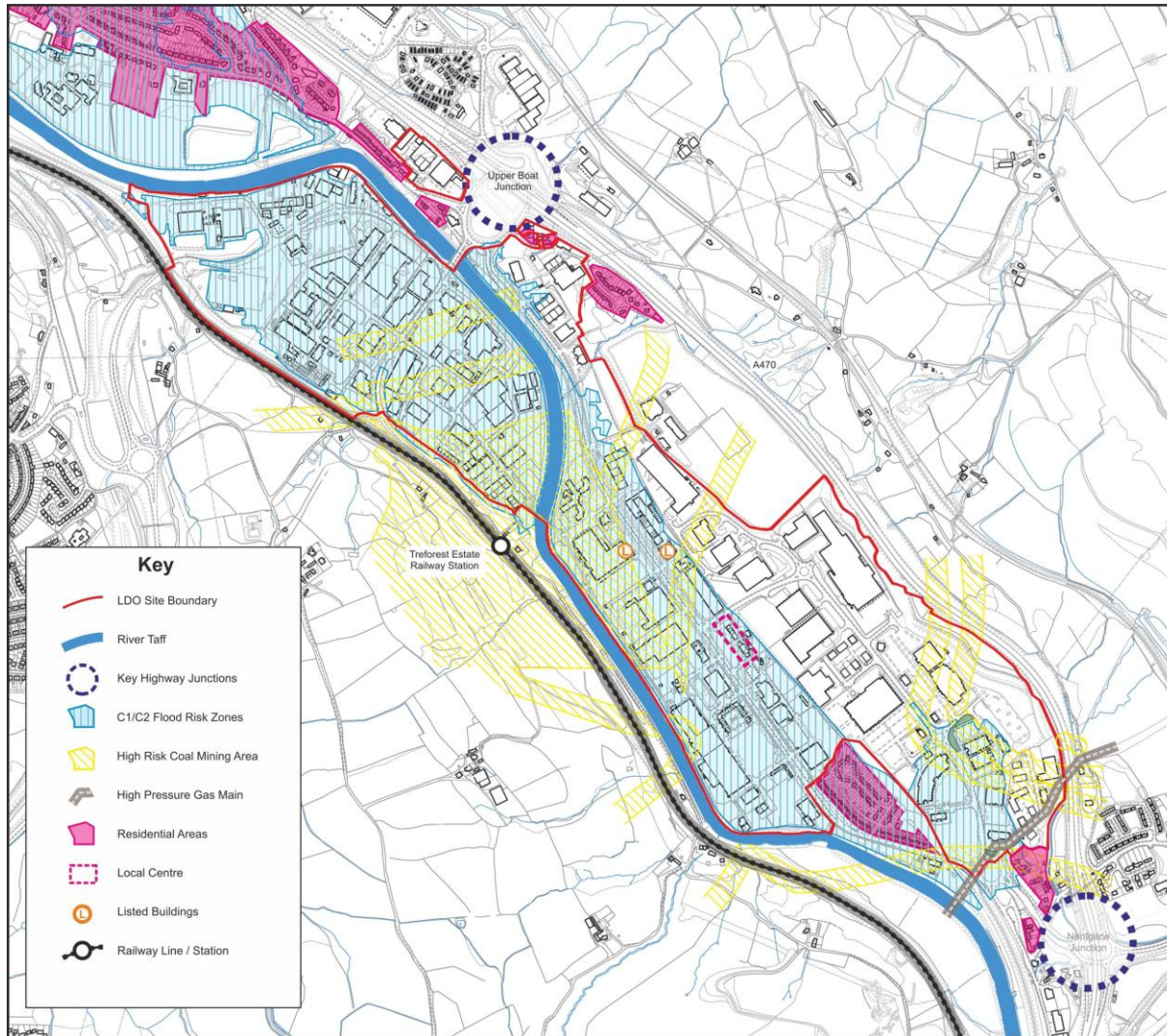
Coal Mining Risk- A significant part of the Estate is covered by Coal Mining High Risk Areas. At the request of The Coal Authority, a condition has been proposed for a coal mining report to be submitted where a development is within these areas. In addition to this, operational development would not be permitted by the LDO over former mine entries and their zones of influence. The locations of the mine entries have not been published due to confidentiality reasons.

Archaeological Remains- It has been suggested by Glamorgan Gwent Archaeological Trust that there may be archaeological remains in the area proposed to be covered by the LDO. However, while a condition was initially proposed in respect of archaeological investigation, the records held by the Council do not indicate any such records within the LDO boundary. Therefore, there is not considered to be a need for such a condition.

Contaminated Land- Due to the industrial nature of the land, there is considered to be a high potential for land to be contaminated. A condition is proposed to address this issue.

Sewers and Water Mains- Dwr Cymru Welsh Water have advised that a number of these cross the site. Buildings, structures and alteration of ground levels would not be permitted within 3 metres of these, apart from boundary fences.

Figure 2- Constraints Plan



6 Explanation of Part 1: Area 1

6.1 Area 1 constitutes the following land:

- Land that falls within 35 metres of the boundary of a residential curtilage;
- Land that falls within 10 metres of the railway line, identified as shaded in green within Schedule 5;
- Land which forms part of recorded mine entries or is within their zone of influence;
- Land that falls within 10 metres of a building listed for its special historical or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Land that falls within 7 metres of an open watercourse;
- Land that falls within 165 metres of the high pressure gas main, identified as edged in brown within Schedule 5.

6.2 Area 1 is intended to cover all those areas where development permitted by the LDO would be kept to a minimum due to constraints outlined in Section 5 above. No operational development would be permitted within Area 1 and changes of use would only be permitted where the land forms part of a site where a change of use is allowed within another part of Schedule 2 of the LDO. Where a change of use is permitted under the LDO, any part of the site which forms land within Area 1 would only be permitted to be used for its current purpose, e.g. if it is currently used for a car park in connection with an existing use it will only be permitted to be used as a car park in connection with the new use permitted by the LDO, unless the area is to be used to provide landscaping, or another non-operational purpose.

6.3 This approach is designed to ensure that sites within the LDO are not excluded from development permitted by the LDO by virtue of part of them being within Area 1, while still limiting development within those parts of sites that do fall within Area 1 in order to address the constraints that exist there.

7. Explanation of Part 2 - Area 2

7.1 In order to minimise the consequences of flooding, it was identified that significant development in an area in the north of the Estate should not be permitted by the LDO. Therefore, this has become Area 2, and no development which increases the volume of buildings would be permitted under the LDO in this area. Some minor works in conjunction with existing buildings and uses would be permitted. These are the same as those permitted under Part 3, and are explained in Section 8. In

addition, changes of use of existing buildings would be permitted, as long as the uses complied with Policy SSA 27 of the LDP and were not classed as “highly vulnerable” under Technical Advice Note 15: Development and Flood Risk

8. Explanation of Part 3- Area 3

- 8.1 Area 3 covers all areas not covered by Areas 1, 2 and 4, and this comprises the majority of land within the Estate.
- 8.2 All uses that fall within B1, B2 and B8 of the UCO would be permitted, subject to exclusions, limitations and conditions. Other uses listed are sui generis uses which are considered to be similar in character to B-Class Uses, which are considered to be permissible under Policy SSA 27, by virtue of being ancillary to the functions of the Estate. Retail uses are not included and they are addressed within Section 9..
- 8.3 Trade Counters and Cash and Carry warehouses would be permitted under this part subject to them being considered as falling under Class B8 (storage and distribution) of the UCO. As a general rule, it would be expected that the publicly accessible part of a Trade Counter should not account for any more than 25% of the floor space within a building used for a B8 purpose, for the site to still be considered as within a B8 use. It would be expected that sales to visiting members of the public would be minor and ancillary for a Cash and Carry warehouse to be considered as a B8 use.
- 8.4 Part 3 would also permit existing A1, A2 and A3 uses under the UCO to change to any other use within Class A, subject to exclusions, limitations and conditions. This would not be considered to impact on the largely industrial character of the Estate, and would be considered in accordance with Policy SSA 27.
- 8.5 In addition Part 3 would permit minor operational development on all sites, subject to exclusions, limitations and conditions, regardless of whether the existing uses would accord with Policy SSA 27. This is to allow and encourage minor improvements for existing businesses. The works that would be permitted under minor operational development do not include new buildings or an increase in the volume or height of existing buildings. Therefore, this is not considered to be out of accord with Policy SSA 27.
- 8.6 Shelters, such as smoking shelters and bicycle shelters, are permitted as these are considered to provide incidental facilities for premises, rather than create new floor space. Restrictions are placed on dimensions to ensure these remain as minor works.

9 Explanation of Part 4- Area 4

- 9.1 Area 4 includes an area in the vicinity of the existing Local Centre. Developments that would be permitted by Part 3 would be permitted in this area. In addition, this Part would also permit small, new A1, A2 and A3 uses within Area 4, as due to existing uses and its central and accessible position it is considered the most suitable location for such development.
- 9.2 There is a limit on the size of retail unit that would be permitted (300 square metres), to ensure no large scale retail units are built under the LDO. This, combined with the relatively small area where this would be allowed, is considered to comply with Policy SSA 27 and Planning Policy Wales (Retailing and Town Centres), by facilitating small scale retail that would be considered ancillary to, and that would not be considered to alter, the largely industrial character of the Estate, nor be detrimental to Pontypridd or any other retail centre.
- 9.3 It should be noted that A1 Units permitted by the LDO are still subject to the Community Infrastructure Levy.

10 Letter of Compliance, Design Parameters & Discharge of Conditions

- 10.1 No development would be permitted to commence under the LDO until the developer has obtained a letter from the Council stating that the development complies with Schedule 1 and 2 of the LDO. The developer would have to submit plans and an application form to demonstrate that the development is in compliance. The proposed application form and information to be required is set out in Schedule 8. This is not as extensive as would be required for most planning applications, but is necessary so the Council has enough information to check the proposal complies with these schedules of LDO. The Council would acknowledge the proposals received and would aim to provide a full reply within 10 working days of the receipt of details.
- 10.2 No development would be allowed to start until all the relevant conditions in Schedule 4 of the LDO have been discharged. The table in Schedule 4 states when the conditions would be considered relevant. These are similar to the conditions that would be required on any planning permission obtained through the standard application process. It should be noted that failure to discharge a condition could result in the requirement for a retrospective planning application. These conditions would be covered by fees introduced by the Welsh Government under the Town and Country Planning (Fees for

Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015. These currently stand at £95 per application, and can be reduced by submitting details for a number of conditions under one application. The letter of compliance will advise which conditions are considered to be relevant to the particular proposal.

11 Design Code/User Guide

- 11.1 The adopted LDO will include a Design Code/User Guide setting out design principles for developments permitted under the LDO, and explaining and assisting developers in complying with it. The Design Code/User Guide is currently being developed, and feedback from the consultation process is being used.

12 Monitoring Indicators

- 12.1 In order to measure the success and impacts of the LDO, a report will be issued on an annual basis along with the Local Planning Authority's Annual Monitoring Report for the Local Development Plan. The following indicators are suggested to measure the success and impacts of the LDO on a yearly basis:

- Number of valid applications for Letters of Compliance;
- Percentage of Letters of Compliance that are issued in respect of valid applications for them;
- Percentage of overall development applications on the Estate that are issued with a Letter of Compliance;
- Overall amount of floor space issued with a Letter of Compliance;
- Percentage of Letters of Compliance issued within 10 working days;
- Number of developments started under the LDO;
- Number of developments completed under the LDO;
- Overall amount of floor space completed under the LDO (from application form);
- Overall number of jobs created under the LDO (from application form);
- The mix of uses in the Estate;
- Capacity in the sewerage network that serves the Estate (information to be obtained from Dwr Cymru Welsh Water);
- Amount of additional floor space created in the "C" zones on the Welsh Government's Development Advice Map for Flood Risk.

APPENDIX 2

Town and Country Planning Act 1990 (as amended)

Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

Definitions

In this Order:

All definitions in the Town and Country Planning (General Permitted Development) Order 1995 (as amended) apply to this Local Development Order, except where otherwise defined within this Order.

“Area 1” constitutes the following land:

- Land that falls within 35 metres of the boundary of a residential curtilage;
- Land that falls within 10 metres of the railway line, identified as shaded in green within Schedule 5;
- Land which forms part of recorded mine entries or is within their zone of influence;
- Land that falls within 10 metres of a building listed for its special historical or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Land that falls within 7 metres of an open watercourse;
- Land that falls within the 165 metre easement for the high pressure gas main, identified as edged in brown within Schedule 5;

“Area 2” constitutes the land that is shaded in red in Schedule 6;

“Area 3” constitutes the land that does not fall within Areas 1, 2 or 4;

“Area 4” constitutes the land that is shaded in blue in Schedule 7;

“Building” is defined as a building which is primarily there to provide floor space for a specific purpose;

“EIA Development” has the same meaning as in regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016;

“Extension” is defined as an increase in the volume of a building or a structure;

“External works” are defined as works to areas of the site other than buildings, including the erection of enclosures, hard landscaping, lighting, renewable energy developments and vehicle charging points;

“Floor space” means the total floor space in a building or buildings;

“Highest point of the roof” is defined as the highest point of the roof structure, excluding any chimneys, antenna or other structures attached to the roof;

“Land” is defined as land where it falls within the boundary of the LDO, including that which is covered by buildings and structures;

“Open watercourse” is defined as the channel of any part of a watercourse that is not culverted;

“Shelter” is defined as a largely open structure with a roof which is primarily used as shelter from inclement weather while outside, such as bicycle shelters, bus shelters, smoking shelters and trolley shelters;

“Site” is defined as the land which forms an operational planning unit, or will form an operational planning unit following development permitted by the LDO;

“Structure” is defined as a structure which rises above ground level, but is not primarily there to provide any floor space for a specific purpose

Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

1. This Local Development Order (“LDO”) is made by the Rhondda Cynon Taf County Borough Council (“the Council”) under Section 61A of the Town and Country Planning Act 1990 (as amended) and shall be known as The Treforest Industrial Estate and Parc Nantgarw Local Development Order 2016.
2. This LDO takes effect on the date that it is adopted by the Council and will remain in force for a 10 year period from its adoption following which the LDO shall lapse.
3. This LDO applies to the land edged red on the map attached as Schedule 1 only.
- 4. This LDO grants planning permission for developments within Schedule 2, subject to the exclusions, limitations and conditions as set out in this Order.**
5. Nothing in this LDO grants planning permission for development which is EIA Development.
6. Nothing in this LDO grants planning permission for development affecting a listed building within the meaning of Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or within the curtilage of a listed building.
7. Nothing in this LDO grants planning permission for developments containing the following on any sites:
 - i. Any boilers where the total output is above 5 Megawatts (thermal);
 - ii. Any boilers or furnaces run on biomass where the total output is above 50 Kilowatts (thermal);
 - iii. 300 or more additional vehicle parking spaces.
8. This LDO can be revoked or revised at any time prior to it lapsing after 10 years from being adopted.
9. Should permission granted by the LDO be withdrawn due to the Order being revoked or revised or lapsing following the 10 year period after its adoption, any development commenced under the version of the Order in force at the time of commencement is permitted to be completed.

10. Nothing in this LDO grants planning permission for development that is contrary to a condition on a planning permission unless the reason for that condition has the effect of stating that the condition is for the purpose of clarifying the extent of the permission granted.

Schedule 1- LDO Boundary



Schedule 2- Developments Permitted by the LDO

Part 1- Area 1

A. Permitted Development within Area 1:

- i. Change of use of land, where the land forms part of a site where a change of use is permitted within another part of this schedule.

B. Development Not Permitted within Area 1:

- i. Part 1 does not permit operational development within Area 1;
- ii. Where development is permitted on a site which involves the change of use of land that falls within Area 1, no part of the land within Area 1 shall actually be used on an operational basis for any purpose for which it is not currently used.

C. Conditions- Development is permitted by Part 1 subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 2- Area 2

A. Permitted Development within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

B. Development Not Permitted within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 2A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- ii. Part 2A does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- iii. Part 2A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 2A does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 2A does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;

vi. Part 2A does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 2D subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

D. Permitted Development within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

E. Development Not Permitted within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 2D.

F. Conditions and Limitations within Area 2- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 2G subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 3- Area 3

A. Permitted Development within Area 3- Land, Buildings and Structures for Specific Uses:

i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:

- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Vehicle hire and sales;
- Plant hire;
- Builders yards;
- Industrial laundries;
- Gymnasium and fitness facilities; and
- Vocational training facilities.

B. Development Not Permitted within Area 3- Land, Buildings and Structures for Specific Uses:

i. Development is not permitted by Part 3A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;

ii. Part 3A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;

iii. Part 3A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

- iv. Part 3A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- v. Part 3A does not permit buildings, extensions or structures more than 10 metres in height, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure, within 15 metres of the boundary of the curtilage of a listed building;
- vi. Part 3A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- vii. Part 3A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 3- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 3A subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 3A:

- i. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;

ii. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on this date, whichever is the lesser.

E. Permitted Development within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 3E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 3E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure.
- iii. Part 3E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 3E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 3E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 3E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 3E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 3- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 3- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 3H.

J. Conditions and Limitations within Area 3- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 3E subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. Conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 4- Area 4

A. Permitted Development within Area 4- Land, Buildings and Structures for Specific Uses:

i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:

- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Vehicle hire and sales;
- Plant hire;
- Builders yards;
- Industrial laundries;
- Gymnasium and fitness facilities;
- Vocational training facilities; and
- Classes A1, A2 and A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

B. Development Not Permitted within Area 4- Land, Buildings and Structures for Specific Uses:

i. Development is not permitted by Part 4A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.

ii. Part 4A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;

iii. Part 4A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

- iv. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- v. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- vi. Part 4A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- vii. Part 4A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 4- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 4A subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 4A:

- i. Part 4A only permits development under Use Classes A1, A2 and A3 where the total gross internal floor space in any unit used for that purpose, including storage, staff welfare and office space, would be 300 square metres or less;

ii. Any individual A1, A2 or A3 unit or extension permitted by Part 4A shall remain as that unit, or in the case of an extension part of the unit for which it was permitted, and shall not be joined with any other unit at any point in time to become a larger unit for an A1, A2 or A3 purpose;

iii. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;

iv. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on that date, whichever is the lesser.

E. Permitted Development within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Development is not permitted by Part 4E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- ii. Part 4E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure.
- iii. Part 4E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 4E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 4E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 4E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 4E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 4- Change of Use of Existing Retail Uses to another Retail Use:

i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 4- Change of Use of Existing Retail Uses to another Retail Use:

i. Any form of operational development is not permitted by Part 4H

J. Conditions and Limitations within Area - Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 4I subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Schedule 3- Letter of Compliance

A. No development permitted by this Local Development Order (LDO) shall commence until:

- i. An application form, plans and other documents have been received as set out in Schedule 8 to the LDO;
- ii. A letter has been issued by the Local Planning Authority confirming the proposed development complies with Schedule 1 and 2 of the LDO; and
- iii. The conditions set out in Schedule 4 have where relevant been discharged.

Schedule 4- Conditions Schedule

A. Where development is permitted by the LDO, it shall comply with the conditions as set out below.

Condition no.	The developments permitted by the LDO that the condition applies to	Condition	Reason
1.	All development.	The development shall be commenced before the expiration of five years from the date of letter set out in Schedule 3.	Reason: To ensure there is an appropriate time limit on the implementation of a development.
2.	Development where retaining walls are proposed which are over 1 metre high.	The development shall not be commenced until details and design calculations of any retaining walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: In the interests of public safety.
3.	Development where the means of access is proposed to be changed or the existing access does not meet the standard required for the development	The development shall not be commenced until details of the means of access, together with the vision splays, have been submitted to and approved in writing by the Local Planning Authority. The access and vision splays shall be provided in accordance with the approved details prior to the development being brought into beneficial use and shall be retained as such thereafter.	Reason: In the interests of highway safety.

4.	<p>proposed.</p> <p>Development where the turning space is proposed to be changed or the existing access does not meet the standard required for the development proposed.</p>	<p>The development shall not be commenced until details of a turning space, to enable vehicles to enter and leave the site in a forward gear, has been submitted to and approved in writing by the Local Planning Authority. The turning space shall be provided in accordance with the approved details prior to the development being brought into beneficial use shall be retained as such thereafter.</p>	<p>Reason: To ensure that adequate on site turning facilities are provided in the interests of highway safety.</p>
5.	<p>Development of vacant sites, the complete redevelopment of sites, and development where existing landscaping is proposed to be removed.</p>	<p>The development shall not be brought into beneficial use until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development. It is expected that the scheme will include the retention of existing mature and structural landscaping. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following beneficial use or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p>	<p>Reason: To ensure that the new development will be visually attractive.</p>
6.	<p>Development of</p>	<p>The development shall not be commenced until details of the</p>	<p>Reason: To ensure refuse</p>

	vacant sites, the complete redevelopment of sites and developments where the existing storage arrangements for refuse will no longer be there.	proposed refuse storage and collection facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the development being brought into beneficial use, and shall be retained thereafter.	arising from the development is appropriately managed.
7.	New buildings and extensions, and developments where parking is to be removed.	The development shall not be commenced until details of space to be laid out within the site for vehicles to be parked and secure cycle parking racks or cages have been submitted to and approved in writing by the Local Planning Authority. The provision shall be in accordance with the parking standards as set out in the Supplementary Planning Guidance: "Delivering Design and Placemaking: Access, Circulation, & Parking Requirements" (March 2011). The parking shall be provided in accordance with the approved details, prior to the development being brought into beneficial use and shall not thereafter be used for any purpose other than the parking of vehicles and cycles.	Reason: To ensure that vehicles are parked off the highway in the interests of highway safety.
8.	New buildings and extensions.	The development shall not be commenced until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be provided in accordance with the approved details prior to the development being brought into beneficial use.	Reason: To ensure adequate disposal of foul and surface water.
9.	New buildings and extensions.	The development shall not be commenced until a safe method of pedestrian access has been submitted to and approved in writing	Reason: In the interests of

		by the Local Planning Authority. The pedestrian access shall be provided in accordance with the approved details.	pedestrian safety.
10.	New buildings and extensions.	The development shall not be commenced until the materials to be used in the construction of the external surfaces of the buildings and external areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings.
11.	New buildings and extensions where the site, or part of the site, falls within a Coal Mining High Risk Area.	The development shall not be commenced until a Coal Mining Risk Report has been submitted to and approved in writing by the Local Planning Authority. The report shall be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that will be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development shall be carried out in accordance with the approved details.	Reason: The site may be unstable due to past coal mining activity and as such a report is required to ensure satisfactory precautions are taken.
12.	New buildings and extensions where the site has been identified as potentially contaminated due to its past use.	The development shall not be commenced until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures: A desk-top study 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;	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.

		<p>A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority; and</p> <p>A written method statement for the remediation of contamination affecting the site.</p>	
13.	Sites where condition 12 is relevant.	The development shall not be brought into beneficial use until the measures approved in the scheme approved in condition 12 have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
14.	Sites where condition 12 is relevant.	If during development works any contamination is 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 in condition 12, then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the development re-commencing. The development shall be re-commenced in accordance with the new approved details.	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
15.	Sites where condition	Piling or any other foundation designs using penetrative methods	Reason: There is an

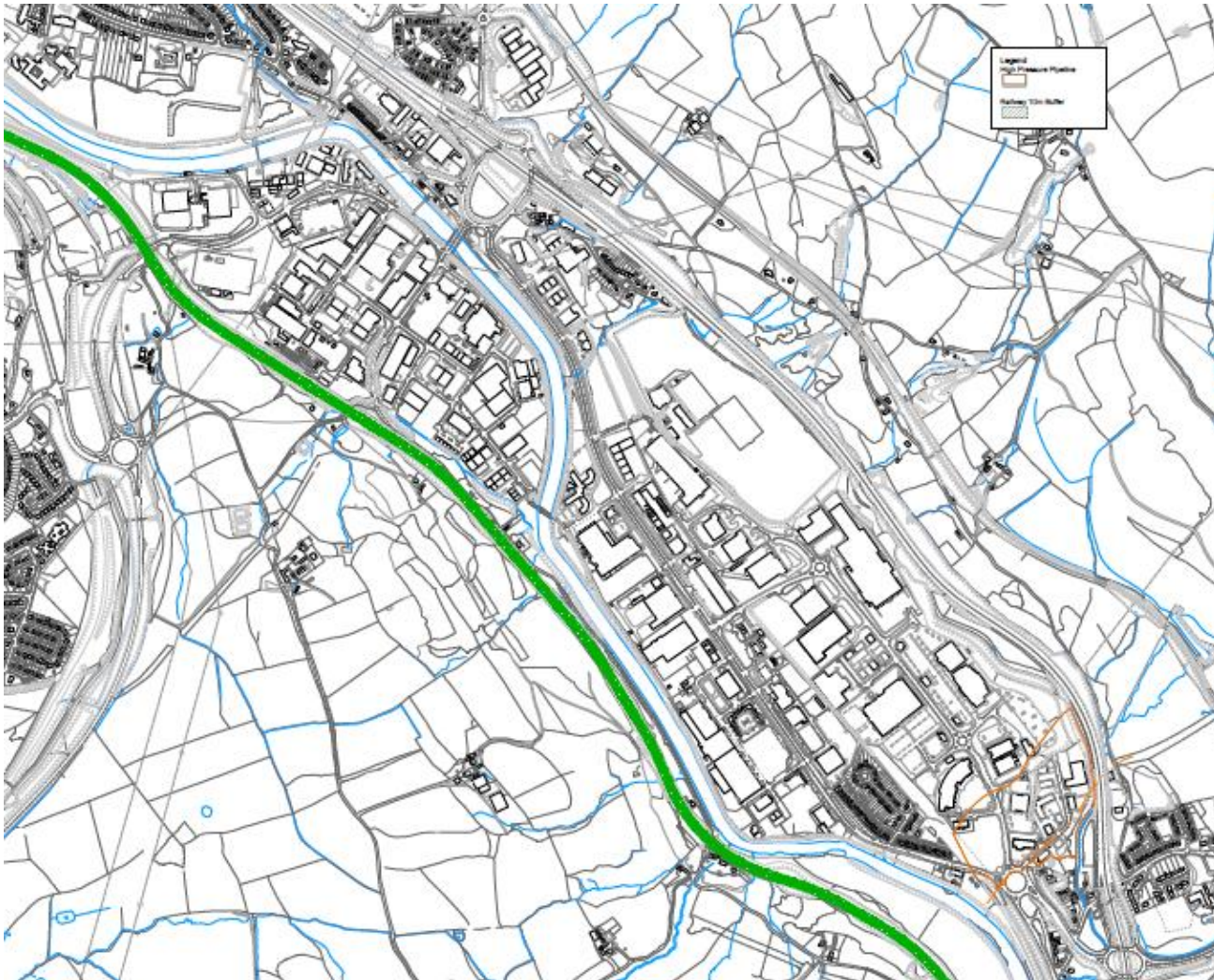
	12 is relevant.	shall only be permitted where it has been demonstrated that there is no resultant unacceptable risk to groundwater, and where a scheme for this has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details	increased potential for pollution of controlled waters from inappropriate methods of piling.
16.	New buildings which are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be commenced until details of the finished ground floor level is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the floor levels of any proposed buildings are above the flood level.
17.	New buildings and extensions which are over 250 square metres in floor space and are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be brought into beneficial use until a flood emergency / flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the approved details.	Reason: In the interests of public safety.
18.	New buildings and extensions which are over 250 square metres in floor space.	The development shall not be brought into beneficial use until a Travel Plan is submitted to and approved in writing by the Local Planning Authority setting out how the development will contribute to achieving a reduction in car journeys. The development shall operate in accordance with the approved details.	Reason: To minimise the impact that development has on the traffic using the local highway network.

19.	All development within 20 metres of the bank of the River Taff involving additional external lighting.	The development shall not be commenced until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To minimise the impact that the development has on bats.
20.	All developments where bats and nesting birds are likely to be affected	<p>The development shall not be commenced until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:</p> <p>a. An appropriate scale plan showing 'Wildlife Protection Zones' where construction activities are restricted and where protective measures will be installed or implemented;</p> <p>b. Details of protective measures (both physical measures and sensitive working practices) to avoid impacts during construction;</p> <p>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).</p> <p>d. Persons responsible for:</p> <ul style="list-style-type: none"> • Compliance with legal consents relating to nature conservation; • Compliance with planning conditions relating to nature conservation; • Installation of physical protection measures during construction; • Implementation of sensitive working practices during construction; • Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; 	<p>Reason:</p> <p>To afford protection to animal and plant species, particularly bats and birds.</p>

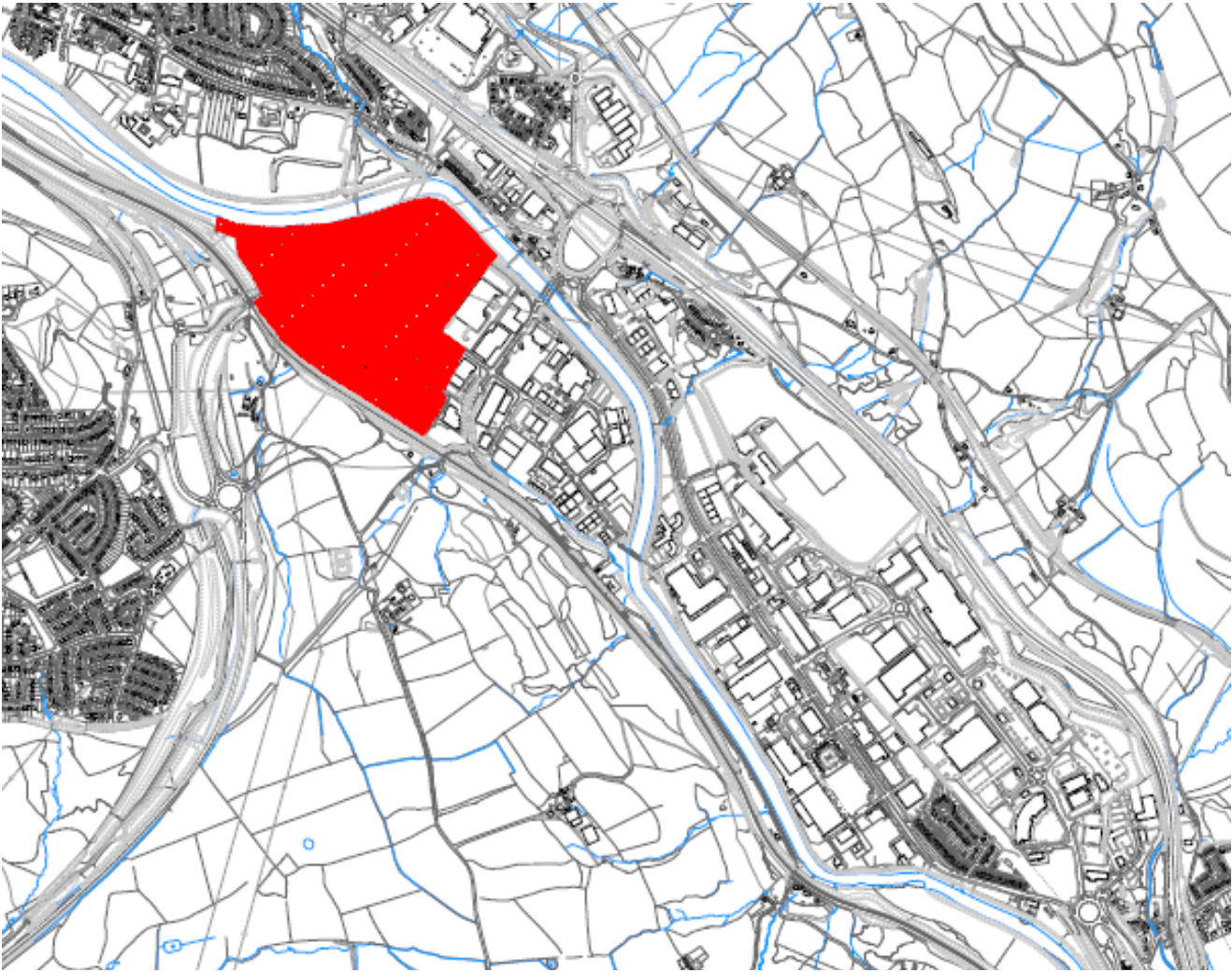
- Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.

All construction activities shall be implemented with the approved details and timing of the plan.

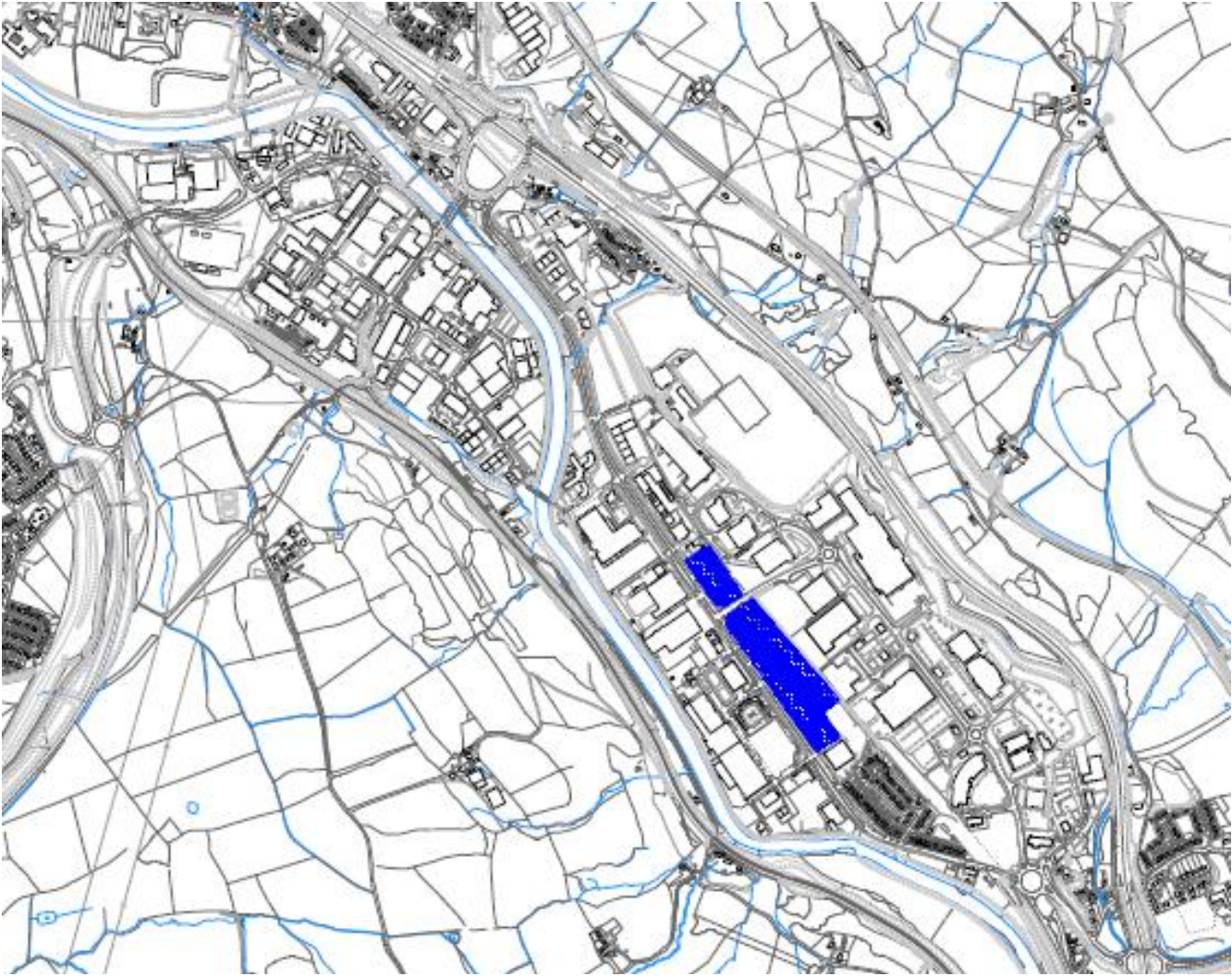
Schedule 5- Plan showing Gas Pipe and Railway Line



Schedule 6- Area 2



Schedule 7- Area 4 (Retail Zone)



Schedule 8- Application Form

Rhondda Cynon Taf County Borough Council
Application for a Determination of Compliance with Schedules 1 and 2 of the
Treforest Industrial Estate and Parc Nantgarw Local Development Order

1. Applicant Details

Name:

Address:

Telephone Number:

Email:

2. Agent Details

Name:

Address:

Telephone Number:

Email:

3. Description of the Proposal

Description:

Is this development a (tick all that apply):

Change of use of an existing building or site?;

The redevelopment of a vacant site?;

A new building or structure?;

An extension to an existing building?;

Minor improvement works to an existing site or building?;

A new retail (A1, A2 or A3 use class) building?

4. Site Address

5. Existing Use

6. Existing Buildings and Trees on the Site

Are there any existing buildings on the site? Yes/No (please delete as appropriate)

Approximate date when buildings were constructed:

Are any buildings proposed to be demolished as part of the proposal? Yes/No (please delete as appropriate)

Were there any buildings on the site that have been demolished? Yes/No (please delete as appropriate)

Date of demolition:

Will the proposal involve re-roofing works? Yes/No (please delete as appropriate)

Will the proposal involve cutting into an existing roof structure or the removing of/alterations to an existing roof structure? Yes/No (please delete as appropriate)

Are there any mature trees on the site? Yes/No (please delete as appropriate)

Are there mature trees proposed to be felled, or works to mature trees as part of the proposal? Yes/No (please delete as appropriate)

Are you aware if any bats (or evidence of bats) have been found in association with, or seen emerging from, any buildings, trees or other structures on the site? Yes/No (please delete as appropriate)

Are any birds nesting on the site or known to use the site for nesting? Yes/No (please delete as appropriate)

7. Proposed Use

8. Floor Space and Employment

Existing gross internal floor space on the site (square metres):

Gross internal floor space to be lost by demolition (square metres):

Total gross internal floor space proposed on the site (square metres):

Total gross internal floor space within an A1 use (including storage, office space, etc):

Net additional gross internal floor space following development (square metres):

How many people are currently employed at the site?

Full time

Part Time:

Full time equivalent:

How many people will be employed at the site following development?

Full time

Part Time:

Full time equivalent:

9. Proposed External Finishing Materials (where relevant)

Existing

Proposed

Walls:

Roof:

Windows:

Doors:

Boundary Treatment:

Outdoor Surfaces:

Other:

10. Signature and Date

Signature:

Applicant/Agent (please delete as appropriate)

Date:

11. Please indicate preferred method of reply:

Post/Email (please delete as appropriate)

Please include:

- A 1:250 location plan with the site edged red;
- A1:500 block plan of the existing and proposed site layout (including access, turning and parking arrangements);
- A 1:50 or 1:100 existing and proposed plans and elevations;
- Recent photographs of all elevations of any existing buildings and any mature trees on the site, with the date they were taken;
- Where ground levels are proposed to change, sections through the site at a scale of 1:50 or 1:100 showing the changes;
- Any other information you think may assist the Case Officer in determining whether the proposal complies with the Treforest Industrial Estate and Parc Nantgarw Local Development Order

The application form and plans can be submitted electronically to planningservices@rctcbc.gov.uk or by post to Rhondda Cynon Taf CBC, Planning Services, Sardis House, Sardis Road, Pontypridd, CF37 1DU. Please note any documents and plans will be retained for Council records and no documents and plans will be returned.

Rhondda Cynon Taf aims to reply to these requests within 10 working days of receipt. Further information may be requested to determine compliance. Impact on bats will also be assessed through this process to ensure compliance with the LDO.

When designing a layout, it is important to take account of the requirements of all the conditions, and to ensure that the layout can accommodate these requirements. Failure to do so may result in the site not being permitted to be developed as planned, even if a Letter of Compliance has been received. Officers will advise if there appears to them to be an issue over the potential to comply with conditions, but this will be informal advice only and will not be exhaustive. **It is the responsibility of the developer to ensure all conditions can be complied with.**

It is important to note that no development is permitted to commence under the Treforest Industrial Estate and Parc Nantgarw Local Development Order until a letter stating that the proposal complies is received and all relevant conditions with the Order have been discharged.

APPENDIX 3

Informal Consultation Summary

(N.B. where the response says “included in draft LDO”, this is in relation to the draft used in the statutory consultation, and not necessarily the modified draft).

20 Responses:

- 5 responses from local businesses
- 7 responses from local residents
- 8 responses from other consultees

Summary of comments from businesses:

Comment	Response
Additional car parking facilities would be beneficial to increase job opportunities and make the area more attractive to potential new recruits	Included in draft LDO
Extending current buildings will be beneficial	Included in draft LDO
All works should be considered that would not be detrimental to public or vehicular use	Included in draft LDO as far as possible, bearing constraints in mind
Concerned about uses that may emit smoke and fumes	This would be largely controlled by environmental permitting legislation
Concerned regarding noisy uses	A 35 metre buffer zone is proposed around the boundary of residential properties, but as this is an industrial estate, some noisy

	uses would be expected
All small improvements should be allowed, such as signage, single storey extensions, fences and walls, canopies	Signage is beyond the remit of the LDO. Other works included in draft LDO
Small outbuilding developments and solar panels should be considered	Included in draft LDO
More development could result in an increase in traffic and make existing problems at the Upper Boat Roundabout worse, and improvements to this need to be considered	A Travel Plan could mitigate any additional impact
Car parking is likely to get more difficult with more development	New development and extensions would have to provide car parking in accordance with existing Parking Standards, and a Travel Plan could further mitigate any impact
The access to Treforest Estate Railway Station should be improved to encourage its use	Beyond the remit of the LDO
Large/ disruptive works being included would be a concern	While limits to development have been proposed, as this is an industrial estate, some works of this nature would be expected
The roads need resurfacing and the sewer smells are often bad	Beyond the remit of the LDO
The area around Greggs is often blocked by parked cars	New development and extensions would have to provide car parking in accordance with existing Parking Standards, and a Travel Plan could further mitigate any additional impact
Businesses should be encouraged to look at building up multiple floors	Allowed for within the draft LDO, subject to height constraints

Summary of comments from residents:

Comment	Response
Would be beneficial to include small home and garage developments	Beyond the remit of the LDO
Concerned about traffic and noise	A Travel Plan could mitigate any additional impact
Concern that further development will increase criminal activity	This is not considered likely as a consequence of the LDO, but the Police have been added as a consultee for the next stage of consultation
Concern about an increase in pedestrians through residential areas	This could be a consequence of further development, but the LDO is not considered likely to generate significant numbers of additional pedestrians through residential areas
Worried about loss of green area at the rear of Oxford Street and Rhyd-yr-Helyg, and that it may end up being used for car parking by the college	Excluded from draft LDO
There is no need for more units because there are empty units and vacant land	One of the reasons for the LDO is to try and fill that land and either fill the existing empty units, or replace them with ones that are more marketable
The crime rates have gone up since the college has been located there	The police have been added as a consultee for the next stage of consultation
Works should not affect or impact on residents of Oxford Street and Rhyd-yr-Helyg	A 35 metre buffer zone is proposed around the curtilage of residential properties

A Park and Ride facility for the station should be considered	It is agreed that this would be beneficial, and is included in the draft LDO. However, it is beyond the remit of the LDO to require one is built
Better infrastructure for residents should be considered as there are often power and water cuts	Beyond the remit of the LDO
Workshops for the disabled should be considered	Works are proposed that will allow for these. Again, it is beyond the remit of the LDO to require these are built
Improvements in access to the M4 should be considered	Beyond the remit of the LDO
No development should be allowed without any means of formal planning control	The intention is to only allow development that would be acceptable if planning permission was applied for in the normal manner. A mechanism is proposed so the Local Planning Authority can check whether the works would be in accordance with the LDO
Development that creates jobs while improving the environment for residents and visitors/ workers should be considered	Development under the LDO would be expected to follow a Design Code. However, whole-scale environmental improvements are beyond the remit of the LDO
Should be day time operating only so not to increase traffic during the evening and night time	It is not considered that impacts from evening and night time traffic are likely to be significant, and the residential buffer zone would assist in mitigating the impacts of noise from traffic on residential properties
Would be concerned about extra emissions and chemical pollution	This would be largely controlled by environmental permitting legislation
Would be concerned about more noise pollution	A 35 metre buffer zone is proposed around the boundary of residential properties, but as this is an industrial estate, some noisy

	uses would be expected
Bottlenecks at the Upper Boat and Nantgarw Roundabouts that will be exacerbated	A Travel Plan could mitigate any additional impact
Pedestrian safety needs improving	This is beyond the remit of the LDO
Wildlife needs to be taken into account	Consideration has been given to dealing with statutory duties in respect of bats
Concerned regarding light pollution	This is not considered likely to be a significant issue arising from the LDO
There needs to be some form of control	A mechanism is proposed so the Local Planning Authority can check whether the works would be in accordance with the LDO
Concern regarding piles of building/ demolition material	This would be dealt with by enforcement procedures if considered necessary

Summary of comments from other consultees:

Organisation	Comment	Response
Highways Development Control	Any development or change of use should not generate a high volume of traffic and parking demand. The reason being the congested nature of the junctions in the vicinity of the site	A Travel Plan could mitigate any additional impact
Highways Development Control	Any new developments or change of use should provide parking in compliance with the	It is intended that the development included within the LDO should follow these guidelines

	adopted Supplementary Planning Guidance	
Highways Development Control	Any new development or change of use that creates new access, alters or abandons the existing access should submit for approval geometric design, details and material specification and implement the works in accordance with Section 184 and 278 of the Highways Act 1980	A condition is included within the LDO and standard drawings will be included in the Design Code/User Guide at a later date. However, full details can be dealt with separately under the Highways Act
Highways Development Control	Any services such as road signs or street lighting columns affected by a new access or curtilage parking should be relocated to the back of the footway in agreement with the Council	These can be considered separately to the planning process
Highways Development Control	Provision, shared use and compliance with a Travel Plan Framework for the whole Estate to encourage sustainable modes of travel and mitigate adverse impact on highway capacity, safety and operation of the highway network	A condition has been proposed for Travel Plans. A Travel Plan for the whole Estate will be considered at a later date
Highways Development Control	No private surface water drainage system shall be connected to the existing adopted highway drainage system unless agreed in writing by the Council	A drainage condition is proposed
City of Cardiff Council	The LDO should grant planning permission for land use, buildings and ancillary facilities and associated developments in use classes B1, B2 and B8. The Local Planning Authority would	The proposed LDO focuses on these type of developments, but does allow for other types of development

	need to consider suitability of potential waste facilities on this site	
City of Cardiff Council	There should also be a limited opportunity for ancillary support facilities i.e. A1 (shops), A3 (cafes)	A proposed area is designated for this within the LDO boundary
City of Cardiff Council	Height restrictions would need to be specified	Included in draft LDO
City of Cardiff Council	High quality landscaping/design requirements would need to be addressed in the interests of visual amenity	These issues are intended to be addressed as part of the Design Code/User Guide at a later date
City of Cardiff Council	The C1 flood risk zone needs to be considered. A condition for an FCA needs to be considered. Early consultation with Natural Resources Wales on the content of FCA is recommended	Discussions have been held with NRW, but Legal advice has suggested including a condition on an LDO would not be appropriate. A consultant has been employed to carry out flooding work to deal with this issue prior to the LDO being produced
City of Cardiff Council	Need to consider Transport Assessments and where they should be applied	A Traffic Study has been carried out. It is considered that due to this, it is unlikely full Transport Assessments will be required
Wales and West Utilities	There should be no excavations within 10 metres of a high/ intermediate pressure gas main without prior consultation with Wales & West Utilities	Excluded from draft LDO
Coal Authority	The proposed site falls within the defined Development High Risk Area; therefore within the site and surrounding area there are coal	The Development High Risk Area affects parts of the Estate, but not all of it. It is intended that conditions requiring an assessment will be part of the LDO

	mining features and hazards which need to be considered in relation to the production of the LDO. In taking forward a Local Development Order, either it will be necessary for the LPA to undertake a Coal Mining Risk Assessment to inform the relevant conditions to be imposed on the LDO or the LDO conditions will need to require assessment in due course	
Coal Authority	The Coal Authority will not support the provision in principle of any built development over the recorded mine entries or within their zones of influence. This remains the case even where the mine entries have been treated	Operational development within this area is excluded from the draft LDO
Glamorgan Gwent Archaeological Trust	Any proposals for potentially removing the need for formal planning permission within the boundary indicated within the consultation document should have due regard for the historic and cultural environment. The development of all types of sites may have both a direct physical impact on buried and upstanding archaeological remains, and also an indirect visual impact on heritage assets. For sites with non-statutory designations, archaeological mitigation work may be required both pre and post determination	There is a Scheduled Ancient Monument (SAM) and Listed Building to the south of the Estate and two Listed Buildings in the boundary. The SAM and listed building to the south are unlikely to be affected. The two listed buildings in the boundary and their curtilages have been excluded from the draft LDO, and operational development has been excluded from a 10 metre buffer zone around their curtilages. In respect of non-statutory sites, a condition is proposed, the exact wording of which can be agreed at statutory consultation stage
Llantwit Fardre Community Council	Increased commercial development would help boost the economy and assist in reducing	The draft LDO proposes to increase this type of development

	unemployment	
Network Rail	Network Rail would need to be consulted on any development within 10 metres of the rail boundary to ensure the safety of the operational railway is maintained at all times	Operational development within this area is excluded from the draft LDO
Dwr Cymru Welsh Water	Consideration should be given as to whether or not the site may be crossed by a public sewer/rising main/water main. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line.	These can be considered separately to the planning process
Dwr Cymru Welsh Water	Some uses may be subject to Trade Effluent consent. Consideration should also be given if it is intended to utilise potable water for industrial/commercial uses as DCWW are not obliged to provide potable water for use in any industrial process.	These can be considered separately to the planning process
Dwr Cymru Welsh Water	There should be appropriate controls to enable DCWW to manage the impact on its infrastructure, to ensure assets are not compromised and that there will be no detriment to existing residents or the environment.	A drainage condition is proposed
Dwr Cymru Welsh Water	Invite the LPA to meet to discuss	This can be arranged- is likely to be done at statutory consultation stage

APPENDIX 4

Consultation Summary

Contents

- 1.0 SUMMARY
- 2.0 RECORD OF CONSULTATION
- 3.0 RESPONSES TO CONSULTATION

Table 1: Results of the Consultation on the draft Local Development Order

APPENDIX 1 – Consultation letter

APPENDIX 2- Consultation list

APPENDIX 3- Website content

1.0 SUMMARY

In January and February 2016 Rhondda Cynon Taf County Borough Council issued for public consultation a Local Development Order (LDO) covering the Treforest Industrial Estate and Parc Nantgarw areas.

The purpose of this document is to provide a record of the consultation undertaken and the representations received to the LDO documents. This document includes information on the consultation and publicity undertaken during the consultation period and a list of those individuals and organisations consulted, the number of representations received and the Council's responses to them.

2.0 RECORD OF CONSULTATION

2.1 Local Development Order Legislation


Statutory consultation is required on the draft document under Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended).

2.2 Informal Consultation

The Council undertook an informal consultation event in July 2015. Letters and emails were sent to 73 statutory consultees and other interested parties, and a leaflet drop was done of businesses on the Estate and nearby residential properties inviting them to comment. 20 Responses were received (5 responses from local businesses, 7 responses from local residents 8 responses from other consultees). Details of these are given in the "Informal Consultation Summary" above.

Treforest Industrial Estate and Parc Nantgarw Local Development Order

What is the Council looking to do?
Rhonda Cynon Taf is hoping to simplify the planning process on Treforest Industrial Estate and Parc Nantgarw. This can be achieved by adopting a Local Development Order (LDO) covering the area. The Council would like your views about what it should contain and why, in order to produce a draft LDO document.




What is a Local Development Order?
An LDO would remove the need for a formal planning permission for certain developments within the boundary shown. This could include alterations to sites and buildings, changes of use or new developments. These would still be subject to certain conditions to ensure they meet an acceptable standard.

What Benefits could a Local Development Order have?
The proposed LDO aims to support business and promote regeneration within the Estate, and help boost the local economy. It can do this by increasing the certainty and speed of the planning process, and reducing associated costs. This is to make it easier for existing businesses to adapt or extend their premises and encourage new businesses to locate here.

What happens now?
The Council is now carrying out an 'informal' consultation, gathering views before writing the LDO. A draft version will then be produced for consultation and it is intended the final version will be adopted in 2016.

Your Views
If you want to find out more, please visit the Planning pages of the Council's website at www.rctcbc.gov.uk/planning.
If you would like to give your views, please complete the short questionnaire included overleaf.

Cyfrang ddiwydiad





Beth yw'r prif faterion? What are the key issues?


Cyfyngiadau Constraints

Cyfleoedd Opportunities

Cynllun cyfleoedd a chyfyngiadau | Opportunities & Constraints Plan

Cyfrang ddiwydiad



Cyfie i Ddweud Eich Dweud! Have your Say!

Hoffen ni gael eich barn ar y Gorchymyn arfaethedig F'n helpu ni i fywio compas y ddoigfen.

1. Pa ddatblygiadau a fyddoch chi'n hoffu/caniatáu yn y Gorchymyn Datblygu Llool, hynny yw, datblygiadau na fyddaf'n oghynol llooye niw, wneud casis cyrffuno llawen?


2. Yn eich barn chi, pa ddatblygiadau na ddylai gael eu caniatáu yn y Gorchymyn Datblygu Lloel, hynny yw, datblygiadau y byddaf'n oghynol llooye niw, wneud casis cyrffuno llawen?

3. Oes unrhyw zylwadau neu gwestiynau eraill gyda chi?


1. What developments would you like to be allowed in the Local Development Order, meaning they would not require a full planning application?

2. What developments do you think should not be allowed in the Local Development Order, meaning that planning permission would still be required?

3. Do you have any other comments or questions?



Cyfrang ddiwydiad



Treforest Industrial Estate and Parc Nantgarw Local Development Order Questionnaire

1. What developments do you think it would be beneficial to allow in the Local Development Order, meaning they do not require a full planning application? Please explain why.

2. Are there any issues that you would be concerned about if more development takes place under the Local Development Order?

3. Do you have any further comments to make?

4. Are you (please tick):

Representing a Business (Nature of Business).....

A Local Resident

A Statutory Consultee

Other (Please State).....

5. If you wish to do so, please provide your contact details, so we can add them to our consultation database for the Local Development Order:

Name:.....

Address:.....

Telephone Number:.....


Email:.....

Please return this to Planning Services, Sards House, Sards Road, Pontypridd, CF37 1DU.


Alternatively an on-line version of this is available on the Council's website at www.rctcbc.gov.uk/currentconsultation.

Please telephone 01443 484721 for any queries. Any views or queries can also be emailed to planning.services@rctcbc.gov.uk.

All forms should be returned by Friday 7th August 2015.



Cyfrang ddiwydiad



2.3 Draft LDO

The Council undertook a 30 day consultation on the draft LDO and supporting documents from 14th January – 12th February 2016.

2.4 Consultation Timescale

To allow any interested party sufficient time to make a response to the consultation 30 days were allocated. Legislation requires 28 days of consultation; the Council chose to consult for 30 days to take the end of the consultation logically to the end of a week.

2.5 Who was consulted?

The Council consulted in line with Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. The Council therefore wrote directly by letter and emails to over 700 organisations and individuals inviting them to comment on the LDO documents. These included the specific consultation bodies outlined in the Article, such as Natural Resources Wales, Network Rail, the Health and Safety Executive, other local authorities in South East Wales and Community Councils. A list of the statutory consultees is included in Appendix 2. The statutory consultees were also sent a copy of the main consultation document. All addresses in the proposed LDO or adjoining it were also written to directly, resulting in 628 consultation letters. The Council's Business Support team also identified members from the business database who were also consulted. The Welsh Government were provided with a copy of the consultation document also.

2.6 Consultation Package

The package of documents published on the 14th January comprised:

- Draft Treforest Industrial Estate and Parc Nantgarw Local Development Order
- Table of Developments that would be Permitted
- LDP Areas Plan
- Statement of Reasons
- Responses to the Informal Consultation
- Traffic Study
- Treforest Flood Risk Strategic Flood Consequences Assessment (SFCA)
- Appendix B Treforest SFCA LDO Advice Map Methodology (including Figures 1-13)
- Final draft of Capita Flood Risk Memo

2.7 Publicity and Participation

Notification letters (see Appendix 1) were sent to over 700 different contacts on the Council's database. This included Local and Government Consultation Bodies, Private Sector Organisations, Community Groups, landowners, tenants and neighbours to the LDO area. The consultation list is contained in Appendix 2

The package of LDO documents was published on the Council's website on 14th January 2016. This contained advice on the availability of information, the consultation process and where additional advice and assistance could be obtained. A link to the information was also published on the Council's 'Say It' section of the website which is the Council's main consultation page. Copies of the web page are attached as Appendix 3. The documents were also placed in the reception of Sardis House, Pontypridd, which is where the Council's Planning Office is based.

2.8 Newspaper Notice

The draft LDO consultation was advertised via a statutory notice in the Western Mail newspaper on the 14th January 2016 (see below right).

2.9 Site notices

Site notices were put up around the LDO area (see below left). The map below shows the various locations where these were placed.

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

NOTICE UNDER ARTICLE 27 OF PROPOSAL FOR LOCAL DEVELOPMENT ORDER GRANTING PLANNING PERMISSION

Proposed Development at Treforest Industrial Estate, Parc Nantgarw and Upper Boat Business Park, Rhondda Cynon Taf

I give notice that the Rhondda Cynon Taf County Borough Council Local Planning Authority proposes to make a local development order granting planning permission to:

- (i) development within classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, and other uses considered ancillary to the primary industrial use of the area;
- (ii) minor alterations to buildings and sites; and
- (iii) limited development within classes A1, A2 or A3 of the Town and Country Planning (Use Classes) Order 1987;

The above being subject to exclusions, limitations and conditions set out in the proposed Local Development Order.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on "Local Development Orders").

Anyone who wishes to make representations about this proposed local development order should write to the Local Planning Authority at Rhondda Cynon Taf County Borough Council, Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA or email planningservices@rctcbc.gov.uk by **Friday 12th February 2016**.

For further information please contact Helen Winsall, tel. 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Signed Simon Gale
Service Director Planning Services- Rhondda Cynon Taf CBC
Date 14th January 2016

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

**Town and Country Planning
(Development Management Procedure) (Wales) Order 2012
Proposed Local Development Order at Treforest Industrial
Estate, Parc Nantgarw and Upper Boat Business Park,
Rhondda Cynon Taf**

I give notice that the Rhondda Cynon Taf County Borough Council Local Planning Authority proposes to make a Local Development Order granting planning permission for additional developments on the above land.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on "Local Development Orders").

Anyone who wishes to make representations about this proposed Local Development Order should write to Rhondda Cynon Taf County Borough Council, Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA or email planningservices@rctcbc.gov.uk by **Friday 12th February 2016**.

**Gorchymyn Cynllunio Gwlad a Thref
(Gweithdrefn Rheoli Datblygu) (Cymru) 2012
Gorchymyn Datblygu Lleol arfaethedig ar gyfer Ystad
Ddiwydiannol Treforest, Parc Nantgarw a Pharc Busnes
Glan-bad, Rhondda Cynon Taf**

Rwyf yn hysbysu drwy hyn fod Awdurdod Cynllunio Lleol Cyngor Bwrdeistref Sirol Rhondda Cynon Taf yn bwriadu gwneud gorchymyn datblygu lleol sy'n rhoi caniatâd cynllunio ar gyfer datblygiadau ychwanegol ar y tir sydd wedi'i nodi uchod.

Mae copi o'r gorchymyn drafft ac o ddatganiad yr Awdurdod Cynllunio Lleol o'i resymau dros wneud y gorchymyn ar gael i'w harchwilio yn y cyfeiriad canlynol: Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA ar ddydd Llun i ddydd Gwener, rhwng 9am a 4pm. Maen nhw hefyd ar gael ar wefan yr Awdurdod Cynllunio Lleol. Ewch i: <http://www.rctcbc.gov.uk/cy/cynllunioaramqylchedd/cynllunio> (cliciwch ar "Gorchymyn Datblygu Lleol").

Dylai unrhyw un sy'n dymuno gwneud sylwadau ynglŷn â'r gorchymyn datblygu lleol arfaethedig yma ysgrifennu at: Cyngor Bwrdeistref Sirol Rhondda Cynon Taf, Gwasanaethau Cynllunio, Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA neu e-bostio gwasanaethaucynllunio@rctcbc.gov.uk erbyn **dydd Gwener 12fed Chewfror 2016**.

A copy of the application and of the plans and other documents submitted with them may be inspected by members of the public during office hours of 9.00am - 4.00pm Mondays to Fridays at Sardis House, Sardis Road, Pontypridd, CF37 1DU.

SE 1/4 1/2
11/1/16



2.10 Business Event

An event for businesses was held on the 26th January 2016 which allowed parties present to gather information regarding the LDO. A presentation was made by the Service Director of Planning and exhibition material was displayed. Council staff were available to answer any questions and to provide consultation material.

The first Local Development Order in Wales coming here soon! Find out what this can do for your business.

 **RHONDDA CYNON TAF**
STRONG HERITAGE | STRONG FUTURE
TREFANETH GADAMEN | DYFODOL SICR

You are invited to...

Come along and find out about our Business Growth Treforest event which is an information sharing and networking event aiming to help businesses.

Hosted by Rhondda Cynon Taf Council, the event will include presentations from two businesses based on Treforest Industrial Estate, innovative furniture makers, Orangebox and one of the largest owners of commercial property in the UK, Dunedin Industrial.

This will be followed by an update on the Local Development Order from Rhondda Cynon Taf Council.

You will also be able to network with businesses on the industrial Estate, make new connections and build beneficial relationships.

Complimentary refreshments will be provided.

If you are interested in attending, please contact us on **01443 495176** or email claire.curtis@rctcbc.gov.uk to book your place.

@TreforestGrowth

Business Growth Treforest

Coleg y Cymoedd
Nantgarw Campus
Tues 26th Jan 2016
8am - 10am



2.11 Availability

As stated above, copies of the LDO and associated information were placed for inspection at the Council Offices in Sardis House, Sardis Road, Pontypridd and on the Council's Website for inspection/downloading, and were available throughout the consultation process. The Website contained advice on how to make representations.

3.0 RESPONSES TO THE CONSULTATION

The Council has received 15 representation responses. In addition, a training session was held with Planning Officers on 27th February 2016, where suggestions were made for improvements.

Table 1: Results of the Consultation on the draft Local Development Order

Name	Representation	Council Response	Actions required/ Changes made
HEALTH AND SAFETY EXECUTIVE	<p>Encroachment of Local Plan Allocations on Consultations Zones We have concluded that there is the potential for land allocated in your plan to encroach on consultations zones namely the Major Accident Hazard Pipeline operated by Wales and West Utilities HSE Ref 7287 Nantgarw/Brynna.</p> <p>Compatibility of Development with Consultation Zones The compatibility issues raised by developing workplaces within the inner, middle and outer zones are summarised below.</p> <p>Inner Zone – Workplaces (predominantly non-retail) providing for less than 100 occupants in each building and less than 3 occupied storeys are compatible with the inner zone. Retail developments with less than 250m² total floor space are compatible with the inner zone.</p>	The pipeline was identified at informal consultation stage. The location of the zones expands beyond what was identified at this stage, and as a result some alterations are required to what would be permitted in this area.	Increase the area either side of the pipeline within Area A to 165 metres. This is compatible with the Health and Safety Executives "Middle Zone" for planning advice.

	<p>Note: Workplaces (predominantly non-retail) providing for 100 or more occupants in any building or 3 or more occupied storeys in height are compatible with the inner zone where the development is at the major hazard site itself and will be under the control of the site operator.</p> <p>Middle Zone – The middle zone is compatible with workplaces (predominantly non-retail). Retail developments with total floor space up to 5000m² are compatible with the middle zone.</p> <p>Outer Zone – Workplaces (predominantly non-retail) are compatible with the outer zone. Workplaces (predominantly non-retail) specifically for people with disabilities (e.g. sheltered workshops) are only compatible with the outer zone. Retail developments with more than 5000m² total floor space are compatible with the outer zone.</p>		
NETWORK RAIL	<p>Network Rail notes that the Draft LDO states that the LDO designation would have effects including “<i>potentially making more funds available for investment in infrastructure</i>” (para. 2.3). This should include undertaking improvements to the environment and rail user facilities at Treforest Estate Rail Station, in addition to those being funded through Welsh Government’s Station Improvement Programme. Additional investment in rail infrastructure will respond to the likely increased usage of Treforest Rail Station resulting from the increased development potential and enhanced attractiveness of the Estate to new businesses.</p> <p>We welcome the inclusion of a reference to Network Rail being consulted on any development within 10 metres of the railway line. This will ensure that the design, layout and siting of any development proposals close to the railway will not have an adverse impact upon our operational activities.</p>	The comment regarding funding is in the Statement of Reasons, and outlines potential benefits, rather than a strategy for improvement.	N/A

<p>TAFFS WELL AND NANTGARW COMMUNITY COUNCIL</p>	<p>Whilst the Community Council appreciates the advantages of the Local Development Order (LDO) it does have a concern that the democratic process could be corroded and would ask that the Local Member be advised and consulted on all proposed developments /expressions of interest within the LDO.</p> <p>In this way residents will be reassured that their local elected representative is not totally removed from the decision making process and will be able to provide a safeguard against undesirable or intrusive developments.</p>	<p>Local Members can be advised of proposals when they come in.</p>	<p>This can be added to the User Guide when it is produced.</p>
<p>COUNCILLOR L WALKER</p>	<p>Offers support.</p>	<p>N/A</p>	<p>N/A</p>
<p>NEATH PORT TALBOT COUNCIL</p>	<p>No objections.</p>	<p>N/A</p>	<p>N/A</p>
<p>COAL AUTHORITY</p>	<p>In taking forward a Local Development Order, the LPA has illustrated The Coal Authority Development High Risk Area on Figure 2 which is welcomed and responds positively to our previous comments.</p> <p>The Coal Authority considers that the proposed LDO provides an appropriate balance between facilitating development whilst having regard to the constraints on the site. The Coal Authority supports the LDO approach towards preventing operational development in Area 1 which includes the location of the mine entries and their zones of influence.</p> <p>In relation to Areas 2, 3 and 4 The Coal Authority also supports the LDO approach towards new buildings and</p>	<p>N/A</p>	<p>N/A</p>

	<p>extensions in the defined Development High Risk Area. Condition 11 in Schedule 5 is considered to be proportionate and relevant to ensure that any development and the surrounding area is protected from ground instability and risks to public safety.</p>		
LEGAL SERVICES	<p>Drafting changes recommended.</p> <p>Raised concerns regarding applying the term “unless otherwise agreed in writing” to the Design Parameters.</p> <p>Need to re-look at conditions- need to be clear of the circumstances under which they are imposed and be satisfied they can be met.</p>	<p>Need to go back through LDO and make changes where necessary.</p>	<p>Changes have been made as appropriate.</p>
WELSH GOVERNMENT	<p>It might be easier to have four maps (or one master identifying all areas) to dispel any potential confusion.</p> <p>Monitoring indicators – would suggest the number of developments started and/or the amount of floor space completed be compared against figures prior to the LDO starting. The monitoring may benefit from an indicator that enables RCT to review how the LDO changes the mix of uses in the estate. This is particularly relevant to the retail uses, to ensure that the LDO is having the desired effect.</p> <p>RCT may want to give some thought to improving the document format to make it a bit easier to follow and to perhaps prepare a simplified version for the general public who are not familiar with the planning system.</p> <p>The LDO mentions developing a Design Code/User Guide (para 11) and includes Design Parameters (Schedule 4). Are these the same thing? Early engagement with DCFW is recommended on this issue.</p>	<p>There will be one map showing all four areas, which will be part of the User Guide. The monitoring indicators can be changed to reflect these comments. The Design Code and User Guide will effectively expand on the Design Parameters (to be incorporated into Schedule 2) and be the easy to follow version of the document. Engagement with DCFW has occurred. The LPA will highlight where conditions apply. The Order can be altered to explicitly say it can be withdrawn or amended at any time.</p>	<p>Monitoring indicators have been changed in the Statement of Reasons.</p> <p>Develop Design Code/ User Guide.</p> <p>Make it explicit in the User Guide that the LPA will highlight where conditions apply.</p> <p>The Order has been altered to say it can be withdrawn or amended at any time.</p>

	<p>The LDO states that all the conditions in Schedule 5 should be discharged. There are number of conditions that do not apply to the whole LDO, such as flood zones and coal mining high risk areas. Will it be the responsibility of the LPA or applicant to identify whether these apply?</p> <p>On the 1st page of the Order it is common practice to explicitly state that the LDO can be withdrawn or amended at any time during its lifetime. This appears to be missing from the LDO as drafted.</p>		
<p>SAVILLS</p>	<p>There is concern that the draft LDO does not set out a firm timescale for confirmation of compliance. There will be circumstances where more than 10 days may be required, but there should be a 'fall back' deadline of 28 days (total) whereby if a response has not been issued, then the proposals are deemed to have a self certification and that work can commence subject to conditions being discharged.</p> <p>It should be made clear that discharge of condition applications can be made and registered at the same time as the submission of the application details.</p> <p>It would be helpful if the definitions clarified what a B8 use is, along with clarification on Trade Counters being within. There should be an additional line referring to open storage in the uses permitted within Part 2/Area 2, Part 3/ Area 3 and Part 4/Area 4.</p> <p>It is important that the design code does not impose any conditionality upon any development permitted within the LDO. The Trust should be a consultee on any draft document.</p> <p>A 12.5m set back from Main Avenue could be viewed as the</p>	<p>The 28 day fall back is not considered feasible, as this will not result in a development being in compliance with the LDO, and could allow very unsuitable developments to slip through. However, the 10 working day reply period can become a monitoring indicator to provide an incentive to stick to this. The Design Code/ User Guide can make it clear that discharge of condition applications can be made at the same time as the Letter of Compliance. It is not for the LDO to clarify the legal definition of uses as it has no power to do this, but guidance can be put in the Design Code/ User Guide. It is considered that the Design</p>	<p>A monitoring indicator has been added to the Statement of Reasons in respect of the 10 working day period for replies.</p> <p>Put guidance on timing of discharge of conditions in the Design Code/ User Guide.</p> <p>Put guidance on B8 uses and trade counters in Design Code/ User Guide.</p> <p>Share draft Design Code/ User Guide with Savills.</p> <p>The 12.5 metre set</p>

	<p>basic requirement for all new development along Main Avenue. In the majority of cases, a 12.5m set back is not considered to be necessary for urban design purposes or for any other reason. There are clear opportunities along Main Avenue for new buildings to be located close to it, and where a 12.5m buffer is not necessary. The preference is therefore to remove the 12.5m requirement within Schedule 4 in relation to Areas 3 and 4. It should at worst be replaced with a 5m buffer, which would allow for a landscaping strip or at best, removed altogether.</p> <p>The 250sqm threshold for travel plans set out is significantly lower than what would be required if a planning application were to be made. It is appreciated that the aim of the LDO is to increase development within the Estate and that this in itself will bring about additional traffic and travel demands. However, the aim of the LDO is to provide flexibility and enable a swift application / determination process, and setting a threshold for a travel plan significantly below what would ordinarily be required for a planning application runs contrary to this aim. The request is that the threshold for travel plans is increased to 1,000sqm as per the requirements of the SPG.</p> <p>There is no need for the wording “It is expected that the scheme will include the retention of existing mature and structural landscaping” to be included within the condition. This should be removed as an appropriate landscaping scheme should be assessed on a case by case basis.</p> <p>It is noted that there are additional restrictions on uses to be permitted within Area 2 compared with Area 3. Uses not permitted within Area 2, but are permitted within Area 3 include hotels, crèches and nurseries, healthcare uses and education / training establishments. The flood risk categorisation for Area 2 is the same as the majority of the</p>	<p>Code/ User Guide will actually be useful for developers, rather than imposing extra restrictions, but this can be shared with Savills before adoption. The 12.5m set back can be revisited, but it is believed that the maintenance of some kind of a building line is desirable. Travel plans are required for a lower threshold of development due to the due to the need to address issues raised by the Traffic Study in relation to detriment on junction capacity. A Travel Plan for the Estate is still desirable. It is expected that mature landscaping should be kept, both from a biodiversity and visual amenity perspective and it is considered important to make clear this expectation. In respect of highly vulnerable uses in Area 2, this is following the recommendation of the flood risk work carried out by Capita. In respect of Travel Plans, there is a need to address issues raised by the Traffic Study in relation to detriment on junction capacity. A Travel Plan for the Estate is still desirable. It is expected</p>	<p>back from Main Avenue has been removed, as it is considered that other restrictions in the LDO can be used to maintain a building line.</p> <p>A Travel Plan for the Estate can be discussed at a later date to deal with the Travel Plan condition.</p>
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	<p>Estate, i.e. C1, where highly vulnerable development can be permitted subject to the consequences being planned for. Therefore introduction of such uses within Area 2 has the same implications as for Area 3. Area 2 should therefore reflect the additional uses listed above, as are included within Area 3, albeit with the restriction on the total area of the extensions permitted by the LDO.</p>	<p>that mature landscaping should be kept, both from a biodiversity and visual amenity perspective and it is considered important to make clear this expectation. In respect of highly vulnerable uses in Area 2, this is following the recommendation of the flood risk work carried out by Capita (all buildings and extensions have now been removed from Area 2 due to further discussions on flood risk issues).</p>	
<p>DWR CYMRU WELSH WATER</p>	<p>In principle, no objection to the proposed LDO or the suggested drainage condition.</p> <p>Reservations regarding the potential risks and impact upon DCWW assets within the boundaries of the LDO, and consideration should be given as to whether or not the site may be crossed by a public sewer/rising main/water main. Therefore to enable DCWW to manage the impact on its infrastructure, to ensure its assets are not compromised and that there will be no detriment to existing residents or the environment, a suitably worded condition is suggested requiring an assessment on the impact of the public sewers and water mains within and adjacent to the site.</p> <p>Advisory notes are requested regarding trade effluent, connection to the public sewer, design of sewers, and assets not recorded on maps.</p>	<p>In respect of assets, DCWW will send their plans of these to us, and we will consider some wording in the LDO to provide some additional assurance to them regarding the impacts on the infrastructure that cannot be moved. The advisory notes can be added to the letters of compliance. The implications of capacity issues require further discussion. Hand car washes can be deleted from the LDO.</p>	<p>The LDO has been altered to exclude building within 3 metres of a sewer or water main, unless Dwr Cymru Welsh Water are satisfied with this.</p> <p>Dwr Cymru Welsh Water will be asked to advise us if there is a problem with capacity in the sewerage system, and this has also been recommended as a monitoring indicator.</p>

	<p>At a meeting on 16/2/16, DCWW suggested they had some concerns regarding what would happen if the capacity of the treatment works serving the Estate became full, and suggested they did not want to see hand car washes included in the LDO.</p>		<p>Hand car washes have been removed from the LDO.</p>
<p>LOCAL RESIDENTS (3 HOUSEHOLDS)</p>	<p>There will be an increase in people short cutting through Rhyd-y-Helyg to get into Parc Nantgarw due to certain bus routes bypassing it. People are creating their own walkways. This has been ongoing ever since the college has been built.</p> <p>Concerns regarding an increase in crime in the area- this has increased since the college was built.</p> <p>There may be pollution depending on type of businesses set up.</p> <p>The green land around Oxford Street and Rhyd-y-Helyg would be under threat.</p> <p>Concern this could result in the removal of the embankment between Rhyd-y-Helyg and the college for parking, impacting on noise, trees, wildlife and flood risk, and opening up the area to non-residential access.</p> <p>There would be an increase in road traffic, making existing congestion worse.</p> <p>Where will people park? There is concern they will start parking in residential areas.</p> <p>Concern a 35 metre buffer between residential properties and development is not sufficient.</p> <p>Concerned regarding the impact on wildlife.</p>	<p>It is considered unlikely the proposal will result in significant further pedestrian traffic through Rhyd-y-Helyg. The police have been consulted due to concerns raised regarding crime in the informal consultation, but have made no comments. Pollution would largely be controlled by permitting legislation. The green area between Rhyd-y-Helyg and the college, including the embankment is excluded from the LDO. Travel plans are intended to mitigate increased traffic use and all developments will be expected to provide appropriate levels of parking where necessary. It is considered that a 35 metre buffer is sufficient, given that that the area is already an industrial estate. There are not anticipated to be any unacceptable impacts on wildlife.</p>	<p>One of the residents has requested a reply to their queries. This has been sent.</p>

<p>PUBLIC HEALTH AND PROTECTION</p>	<p>Advised in a meeting on 19/01/2016 that they still felt an Air Quality Assessment was needed for developments of over 2500 sq m in floor space, and in some other scenarios as well. This was due to national guidance. Could look to place some monitoring tubes around the area, so the data was ready if someone had to do this, but would want a contribution for these.</p>	<p>One option would be not to issue a letter of compliance in circumstances where someone needed an Air Quality Assessment until they had a satisfactory one. This needs further discussion.</p>	<p>Given that a relatively small number of sites would be affected, developments that require an Air Quality Assessment have been removed from the LDO.</p>
<p>NATURAL RESOURCES WALES</p>	<p>Notwithstanding their comments below, raised concerns prior to their final comments regarding highly vulnerable development and Park and Ride facilities being permitted under the LDO.</p> <p>Have significant concerns with the proposed LDO as submitted. The development scenario modelled is predicted to increase flooding elsewhere, i.e., outside the LDO area and therefore does not meet the requirements of Technical Advice Note 15.</p> <p>Have recommended some changes to the land contamination conditions and would like additional conditions in respect of Sustainable Urban Drainage Systems (SUDS) and piling only being permitted where this is expressly permitted by the Local Planning Authority to protect groundwater.</p> <p>The LDO should be consistent with the position statements in GP3 (Ground Water Protection: Principles and Practice)</p> <p>No adverse comments to make in respect of the approach to bats.</p>	<p>Park and Rides and highly vulnerable development can be deleted from the LDO to alleviate the concern raised. In respect of NRW's main concern regarding increasing flooding, the LDO is drafted to give as many sites and premises as possible a chance to develop, it is considered very unlikely that every business on the estate will seek to utilise the full extent permitted by the LDO. Therefore, the model is considered to be very much a "worst case scenario in respect of flood risk which is very unlikely to happen. It is considered that even in this worst case, the increase in detriment in relation to flood risk is small. Therefore if the level of development does not take place to its full extent, it</p>	<p>Park and Rides and highly vulnerable development have been deleted from the LDO.</p> <p>Following discussions on flood risk, all development that increased floor space in Area 2 has been removed to reduce off-site impacts, but it should be noted NRW's final comments opposite were made after that occurred. No further changes have been made for the reasons outlined. A separate document is being produced discussing flood risk and the LDO.</p>

		<p>is likely, in reality that the impact of the LDO in terms of off-site detriment will be minimal. In addition, the LDO will be monitored by the Council on an annual basis with an opportunity to review the document. If the level of development appears to be very high, then the issue of flood risk can be reviewed again at that point. The contaminated land conditions can be altered accordingly. A condition on piling can be added, but it is considered that SUDS are covered by the standard drainage conditions used. The GP3 document referred to has subsequently been withdrawn, Although there are no concerns regarding bats and ecology, a SEWBReC study would be useful for assistance in assessing bat and nesting bird potential.</p>	<p>Alterations have been made to the contamination conditions and a piling condition has been added.</p> <p>A SEWBReC study can be considered for a later date.</p>
<p>OFFICER TRAINING SESSION 27/2/16</p>	<p>This was held for the purposes of telling Planning Officers about the LDO and testing its use. The following issues were raised.</p> <p>The LDO is quite difficult to read and interpret.</p> <p>Do shelters really need to be 2 metres or more from a site</p>	<p>It is appreciated that this is quite a difficult document to read and the format can be looked at. Shelters can be considered again. Conditions can be revisited. Putting a plan in the LDO is difficult as</p>	<p>Some of the formatting has been altered to make the document easier to read.</p> <p>The need for shelters</p>

	<p>boundary?</p> <p>Can all conditions be complied with- parking has been raised as a particular concern.</p> <p>A plan of the areas within the LDO would be helpful.</p>	<p>the areas in Area 1 could be subject to change and are difficult to get accurate, particularly at a scale for an A3 or A4 map. An indicative plan can go in the User Guide.</p>	<p>to be 2 metres or more from site boundaries has been deleted.</p> <p>Some minor alterations have been made to conditions and the LDO has been changed to make it clear a Letter of Compliance would be with Schedules 1 and 2 of the LDO, rather than the whole LDO. A note has been put in schedule 8 requesting a parking layout on application for a Letter of Compliance.</p> <p>A plan of the Areas will be put in the User Guide.</p>
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Appendix 1- Consultation Letters

Dear Sir/ Madam

Consultation on the proposed Treforest Industrial Estate and Parc Nantgarw Local Development Order

I write to advise you that Rhondda Cynon Taf County Borough Council has started its statutory consultation on the above Local Development Order (LDO), and invites you to make comments.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nantgarw.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on "Local Development Orders").

If you wish to comment on the proposed LDO, please write to Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA or email planningservices@rctcbc.gov.uk by **Friday 12th February 2016**.

If you are a land owner or tenant of the area within the LDO boundary, Rhondda Cynon Taf County Borough Council hereby serves the notice overleaf on you, in accordance with Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

For further information please contact Helen Winsall, tel. 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Yours faithfully



Helen Winsall
Planner- Planning Services

Annwyl Syr/Fadam

Ymgynghori ar Orchymyn Datblygu Lleol arfaethedig ar gyfer Ystad Ddiwydiannol Treforest a Pharc Nantgarw

Ysgrifennaf i roi gwybod ichi fod Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi dechrau ei ymgynghoriad statudol ar y Gorchymyn Datblygu Lleol, ac yn eich gwahodd i ddweud eich dweud.

Byddai'r Gorchymyn Datblygu Lleol yn cyflwyno caniatâd cynllunio ar gyfer y datblygiadau. Mae hyn yn amodol ar waharddiadau, cyfyngiadau ac amodau sydd wedi'u nodi yn y Gorchymyn. Byddai hyn felly'n dileu'r angen am ganiatâd cynllunio ffurfiol ar gyfer rhai datblygiadau, gyda'r nod o annog rhagor o ddatblygiadau ar Ystad Ddiwydiannol Treforest a Pharc Nantgarw.

Mae copi o'r gorchymyn drafft ac o ddatganiad yr Awdurdod Cynllunio Lleol o'i resymau dros wneud y gorchymyn ar gael i'w harchwilio yn y cyfeiriad canlynol: Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA ar ddydd Llun i ddydd Gwener, rhwng 9am a 4pm. Maen nhw hefyd ar gael ar wefan yr Awdurdod Cynllunio Lleol. Ewch i: <http://www.rctcbc.gov.uk/cv/cynllunioaramgvlchedd/cynllunio> (cliciwch ar "Gorchymyn Datblygu Lleol").

Hoffech chi ddweud eich dweud ar y Gorchymyn Datblygu Lleol arfaethedig? Ysgrifennwch i'r cyfeiriad canlynol: Gwasanaethau Cynllunio, Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA neu e-bostio gwasanaethaucynllunio@rctcbc.gov.uk erbyn **dydd Gwener 12^{ed} Chwefror 2016**.

Ydych chi'n berchennog tir neu denant o fewn ffin y Gorchymyn Datblygu Lleol? Mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf drwy hyn yn cyflwyno'r hysbysiad (dros y dudalen) i chi, yn unol ag Erthygl 27 Gorchymyn Cynllunio Gwlad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Am ragor o wybodaeth, ffoniwch Helen Winsall ar 01443 494721 neu anfon neges e-bost ati hi – helen.e.winsall@rctcbc.gov.uk

Yn gywir



Helen Winsall
Cynlluniwr - Gwasanaethau Cynllunio

Dear Sir/ Madam

Consultation on the proposed Treforest Industrial Estate and Parc Nantgarw Local Development Order

I write to advise you that Rhondda Cynon Taf County Borough Council has started its statutory consultation on the above Local Development Order (LDO), and invites you to make comments.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nantgarw.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are attached.

If you wish to comment on the proposed LDO, please write to Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA or email planning@rctcbc.gov.uk by Friday 12th February 2016.

For further information please contact Helen Winsall, tel. 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Yours faithfully



Helen Winsall
Planner- Planning Services

Annwyl Syr/Fadam

Ymgynghori ar Orchymyn Datblygu Lleol arfaethedig ar gyfer Ystad Ddiwydiannol Treforest a Pharc Nantgarw

Ysgrifennaf i roi gwybod i chi fod Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi dechrau ei ymgynghoriad statudol ar y Gorchymyn Datblygu Lleol, ac yn eich gwahodd i ddweud eich dweud.

Byddai'r Gorchymyn Datblygu Lleol yn cyflwyno caniatâd cynllunio ar gyfer y datblygiadau. Mae hyn yn amodol ar waharddiadau, cyfyngiadau ac amodau sydd wedi'u nodi yn y Gorchymyn. Byddai hyn felly'n dileu'r angen am ganiatâd cynllunio ffurfiol ar gyfer rhai datblygiadau, gyda'r nod o annog rhagor o ddatblygiadau ar Ystad Ddiwydiannol Treforest a Pharc Nantgarw.

Mae copi o'r gorchymyn drafft ac o ddatganiad yr Awdurdod Cynllunio Lleol o'i resymau dros wneud y gorchymyn wedi'u hamgáu.

Hoffech chi ddweud eich dweud ar y Gorchymyn Datblygu Lleol arfaethedig? Ysgrifennwch i'r cyfeiriad canlynol: Gwasanaethau Cynllunio, Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA neu e-bostio gwasanaethaucynllunio@rctcbc.gov.uk erbyn dydd Gwener 12^{ed} Chwefror 2016.

Am ragor o wybodaeth, ffoniwch Helen Winsall ar 01443 494721 neu anfon neges e-bost ati hi – helen.e.winsall@rctcbc.gov.uk

Yn gywir



Helen Winsall
Cynlluniwr - Gwasanaethau Cynllunio

Appendix 2- Consultation List

External Consultees

Powys County Borough Council
Merthyr Tydfil County Borough Council
Brecon Beacons National Park Authority
Neath Port Talbot County Borough Council
Bridgend County Borough Council
Vale of Glamorgan County Borough Council
Newport City Council
Torfaen County Borough Council
Blaenau Gwent County Borough Council
Monmouthshire County Council
Caerphilly County Borough Council
City of Cardiff Council
Ynysybwl and Coed y Cwm Community Council
Rhigos Community Council
Hirwaun and Penderyn Community Council
Pontypridd Town Council
Llantrisant Community Council
Llanharan Community Council
Llanharry Community Council
Tonyrefail Community Council
Gilfach Goch Community Council
Pontyclun Community Council
Llantwit Fardre Community Council
Taffs Well and Nantgarw Community Council
Institute of Directors Wales
Disability Wales
Federation of Small Businesses Wales
CBI Wales
South Wales Chamber of Commerce
Interlink

VALREC- Valleys Regional Equality Council
Planning Aid Wales
Faith Wales
Wales Council for Voluntary Action
Transport Division- Welsh Government
Health & Safety Executive
The Coal Authority
Cadw
Cardiff Airport
University of South Wales
Glamorgan-Gwent Archaeological Trust Ltd
Design Commission for Wales
Network Rail
South Wales Fire & Rescue Service
Civil Aviation Authority
RTPI Cymru
Arriva Trains Wales
South Wales Police
Sustainable Wales
Climate Change- Welsh Government
Dunedin
Savills Cardiff
NATS
Dwr Cymru Welsh Water
Cwm Taf University Health Board
Western Power Distribution
Natural Resources Wales
Telefonica UK
EE Limited
Vodafone Ltd
BT Group plc
Virgin Media
Hutchison 3G UK Ltd
Arqiva

Planning Division- Welsh Government
Wales & West Utilities Ltd

In-house Consultees

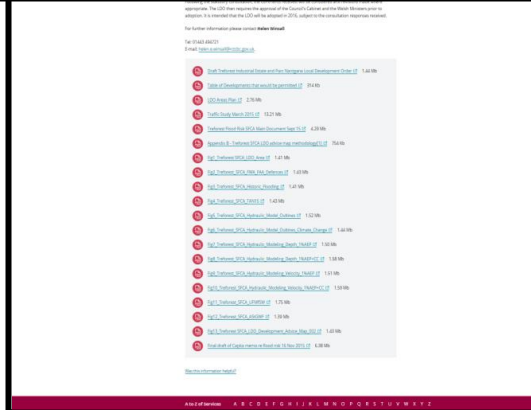
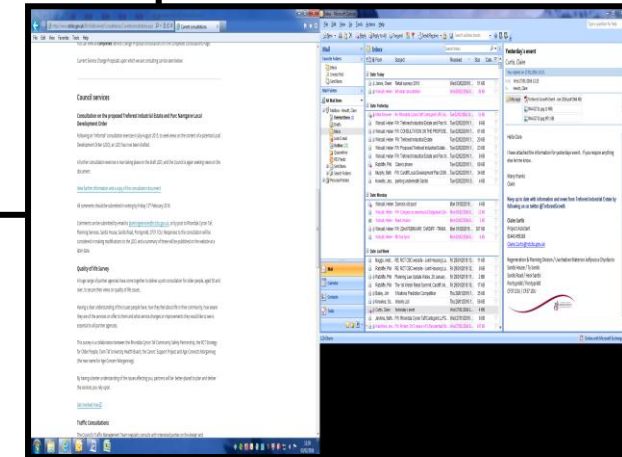
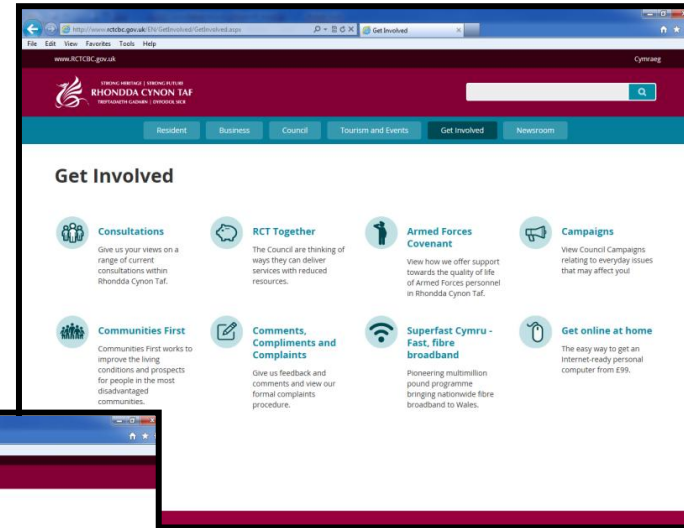
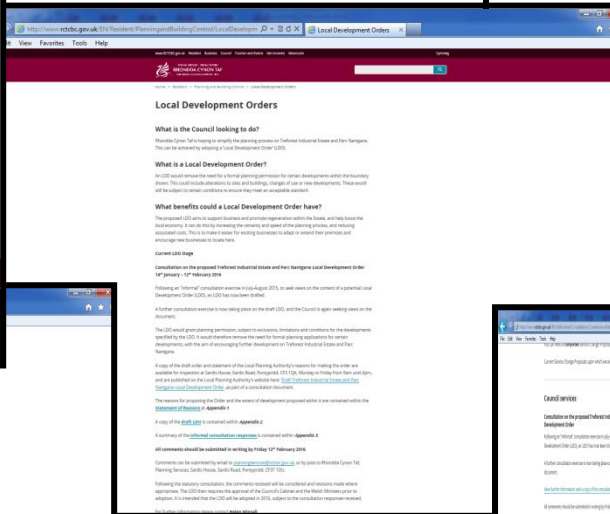
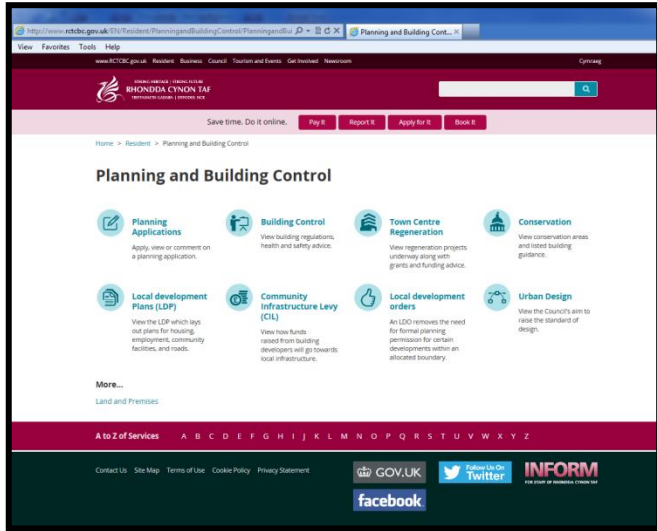
Highways Development Control
Public Health and Protection
Land Reclamation and Engineering
Legal Services
Corporate Estates
Countryside
Waste Services

Councillors

Cllr Andrew Morgan
Cllr Robert Bevan
Cllr Teresa A Bates
Cllr Jill Bonetto
Cllr John David
Cllr Graham Stacey
Cllr Lyndon Walker
Cllr Steve Powderhill
Cllr Maureen Webber

Local businesses in the LDO area and residents in close proximity to the area were consulted in addition to these.

Appendix 3- Website Content





RECORD OF DELEGATED OFFICER DECISION

Key Decision ✓

SUBJECT: Treforest Industrial Estate and Parc Nantgarw Local Development Order

PURPOSE OF REPORT:

In accordance with the Council's Scheme of Delegation, this report has been prepared to accompany the intended officer decision of the Director of Regeneration and Planning as described below:


The purpose of the report is to approve the attached document, incorporating the draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), accompanying Statement of Reasons and Consultation Summaries for submission to the Welsh Ministers, for a decision on whether Rhondda Cynon Taf is permitted to adopt the LDO.

DELEGATED DECISION: (DATE)

It was **AGREED:**

That the attached consultation document, incorporating the draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), accompanying Statement of Reasons and Consultation Summaries, is approved for submission to the Welsh Ministers, for a decision on whether Rhondda Cynon Taf is permitted to adopt the LDO, in accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.



 Chief Officer Signature	CD BRINDLEY Print Name	20/5/17 Date
---	----------------------------------	------------------------

The decision is taken in accordance with Section 15 of the Local Government Act, 2000 (Executive Functions) and in the terms set out in Section 5 of Part 3 of the Council's Constitution

CONSULTATION



23/5/17

CONSULTEE CABINET MEMBER SIGNATURE

DATE



23/5/17

CONSULTEE OFFICER SIGNATURE (if required)

DATE

CALL IN PROCEDURE RULES.

IS THE DECISION DEEMED URGENT AND NOT SUBJECT TO CALL-IN BY THE OVERVIEW AND SCRUTINY COMMITTEE:

YES NO

Reason for urgency:.....

If deemed urgent - signature of Mayor or Deputy Mayor or Head of Paid Service confirming agreement that the proposed decision is reasonable in all the circumstances for it being



treated as a matter of urgency, in accordance with the overview and scrutiny procedure rule 17.2:

.....
 (Mayor)

.....
 (Dated)

NB - If this is a reconsidered decision then the decision Cannot be Called In and the decision will take effect from the date the decision is signed.

FOR CABINET OFFICE USE ONLY

PUBLICATION & IMPLEMENTATION DATES

PUBLICATION

Publication on the Councils Website:- 31/05/17

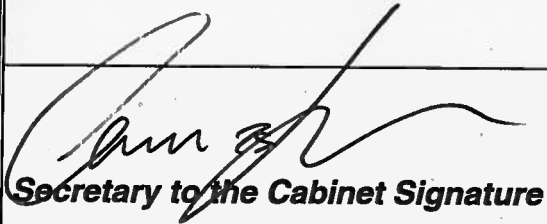
DATE

IMPLEMENTATION OF THE DECISION

Note: This decision will not come into force and may not be implemented until the expiry of 5 clear working days after its publication to enable it to be the subject to the Call-In Procedure in Rule 17.1 of the Overview and Scrutiny Procedure Rules.

Subject to Call In the implementation date will be 08/06/17

DATE



Secretary to the Cabinet Signature

CHRISTIAN S SHANAGAN

Print Name

28/5/17

Date



Further Information

Directorate:	Regeneration and Planning
Contact Name:	Simon Gale
Designation:	Service Director Planning
Tel.No.	01443 494716



DELEGATED DECISION

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF [JANE COOK]

THURSDAY 22ND MARCH 2017

TREFOREST INDUSTRIAL ESTATE AND PARC NANTGARW LOCAL DEVELOPMENT ORDER- APPROVAL FOR SUBMISSION TO THE WELSH MINISTERS

AUTHOR(s): SIMON GALE, SERVICE DIRECTOR PLANNING 01443 494716

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to outline the contents of the draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), and accompanying Statement of Reasons and Consultation Summaries, and seek approval for submission of these documents to the Welsh Ministers for a decision on whether Rhondda Cynon Taf is permitted to adopt the LDO.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 The draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), and accompanying Statement of Reasons and Consultation Summaries (see **Appendix 1**), are submitted to the Welsh Government for their consideration of whether Rhondda Cynon Taf can adopt the LDO, in accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Local Development Order (LDO) is being proposed as a tool for encouraging further economic development within Treforest Industrial Estate and Parc Nantgarw, through removing the need for a formal planning permission for specified developments and therefore making the planning process easier for developers.



4. **BACKGROUND**

- 4.1 The Council is working with partners to improve the structure and identity of Treforest Industrial Estate which is a regionally significant site, creating key employment and innovation opportunities. The estate has major potential to deliver economic benefit for the wider City Region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.
- 4.2 A Local Development Order (LDO) is proposed for Treforest Industrial Estate and Parc Nantgarw with the aim of encouraging further development within this area and to help deliver the above aims. LDOs remove the need for formal planning applications for specified developments.
- 4.3 The proposed LDO boundary incorporates both Treforest Industrial Estate and Parc Nantgarw ("The Estate") and broadly follows that of Policy SSA 27 in the adopted Rhondda Cynon Taf Local Development Plan (LDP) (see **Appendix 2** for policy). A few additional areas have been added in the vicinity, including Upper Boat Business Park to maximise the benefits of the 'Order'.
- 4.4 The LDO essentially permits development that would support the implementation of Policy SSA 27 of the LDP, which allows for development in B1, B2 and B8 Use Classes under the Town and Country Planning (Use Classes) Order 1987, and other similar employment uses. Other uses are only permitted by the policy where they would be considered complementary and ancillary to the primary purpose of the area, to ensure that its integrity as an employment site is not undermined.
- 4.5 Within the parameters of this policy, The LDO aims to grant planning permission for as wide a range of developments as possible, subject to site constraints.
- 4.6 The development permitted by the LDO is divided into four areas as follows, and is subject to exclusions, limitations and conditions. The development permitted by the LDO is again explained in more detail in the Statement of Reasons:

Area 1- is intended to cover all those areas where development permitted by the LDO would be kept to a minimum due to constraints. No operational development would be permitted within Area 1.

Area 2- In order to minimise the consequences of flooding, only minor works and changes of use that do not create additional building floor space would be permitted in Area 2.



Area 3- Area 3 covers the majority of the land within the LDO boundary. Significant development would be permitted in this area through the LDO.

Area 4- includes an area in the vicinity of the existing Local Centre. Developments that would be permitted in Area 3 would also be permitted in Area 4. In addition, small, new A1, A2 and A3 uses would be permitted, as due to existing uses and its central and accessible position, it is considered the most suitable location for such development.

- 4.7 Statutory consultation has been carried out on the draft LDO under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. This included consultation with owners and tenants within the LDO boundary and consultation with other interested parties, including those who would normally be statutory consultees on a planning application and neighbouring residents.
- 4.8 Following the statutory consultation, the draft LDO and accompanying Statement of Reasons have been modified. An accompanying Consultation Summary has been produced for the Statutory Consultation (at the back of **Appendix 1**), which lists the consultation responses and the modifications made. The key modifications are as follows:

Flood Risk

- 4.9 Subject to exclusions, conditions and limitations, the LDO has been drafted on the basis that vacant sites could be developed with buildings covering up to 50% of these sites and that existing buildings could extend by 50% of their current footprint.
- 4.10 Flood risk modelling work has been carried out on this basis and the Council's consultant used for work on flood risk in respect of this project, has carried out further work following the statutory consultation to address concerns raised by Natural Resources Wales (NRW).
- 4.11 NRW have advised in their latest letter that while they have confidence in the model used to carry out this work, they still have "significant concerns" with the proposed LDO as submitted due to a potential increase in flood risk outside the LDO boundary. They are concerned that a small number of additional properties in Hawthorn would be at risk of flooding in both a 1:100 and a 1:1000 year flooding event. In addition, increases in water levels elsewhere are predicted in both flooding events.
- 4.12 It is noted that the number of additional properties predicted to be impacted in both flooding events is relatively small, including two residential properties in the 1 in 100 year flooding event and six in the



1:1000 year flooding event, and that the greatest depth of flood water is predicted to be 0.18 metres. In respect of predicted flood water depths, outside the boundary of the Estate, the maximum increase in flood depth is predicted to be 0.06 metres in a 1:100 year flood event and 0.19 metres in a 1:1000 year flood event. It is noted however that the location subject to both these increases is predicted to be under 1.54 metres of flood water in a 1 in 100 year event and 2.58 metres of water in a 1 in a 1000 year event without development due to the LDO.

- 4.13 Whilst following the further work and discussions with NRW, some alterations to the LDO have been made (see below), having considered the comments that NRW have made and the potential economic benefits of the LDO, it is not considered necessary to reduce the level of development permitted by the LDO.
- 4.14 The reason for this is that the whilst the LDO is drafted to give as many sites and premises as possible a chance to develop extensively to help make the Estate an attractive location for investors, it is considered unlikely that every business on the estate will seek to utilise the full extent permitted by the LDO.
- 4.15 Therefore, the model is considered to be very much a "worst case scenario in respect of flood risk. It is considered that even in this worst case, the increase in detriment in relation to flood risk is small. Therefore if the level of development does not take place to its full extent, it is likely, in reality that the impact of the LDO in terms of off-site detriment will be minimal.
- 4.16 It should also be noted that the LDO will be monitored by the Council on an annual basis with an opportunity to review the document. If the level of development appears to be very high, then the issue of flood risk can be reviewed again at that point.
- 4.17 In terms of the changes made to the LDO, all development that creates additional building floorspace in Area 2 would now not be permitted as it was found that additional development in this area was most likely to exacerbate impacts on flooding outside the Estate.
- 4.18 In addition, all uses considered as highly vulnerable in Welsh Government Guidance have been removed from the LDO, due to concerns raised about the consequences of any flood events on the users of these developments. Whilst this reduces the variety of uses that would be permitted by the LDO, it is not considered to impact significantly its aims and objectives.

Air Quality



- 4.19 Following discussions with the Public Health and Protection Service, no development creating more than 2,500 square metres of additional floor space would be permitted under the LDO. This is due to Public Health and Protection requiring an Air Quality Assessment for any development over this size, to ensure that the traffic generated by large developments does not have a significant impact on air quality in the area. For the same reason, the creation of more than 300 parking spaces would not be permitted by the LDO, and vehicle depots have been removed from the draft LDO. Although this means that some larger sites will be unable to be developed to their full potential under the LDO, it affects a relatively small number of sites. In addition, large industrial boilers would not be permitted by the LDO, due to air pollution concerns.
- 4.20 Consideration has been given to drafting the LDO so that the above developments are permitted subject to a satisfactory Air Quality Assessment. However, these assessments are time consuming and complex documents to produce, and would not fit in with the objective of the LDO to speed the planning process up. In addition, these restrictions are considered likely to impact on relatively small number of sites and developments.

High Pressure Gas Main

- 4.21 Following consultation with the Health and Safety Executive, the amount of land within Area 1 (where no operational development would be permitted) has been increased to 165 metres either side of the pipeline. in the south of Parc Nantgarw. This is not considered to impact significantly on the aims and objectives of the LDO.

Dwr Cymru Welsh Water Infrastructure:

- 4.22 Dwr Cymru Welsh Water have raised concerns regarding their assets within the LDO boundary. Therefore, the LDO has been altered so it would not permit buildings and extensions within 3 metres of sewers and water mains, unless evidence is produced in writing from Dwr Cymru Welsh Water that they are satisfied with the principle of the sewer being diverted. In addition, Dwr Cymru Welsh Water have requested that hand car washes are removed from the LDO, which has been done.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Assessment (EqIA) screening form has been prepared for the purpose of this report. It has been found that a full assessment is not required.

6. CONSULTATION

6.1 Consultation has been carried out on the draft LDO as outlined in paragraph 4.7 above.

7. FINANCIAL IMPLICATION(S)

7.1 The LDO will mean that that anyone who wishes to develop under the Local Development Order will not be required to pay a planning application fee. However, given the relatively small number of applications that are made on the Estate and that the vast majority of these are minor in nature, the impact on fee income is expected to be minimal and this is considered to be outweighed by the economic benefits of the LDO.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

8.1 The LDO has been drafted in accordance with the Town and Country Planning Act 1990 (as amended) and The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 which allow for LDOs to be implemented and set out the procedures for these. Legal Services were consulted during the statutory consultation and discussions have been held with them throughout the drafting of the LDO.

9. LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP.

9.1 This project links to the Corporate Plan as it contributes to the aim of Building a Stronger Economy, through making it easier for businesses to set up, grow and provide jobs. It also contributes to supporting Businesses to Thrive and Grow, as set out in the Single Integrated Plan.

10. CONCLUSION

10.1 The proposed LDO is considered to be beneficial to the performance of Treforest Industrial Estate and Parc Nantgarw, and consequently economic development within the County Borough and wider City Region. It has been written to maximise these benefits, while also taking into account of the constraints in the local area. Therefore it is recommended that the modified draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO), and accompanying documents are approved for submission to the Welsh Ministers for a decision on whether Rhondda Cynon Taf is permitted to adopt the LDO.



10.2 Should Welsh Government permit the Council to adopt the LDO, a report will be presented to Cabinet requesting permission for the LDO to be adopted.



LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

REPORT TO ACCOMPANY A DECISION OF [Jane Cook]

**TREFOREST INDUSTRIAL ESTATE AND PARC NANTGARW LOCAL
DEVELOPMENT ORDER- APPROVAL FOR SUBMISSION TO THE WELSH
MINISTERS**

Background Papers:

Officer to contact: Simon Gale, Service Director of Planning 01443 494716

**Draft Treforest Industrial Estate and Parc Nantgarw
Local Development Order**

**Modified Draft Version (Post Statutory Consultation)
March 2017**

Rhondda Cynon Taf County Borough Council



Contents

Executive Summary

1. Introduction

2. Informal Consultation

3. Statutory Consultation

4. How to Comment

5. What Happens Next

Appendix 1 - Statement of Reasons

Appendix 2- Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

Appendix 3- Informal Consultation Summary

Appendix 4- Statutory Consultation Summary

Executive Summary

Rhondda Cynon Taf Council is working with partners to improve the structure and identity of Treforest Industrial Estate which is a regionally significant site, creating key employment and innovation opportunities. This opportunity area is in a regionally strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M4. The Estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

Rhondda Cynon Taf County Borough Council is proposing to introduce a Local Development Order (LDO) for Treforest Industrial Estate and the neighbouring Parc Nantgarw with the aim of encouraging further development within this area and help deliver the above aims.

The LDO would grant planning permission for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments.

The area within the LDO boundary is divided into four for the purposes of the LDO.

Area 1- Where there are significant constraints. Due to this, no operational development would be permitted within Area 1 and changes of use would only be permitted where the land forms part of a site where a change of use would be allowed by another part of the LDO.

Area 2- In order to minimise the consequences of flooding, it was identified that significant development in an area in the north should not be permitted by the LDO. Therefore, this has become Area 2, and no development which increases the volume of buildings would be permitted under the LDO in this area. Some minor works in conjunction with existing buildings and uses would be permitted. In addition, changes of use of existing buildings would be permitted, as long as the uses complied with Policy SSA 27 of the LDP and were not classed as "highly vulnerable" under Technical Advice Note 15: Development and Flood Risk.

Area 3- All areas not covered by Areas 1, 2 and 4, and this comprises the majority of land within the LDO boundary. Uses that fall within B1, B2 and B8 of the Use Classed Order (UCO) would be permitted, subject to exclusions, limitations and conditions. Some sui generis uses which are considered to be similar in character to B-Class Uses are also permitted. Part 3 would also permit

existing A1, A2 and A3 uses under the UCO to change to any other use within Class A, subject to exclusions, limitations and conditions. In addition Part 3 would permit some minor works on all sites to allow and encourage minor improvements for existing businesses. The minor works permitted do not include do not permit new buildings or an increase in the volume or height of existing buildings.

Area 4- An area in the vicinity of the existing Local Centre. Developments that would be permitted by Part 3 would be permitted in this area. In addition, small, new A1, A2 and A3 uses would be permitted within due to existing uses and its central and accessible position. There is a limit on the size of retail unit that would be permitted (300 square metres), to ensure no large scale retail units are built under the LDO.

No development would be permitted to commence under the LDO until the developer has obtained a letter from the Council stating that the development complies with requirements of the LDO. The Council would acknowledge when proposals were received and would aim to provide a full reply within 10 working days of the receipt of details. In addition no development would be allowed to start until all the relevant conditions of development in the LDO have been discharged.

It is intended the LDO will be in place for 10 years. In order to measure the success and impacts of the LDO, a report will be issued on an annual basis along with the Local Planning Authority's Annual Monitoring Report for the Local Development Plan.

1. Introduction

Rhondda Cynon Taf County Borough Council is proposing to introduce a Local Development Order (LDO) under Section 61A of the Town and Country Planning Act 1990 (as amended), for Treforest Industrial Estate and Parc Nantgarw.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development and business growth on Treforest Industrial Estate and Parc Nantgarw. It is proposed to be in place for 10 years following the date of adoption.

The LDO would only grant planning permission as specified by the Order. It does not override any other forms of consent that may be required in order to develop or operate on sites. The LDO does not supersede any existing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

The reasons for proposing the Order and the extent of development proposed within it, along with a plan showing the proposed boundary, are contained within the **Statement of Reasons at Appendix 1**.

A copy of the **draft LDO, as modified following consultation**, is contained within **Appendix 2**.

2. Informal Consultation

An "informal" consultation exercise took place July-August 2015, to seek views on the content of an LDO. Views were sought from local businesses, residents, statutory consultees and other potentially interested parties.

In total, 20 responses were received, and these were used to assist in drafting the LDO.

A summary of the **informal consultation responses** is contained within **Appendix 3**.

3. Statutory Consultation

A statutory consultation took place under Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) between Thursday 14th January and Friday 12th February 2016.

As part of this consultation, comments were again requested from local businesses, residents, statutory consultees and other potentially interested parties. 15 responses have been received, and following these modifications have been made to the LDO.

A **Consultation Summary**, including responses to the statutory consultation, is contained within **Appendix 4**.

4. What Happens Next

The LDO now requires the approval of the the Welsh Ministers and Council's Cabinet prior to adoption.

Please contact Helen Winsall, tel. 01443 494721, email helen.e.winsall@rctcbc.gov.uk for further information.

APPENDIX 1

Treforest Industrial Estate and Parc Nantgarw Local Development Order

Statement of Reasons

1 Introduction

- 1.1 This Statement of Reasons accompanies a Draft Local Development Order (LDO) for Treforest Industrial Estate and Parc Nantgarw.
- 1.2 The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nantgarw. It is proposed to be in place for 10 years following the date of adoption.

- 1.3 The LDO would only grant planning permission as specified by the Order. It does not override any other forms of consent that may be required in order to develop or operate on sites.

- 1.4 It is important to note that the LDO does not supersede any existing permitted development rights granted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended). In addition, the LDO should be viewed as a set of additional rights to carry out development. It is not a policy document and does not prejudice the submission of any planning application within Treforest Industrial Estate and Parc Nantgarw.

2 Reasons for Making the Order

- 2.1 Treforest Industrial Estate and Parc Nantgarw together ("the Estate") are a regionally significant strategic employment area, and are considered to play a key role in the economy of South East Wales. The Council is working with partners to improve the structure and identity of the Estate, creating key employment and innovation opportunities. The Estate is in a regionally

strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M4. The Estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

2.2 It is considered that making an LDO could help this process and therefore have a significant economic development and regeneration benefit for the County Borough, through encouraging further development in the Estate. The LDO can encourage this in the following ways:

- Increasing the level of certainty for developers;
- Decreasing the amount of time taken by the planning process;
- Reducing the costs associated with the planning process;
- Being a tool that can be used to help market the Estate as a good location for business.

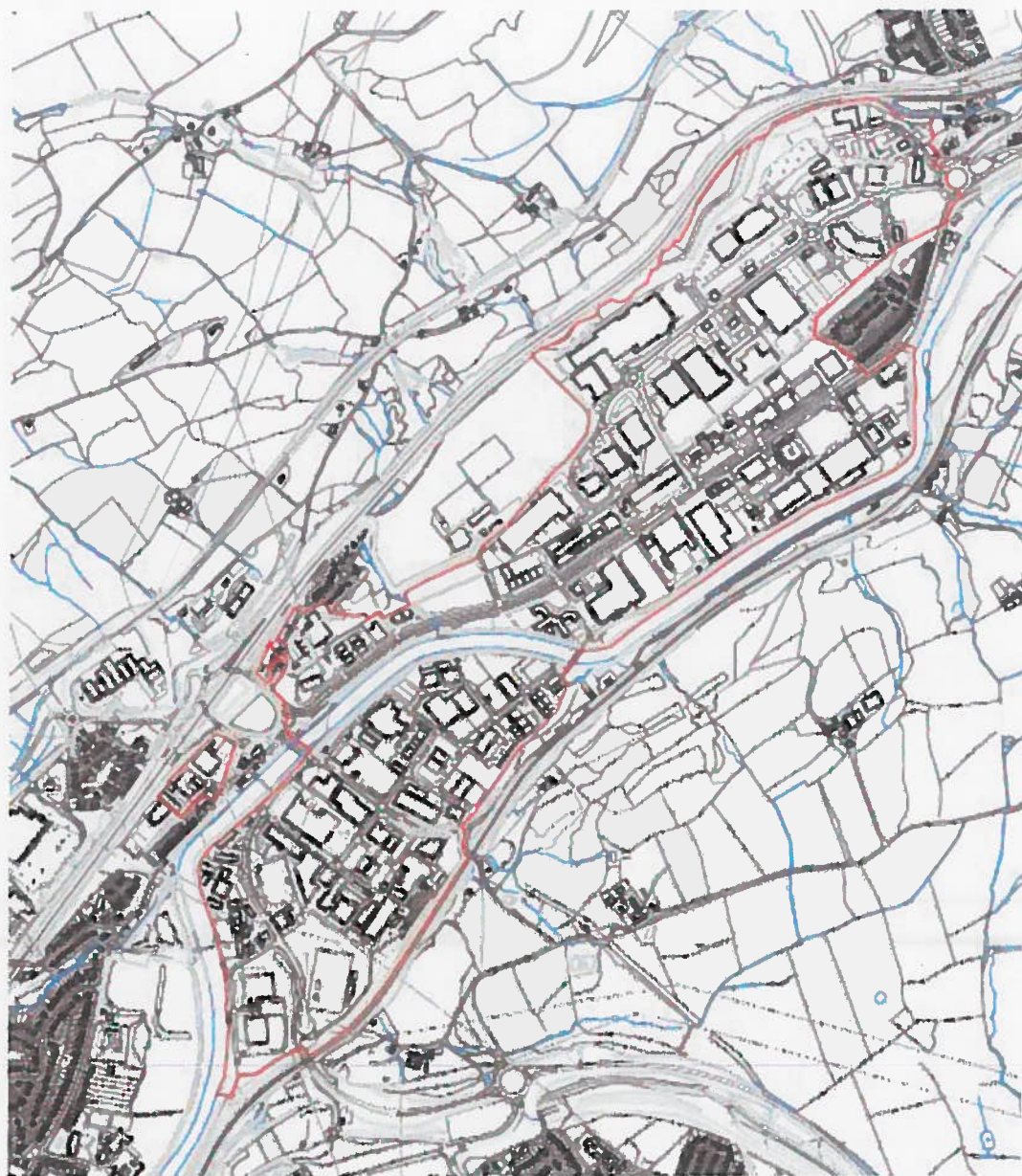
2.3 It is intended that such further development would have the following effects:

- Increasing the number of employment and training opportunities available;
- Improving the quality of the environment by removing vacant sites and replacing/reoccupying vacant buildings;
- Giving businesses a greater level of confidence in the Estate as a good place to locate;
- Potentially making more funds available for investment in infrastructure.

3 Reasons for Selecting the Boundary

3.1 The boundary broadly follows that of Policy SSA 27 in the adopted Rhondda Cynon Taf Local Development Plan (LDP). A few additional areas have been added adjacent to the Estate which are either vacant land or contain primarily employment sites. Upper Boat Business Park has also been added as it accommodates businesses of a similar nature to many on the nearby Treforest Industrial Estate.

Figure 1 - Plan of Boundary (outlined in red)



4 Policy SSA 27

4.1 The LDO permits development that will support the implementation of Policy SSA 27 of the LDP, which is as follows:

"Within the defined boundary of Treforest Industrial Estate / Parc Nantgarw, development, redevelopment and changes of use will be permitted for offices, research & development, light and general industry, storage and distribution (Use Classes B1, B2 and B8) and other sui generis employment generating uses which display the characteristics of B-Class Uses. Other uses including retail (A1), financial & professional services (A2), food and drink (A3), hotels (C1), non-residential institutions (D1) and assembly and leisure (D2) will only be permitted where they are complementary and ancillary to the main B class uses."

4.2 Policy SSA 27 allows for development in B1, B2 and B8 Use Classes under the Town and Country Planning (Use Classes) Order 1987 (as amended) (UCO). However, it also allows for other employment uses of a similar nature. Other uses are only permitted by the policy where they would be considered complementary and ancillary to the primary purpose of the Estate, to ensure that the integrity of the Estate as an employment site is not undermined.

4.3 Within the parameters of this policy, The LDO aims to grant planning permission for as wide a range of developments as possible, subject to site constraints. The Estate has been split into four areas for the purpose of the LDO. What is permitted in each area is set out in Schedule 2 of the LDO and is explained in Sections 6-9 below.

5 Constraints

5.1 The main constraints are explained below, and a plan showing some of these is included as Figure 2.

Flood Risk- Much of the area within the boundary is within zone C1 of the Welsh Government's Development Advice Maps accompanying Technical Advice Note 15, with a smaller area in zone C2. This would normally carry the expectation that Flood Consequences Assessments are submitted with planning applications for anything other than small developments where the impact on the consequences of flooding would be considered as negligible. . Therefore a Strategic Flood Consequences Assessment has been undertaken for the Estate, and this, along with additional modelling work to predict

the potential consequences of additional buildings on flood waters, has been used to inform the drafting and modification of the LDO. In order to minimise the consequences of flooding, it was identified during this work that significant development in an area in the north of the Estate (Area 2) should not be permitted under the LDO. Therefore, no development which increases the volume of buildings is proposed as part of the LDO in this area. Limits to the sizes of buildings and extensions permitted by the LDO are proposed in the rest of the Estate, to reflect those used for the modelling work that has been carried out. It is acknowledged that despite the above, the modelling work still identifies that if all the development permitted under the LDO took place, this would have the potential to cause additional off site flooding outside the LDO boundaries. Therefore Natural Resources Wales (NRW) still have concerns regarding this (See Appendix 4).

It is noted that the number of additional properties predicted to be impacted in both flooding events is relatively small, including two residential properties in the 1 in 100 year flooding event and nine in the 1:1000 year flooding event, and it is noted the greatest depth of flood water is predicted to be 0.1 metres. It is also noted there are more widespread increases in predicted flood water depths, where flooding would already be predicted to occur without development permitted by the LDO. Outside the boundary of the Estate, the maximum increase in flood depth is predicted to be 0.062 metres in a 1:100 year flood event and 0.187 metres in a 1:1000 year flood event. It is noted however that the location subject to both these increases is predicted to be under 1.537 metres of flood water in a 1 in 100 year event and 2.581 metres of water in a 1 in 1000 year event without development due to the LDO. Greater increases in water levels are predicted within the Estate itself, but this is considered to be of less concern due to there being no residential properties within the Estate and that the potential benefits of the LDO to the businesses in the Estate have to be weighed against this. NRW have not raised an objection to the predicted increase in water levels in the Estate itself.

Therefore, having considered the comments that NRW have made and the potential economic benefits of the LDO, it is not considered necessary to reduce the level of development permitted by the LDO due to the concerns NRW have raised. The principle reason for the above is that the while the LDO is drafted to give as many sites and premises as possible a chance to develop extensively to help make the Estate an attractive location for investors, this does not necessarily mean that all this development will happen. Records show that 70 planning applications have been submitted on the Estate between the beginning of 2012 and the beginning of 2017. This is an average of 14 planning applications a year. While the LDO aims to increase this rate of applications and subsequent development, given these background figures it is considered unlikely that every business on the Estate will seek to utilise the full extent permitted by the LDO. Therefore, the model is considered to be very much a "worst case scenario in respect of flood risk which is very unlikely to happen. It is considered that even in this worst case, the increase in detriment in relation to flood risk is small. Therefore if the level of development does not take place to its full extent, it is likely, in reality that the impact of the LDO in terms of off-site detriment will be minimal. It should

also be noted that the LDO will be monitored by the Council on an annual basis with an opportunity to review the document. If the level of development appears to be very high, then the issue of flood risk can be reviewed again at that point. Detailed discussions have taken place with Natural Resources Wales (NRW) over the issue of flood risk and a significant level of work has been done in respect of assessing the impact of the LDO on flood risk. A separate document is being produced which discusses this in more detail.

Traffic and Junction Capacity- A Traffic Study has been carried out to assess the impact of traffic generated by development permitted by the LDO on junction capacity. This looked at the traffic impact of developing seven identified vacant sites for B1, B2 and B8 uses. It has concluded that if all these sites are developed, there is likely to be some additional detrimental impact to that caused by general traffic growth. However, this has to be balanced against the area being considered key for employment, and therefore an area where appropriate development would be encouraged regardless of the LDO. It is considered that provision of curtilage parking and travel plans can assist in mitigating any impact on highway safety and operation.

Residential Properties- There are residential properties in close proximity in Oxford Street, Rhyd yr Helyg, Heol Ty Maen and Williams Place, as well as some others in the area. A 35 metre buffer zone is proposed around the curtilage of residential properties. Operational development would not be permitted by the LDO within this area, to minimise the impact on residential properties.

Listed Buildings- These and their curtilages are excluded by law from LDOs. Operational development has also been excluded from a 10 metre buffer zone around listed buildings where this falls outside their curtilages, to ensure the impact on the setting of listed buildings is minimised. Heights of new buildings and extensions are further restricted in Part 1 where development is within 15 metres of the curtilage of a listed building.

High Pressure Gas Main- This is located close to the southern boundary of the proposed LDO area. A 165 metre easement to either side of the gas main is proposed where development would be excluded from the LDO. This is to ensure compatibility with the Health and Safety Executive's advice in respect of the location of development in relation to a high pressure gas main. Wales and West Utilities have also raised concern that development involving excavations should not be permitted by the LDO close to the pipeline.

Railway Line- This is located to the west of the site. Network Rail have asked to be consulted regarding any development within 10 metres of the railway line. As this would add an element of uncertainty to the LDO, operational development would not be permitted by the LDO within this area.

Bats- Bats are a European Protected Species and the Council has a legal duty to consider them in exercising its planning function. Due to the location of the Estate alongside the River Taff, it is considered the area has potential for bat habitat. Any site will have to be assessed as having low potential for a bat roost, or the nature of the proposal will have to be assessed as having a low likelihood of impacting on bats, or a satisfactory bat survey will have to be provided before a development is permitted under the LDO. Question 6 of the application form and submitted photographs will be used to help determine whether there is any requirement for a bat survey. In addition, these will also determine whether there is a potential for nesting birds, and an appropriate condition in respect of wildlife and construction will be expected to be compiled with if there is such potential.

Existing Landscaping- While some of the landscaping could be cleared if necessary, some of the landscaping of the Estate is considered to make a significant contribution to the setting and the environment of the area. It is expected that this will be included in any landscaping scheme required by condition. This includes mature trees, which could also provide potential bat and bird habitat.

Watercourses- The River Taff runs through the Estate, and there are also other minor watercourses within the boundary area. In order to protect open watercourses, a buffer zone of 7 metres is proposed and operational development would not be permitted by the LDO within this area.

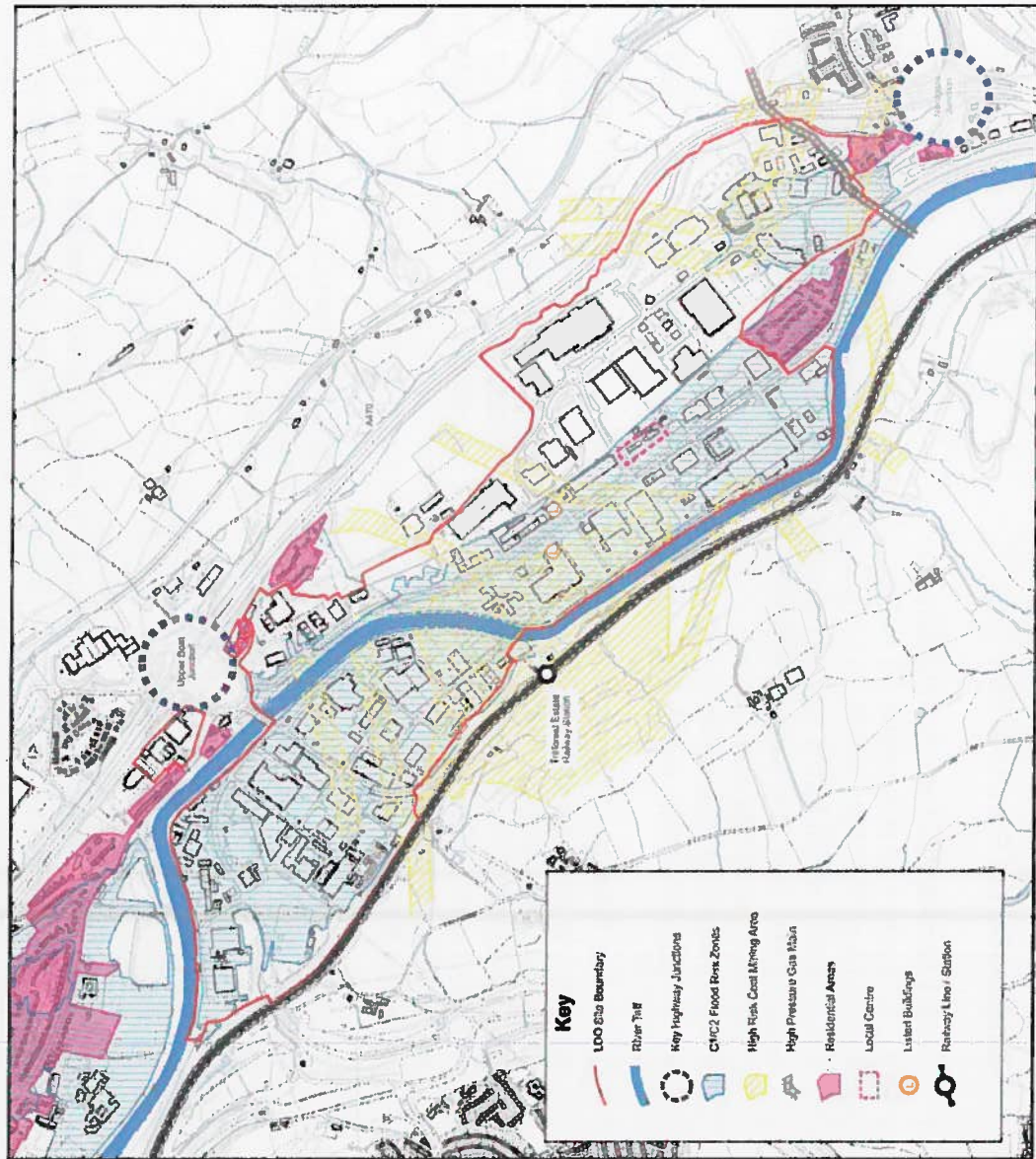
Coal Mining Risk- A significant part of the Estate is covered by Coal Mining High Risk Areas. At the request of The Coal Authority, a condition has been proposed for a coal mining report to be submitted where a development is within these areas. In addition to this, operational development would not be permitted by the LDO over former mine entries and their zones of influence. The locations of the mine entries have not been published due to confidentiality reasons.

Archaeological Remains- It has been suggested by Glamorgan Gwent Archaeological Trust that there may be archaeological remains in the area proposed to be covered by the LDO. However, while a condition was initially proposed in respect of archaeological investigation, the records held by the Council do not indicate any such records within the LDO boundary. Therefore, there is not considered to be a need for such a condition.

Contaminated Land- Due to the industrial nature of the land, there is considered to be a high potential for land to be contaminated. A condition is proposed to address this issue.

Sewers and Water Mains- Dwr Cymru Welsh Water have advised that a number of these cross the site. Buildings, structures and alteration of ground levels would not be permitted within 3 metres of these, apart from boundary fences.

Figure 2- Constraints Plan



6 Explanation of Part 1: Area 1

6.1 Area 1 constitutes the following land:

- Land that falls within 35 metres of the boundary of a residential curtilage;
- Land that falls within 10 metres of the railway line, identified as shaded in green within Schedule 5;
- Land which forms part of recorded mine entries or is within their zone of influence;
- Land that falls within 10 metres of a building listed for its special historical or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Land that falls within 7 metres of an open watercourse;
- Land that falls within 165 metres of the high pressure gas main, identified as edged in brown within Schedule 5.

6.2 Area 1 is intended to cover all those areas where development permitted by the LDO would be kept to a minimum due to constraints outlined in Section 5 above. No operational development would be permitted within Area 1 and changes of use would only be permitted where the land forms part of a site where a change of use is allowed within another part of Schedule 2 of the LDO. Where a change of use is permitted under the LDO, any part of the site which forms land within Area 1 would only be permitted to be used for its current purpose, e.g. if it is currently used for a car park in connection with an existing use it will only be permitted to be used as a car park in connection with the new use permitted by the LDO, unless the area is to be used to provide landscaping, or another non-operational purpose.

6.3 This approach is designed to ensure that sites within the LDO are not excluded from development permitted by the LDO by virtue of part of them being within Area 1, while still limiting development within those parts of sites that do fall within Area 1 in order to address the constraints that exist there.

7. Explanation of Part 2 - Area 2

7.1 In order to minimise the consequences of flooding, it was identified that significant development in an area in the north of the Estate should not be permitted by the LDO. Therefore, this has become Area 2, and no development which increases the volume of buildings would be permitted under the LDO in this area. Some minor works in conjunction with existing buildings and uses would be permitted. These are the same as those permitted under Part 3, and are explained in Section 8. In

addition, changes of use of existing buildings would be permitted, as long as the uses complied with Policy SSA 27 of the LDP and were not classed as "highly vulnerable" under Technical Advice Note 15: Development and Flood Risk

8. Explanation of Part 3- Area 3

8.1 Area 3 covers all areas not covered by Areas 1, 2 and 4, and this comprises the majority of land within the Estate.

8.2 All uses that fall within B1, B2 and B8 of the UCO would be permitted, subject to exclusions, limitations and conditions. Other uses listed are sui generis uses which are considered to be similar in character to B-Class Uses, which are considered to be permissible under Policy SSA 27, by virtue of being ancillary to the functions of the Estate. Retail uses are not included and they are addressed within Section 9..

8.3 Trade Counters and Cash and Carry warehouses would be permitted under this part subject to them being considered as falling under Class B8 (storage and distribution) of the UCO. As a general rule, it would be expected that the publicly accessible part of a Trade Counter should not account for any more than 25% of the floor space within a building used for a B8 purpose, for the site to still be considered as within a B8 use. It would be expected that sales to visiting members of the public would be minor and ancillary for a Cash and Carry warehouse to be considered as a B8 use.

8.4 Part 3 would also permit existing A1, A2 and A3 uses under the UCO to change to any other use within Class A, subject to exclusions, limitations and conditions. This would not be considered to impact on the largely industrial character of the Estate, and would be considered in accordance with Policy SSA 27.

8.5 In addition, Part 3 would permit minor operational development on all sites, subject to exclusions, limitations and conditions, regardless of whether the existing uses would accord with Policy SSA 27. This is to allow and encourage minor improvements for existing businesses. The works that would be permitted under minor operational development do not include new buildings or an increase in the volume or height of existing buildings. Therefore, this is not considered to be out of accord with Policy SSA 27.

8.6 Shelters, such as smoking shelters and bicycle shelters, are permitted as these are considered to provide incidental facilities for premises, rather than create new floor space. Restrictions are placed on dimensions to ensure these remain as minor works.

9 Explanation of Part 4- Area 4

- 9.1 Area 4 includes an area in the vicinity of the existing Local Centre. Developments that would be permitted by Part 3 would be permitted in this area. In addition, this Part would also permit small, new A1, A2 and A3 uses within Area 4, as due to existing uses and its central and accessible position it is considered the most suitable location for such development.
- 9.2 There is a limit on the size of retail unit that would be permitted (300 square metres), to ensure no large scale retail units are built under the LDO. This, combined with the relatively small area where this would be allowed, is considered to comply with Policy SSA 27 and Planning Policy Wales (Retailing and Town Centres), by facilitating small scale retail that would be considered ancillary to, and that would not be considered to alter, the largely industrial character of the Estate, nor be detrimental to Pontypridd or any other retail centre.
- 9.3 It should be noted that A1 Units permitted by the LDO are still subject to the Community Infrastructure Levy.

10 Letter of Compliance, Design Parameters & Discharge of Conditions

- 10.1 No development would be permitted to commence under the LDO until the developer has obtained a letter from the Council stating that the development complies with Schedule 1 and 2 of the LDO. The developer would have to submit plans and an application form to demonstrate that the development is in compliance. The proposed application form and information to be required is set out in Schedule 8. This is not as extensive as would be required for most planning applications, but is necessary so the Council has enough information to check the proposal complies with these schedules of LDO. The Council would acknowledge the proposals received and would aim to provide a full reply within 10 working days of the receipt of details.
- 10.2 No development would be allowed to start until all the relevant conditions in Schedule 4 of the LDO have been discharged. The table in Schedule 4 states when the conditions would be considered relevant. These are similar to the conditions that would be required on any planning permission obtained through the standard application process. It should be noted that failure to discharge a condition could result in the requirement for a retrospective planning application. These conditions would be covered by fees introduced by the Welsh Government under the Town and Country Planning (Fees for

Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015. These currently stand at £95 per application, and can be reduced by submitting details for a number of conditions under one application. The letter of compliance will advise which conditions are considered to be relevant to the particular proposal.

11 Design Code/User Guide

11.1 The adopted LDO will include a Design Code/User Guide setting out design principles for developments permitted under the LDO, and explaining and assisting developers in complying with it. The Design Code/User Guide is currently being developed, and feedback from the consultation process is being used.

12 Monitoring Indicators

12.1 In order to measure the success and impacts of the LDO, a report will be issued on an annual basis along with the Local Planning Authority's Annual Monitoring Report for the Local Development Plan. The following indicators are suggested to measure the success and impacts of the LDO on a yearly basis:

- Number of valid applications for Letters of Compliance;
- Percentage of Letters of Compliance that are issued in respect of valid applications for them;
- Percentage of overall development applications on the Estate that are issued with a Letter of Compliance;
- Overall amount of floor space issued with a Letter of Compliance;
- Percentage of Letters of Compliance issued within 10 working days;
- Number of developments started under the LDO;
- Number of developments completed under the LDO;
- Overall amount of floor space completed under the LDO (from application form);
- Overall number of jobs created under the LDO (from application form);
- The mix of uses in the Estate;
- Capacity in the sewerage network that serves the Estate (information to be obtained from Dwr Cymru Welsh Water);
- Amount of additional floor space created in the "C" zones on the Welsh Government's Development Advice Map for Flood Risk.

APPENDIX 2

Town and Country Planning Act 1990 (as amended)

Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

Definitions

In this Order:

All definitions in the Town and Country Planning (General Permitted Development) Order 1995 (as amended) apply to this Local Development Order, except where otherwise defined within this Order.

“Area 1” constitutes the following land:

- Land that falls within 35 metres of the boundary of a residential curtilage;
- Land that falls within 10 metres of the railway line, identified as shaded in green within Schedule 5;
- Land which forms part of recorded mine entries or is within their zone of influence;
- Land that falls within 10 metres of a building listed for its special historical or architectural interest under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
- Land that falls within 7 metres of an open watercourse;
- Land that falls within the 165 metre easement for the high pressure gas main, identified as edged in brown within Schedule 5;

“Area 2” constitutes the land that is shaded in red in Schedule 6;

“Area 3” constitutes the land that does not fall within Areas 1, 2 or 4;

“Area 4” constitutes the land that is shaded in blue in Schedule 7;

“Building” is defined as a building which is primarily there to provide floor space for a specific purpose;

"EIA Development" has the same meaning as in regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016;

"Extension" is defined as an increase in the volume of a building or a structure;

"External works" are defined as works to areas of the site other than buildings, including the erection of enclosures, hard landscaping, lighting, renewable energy developments and vehicle charging points;

"Floor space" means the total floor space in a building or buildings;

"Highest point of the roof" is defined as the highest point of the roof structure, excluding any chimneys, antenna or other structures attached to the roof;

"Land" is defined as land where is falls within the boundary of the LDO, including that which is covered by buildings and structures;

"Open watercourse" is defined as the channel of any part of a watercourse that is not culverted;

"Shelter" is defined as a largely open structure with a roof which is primarily used as shelter from inclement weather while outside, such as bicycle shelters, bus shelters, smoking shelters and trolley shelters;

"Site" is defined as the land which forms an operational planning unit, or will form an operational planning unit following development permitted by the LDO;

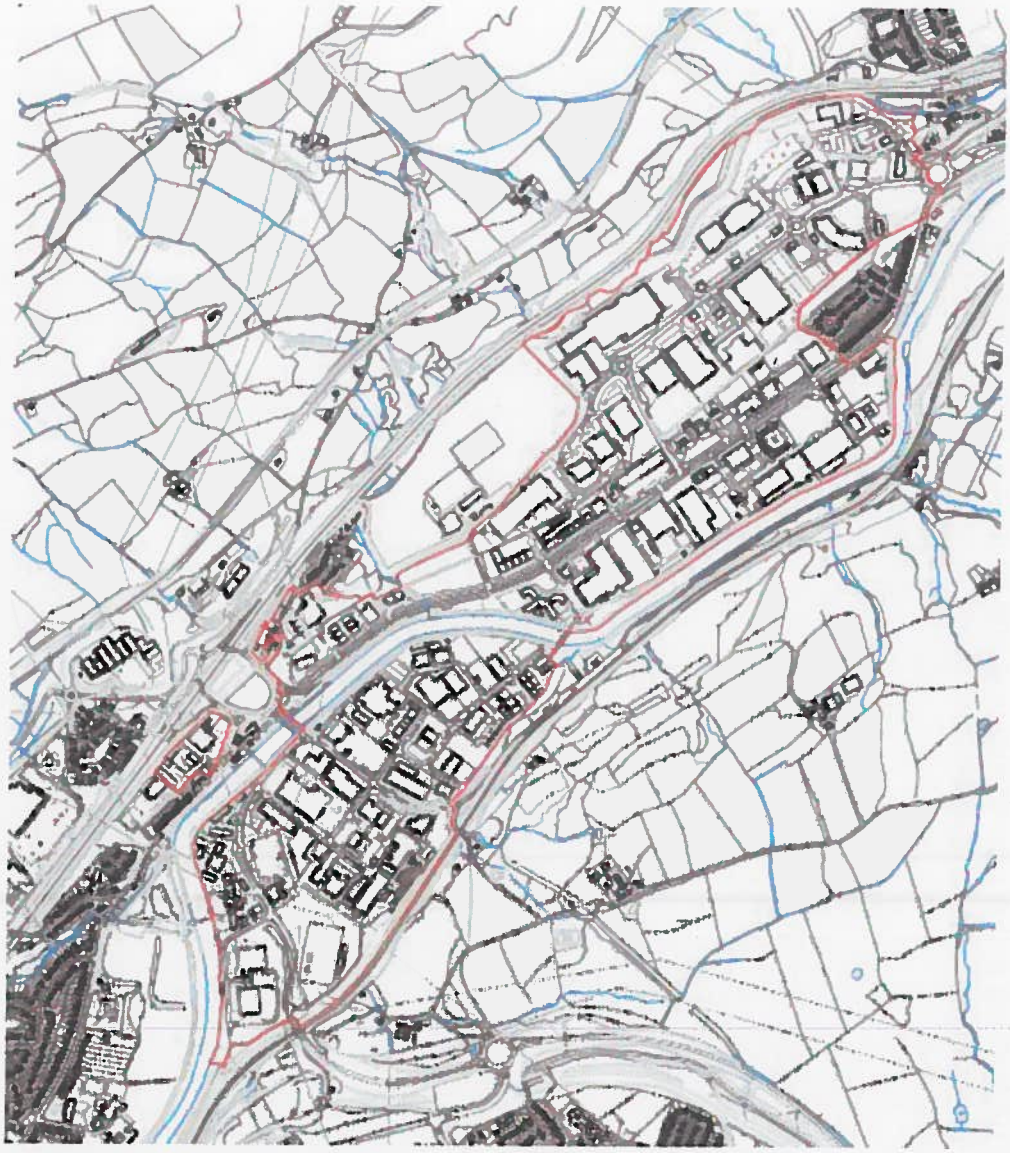
"Structure" is defined as a structure which rises above ground level, but is not primarily there to provide any floor space for a specific purpose

Treforest Industrial Estate and Parc Nantgarw Local Development Order (Modified Draft)

1. This Local Development Order ("LDO") is made by the Rhondda Cynon Taf County Borough Council ("the Council") under Section 61A of the Town and Country Planning Act 1990 (as amended) and shall be known as The Treforest Industrial Estate and Parc Nantgarw Local Development Order 2016.
2. This LDO takes effect on the date that it is adopted by the Council and will remain in force for a 10 year period from its adoption following which the LDO shall lapse.
3. This LDO applies to the land edged red on the map attached as Schedule 1 only.
4. **This LDO grants planning permission for developments within Schedule 2, subject to the exclusions, limitations and conditions as set out in this Order.**
5. Nothing in this LDO grants planning permission for development which is EIA Development.
6. Nothing in this LDO grants planning permission for development affecting a listed building within the meaning of Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or within the curtilage of a listed building.
7. Nothing in this LDO grants planning permission for developments containing the following on any sites:
 - i. Any boilers where the total output is above 5 Megawatts (thermal);
 - ii. Any boilers or furnaces run on biomass where the total output is above 50 Kilowatts (thermal);
 - iii. 300 or more additional vehicle parking spaces.
8. This LDO can be revoked or revised at any time prior to it lapsing after 10 years from being adopted.
9. Should permission granted by the LDO be withdrawn due to the Order being revoked or revised or lapsing following the 10 year period after its adoption, any development commenced under the version of the Order in force at the time of commencement is permitted to be completed.

10. Nothing in this LDO grants planning permission for development that is contrary to a condition on a planning permission unless the reason for that condition has the effect of stating that the condition is for the purpose of clarifying the extent of the permission granted.

Schedule 1 - LDO Boundary



Schedule 2- Developments Permitted by the LDO

Part 1- Area 1

A. Permitted Development within Area 1:

i. Change of use of land, where the land forms part of a site where a change of use is permitted within another part of this schedule.

B. Development Not Permitted within Area 1:

i. Part 1 does not permit operational development within Area 1;

ii. Where development is permitted on a site which involves the change of use of land that falls within Area 1, no part of the land within Area 1 shall actually be used on an operational basis for any purpose for which it is not currently used.

C. Conditions- Development is permitted by Part 1 subject to the following conditions:

i. The receipt of a letter of compliance, as set out in Schedule 3;

ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 2- Area 2

A. Permitted Development within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

B. Development Not Permitted within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 2A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- ii. Part 2A does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- iii. Part 2A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 2A does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 2A does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;

vi. Part 2A does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 2- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 2D subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

D. Permitted Development within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

- i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

E. Development Not Permitted within Area 2- Change of Use of Existing Retail Uses to another Retail Use:

- i. Any form of operational development is not permitted by Part 2D.

F. Conditions and Limitations within Area 2- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 2G subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 3- Area 3

A. Permitted Development within Area 3- Land, Buildings and Structures for Specific Uses:

- i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:
- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
 - Vehicle hire and sales;
 - Plant hire;
 - Builders yards;
 - Industrial laundries;
 - Gymnasium and fitness facilities; and
 - Vocational training facilities.

B. Development Not Permitted within Area 3- Land, Buildings and Structures for Specific Uses:

- i. Development is not permitted by Part 3A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 3A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;
- iii. Part 3A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

- iv. Part 3A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- v. Part 3A does not permit buildings, extensions or structures more than 10 metres in height, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure, within 15 metres of the boundary of the curtilage of a listed building;
- vi. Part 3A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- vii. Part 3A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 3- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 3A subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 3A:

- i. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;

ii. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on this date, whichever is the lesser.

E. Permitted Development within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters:

- i. Development is not permitted by Part 3E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- ii. Part 3E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure.
- iii. Part 3E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 3E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 3E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 3E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 3- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 3E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 3- Change of Use of Existing Retail Uses to another Retail Use:

- i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 3- Change of Use of Existing Retail Uses to another Retail Use:

- i. Any form of operational development is not permitted by Part 3H.

J. Conditions and Limitations within Area 3- Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 3E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. Conditions set out in Schedule 4, where these are relevant to the development permitted.

Part 4- Area 4

A. Permitted Development within Area 4- Land, Buildings and Structures for Specific Uses:

- i. The development of land, buildings and structures for the following existing or proposed uses, or for a purpose which is ancillary or incidental to the use of a site for one of the following:
- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
 - Vehicle hire and sales;
 - Plant hire;
 - Builders yards;
 - Industrial laundries;
 - Gymnasium and fitness facilities;
 - Vocational training facilities; and
 - Classes A1, A2 and A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

B. Development Not Permitted within Area 4- Land, Buildings and Structures for Specific Uses:

- i. Development is not permitted by Part 4A unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- ii. Part 4A does not permit buildings, extensions or structures within 2 metres of the boundary of a site, with the exception of means of enclosure and broadband infrastructure;
- iii. Part 4A does not permit buildings, extensions or structures within 5 metres of the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;

- iv. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- v. Part 4A does not permit buildings, structures or extensions more than 20 metres in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- vi. Part 4A does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure;
- vii. Part 4A does not permit buildings, extensions or structures to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

C. Conditions and Limitations within Area 4- Land, Buildings and Structures for Specific Uses. Development is permitted by Part 4A subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted;

D. Limitations- Land, Buildings and Structures for Specific Uses. Limitations to development permitted by Part 4A:

- i. Part 4A only permits development under Use Classes A1, A2 and A3 where the total gross internal floor space in any unit used for that purpose, including storage, staff welfare and office space, would be 300 square metres or less;

- ii. Any individual A1, A2 or A3 unit or extension permitted by Part 4A shall remain as that unit, or in the case of an extension part of the unit for which it was permitted, and shall not be joined with any other unit at any point in time to become a larger unit for an A1, A2 or A3 purpose;
- iii. Where a site was clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 2,500 square metres or to covering a maximum of 50% of the area of the site, whichever is the lesser;
- iv. Where a site contained buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of the floorspace existing on that date plus 2,500 square metres or 150% of the size of the total footprint of the existing buildings on that date, whichever is the lesser.

E. Permitted Development within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Alterations to existing buildings and structures that do not increase the volume of the building or structure;
- ii. External works;
- iii. The provision of shelters.

F. Development Not Permitted within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters

- i. Development is not permitted by Part 4E unless the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- ii. Part 4E does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure.
- iii. Part 4E does not permit renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, that protrude more than 5 metres from the highest part of the roof of a building or the highest point of any structure.
- iv. Part 4E does not permit shelters more than 3 metres in height or more than 25 square metres in footprint;
- v. Part 4E does not permit structures or engineering operations that constitute external works where they are more than 3 metres in height to the highest point from the existing ground level, with the exception of broadband infrastructure;
- vi. Part 4E does not permit structures or shelters to be erected, or the altering of ground levels to be carried out, within 3 metres of a sewer or water main, with the exception of boundary fences, unless Dwr Cymru Welsh Water provide evidence that they consider this satisfactory or that they are satisfied the sewer or water main can be diverted.

G. Conditions and Limitations within Area 4- Alterations to Existing Buildings and Structures, External Works and Provision of Shelters. Development is permitted by Part 4E subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.
- iii. All developments must be incidental or ancillary to the permitted use of the land.

H. Permitted development with Area 4- Change of Use of Existing Retail Uses to another Retail Use:

- i. The changes of use of land, buildings and structures from any existing A1, A2 or A3 use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) to any other use within Class A of that Order.

I. Development Not Permitted within Area 4- Change of Use of Existing Retail Uses to another Retail Use:

- i. Any form of operational development is not permitted by Part 4H

J. Conditions and Limitations within Area - Change of Use of Existing Retail Uses to another Retail Use. Development is permitted by Part 4I subject to the following conditions:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The conditions set out in Schedule 4, where these are relevant to the development permitted.

Schedule 3- Letter of Compliance

- A. No development permitted by this Local Development Order (LDO) shall commence until:
 - i. An application form, plans and other documents have been received as set out in Schedule 8 to the LDO;
 - ii. A letter has been issued by the Local Planning Authority confirming the proposed development complies with Schedule 1 and 2 of the LDO; and
 - iii. The conditions set out in Schedule 4 have where relevant been discharged.

Schedule 4- Conditions Schedule

A. Where development is permitted by the LDO, it shall comply with the conditions as set out below.

Condition no.	The developments permitted by the LDO that the condition applies to	Condition	Reason
1.	All development.	The development shall be commenced before the expiration of five years from the date of letter set out in Schedule 3.	Reason: To ensure there is an appropriate time limit on the implementation of a development.
2.	Development where retaining walls are proposed which are over 1 metre high.	The development shall not be commenced until details and design calculations of any retaining walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: In the interests of public safety.
3.	Development where the means of access is proposed to be changed or the existing access does not meet the standard required for the development	The development shall not be commenced until details of the means of access, together with the vision splays, have been submitted to and approved in writing by the Local Planning Authority. The access and vision splays shall be provided in accordance with the approved details prior to the development being brought into beneficial use and shall be retained as such thereafter.	Reason: In the interests of highway safety.

	proposed.			
4.	Development where the turning space is proposed to be changed or the existing access does not meet the standard required for the development proposed.	The development shall not be commenced until details of a turning space, to enable vehicles to enter and leave the site in a forward gear, has been submitted to and approved in writing by the Local Planning Authority. The turning space shall be provided in accordance with the approved details prior to the development being brought into beneficial use shall be retained as such thereafter.	Reason: To ensure that adequate on site turning facilities are provided in the interests of highway safety.	
5.	Development of vacant sites, the complete redevelopment of sites, and development where existing landscaping is proposed to be removed.	The development shall not be brought into beneficial use until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development. It is expected that the scheme will include the retention of existing mature and structural landscaping. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following beneficial use or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.	Reason: To ensure that the new development will be visually attractive.	
6.	Development of	The development shall not be commenced until details of the	Reason: To ensure refuse	

	vacant sites, the complete redevelopment of sites and developments where the existing storage arrangements for refuse will no longer be there.	proposed refuse storage and collection facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the development being brought into beneficial use, and shall be retained thereafter.	arising from the development is appropriately managed.
7.	New buildings and extensions, and developments where parking is to be removed.	The development shall not be commenced until details of space to be laid out within the site for vehicles to be parked and secure cycle parking racks or cages have been submitted to and approved in writing by the Local Planning Authority. The provision shall be in accordance with the parking standards as set out in the Supplementary Planning Guidance: "Delivering Design and Placemaking: Access, Circulation, & Parking Requirements" (March 2011). The parking shall be provided in accordance with the approved details, prior to the development being brought into beneficial use and shall not thereafter be used for any purpose other than the parking of vehicles and cycles.	Reason: To ensure that vehicles are parked off the highway in the interests of highway safety.
8.	New buildings and extensions.	The development shall not be commenced until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be provided in accordance with the approved details prior to the development being brought into beneficial use.	Reason: To ensure adequate disposal of foul and surface water.
9.	New buildings and extensions.	The development shall not be commenced until a safe method of pedestrian access has been submitted to and approved in writing	Reason: In the interests of

		by the Local Planning Authority. The pedestrian access shall be provided in accordance with the approved details.	pedestrian safety.
10.	New buildings and extensions.	The development shall not be commenced until the materials to be used in the construction of the external surfaces of the buildings and external areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings.
11.	New buildings and extensions where the site, or part of the site, falls within a Coal Mining High Risk Area.	The development shall not be commenced until a Coal Mining Risk Report has been submitted to and approved in writing by the Local Planning Authority. The report shall be sufficiently detailed to establish if any ground precautions are necessary in relation to the proposed development and the precautions that will be adopted in the design and construction of the proposed development in order to minimise any damage which might arise as a result of ground condition. The development shall be carried out in accordance with the approved details.	Reason: The site may be unstable due to past coal mining activity and as such a report is required to ensure satisfactory precautions are taken.
12.	New buildings and extensions where the site has been identified as potentially contaminated due to its past use.	The development shall not be commenced until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures: A desk-top study 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;	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.

		<p>A site investigation shall be carried out 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 agreed in writing with the Local Planning Authority; and</p> <p>A written method statement for the remediation of contamination affecting the site.</p>	
13.	Sites where condition 12 is relevant.	<p>The development shall not be brought into beneficial use until the measures approved in the scheme approved in condition 12 have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority.</p>	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
14.	Sites where condition 12 is relevant.	<p>If during development works any contamination is 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 in condition 12, then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the development re-commencing. The development shall be re-commenced in accordance with the new approved details.</p>	Reason: To ensure satisfactory measures are taken to address any contamination, in the interest of health and safety and environmental amenity.
15.	Sites where condition	Piling or any other foundation designs using penetrative methods	Reason: There is an

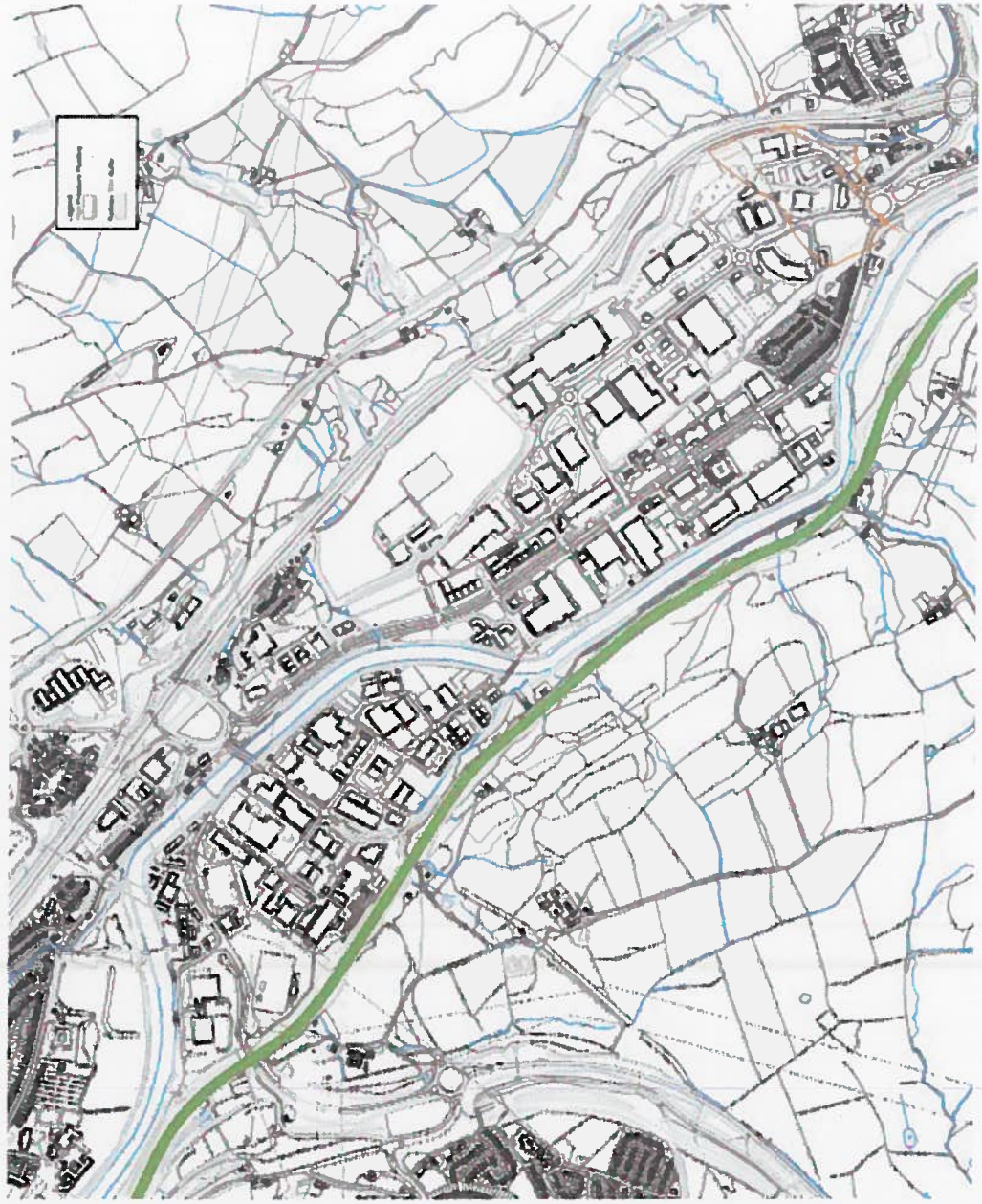
	12 is relevant.	shall only be permitted where it has been demonstrated that there is no resultant unacceptable risk to groundwater, and where a scheme for this has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details	increased potential for pollution of controlled waters from inappropriate methods of piling.
16.	New buildings which are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be commenced until details of the finished ground floor level is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the floor levels of any proposed buildings are above the flood level.
17.	New buildings and extensions which are over 250 square metres in floor space and are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be brought into beneficial use until a flood emergency / flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the approved details.	Reason: In the interests of public safety.
18.	New buildings and extensions which are over 250 square metres in floor space.	The development shall not be brought into beneficial use until a Travel Plan is submitted to and approved in writing by the Local Planning Authority setting out how the development will contribute to achieving a reduction in car journeys. The development shall operate in accordance with the approved details.	Reason: To minimise the impact that development has on the traffic using the local highway network.

<p>19.</p> <p>All development within 20 metres of the bank of the River Taff involving additional external lighting.</p>	<p>The development shall not be commenced until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p>	<p>Reason: To minimise the impact that the development has on bats.</p>
<p>20.</p> <p>All developments where bats and nesting birds are likely to be affected</p>	<p>The development shall not be commenced until a Wildlife Protection Plan for Construction has been submitted to and approved in writing by the local planning authority. The plan shall include:</p> <ul style="list-style-type: none"> 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 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). d. Persons responsible for: <ul style="list-style-type: none"> • Compliance with legal consents relating to nature conservation; • Compliance with planning conditions relating to nature conservation; • Installation of physical protection measures during construction; • Implementation of sensitive working practices during construction; • Regular inspection and maintenance of physical protection measures and monitoring of working practices during construction; 	<p>Reason:</p> <p>To afford protection to animal and plant species, particularly bats and birds.</p>

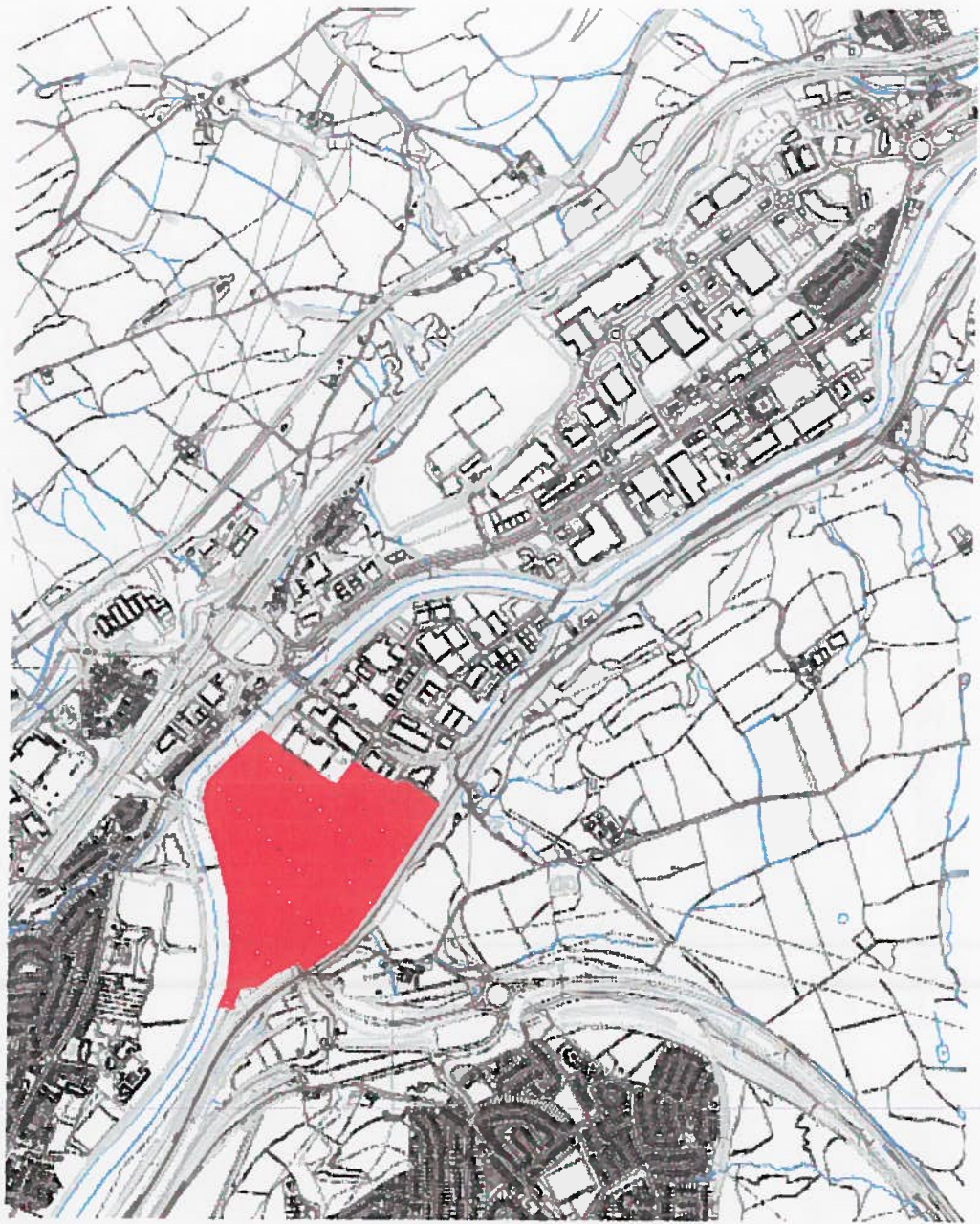
- **Provision of training and information about the importance of the 'Wildlife Protection Zones' to all construction personnel on site.**

All construction activities shall be implemented with the approved details and timing of the plan.

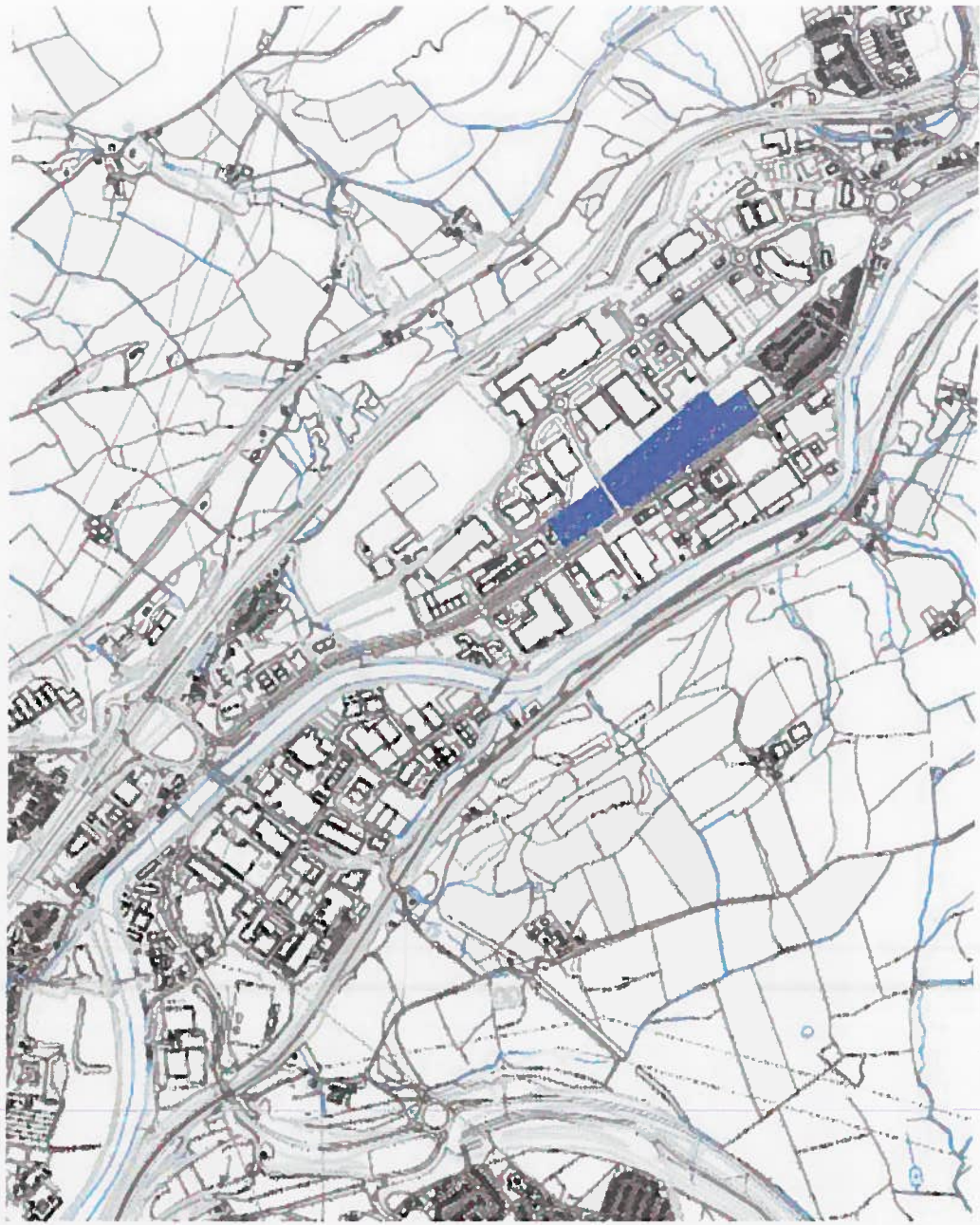
Schedule 5- Plan showing Gas Pipe and Railway Line



Schedule 6- Area 2



Schedule 7 - Area 4 (Retail Zone)



Schedule 8- Application Form

Rhondda Cynon Taf County Borough Council
Application for a Determination of Compliance with Schedules 1 and 2 of the
Treforest Industrial Estate and Parc Nantgarw Local Development Order

1. Applicant Details

Name:

Address:

Telephone Number:

Email:

2. Agent Details

Name:

Address:

Telephone Number:

Email:

3. Description of the Proposal

Description:

Is this development a (tick all that apply):

Change of use of an existing building or site?;

The redevelopment of a vacant site?;

A new building or structure?;

An extension to an existing building?;

Minor improvement works to an existing site or building?;

A new retail (A1, A2 or A3 use class) building?

4. Site Address

5. Existing Use

6. Existing Buildings and Trees on the Site

Are there any existing buildings on the site? Yes/No (please delete as appropriate)

Approximate date when buildings were constructed:

Are any buildings proposed to be demolished as part of the proposal? Yes/No (please delete as appropriate)

Were there any buildings on the site that have been demolished?
Date of demolition: Yes/No (please delete as appropriate)

Will the proposal involve re-roofing works? Yes/No (please delete as appropriate)

Will the proposal involve cutting into an existing roof structure or the removing of/alterations to an existing roof structure? Yes/No (please delete as appropriate)

Are there any mature trees on the site? Yes/No (please delete as appropriate)

Are there mature trees proposed to be felled, or works to mature trees as part of the proposal? Yes/No (please delete as appropriate)

Are you aware if any bats (or evidence of bats) have been found in association with, or seen emerging from, any buildings, trees or other structures on the site? Yes/No (please delete as appropriate)

Are any birds nesting on the site or known to use the site for nesting? Yes/No (please delete as appropriate)

7. Proposed Use

8. Floor Space and Employment

Existing gross internal floor space on the site (square metres):

Gross internal floor space to be lost by demolition (square metres):

Total gross internal floor space proposed on the site (square metres):

Total gross internal floor space within an A1 use (including storage, office space, etc):

Net additional gross internal floor space following development (square metres):

How many people are currently employed at the site?

Full time

Part Time:

Full time equivalent:

How many people will be employed at the site following development?

Full time

Part Time:

Full time equivalent:

9. Proposed External Finishing Materials (where relevant)

Existing

Proposed

Walls:

Roof:

Windows:

Doors:

Boundary Treatment:

Outdoor Surfaces:

Other:

10. Signature and Date

Signature:

Applicant/Agent (please delete as appropriate)

Date:

11. Please indicate preferred method of reply:

Post/Email (please delete as appropriate)

Please include:

- A 1:250 location plan with the site edged red;
- A1:500 block plan of the existing and proposed site layout (including access, turning and parking arrangements);
- A 1:50 or 1:100 existing and proposed plans and elevations;
- Recent photographs of all elevations of any existing buildings and any mature trees on the site, with the date they were taken;
- Where ground levels are proposed to change, sections through the site at a scale of 1:50 or 1:100 showing the changes;
- Any other information you think may assist the Case Officer in determining whether the proposal complies with the Treforest Industrial Estate and Parc Nantgarw Local Development Order

The application form and plans can be submitted electronically to planningservices@rctcbc.gov.uk or by post to Rhondda Cynon Taf CBC, Planning Services, Sardis House, Sardis Road, Pontypridd, CF37 1DU. Please note any documents and plans will be retained for Council records and no documents and plans will be returned.

Rhondda Cynon Taf aims to reply to these requests within 10 working days of receipt. Further information may be requested to determine compliance. Impact on bats will also be assessed through this process to ensure compliance with the LDO.

When designing a layout, it is important to take account of the requirements of all the conditions, and to ensure that the layout can accommodate these requirements. Failure to do so may result in the site not being permitted to be developed as planned, even if a Letter of Compliance has been received. Officers will advise if there appears to be an issue over the potential to comply with conditions, but this will be informal advice only and will not be exhaustive. **It is the responsibility of the developer to ensure all conditions can be complied with.**

It is important to note that no development is permitted to commence under the Treforest Industrial Estate and Parc Nantgarw Local Development Order until a letter stating that the proposal complies is received and all relevant conditions with the Order have been discharged.

APPENDIX 3

Informal Consultation Summary

(N.B. where the response says "included in draft LDO", this is in relation to the draft used in the statutory consultation, and not necessarily the modified draft).

20 Responses:

- 5 responses from local businesses
- 7 responses from local residents
- 8 responses from other consultees

Summary of comments from businesses:

Comment	Response
Additional car parking facilities would be beneficial to increase job opportunities and make the area more attractive to potential new recruits	Included in draft LDO
Extending current buildings will be beneficial	Included in draft LDO
All works should be considered that would not be detrimental to public or vehicular use	Included in draft LDO as far as possible, bearing constraints in mind
Concerned about uses that may emit smoke and fumes	This would be largely controlled by environmental permitting legislation
Concerned regarding noisy uses	A 35 metre buffer zone is proposed around the boundary of residential properties, but as this is an industrial estate, some noisy

	uses would be expected
All small improvements should be allowed, such as signage, single storey extensions, fences and walls, canopies	Signage is beyond the remit of the LDO. Other works included in draft LDO
Small outbuilding developments and solar panels should be considered	Included in draft LDO
More development could result in an increase in traffic and make existing problems at the Upper Boat Roundabout worse, and improvements to this need to be considered	A Travel Plan could mitigate any additional impact
Car parking is likely to get more difficult with more development	New development and extensions would have to provide car parking in accordance with existing Parking Standards, and a Travel Plan could further mitigate any impact
The access to Treforest Estate Railway Station should be improved to encourage its use	Beyond the remit of the LDO
Large/ disruptive works being included would be a concern	While limits to development have been proposed, as this is an industrial estate, some works of this nature would be expected
The roads need resurfacing and the sewer smells are often bad	Beyond the remit of the LDO
The area around Greggs is often blocked by parked cars	New development and extensions would have to provide car parking in accordance with existing Parking Standards, and a Travel Plan could further mitigate any additional impact
Businesses should be encouraged to look at building up multiple floors	Allowed for within the draft LDO, subject to height constraints

Summary of comments from residents:

Comment	Response
Would be beneficial to include small home and garage developments	Beyond the remit of the LDO
Concerned about traffic and noise	A Travel Plan could mitigate any additional impact
Concern that further development will increase criminal activity	This is not considered likely as a consequence of the LDO, but the Police have been added as a consultee for the next stage of consultation
Concern about an increase in pedestrians through residential areas	This could be a consequence of further development, but the LDO is not considered likely to generate significant numbers of additional pedestrians through residential areas
Worried about loss of green area at the rear of Oxford Street and Rhyd-yr-Helyg, and that it may end up being used for car parking by the college	Excluded from draft LDO
There is no need for more units because there are empty units and vacant land	One of the reasons for the LDO is to try and fill that land and either fill the existing empty units, or replace them with ones that are more marketable
The crime rates have gone up since the college has been located there	The police have been added as a consultee for the next stage of consultation
Works should not affect or impact on residents of Oxford Street and Rhyd-yr-Helyg	A 35 metre buffer zone is proposed around the curtilage of residential properties

<p>A Park and Ride facility for the station should be considered</p>	<p>It is agreed that this would be beneficial, and is included in the draft LDO. However, it is beyond the remit of the LDO to require one is built</p>
<p>Better infrastructure for residents should be considered as there are often power and water cuts</p>	<p>Beyond the remit of the LDO</p>
<p>Workshops for the disabled should be considered</p>	<p>Works are proposed that will allow for these. Again, it is beyond the remit of the LDO to require these are built</p>
<p>Improvements in access to the M4 should be considered</p>	<p>Beyond the remit of the LDO</p>
<p>No development should be allowed without any means of formal planning control</p>	<p>The intention is to only allow development that would be acceptable if planning permission was applied for in the normal manner. A mechanism is proposed so the Local Planning Authority can check whether the works would be in accordance with the LDO</p>
<p>Development that creates jobs while improving the environment for residents and visitors/ workers should be considered</p>	<p>Development under the LDO would be expected to follow a Design Code. However, whole-scale environmental improvements are beyond the remit of the LDO</p>
<p>Should be day time operating only so not to increase traffic during the evening and night time</p>	<p>It is not considered that impacts from evening and night time traffic are likely to be significant, and the residential buffer zone would assist in mitigating the impacts of noise from traffic on residential properties</p>
<p>Would be concerned about extra emissions and chemical pollution</p>	<p>This would be largely controlled by environmental permitting legislation</p>
<p>Would be concerned about more noise pollution</p>	<p>A 35 metre buffer zone is proposed around the boundary of residential properties, but as this is an industrial estate, some noisy</p>

	uses would be expected
Bottlenecks at the Upper Boat and Nantgarw Roundabouts that will be exacerbated	A Travel Plan could mitigate any additional impact
Pedestrian safety needs improving	This is beyond the remit of the LDO
Wildlife needs to be taken into account	Consideration has been given to dealing with statutory duties in respect of bats
Concerned regarding light pollution	This is not considered likely to be a significant issue arising from the LDO
There needs to be some form of control	A mechanism is proposed so the Local Planning Authority can check whether the works would be in accordance with the LDO
Concern regarding piles of building/ demolition material	This would be dealt with by enforcement procedures if considered necessary

Summary of comments from other consultees:

Organisation	Comment	Response
Highways Development Control	Any development or change of use should not generate a high volume of traffic and parking demand. The reason being the congested nature of the junctions in the vicinity of the site	A Travel Plan could mitigate any additional impact
Highways Development Control	Any new developments or change of use should provide parking in compliance with the	It is intended that the development included within the LDO should follow these guidelines

	adopted Supplementary Planning Guidance	
Highways Development Control	Any new development or change of use that creates new access, alters or abandons the existing access should submit for approval geometric design, details and material specification and implement the works in accordance with Section 184 and 278 of the Highways Act 1980	A condition is included within the LDO and standard drawings will be included in the Design Code/User Guide at a later date. However, full details can be dealt with separately under the Highways Act
Highways Development Control	Any services such as road signs or street lighting columns affected by a new access or curtilage parking should be relocated to the back of the footway in agreement with the Council	These can be considered separately to the planning process
Highways Development Control	Provision, shared use and compliance with a Travel Plan Framework for the whole Estate to encourage sustainable modes of travel and mitigate adverse impact on highway capacity, safety and operation of the highway network	A condition has been proposed for Travel Plans. A Travel Plan for the whole Estate will be considered at a later date
Highways Development Control	No private surface water drainage system shall be connected to the existing adopted highway drainage system unless agreed in writing by the Council	A drainage condition is proposed
City of Cardiff Council	The LDO should grant planning permission for land use, buildings and ancillary facilities and associated developments in use classes B1, B2 and B8. The Local Planning Authority would	The proposed LDO focuses on these type of developments, but does allow for other types of development

	need to consider suitability of potential waste facilities on this site	
City of Cardiff Council	There should also be a limited opportunity for ancillary support facilities i.e. A1 (shops), A3 (cafes)	A proposed area is designated for this within the LDO boundary
City of Cardiff Council	Height restrictions would need to be specified	Included in draft LDO
City of Cardiff Council	High quality landscaping/design requirements would need to be addressed in the interests of visual amenity	These issues are intended to be addressed as part of the Design Code/User Guide at a later date
City of Cardiff Council	The C1 flood risk zone needs to be considered. A condition for an FCA needs to be considered. Early consultation with Natural Resources Wales on the content of FCA is recommended	Discussions have been held with NRW, but Legal advice has suggested including a condition on an LDO would not be appropriate. A consultant has been employed to carry out flooding work to deal with this issue prior to the LDO being produced
City of Cardiff Council	Need to consider Transport Assessments and where they should be applied	A Traffic Study has been carried out. It is considered that due to this, it is unlikely full Transport Assessments will be required
Wales and West Utilities	There should be no excavations within 10 metres of a high/ intermediate pressure gas main without prior consultation with Wales & West Utilities	Excluded from draft LDO
Coal Authority	The proposed site falls within the defined Development High Risk Area; therefore within the site and surrounding area there are coal	The Development High Risk Area affects parts of the Estate, but not all of it. It is intended that conditions requiring an assessment will be part of the LDO

	mining features and hazards which need to be considered in relation to the production of the LDO. In taking forward a Local Development Order, either it will be necessary for the LPA to undertake a Coal Mining Risk Assessment to inform the relevant conditions to be imposed on the LDO or the LDO conditions will need to require assessment in due course	
Coal Authority	The Coal Authority will not support the provision in principle of any built development over the recorded mine entries or within their zones of influence. This remains the case even where the mine entries have been treated	Operational development within this area is excluded from the draft LDO
Glamorgan Gwent Archaeological Trust	Any proposals for potentially removing the need for formal planning permission within the boundary indicated within the consultation document should have due regard for the historic and cultural environment. The development of all types of sites may have both a direct physical impact on buried and upstanding archaeological remains, and also an indirect visual impact on heritage assets. For sites with non-statutory designations, archaeological mitigation work may be required both pre and post determination	There is a Scheduled Ancient Monument (SAM) and Listed Building to the south of the Estate and two Listed Buildings in the boundary. The SAM and listed building to the south are unlikely to be affected. The two listed buildings in the boundary and their curtilages have been excluded from the draft LDO, and operational development has been excluded from a 10 metre buffer zone around their curtilages. In respect of non-statutory sites, a condition is proposed, the exact wording of which can be agreed at statutory consultation stage
Llantwit Fardre Community Council	Increased commercial development would help boost the economy and assist in reducing	The draft LDO proposes to increase this type of development

	unemployment	
Network Rail	Network Rail would need to be consulted on any development within 10 metres of the rail boundary to ensure the safety of the operational railway is maintained at all times	Operational development within this area is excluded from the draft LDO
Dwr Cymru Welsh Water	Consideration should be given as to whether or not the site may be crossed by a public sewer/rising main/water main. No development (including the raising or lowering of ground levels) will be permitted within the safety zone which is measured either side of the centre line.	These can be considered separately to the planning process
Dwr Cymru Welsh Water	Some uses may be subject to Trade Effluent consent. Consideration should also be given if it is intended to utilise potable water for industrial/commercial uses as DCWW are not obliged to provide potable water for use in any industrial process.	These can be considered separately to the planning process
Dwr Cymru Welsh Water	There should be appropriate controls to enable DCWW to manage the impact on its infrastructure, to ensure assets are not compromised and that there will be no detriment to existing residents or the environment.	A drainage condition is proposed
Dwr Cymru Welsh Water	Invite the LPA to meet to discuss	This can be arranged- is likely to be done at statutory consultation stage

APPENDIX 4

Consultation Summary

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- 2.0 RECORD OF CONSULTATION**
- 3.0 RESPONSES TO CONSULTATION**

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APPENDIX 1 – Consultation letter

APPENDIX 2- Consultation list

APPENDIX 3- Website content

1.0 SUMMARY

In January and February 2016 Rhondda Cynon Taf County Borough Council issued for public consultation a Local Development Order (LDO) covering the Treforest Industrial Estate and Parc Nantgaww areas.

The purpose of this document is to provide a record of the consultation undertaken and the representations received to the LDO documents. This document includes information on the consultation and publicity undertaken during the consultation period and a list of those individuals and organisations consulted, the number of representations received and the Council's responses to them.

2.3 Draft LDO

The Council undertook a 30 day consultation on the draft LDO and supporting documents from 14th January – 12th February 2016.

2.4 Consultation Timescale

To allow any interested party sufficient time to make a response to the consultation 30 days were allocated. Legislation requires 28 days of consultation; the Council chose to consult for 30 days to take the end of the consultation logically to the end of a week.

2.5 Who was consulted?

The Council consulted in line with Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012. The Council therefore wrote directly by letter and emails to over 700 organisations and individuals inviting them to comment on the LDO documents. These included the specific consultation bodies outlined in the Article, such as Natural Resources Wales, Network Rail, the Health and Safety Executive, other local authorities in South East Wales and Community Councils. A list of the statutory consultees is included in Appendix 2. The statutory consultees were also sent a copy of the main consultation document. All addresses in the proposed LDO or adjoining it were also written to directly, resulting in 628 consultation letters. The Council's Business Support team also identified members from the business database who were also consulted. The Welsh Government were provided with a copy of the consultation document also.

2.6 Consultation Package

The package of documents published on the 14th January comprised:

- Draft Treforest Industrial Estate and Parc Nantgarw Local Development Order
- Table of Developments that would be Permitted
- LDP Areas Plan
- Statement of Reasons
- Responses to the Informal Consultation
- Traffic Study
- Treforest Flood Risk Strategic Flood Consequences Assessment (SFCA)
- Appendix B Treforest SFCA LDO Advice Map Methodology (including Figures 1-13)
- Final draft of Capita Flood Risk Memo

2.7 Publicity and Participation

Notification letters (see Appendix 1) were sent to over 700 different contacts on the Council's database. This included Local and Government Consultation Bodies, Private Sector Organisations, Community Groups, landowners, tenants and neighbours to the LDO area. The consultation list is contained in Appendix 2

The package of LDO documents was published on the Council's website on 14th January 2016. This contained advice on the availability of information, the consultation process and where additional advice and assistance could be obtained. A link to the information was also published on the Council's 'Say It' section of the website which is the Council's main consultation page. Copies of the web page are attached as Appendix 3. The documents were also placed in the reception of Sardis House, Pontypridd, which is where the Council's Planning Office is based.

2.8 Newspaper Notice

The draft LDO consultation was advertised via a statutory notice in the Western Mail newspaper on the 14th January 2016 (see below right).

2.9 Site notices

Site notices were put up around the LDO area (see below left). The map below shows the various locations where these were placed.

Town and Country Planning (Development Management Procedure) (Wales) Order 2012

NOTICE UNDER ARTICLE 27 OF PROPOSAL FOR LOCAL DEVELOPMENT ORDER GRANTING PLANNING PERMISSION

Proposed Development at Treforest Industrial Estate, Parc Nanrigarw and Upper Boat Business Park, Rhondda Cynon Taf

I give notice that the Rhondda Cynon Taf County Borough Council Local Planning Authority proposes to make a local development order granting planning permission to:

- (i) development within classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987, and other uses considered ancillary to the primary industrial use of the area;
- (ii) minor alterations to buildings and sites; and
- (iii) limited development within classes A1, A2 or A3 of the Town and Country Planning (Use Classes) Order 1987.

The above being subject to exclusions, limitations and conditions set out in the proposed Local Development Order.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on 'Local Development Orders').

Anyone who wishes to make representations about this proposed local development order should write to the Local Planning Authority at Rhondda Cynon Taf County Borough Council, Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, or email planning@rctcbc.gov.uk by Friday 12th February 2016.

For further information please contact Helen Winsall, tel. 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Signed Simon Gale

Date Service Director Planning Services- Rhondda Cynon Taf CBC
14th January 2016

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.

Town and Country Planning

**(Development Management Procedure) (Wales) Order 2012
Proposed Local Development Order at Treforest Industrial Estate, Parc Nanrigarw and Upper Boat Business Park, Rhondda Cynon Taf**

I give notice that the Rhondda Cynon Taf County Borough Council Local Planning Authority proposes to make a Local Development Order granting planning permission for additional developments on the above land.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardis House, Sardis Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on 'Local Development Orders').

Anyone who wishes to make representations about this proposed Local Development Order should write to Rhondda Cynon Taf County Borough Council, Planning Services, Sardis House, Sardis Road, Pontypridd, CF3 1QA or email planning@rctcbc.gov.uk by Friday 12th February 2016.

Gorchymyn Cynllunio Gwlad a Thref

(Gweithdrefn Rheoli Datblygu) (Cymru) 2012

Gorchymyn Datblygu Lleol arfaethedig ar gyfer Ystad Ddiwydiannol Treforest, Parc Nanrigarw a Pharc Busnes Glan-bad, Rhondda Cynon Taf

Rwyf yn hysbysu drwy hyn fod Awdurdod Cynllunio Lleol Cynor Bwrdestrif Sirol Rhondda Cynon Taf yn bwriadu gwneud gorchymyn datblygu lleol sy'n rhoi caniatâd cynllunio ar gyfer datblygiadau ychwanegol ar y tir sydd wedi'i nodi uchod.

Mae copi o'r gorchymyn drafft ac o ddatganiad yr Awdurdod Cynllunio Lleol o'i resymau dros wneud y gorchymyn ar gael i'w harchwilio yn y cyfeiriad canlynol: Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA ar ddydd Llun i ddydd Gwener, rhwng 9am a 4pm. Maen nhw hefyd ar gael ar wefan yr Awdurdod Cynllunio Lleol. Ewch i <http://www.rctcbc.gov.uk/cy/cynllunio> (click on 'Local Development Orders') i gicwch ar 'Gorchymyn Datblygu Lleol'.

Dylai unrhyw un sy'n dymuno gwneud sylwadau ynghyd â'r gorchymyn datblygu lleol arfaethedig yma ysgrifennu at: Cynor Bwrdestrif Sirol Rhondda Cynon Taf, Gwasanaethau Cynllunio, Tŷ Sardis, Sardis Road, Pontypridd, CF3 1QA neu e-bostio gwasanaethau@cynllunio.rctcbc.gov.uk chyn dydd Gwener 12fed Chwefror 2016.

A copy of the application and of the plans and other documents submitted with them may be inspected by members of the public during office hours of 9.00am - 4.00pm Mondays to Fridays at Sardis House, Sardis Road, Pontypridd, CF3 1QA.



St. George's
1846

2.10 Business Event

An event for businesses was held on the 26th January 2016 which allowed parties present to gather information regarding the LDO. A presentation was made by the Service Director of Planning and exhibition material was displayed. Council staff were available to answer any questions and to provide consultation material.

The first Local Development Order in Wales coming here soon! Find out what this can do for your business.

Business Growth Treforest
Coleg y Cymoedd
Nantgarw Campus
Tues 26th Jan 2016
8am - 10am

You are invited to...
Come along and find out about our Business Growth Treforest event which is an information sharing and networking event aiming to help businesses.

Hosted by Rhondda Cynon Taf Council, the event will include presentations from two businesses based on Treforest Industrial Estate, innovative furniture makers, Orangebox and one of the largest owners of commercial property in the UK, Dunedin Industrial.

This will be followed by an update on the Local Development Order from Rhondda Cynon Taf Council.

You will also be able to network with businesses on the Industrial Estate, make new connections and build beneficial relationships.

Complimentary refreshments will be provided.

If you are interested in attending, please contact us on 01443 495176 or email claire.curtis@rcctbc.gov.uk to book your place.

@TreforestGrowth



2.11 Availability

As stated above, copies of the LDO and associated information were placed for inspection at the Council Offices in Sardis House, Sardis Road, Pontypridd and on the Council's Website for inspection/downloading, and were available throughout the consultation process. The Website contained advice on how to make representations.

3.0 RESPONSES TO THE CONSULTATION

The Council has received 15 representation responses. In addition, a training session was held with Planning Officers on 27th February 2016, where suggestions were made for improvements.

Table 1: Results of the Consultation on the draft Local Development Order

Name	Representation	Council Response	Actions required/ Changes made
<p>HEALTH AND SAFETY EXECUTIVE</p>	<p>Encroachment of Local Plan Allocations on Consultations Zones We have concluded that there is the potential for land allocated in your plan to encroach on consultations zones namely the Major Accident Hazard Pipeline operated by Wales and West Utilities HSE Ref 7287 Nantgarw/Brynna.</p> <p>Compatibility of Development with Consultation Zones The compatibility issues raised by developing workplaces within the inner, middle and outer zones are summarised below.</p> <p>Inner Zone – Workplaces (predominantly non-retail) providing for less than 100 occupants in each building and less than 3 occupied storeys are compatible with the inner zone. Retail developments with less than 250m² total floor space are compatible with the inner zone.</p>	<p>The pipeline was identified at informal consultation stage. The location of the zones expands beyond what was identified at this stage, and as a result some alterations are required to what would be permitted in this area.</p>	<p>Increase the area either side of the pipeline within Area A to 165 metres. This is compatible with the Health and Safety Executives "Middle Zone" for planning advice.</p>

	<p>Note: Workplaces (predominantly non-retail) providing for 100 or more occupants in any building or 3 or more occupied storeys in height are compatible with the inner zone where the development is at the major hazard site itself and will be under the control of the site operator.</p> <p>Middle Zone – The middle zone is compatible with workplaces (predominantly non-retail). Retail developments with total floor space up to 5000m² are compatible with the middle zone.</p> <p>Outer Zone – Workplaces (predominantly non-retail) are compatible with the outer zone. Workplaces (predominantly non-retail) specifically for people with disabilities (e.g. sheltered workshops) are only compatible with the outer zone. Retail developments with more than 5000m² total floor space are compatible with the outer zone.</p>		
<p>NETWORK RAIL</p>	<p>Network Rail notes that the Draft LDO states that the LDO designation would have effects including “<i>potentially making more funds available for investment in infrastructure</i>” (para. 2.3). This should include undertaking improvements to the environment and rail user facilities at Treforest Estate Rail Station, in addition to those being funded through Welsh Government’s Station Improvement Programme. Additional investment in rail infrastructure will respond to the likely increased usage of Treforest Rail Station resulting from the increased development potential and enhanced attractiveness of the Estate to new businesses.</p> <p>We welcome the inclusion of a reference to Network Rail being consulted on any development within 10 metres of the railway line. This will ensure that the design, layout and siting of any development proposals close to the railway will not have an adverse impact upon our operational activities.</p>	<p>The comment regarding funding is in the Statement of Reasons, and outlines potential benefits, rather than a strategy for improvement.</p>	<p>N/A</p>

	Whilst the Community Council appreciates the advantages of the Local Development Order (LDO) it does have a concern that the democratic process could be corroded and would ask that the Local Member be advised and consulted on all proposed developments /expressions of interest within the LDO. In this way residents will be reassured that their local elected representative is not totally removed from the decision making process and will be able to provide a safeguard against undesirable or intrusive developments.	Local Members can be advised of proposals when they come in.	This can be added to the User Guide when it is produced.
<p>TAFFS WELL AND NANTGARW COMMUNITY COUNCIL</p>	<p>Offers support.</p>	<p>N/A</p>	<p>N/A</p>
<p>COUNCILLOR L WALKER</p>	<p>No objections.</p>	<p>N/A</p>	<p>N/A</p>
<p>NEATH PORT TALBOT COUNCIL</p>	<p>In taking forward a Local Development Order, the LPA has illustrated The Coal Authority Development High Risk Area on Figure 2 which is welcomed and responds positively to our previous comments.</p> <p>The Coal Authority considers that the proposed LDO provides an appropriate balance between facilitating development whilst having regard to the constraints on the site. The Coal Authority supports the LDO approach towards preventing operational development in Area 1 which includes the location of the mine entries and their zones of influence.</p> <p>In relation to Areas 2, 3 and 4 The Coal Authority also supports the LDO approach towards new buildings and</p>	<p>N/A</p>	<p>N/A</p>
<p>COAL AUTHORITY</p>			

	<p>extensions in the defined Development High Risk Area. Condition 11 in Schedule 5 is considered to be proportionate and relevant to ensure that any development and the surrounding area is protected from ground instability and risks to public safety.</p>		
<p>LEGAL SERVICES</p>	<p>Drafting changes recommended.</p> <p>Raised concerns regarding applying the term "unless otherwise agreed in writing" to the Design Parameters.</p> <p>Need to re-look at conditions- need to be clear of the circumstances under which they are imposed and be satisfied they can be met.</p>	<p>Need to go back through LDO and make changes where necessary.</p>	<p>Changes have been made as appropriate.</p>
<p>WELSH GOVERNMENT</p>	<p>it might be easier to have four maps (or one master identifying all areas) to dispel any potential confusion.</p> <p>Monitoring indicators – would suggest the number of developments started and/or the amount of floor space completed be compared against figures prior to the LDO starting. The monitoring may benefit from an indicator that enables RCT to review how the LDO changes the mix of uses in the estate. This is particularly relevant to the retail uses, to ensure that the LDO is having the desired effect.</p> <p>RCT may want to give some thought to improving the document format to make it a bit easier to follow and to perhaps prepare a simplified version for the general public who are not familiar with the planning system.</p> <p>The LDO mentions developing a Design Code/User Guide (para 11) and includes Design Parameters (Schedule 4). Are these the same thing? Early engagement with DCFW is recommended on this issue.</p>	<p>There will be one map showing all four areas, which will be part of the User Guide. The monitoring indicators can be changed to reflect these comments. The Design Code and User Guide will effectively expand on the Design Parameters (to be incorporated into Schedule 2) and be the easy to follow version of the document. Engagement with DCFW has occurred. The LPA will highlight where conditions apply. The Order can be altered to explicitly say it can be withdrawn or amended at any time.</p>	<p>Monitoring indicators have been changed in the Statement of Reasons.</p> <p>Develop Design Code/ User Guide.</p> <p>Make it explicit in the User Guide that the LPA will highlight where conditions apply.</p> <p>The Order has been altered to say it can be withdrawn or amended at any time.</p>

	<p>The LDO states that all the conditions in Schedule 5 should be discharged. There are number of conditions that do not apply to the whole LDO, such as flood zones and coal mining high risk areas. Will it be the responsibility of the LPA or applicant to identify whether these apply?</p> <p>On the 1st page of the Order it is common practice to explicitly state that the LDO can be withdrawn or amended at any time during its lifetime. This appears to be missing from the LDO as drafted.</p>		
<p>SAVILLS</p>	<p>There is concern that the draft LDO does not set out a firm timescale for confirmation of compliance. There will be circumstances where more than 10 days may be required, but there should be a 'fall back' deadline of 28 days (total) whereby if a response has not been issued, then the proposals are deemed to have a self certification and that work can commence subject to conditions being discharged.</p> <p>It should be made clear that discharge of condition applications can be made and registered at the same time as the submission of the application details.</p> <p>It would be helpful if the definitions clarified what a B8 use is, along with clarification on Trade Counters being within. There should be an additional line referring to open storage in the uses permitted within Part 2/Area 2, Part 3/Area 3 and Part 4/Area 4.</p> <p>It is important that the design code does not impose any conditionality upon any development permitted within the LDO. The Trust should be a consultee on any draft document.</p> <p>A 12.5m set back from Main Avenue could be viewed as the</p>	<p>The 28 day fall back is not considered feasible, as this will not result in a development being in compliance with the LDO, and could allow very unsuitable developments to slip through. However, the 10 working day reply period can become a monitoring indicator to provide an incentive to stick to this. The Design Code/ User Guide can make it clear that discharge of condition applications can be made at the same time as the Letter of Compliance. It is not for the LDO to clarify the legal definition of uses as it has no power to do this, but guidance can be put in the Design Code/ User Guide. It is considered that the Design</p>	<p>A monitoring indicator has been added to the Statement of Reasons in respect of the 10 working day period for replies.</p> <p>Put guidance on timing of discharge of conditions in the Design Code/ User Guide.</p> <p>Put guidance on B8 uses and trade counters in Design Code/ User Guide.</p> <p>Share draft Design Code/ User Guide with Savills.</p> <p>The 12.5 metre set</p>

basic requirement for all new development along Main Avenue. In the majority of cases, a 12.5m set back is not considered to be necessary for urban design purposes or for any other reason. There are clear opportunities along Main Avenue for new buildings to be located close to it, and where a 12.5m buffer is not necessary. The preference is therefore to remove the 12.5m requirement within Schedule 4 in relation to Areas 3 and 4. It should at worst be replaced with a 5m buffer, which would allow for a landscaping strip or at best, removed altogether.

The 250sqm threshold for travel plans set out is significantly lower than what would be required if a planning application were to be made. It is appreciated that the aim of the LDO is to increase development within the Estate and that this in itself will bring about additional traffic and travel demands. However, the aim of the LDO is to provide flexibility and enable a swift application / determination process, and setting a threshold for a travel plan significantly below what would ordinarily be required for a planning application runs contrary to this aim. The request is that the threshold for travel plans is increased to 1,000sqm as per the requirements of the SPG.

There is no need for the wording "It is expected that the scheme will include the retention of existing mature and structural landscaping" to be included within the condition. This should be removed as an appropriate landscaping scheme should be assessed on a case by case basis.

It is noted that there are additional restrictions on uses to be permitted within Area 2 compared with Area 3. Uses not permitted within Area 2, but are permitted within Area 3 include hotels, crèches and nurseries, healthcare uses and education / training establishments. The flood risk categorisation for Area 2 is the same as the majority of the

Code/ User Guide will actually be useful for developers, rather than imposing extra restrictions, but this can be shared with Savillis before adoption. The 12.5m set back can be revisited, but it is believed that the maintenance of some kind of a building line is desirable. Travel plans are required for a lower threshold of development due to the due to the need to address issues raised by the Traffic Study in relation to detriment on junction capacity. A Travel Plan for the Estate is still desirable. It is expected that mature landscaping should be kept, both from a biodiversity and visual amenity perspective and it is considered important to make clear this expectation. In respect of highly vulnerable uses in Area 2, this is following the recommendation of the flood risk work carried out by Capita. In respect of Travel Plans, there is a need to address issues raised by the Traffic Study in relation to detriment on junction capacity. A Travel Plan for the Estate is still desirable. It is expected

back from Main Avenue has been removed, as it is considered that other restrictions in the LDO can be used to maintain a building line.

A Travel Plan for the Estate can be discussed at a later date to deal with the Travel Plan condition.

	<p>Estate, i.e. C1, where highly vulnerable development can be permitted subject to the consequences being planned for. Therefore introduction of such uses within Area 2 has the same implications as for Area 3. Area 2 should therefore reflect the additional uses listed above, as are included within Area 3, albeit with the restriction on the total area of the extensions permitted by the LDO.</p>	<p>that mature landscaping should be kept, both from a biodiversity and visual amenity perspective and it is considered important to make clear this expectation. In respect of highly vulnerable uses in Area 2, this is following the recommendation of the flood risk work carried out by Capita (all buildings and extensions have now been removed from Area 2 due to further discussions on flood risk issues).</p>	
<p>DWR CYMRU WELSH WATER</p>	<p>In principle, no objection to the proposed LDO or the suggested drainage condition.</p> <p>Reservations regarding the potential risks and impact upon DCWW assets within the boundaries of the LDO, and consideration should be given as to whether or not the site may be crossed by a public sewer/rising main/water main. Therefore to enable DCWW to manage the impact on its infrastructure, to ensure its assets are not compromised and that there will be no detriment to existing residents or the environment, a suitably worded condition is suggested requiring an assessment on the impact of the public sewers and water mains within and adjacent to the site.</p> <p>Advisory notes are requested regarding trade effluent, connection to the public sewer, design of sewers, and assets not recorded on maps.</p>	<p>In respect of assets, DCWW will send their plans of these to us, and we will consider some wording in the LDO to provide some additional assurance to them regarding the impacts on the infrastructure that cannot be moved. The advisory notes can be added to the letters of compliance. The implications of capacity issues require further discussion. Hand car washes can be deleted from the LDO.</p>	<p>The LDO has been altered to exclude building within 3 metres of a sewer or water main, unless Dwr Cymru Welsh Water are satisfied with this.</p> <p>Dwr Cymru Welsh Water will be asked to advise us if there is a problem with capacity in the sewerage system, and this has also been recommended as a monitoring indicator.</p>

	<p>At a meeting on 16/2/16, DCWW suggested they had some concerns regarding what would happen if the capacity of the treatment works serving the Estate became full, and suggested they did not want to see hand car washes included in the LDO.</p>		<p>Hand car washes have been removed from the LDO.</p>
<p>LOCAL RESIDENTS (3 HOUSEHOLDS)</p>	<p>There will be an increase in people short cutting through Rhyd-y-Helyg to get into Parc Nantgarw due to certain bus routes bypassing it. People are creating their own walkways. This has been ongoing ever since the college has been built.</p> <p>Concerns regarding an increase in crime in the area- this has increased since the college was built.</p> <p>There may be pollution depending on type of businesses set up.</p> <p>The green land around Oxford Street and Rhyd-y-Helyg would be under threat.</p> <p>Concern this could result in the removal of the embankment between Rhyd-y-Helyg and the college for parking, impacting on noise, trees, wildlife and flood risk, and opening up the area to non-residential access.</p> <p>There would be an increase in road traffic, making existing congestion worse.</p> <p>Where will people park? There is concern they will start parking in residential areas.</p> <p>Concern a 35 metre buffer between residential properties and development is not sufficient.</p> <p>Concerned regarding the impact on wildlife.</p>	<p>It is considered unlikely the proposal will result in significant further pedestrian traffic through Rhyd-y-Helyg. The police have been consulted due to concerns raised regarding crime in the informal consultation, but have made no comments. Pollution would largely be controlled by permitting legislation. The green area between Rhyd-y-Helyg and the college, including the embankment is excluded from the LDO. Travel plans are intended to mitigate increased traffic use and all developments will be expected to provide appropriate levels of parking where necessary. It is considered that a 35 metre buffer is sufficient, given that the area is already an industrial estate. There are not anticipated to be any unacceptable impacts on wildlife.</p>	<p>One of the residents has requested a reply to their queries. This has been sent.</p>

<p>PUBLIC HEALTH AND PROTECTION</p>	<p>Advised in a meeting on 19/01/2016 that they still felt an Air Quality Assessment was needed for developments of over 2500 sq m in floor space, and in some other scenarios as well. This was due to national guidance. Could look to place some monitoring tubes around the area, so the data was ready if someone had to do this, but would want a contribution for these.</p>	<p>One option would be not to issue a letter of compliance in circumstances where someone needed an Air Quality Assessment until they had a satisfactory one. This needs further discussion.</p>	<p>Given that a relatively small number of sites would be affected, developments that require an Air Quality Assessment have been removed from the LDO.</p>
<p>NATURAL RESOURCES WALES</p>	<p>Notwithstanding their comments below, raised concerns prior to their final comments regarding highly vulnerable development and Park and Ride facilities being permitted under the LDO.</p> <p>Have significant concerns with the proposed LDO as submitted. The development scenario modelled is predicted to increase flooding elsewhere, i.e., outside the LDO area and therefore does not meet the requirements of Technical Advice Note 15.</p> <p>Have recommended some changes to the land contamination conditions and would like additional conditions in respect of Sustainable Urban Drainage Systems (SUDS) and piling only being permitted where this is expressly permitted by the Local Planning Authority to protect groundwater.</p> <p>The LDO should be consistent with the position statements in GP3 (Ground Water Protection: Principles and Practice)</p> <p>No adverse comments to make in respect of the approach to bats.</p>	<p>Park and Rides and highly vulnerable development can be deleted from the LDO to alleviate the concern raised. In respect of NRW's main concern regarding increasing flooding, the LDO is drafted to give as many sites and premises as possible a chance to develop, it is considered very unlikely that every business on the estate will seek to utilise the full extent permitted by the LDO. Therefore, the model is considered to be very much a "worst case scenario in respect of flood risk which is very unlikely to happen. It is considered that even in this worst case, the increase in detriment in relation to flood risk is small. Therefore if the level of development does not take place to its full extent, it</p>	<p>Park and Rides and highly vulnerable development have been deleted from the LDO.</p> <p>Following discussions on flood risk, all development that increased floor space in Area 2 has been removed to reduce off-site impacts, but it should be noted NRW's final comments opposite were made after that occurred. No further changes have been made for the reasons outlined. A separate document is being produced discussing flood risk and the LDO.</p>

		<p>is likely, in reality that the impact of the LDO in terms of off-site detriment will be minimal. In addition, the LDO will be monitored by the Council on an annual basis with an opportunity to review the document. If the level of development appears to be very high, then the issue of flood risk can be reviewed again at that point. The contaminated land conditions can be altered accordingly. A condition on piling can be added, but it is considered that SUDS are covered by the standard drainage conditions used. The GP3 document referred to has subsequently been withdrawn, Although there are no concerns regarding bats and ecology, a SEWBReC study would be useful for assistance in assessing bat and nesting bird potential.</p>	<p>Alterations have been made to the contamination conditions and a piling condition has been added.</p> <p>A SEWBReC study can be considered for a later date.</p>
<p>OFFICER TRAINING SESSION 27/2/16</p>	<p>This was held for the purposes of telling Planning Officers about the LDO and testing its use. The following issues were raised.</p> <p>The LDO is quite difficult to read and interpret.</p> <p>Do shelters really need to be 2 metres or more from a site</p>	<p>It is appreciated that this is quite a difficult document to read and the format can be looked at. Shelters can be considered again. Conditions can be revisited. Putting a plan in the LDO is difficult as</p>	<p>Some of the formatting has been altered to make the document easier to read.</p> <p>The need for shelters</p>

	<p>boundary?</p> <p>Can all conditions be complied with- parking has been raised as a particular concern.</p> <p>A plan of the areas within the LDO would be helpful.</p>	<p>the areas in Area 1 could be subject to change and are difficult to get accurate, particularly at a scale for an A3 or A4 map. An indicative plan can go in the User Guide.</p>	<p>to be 2 metres or more from site boundaries has been deleted.</p> <p>Some minor alterations have been made to conditions and the LDO has been changed to make it clear a Letter of Compliance would be with Schedules 1 and 2 of the LDO, rather than the whole LDO. A note has been put in schedule 8 requesting a parking layout on application for a Letter of Compliance.</p> <p>A plan of the Areas will be put in the User Guide.</p>
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Appendix 1- Consultation Letters

Dear Sir/ Madam

Consultation on the proposed Treforest Industrial Estate and Parc Nanigwar Local Development Order

I write to advise you that Rhondda Cynon Taf County Borough Council has started its statutory consultation on the above Local Development Order (LDO), and invites you to make comments.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nanigwar.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are available for inspection at Sardin House, Sardin Road, Pontypridd, CF3 1QA, Monday to Friday from 9am until 4pm, and are published on the Local Planning Authority's website at www.rctcbc.gov.uk/planning (click on "Local Development Orders").

If you wish to comment on the proposed LDO, please write to Planning Services, Sardin House, Sardin Road, Pontypridd, CF3 1QA or email planningservices@rctcbc.gov.uk by Friday 12th February 2016.

If you are a land owner or tenant of the area within the LDO boundary, Rhondda Cynon Taf County Borough Council hereby serves the notice overleaf on you, in accordance with Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

For further information please contact Helen Winsall, tel 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Yours faithfully



Helen Winsall
Planner - Planning Services

Annwyl Syr/Fadarn

Ymgynghoeri ar Gorchymyn Datblygu Lleol arfaethedig ar gyfer Ystad Ddiwydiannol Treforest a Pharc Nanigwar

Ysgrifennaf i roi gwybodaeth i chi fod Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi dechrau ei ymgynghoriadau statudol ar y Gorchymyn Datblygu Lleol, ac yn eich gwahoddi i ddweud eich dweud.

Byddai'r Gorchymyn Datblygu Lleol yn cynhyrno caniaid cyntuno ar gyfer y datblygiadau aed hyn yn amodol ar waharddadau, cyngiadau ac amodau sydd wedi'u nodi yn y Gorchymyn. Byddai hyn feilyn dileaur angen am ganiatâd cyntuno furfol ar gyfer rhai datblygiadau, gyda'r nod o arodd rhagor o ddabwyliadau ar Ystad Ddiwydiannol Treforest a Pharc Nanigwar.

Mae copi o'r gorchymyn dratt ac o ddiogellad yr Awdurdod Cyntuno Lleol o'i resymu dros wneud y gorchymyn ar gael i'w harchwilio yn y cyfeiriad canlynol: Tŷ Sardin, Sardin Road, Pontypridd, CF3 1QA ar ddydd Llun i ddydd Gwener, rhwng 9am a 4pm. Mae'n rhwyngdwydd ar gael ar wefan yr Awdurdod Cyntuno Lleol. Ewch i <http://www.rctcbc.gov.uk/cyntunogorffordd/cyntuno> (clickiwch ar "Gorchymyn Datblygu Lleol").

Hoffech chi ddweud eich dweud ar y Gorchymyn Datblygu Lleol arfaethedig? Ysgrifennwch i'r cyfeiriad canlynol: Gwasanaethau Cyntuno, Tŷ Sardin, Sardin Road, Pontypridd, CF3 1QA neu e-bostio gwasanaethaucyntuno@rctcbc.gov.uk erbyn dydd Gwener 12^{ed} Chwefror 2016.

Ydych chi'n barchennog i'r neu ddaem o fewn ffin y Gorchymyn Datblygu Lleol? Mae Cyngor Bwrdeistref Sirol Rhondda Cynon Taf dweud hyn yn cynhyrno'r hysbysiad (dros y dudalen) i chi, yn unol ag Ertbygi 27 Gorchymyn Cyntuno Gwriad a Thref (Gweithdrefn Rheoli Datblygu) (Cymru) 2012.

Am ragor o wybodaeth, ffonwch Helen Winsall ar 01443 494721 neu arfon neges e-bost all hi - helen.e.winsall@rctcbc.gov.uk

Yn gywir



Helen Winsall
Cynllunwr - Gwasanaethau Cyntuno

Dear Sir/ Madam

Consultation on the proposed Treforest Industrial Estate and Parc Nantgarw Local Development Order

I write to advise you that Rhondda Cynon Taf County Borough Council has started its statutory consultation on the above Local Development Order (LDO), and invites you to make comments.

The LDO would grant planning permission, subject to exclusions, limitations and conditions for the developments specified by the LDO. It would therefore remove the need for formal planning applications for certain developments, with the aim of encouraging further development on Treforest Industrial Estate and Parc Nantgarw.

A copy of the draft order and statement of the Local Planning Authority's reasons for making the order are attached.

If you wish to comment on the proposed LDO, please write to Planning Services, Sardin House, Sardin Road, Pontypridd, CF3 1CA or email planning@rctcbc.gov.uk by Friday 12th February 2016.

For further information please contact Helen Winsall, tel. 01443 494721 or email helen.e.winsall@rctcbc.gov.uk.

Yours faithfully



Helen Winsall
Planner, Planning Services

Annwyl Syr/Ffadam

Ymgynghori ar Orchymyn Datblygu Lleol arfaethedig ar gyfer Ystad Ddiwydiannol Treforest a Pharc Nantgarw

Ysgrifennaf i roi gwybodaeth i chi fod Cyngor Bwrdeistref Sirol Rhondda Cynon Taf wedi dechrau ei ymgynghoriad statudol ar y Gorchymyn Datblygu Lleol, ac yn eich gwahoddi i ddweud eich dweud.

Byddaf Gorchymyn Datblygu Lleol yn cyflwyno caniatâd cynllunio ar gyfer y datblygiadau Mae hyn yn amodol ar waharddiadau, cyfyngiadau ac amodau sydd wedi'u nodi yn y Gorchymyn. Byddaf hyn iellyn dieu'r angen am ganiatâd cynllunio ffurfiol ar gyfer rha datblygiadau, gyda'r nod o atnwg rhagor o ddatblygiadau ar Ystad Ddiwydiannol Treforest a Pharc Nantgarw.

Mae copi o'r gorchymyn drafft ac o ddatganiad y Awdurdod Cynllunio Lleol o'i resymau dros wneud y gorchymyn wedi'u hargáu.

Hoffech chi ddweud eich dweud ar y Gorchymyn Datblygu Lleol arfaethedig? Ysgrifennwch i'r cyfeirad canlynol: Gwasanaethau Cynllunio, Tŷ Sardin, Sardin Road, Pontypridd, CF3 1CA neu e-bostio gwasaanaethau.cynllunio@rctcbc.gov.uk erbyn dydd Gwener 12^{ed} Chwefror 2016.

Am ragor o wybodaeth, ffoniwch Helen Winsall ar 01443 494721 neu anfon neges e-bost at hi - helen.e.winsall@rctcbc.gov.uk

Yn gywir



Helen Winsall
Cynllunwr - Gwasanaethau Cynllunio

Appendix 2- Consultation List

External Consultees

Powys County Borough Council
Merthyr Tydfil County Borough Council
Brecon Beacons National Park Authority
Neath Port Talbot County Borough Council
Bridgend County Borough Council
Vale of Glamorgan County Borough Council
Newport City Council
Torfaen County Borough Council
Blaenau Gwent County Borough Council
Monmouthshire County Council
Caerphilly County Borough Council
City of Cardiff Council
Ynysybwl and Coed y Cwm Community Council
Rhigos Community Council
Hirwaun and Penderyn Community Council
Pontypridd Town Council
Llantrisant Community Council
Llanharan Community Council
Llanharry Community Council
Tonyrefail Community Council
Gilfach Goch Community Council
Pontyclun Community Council
Llantwit Fardre Community Council
Taffs Well and Nantgarw Community Council
Institute of Directors Wales
Disability Wales
Federation of Small Businesses Wales
CBI Wales
South Wales Chamber of Commerce
Interlink

VALREC- Valleys Regional Equality Council
Planning Aid Wales
Faith Wales
Wales Council for Voluntary Action
Transport Division- Welsh Government
Health & Safety Executive
The Coal Authority
Cadw
Cardiff Airport
University of South Wales
Glamorgan-Gwent Archaeological Trust Ltd
Design Commission for Wales
Network Rail
South Wales Fire & Rescue Service
Civil Aviation Authority
RTPI Cymru
Arriva Trains Wales
South Wales Police
Sustainable Wales
Climate Change- Welsh Government
Dunedin
Savills Cardiff
NATS
Dwr Cymru Welsh Water
Cwm Taf University Health Board
Western Power Distribution
Natural Resources Wales
Telefonica UK
EE Limited
Vodafone Ltd
BT Group plc
Virgin Media
Hutchison 3G UK Ltd
Arqiva

Planning Division- Welsh Government
Wales & West Utilities Ltd

In-house Consultees

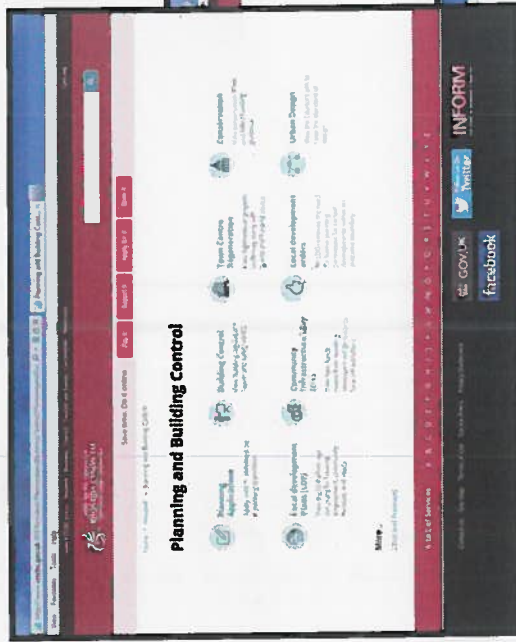
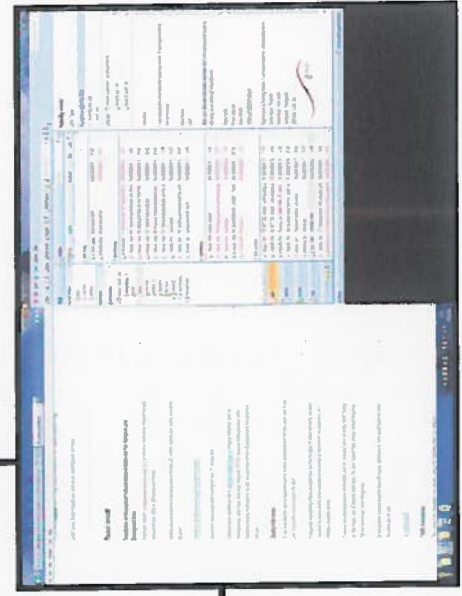
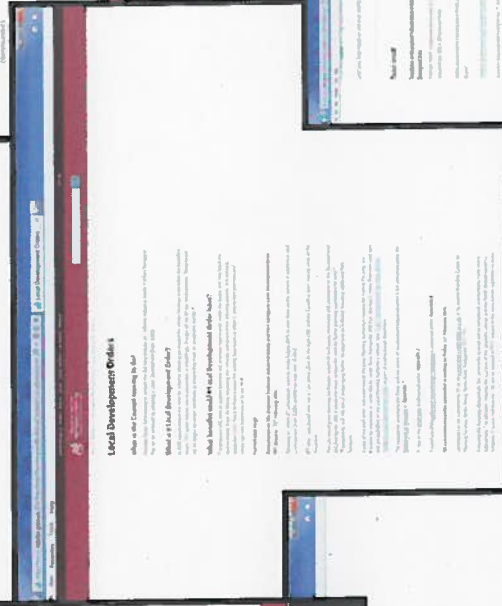
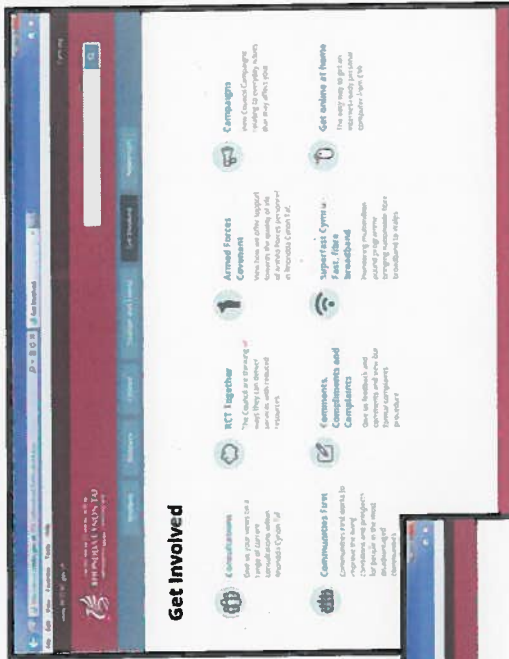
Highways Development Control
Public Health and Protection
Land Reclamation and Engineering
Legal Services
Corporate Estates
Countryside
Waste Services

Councillors

Cllr Andrew Morgan
Cllr Robert Bevan
Cllr Teresa A Bates
Cllr Jill Bonetto
Cllr John David
Cllr Graham Stacey
Cllr Lyndon Walker
Cllr Steve Powderhill
Cllr Maureen Webber

Local businesses in the LDO area and residents in close proximity to the area were consulted in addition to these.

Appendix 3- Website Content



Lesley Griffiths AC/AM
Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref: MA-P/LG/2176/17

Cllr Andrew Morgan
Leader, Rhondda Cynon Taf County Borough Council
Tŷ Sardis House,
Heol Sardis Road,
Pontypridd
CF37 1DU

25 June 2017

Dear Andrew

Draft Treforest Industrial Estate and Parc Nantgarw Local Development Order

Thank you for your letter of 9 June from your Service Director Planning, Simon Gale, with formal notification of Rhondda Cynon Taf County Borough Council's intention to introduce a Local Development Order (LDO) for Treforest Industrial Estate and Parc Nantgarw.

I wish to congratulate your authority on the progress you have made towards adopting this Local Development Order. The Welsh Government supports the use of Local Development Orders to simplify the planning process and encourage investment. Treforest Industrial Estate and Parc Nantgarw make significant contributions to the south Wales economy and I fully support your efforts to consolidate and develop economic activity in this area. Accordingly, I do not intend to make a direction requiring the submission of the LDO for formal approval by the Welsh Ministers.

I note the Order confirms the Council will maintain oversight of development under the LDO, including monitoring cumulative impacts. It is also important the Council monitors and reviews the LDO to inform the potential creation of further Orders within RCT and as an exemplar for other local planning authorities.

Regards
Lesley

Lesley Griffiths AC/AM

Ysgrifennydd y Cabinet dros yr Amgylchedd a Materion Gwledig
Cabinet Secretary for Environment and Rural Affairs

Cc: Cllr Robert Bevan, Cabinet Member for Enterprise Development and Housing
Simon Gale, Service Director Planning

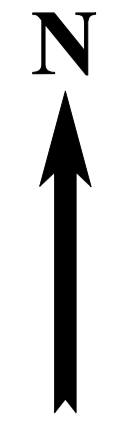
Bae Caerdydd • Cardiff Bay
Caerdydd • Cardiff
CF99 1NA

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:
0300 0604400
Gohebiaeth.Lesley.Griffiths@llyw.cymru
Correspondence.Lesley.Griffiths@gov.wales

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

Cynllun o'r ardal y cyfeirir ato yn y GDLI/
Plan of Areas referred to in the LDO



Eglurhad / Legend

- Ardal 1 / Area 1 (Blue hatched pattern)
- Ardal 2 / Area 2 (Red hatched pattern)
- Ardal 3 / Area 3 (Green hatched pattern)
- Ardal 4 / Area 4 (Yellow hatched pattern)

