



## **PLANNING & DEVELOPMENT COMMITTEE**

**16 AUGUST 2018**

### **REPORT OF THE SERVICE DIRECTOR, PLANNING**

#### **PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/0576/10  
(MF)

**APPLICANT:** Loadlok

**DEVELOPMENT:** The construction of extensions to the existing building to provide additional production, warehousing and office space along with alterations to the external parking areas

**LOCATION:** UNIT 49, MAIN AVENUE, HIRWAUN INDUSTRIAL ESTATE, HIRWAUN, CF44 9UP

**DATE REGISTERED:** 09/07/2018

**ELECTORAL DIVISION:** Rhigos

**RECOMMENDATION:** Approve

#### **REASONS:**

The proposal represents the enlargement of an existing industrial building located within the boundary of the established Hirwaun Industrial Estate. The extensions are required to allow the relocation and expansion of an established business within the Borough, which will in turn provide employment opportunities for RCT residents. It is therefore considered the proposed works are acceptable in principle.

Further, whilst it is acknowledge the extensions would form considerable additions to the existing property and prominent features in the locality, they are considered acceptable in terms of their scale, design and overall visual appearance, and would have no undue impact upon the amenity or operation of the surrounding industrial units.

Additionally, whilst it is acknowledged the proposed would require up-to a maximum of 73 no. off-street parking spaces with only 71 no. provided, the application site is within walking distance of public transport services and provides for 10 no. secure cycle spaces. Therefore, on-balance, the off-street car parking provided is considered acceptable. Further, whilst there is some concern that the proposal will increase vehicular movements to/from Main Avenue via the existing access point which is lacking in an un-controlled pedestrian crossing point, there is scope for a crossing to be installed at the site access and therefore a condition to this affect is suggested below. Consequently the proposed development is therefore considered acceptable in respect of its potential impact upon pedestrian and highway safety in the

**vicinity of the site.**

**The application therefore complies with the relevant local and national planning policies and is considered acceptable.**

## **REASON APPLICATION REPORTED TO COMMITTEE**

The application is reported to Committee as the proposed extensions would exceed 50% of the unit's original floor space.

## **APPLICATION DETAILS**

Full planning permission is sought for the extension of Unit 49, Hirwaun Industrial Estate. The works would involve three separate extensions to the existing unit, a 780m<sup>2</sup> warehouse extension and associated loading canopy; a 1188m<sup>2</sup> factory extension; and a 285m<sup>2</sup> office extension. The applicant has detailed that they have outgrown their current facility in Merthyr Tydfil and now require a new premises to allow future expansion of the business with the application site being the most suitable option in respect of its location and scale.

The proposed warehouse extension would be sited over a delivery yard to the western side of the existing unit. It would measure 30m in width by 27m in length, incorporating a mono-pitched roof design to 7.8m in height. A canopy would be sited to the rear of the extension to allow delivery vehicles to load in times of inclement weather.

The factory extension would be sited over grassed area to the eastern side of the existing unit. It would measure 22.5m in width by 53m in length, incorporating a mono-pitched roof design to 5.5m in height.

The office extension would be sited to the southern, front, elevation of the existing unit, over an area of the existing car park. It would measure 38m in width by 7.6m in depth, incorporating a mono-pitched roof design to 8m in height.

It is proposed all extensions be constructed of materials to match the external appearance of the host property, with the two side extensions comprising a face brick plinth with metal cladding above, and the front extension comprising a mixture of face brick and glazed curtain walls.

It is also detailed that 71 no. off-street parking spaces would be provided to the front of the unit utilising the existing access off Main Avenue. A separate delivery/service yard would be located to the rear of the unit utilising the existing secondary access off Fourth Avenue.

## **SITE APPRAISAL**

The application site is a roughly rectangular plot amounting to approximately 1.1ha. It comprises a large industrial unit and its associated parking/yard areas located within the established Hirwaun Industrial Estate. The unit is located roughly centrally within the plot with the parking/yard areas sited to the front, rear and western side. A vacant grassed area is located to the eastern side of the building. The site is level throughout and enclosed on all sides with Weldmesh fencing. There are two access points, one to the front of the site off Main Avenue, and one to rear off Fourth

Avenue. The site is bounded by similar large industrial units to the front, rear and at both sides. The unit itself is of typical metal cladding construction having a number of vehicle/pedestrian accesses and windows throughout, however it is noted that front elevation is mainly glazed, appearing less industrial than the rest of the unit. The wider industrial estate consists of a large number of industrial units of a varying scale, design and use, many of which are comparable to that of the application property. There are no residential properties in close proximity of the of application site.

## **PLANNING HISTORY**

No previous planning applications have been submitted at the application site.

## **PUBLICITY**

The application has been advertised by means of direct neighbour notification, site notices and a press notice. No representations have been received at the time of writing this report however Members are advised that the consultation period does not expire until 16/08/18. The report has been written prior to the expiration of the consultation period due to the tight time constraints the applicant is under in order to receive Welsh Government funding for the proposed works. Therefore if any comments are received during the time between the report being written and the Committee meeting, Members will be orally informed of any comments by the Devolvement Services Manager at the meeting.

## **CONSULTATION**

Transportation Section – no objection, subject to conditions.

Public Health and Protection – no objection, subject to conditions.

Flood Risk Management – no objection, subject to condition.

Countryside, Landscape and Ecology – no objection.

Dwr Cymru/Welsh Water – no comments received at time of writing however Members will receive an oral update from the Development Services Manager at the Committee meeting should any adverse comments be received during the time between the report being written and the Committee meeting.

Natural Resources Wales – no objection.

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

Western Power – no objection.

South Wales Fire and Rescue Service – no comments received at time of writing however Members will receive an oral update from the Development Services Manager at the Committee meeting should any adverse comments be received during the time between the report being written and the Committee meeting.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan**

The application site is situated outside of settlement limits but within the boundary of Hirwaun Industrial Estate which is allocated for employment use and as a strategic waste site.

**Policy CS1** – sets out the criteria for development in the Northern Strategy Area.

**Policy CS9** – identifies sites suitable for future waste management schemes and sets out the criteria for development in this respect.

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

**Policy AW4** – details the criteria for planning obligations including the Community Infrastructure Levy (CIL).

**Policy AW5** – sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6** – requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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

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

**Policy NSA3** – sets out the criteria for residential, commercial and community development within the Key Settlement of Hirwaun.

### **Supplementary Planning Guidance**

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

### **National Guidance**

*In the determination of planning applications regard should also be given to the requirements of National Planning Policy which are not duplicated in the Local Development Plan, particularly where National Planning Policy provides a more up to date and comprehensive policy on certain topics.*

Planning Policy Wales Chapter 2 (Local Development Plans), Chapter 3 (Making and Enforcing Planning Decisions), Chapter 4 (Planning for Sustainability), Chapter 5 (Conserving and Improving Natural Heritage and the Coast), Chapter 7 (Economic Development), Chapter 8 (Transport), Chapter 10 (Retail and Commercial Development) and Chapter 13 (Minimising and Managing Environmental Risks and Pollution) set out the Welsh Government's policy on planning issues relevant to the determination of the application.

Other relevant policy guidance consulted:

- PPW Technical Advice Note 4: Retail and Commercial Development;
- PPW Technical Advice Note 5: Nature Conservation and Planning;
- PPW Technical Advice Note 11: Noise;
- PPW Technical Advice Note 12: Design;
- PPW Technical Advice Note 18: Transport;
- PPW Technical Advice Note 23: Economic Development.

## **REASONS FOR REACHING THE RECOMMENDATION**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Principle of the Proposed Development**

Full planning permission is sought for the extension of Unit 49, Hirwaun Industrial Estate. The works would involve a significant extension to the existing unit, comprising three separate additions amounting to 2253m<sup>2</sup> additional floorspace. Whilst it is accepted the site is located outside of defined settlement limits where development is usually restricted, it is located within the boundary of the established Hirwaun Industrial Estate which is allocated for employment use, and the proposal represents the enlargement of an existing industrial building with a history of established commercial use. It is therefore considered that the extension of the property, which would enable an established business to relocate to the Borough and expand creating employment opportunities for RCT residents, is acceptable, in principle, subject to compliance with the other relevant material considerations set out below.

### **Visual Impact**

The proposed extensions would be located to the front and at either side of the existing building on vacant areas of land that form part of the site curtilage. Creating an additional 2253m<sup>2</sup> floor space, it is acknowledged that the proposed extensions would form significant additions to the site that would inevitably form visible features in the locality. However, the application site is considered capable of accommodating the proposed extensions whilst leaving adequate space around so as to not result in overdevelopment of the plot, and the external materials proposed would match that of the existing building ensuring the additions relate well to their host. Additionally the proposed extensions would be of a comparable design, scale and height to that of the host property and many surrounding units, and would therefore be in-keeping with the general character and appearance of the existing site and its surroundings. Further, the proposed extensions are required in order to allow an existing business that has outgrown its current premises to relocate within the Borough and expand in future. As such the scale and design of the proposed extensions are dictated primarily by their function, with the need to provide additional storage, production and office space.

It is therefore considered that the proposed extensions would be in-keeping with the character and appearance of the existing site and many similar industrial units in the locality, and would therefore have no undue impact upon the character or setting of the surrounding industrial estate.

### **Residential Amenity**

The application site is located within the heart of Hirwaun Industrial Estate, an established industrial area. As such the adjacent properties and those within the

vicinity of the application site are industrial/commercial in character with no residential properties in close proximity. Therefore it is not considered the construction of extensions to this established industrial unit would have any undue impact upon the amenity standards currently enjoyed by the nearest residents. Further, with no change of use proposed, it is not considered the extensions or their use would be detrimental to the amenities or operation of the surrounding industrial units in any way. It is also noted that following consultation and assessment of the application, no objections have been raised by the Council's Public Health and Protection Division. There application is therefore considered acceptable in this regard.

### **Highway Safety**

No objections have been raised by the Councils Transportation Section following consultation. They did however suggest a number of conditions be added to any consent ensuring the access and parking arrangements proposed and an un-controlled pedestrian crossing point at the site access be installed prior occupation of the extensions.

In their assessment of the scheme the Transportation Section commented that the application site is served off two existing vehicular access points which are acceptable for safe vehicular access and circulation within the curtilage, which is acceptable. However, there is some concern that the proposal will increase vehicular movements to/from Main Avenue via the existing access point which is lacking in an un-controlled pedestrian crossing point. Therefore an uncontrolled pedestrian crossing point at the access to the site from Main Avenue should be provided and has been conditioned accordingly.

With respect to parking, it was commented that in accordance with the Council's SPG: Access, Circulation and Parking the proposed mix use office, warehousing and production unit requires up to a maximum of 73 no. off-street car parking spaces with only 71 no. provided. However, the parking standards are maximum standards and the application site is within walking distance of public transport services and provides for 10 no. secure cycle stands to promote sustainable modes of transport. Therefore, on-balance, the off-street car parking provided is considered acceptable.

In light of the above highway assessment, the application is considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site, subject to the conditions detailed below.

### **Ecology**

The Council's Ecologist has commented that as the extension sites are cleared/hardsurfaced ground they do not have any ecological value. Consequently the proposed works would have no undue impact upon ecology on the site. It was also commented that whilst it is acknowledged the site is located within 1km of the Blaen Cynon Special Area of Conservation (SAC), as the proposal simply seeks the extension of an existing building with no associated emissions, it is not considered the proposed works would have any undue impact upon the nearby SAC. This view is also shared by Natural Resources Wales who raise no objections to the scheme. The application is therefore considered acceptable in this regard.

### **Public Health**

No objections have been received from the Council's Public Health and Protection Division in respect of the application. They did however note that a search of their records relating to potentially contaminating past land uses has shown that the application site was formerly occupied by the Royal Ordnance Factory and consequently there is a potential for hazards associated with land contamination to exist on site. However, it was also commented that as the application does not propose new development at the site, simply the extension of an existing unit, no objections are raised or conditions suggested in this respect, but it is advised a note be attached to any consent advising the developer of this issue.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation construction noise, waste and dust. Whilst these comments are appreciated, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

### **Land Drainage**

No objections have been raised by the Council's Flood Risk Management (FRM) Section in respect of potential flood risk at the site. The FRM Section noted that the applicant has not provided any surface water drainage details with the application and consequently it is difficult to assess the potential impact of the development in respect of flood risk, however, it is considered that an acceptable drainage scheme can be implemented at the site that would overcome any concerns. Therefore no objections are raised but it is suggested a condition being added to any consent requesting full site drainage details be submitted to and approved by the LPA prior to any development works starting on site.

As detailed above, no comments have been received from DCWW at the time of writing this report, however Members will receive an oral update from the Development Services Manager at the Committee meeting should any adverse comments be received during the time between the report being written and the Committee meeting.

### **Other Issues**

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

No comments have been received from South Wales Fire and Rescue Service at the time of writing this report, however Members will receive an oral update from the Development Services Manager at the Committee meeting should any adverse comments be received during the time between the report being written and the Committee meeting.

### **Community Infrastructure Levy Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is liable for a charge under the CIL Regulations 2010 (as amended) however the CIL rate for this type of development as set out in the Charging Schedule is £nil and therefore no CIL is payable.

## Conclusion

The proposal represents the enlargement of an existing industrial building located within the boundary of the established Hirwaun Industrial Estate. The extensions are required to allow the relocation and expansion of an established business within the Borough, which will in turn provide employment opportunities for RCT residents. It is therefore considered the proposed works are acceptable in principle.

Further, whilst it is acknowledge the extensions would form considerable additions to the existing property and prominent features in the locality, they are considered acceptable in terms of their scale, design and overall visual appearance, and would have no undue impact upon the amenity or operation of the surrounding industrial units.

Additionally, whilst it is acknowledged the proposed would require up-to a maximum of 73 no. off-street parking spaces with only 71 no. provided, the application site is within walking distance of public transport services and provides for 10 no. secure cycle spaces. Therefore, on-balance, the off-street car parking provided is considered acceptable. Further, whilst there is some concern that the proposal will increase vehicular movements to/from Main Avenue via the existing access point which is lacking in an un-controlled pedestrian crossing point, there is scope for a crossing to be installed at the site access and therefore a condition to this affect is suggested below. Consequently the proposed development is therefore considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

In light of the above, the application is considered to comply with the relevant local and national planning policies and is recommended for approval.

### **RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:**

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

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

2. The development hereby approved shall be carried out in accordance with the approved plans ref. 1341-PL-01, 1341-EX-100, 1341-EX-200, 1341-EX-201, 1341-PL-100, 1341-PL-200, 1341-PL-201, 1341-PL-202, 1341-PL-203 and documents received by the Local Planning Authority on 23/05/18 and 25/07/18 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. No development shall commence on site until full site drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The unit shall not be brought in to beneficial occupation until the drainage works have been completed in accordance with the approved plans.



Reason: To ensure adequate disposal of foul and surface water drainage in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place on site, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for:
  - a) the means of access into the site for all construction traffic;
  - b) the parking of vehicles of site operatives and visitors;
  - c) the management of vehicular and pedestrian traffic;
  - d) loading and unloading of plant and materials;
  - e) storage of plant and materials used in constructing the development;
  - f) wheel cleansing facilities;
  - g) the sheeting of lorries leaving the site.

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

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

5. Prior to the development being brought into beneficial use, an un-controlled pedestrian crossing point along the site access shall be provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site.

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

6. Before the development is brought into beneficial use the means of access, together with the cycle stands, car parking and turning facilities, shall be laid out in accordance with the submitted plan 1341-PL-100 REV A and approved by the Local Planning Authority. The car parking and circulation within the site shall remain in perpetuity thereafter for the parking and turning of vehicles only.

Reason: In the interests of highway safety and to ensure vehicles are parked off the highway, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Surface water run-off from the proposed development shall not discharge onto the public highway or connect to any highway drainage system unless otherwise agreed in writing by the LPA.

Reason: In the interests of highway safety and to prevent overcapacity of the existing highway drainage system and potential flooding, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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