



## **PLANNING & DEVELOPMENT COMMITTEE**

**8 NOVEMBER 2018**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/1001/10  
(MF)

**APPLICANT:** Swantex

**DEVELOPMENT:** Single storey warehouse extension to western side of existing warehouse unit.

**LOCATION:** UNIT 48 C SWANTEX PAPER COMPANY, HIRWAUN INDUSTRIAL ESTATE, HIRWAUN, ABERDARE, CF44 9UP

**DATE REGISTERED:** 10/09/2018

**ELECTORAL DIVISION:** Rhigos

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**RECOMMENDATION:** Approve

#### **REASONS:**

The proposal represents the enlargement of an existing industrial building located within the boundary of the established Hirwaun Industrial Estate. The extension is required to allow the expansion of an established business within the County 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 acknowledged the extension would form a considerable addition to the existing property and a prominent feature in the locality, it is considered acceptable in terms of its scale, design and overall visual appearance, and would have no undue impact upon the amenity or operation of the surrounding industrial units.

Additionally, the scheme is considered acceptable in respect of its potential impact upon pedestrian and highway safety in the vicinity of the site.

The application is therefore considered to comply with the relevant local and national planning policies.

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## **REASON APPLICATION REPORTED TO COMMITTEE**

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

## **APPLICATION DETAILS**

Full planning permission is sought for the extension of Unit 48C, Hirwaun Industrial Estate. The proposed works would involve a single storey extension to the existing unit to provide an additional 3450m<sup>2</sup> floor space. The proposed extension would be sited on a grassed area to the western side of the existing unit, measuring 50m in width by 68m in depth, incorporating a pitched roof design to 11m in height. The addition would be finished in light grey profiled steel cladding to match the external appearance of the host property. 3 no. steel roller shutter doors would be sited in the northern side elevation.

The existing site access off Fourth Avenue would be utilised and 42 no. off-street parking spaces and a new delivery yard/turning area would be sited to the northern side of the proposed extension.

The applicant has detailed that Unit 48C is currently utilised as a storage warehouse in association with the adjacent factory unit, Unit 48, and that the proposed addition would simply form an extension of the existing storage facility.

## **SITE APPRAISAL**

The application site is a roughly rectangular plot amounting to approximately 1.35ha. It comprises a large industrial unit and its associated parking/yard area, as well as a large parcel of vacant, recently cleared land. The unit is located towards the eastern side of the site, occupying roughly half of the plot, with the remaining parking/yard area and vacant area of land occupying the western half of the site. The site is level throughout and enclosed on all sides with Palisade fencing. Access is gained at the south-western corner from Fourth Avenue. The site is bounded by similar large industrial units to the south, east and west, with the A465 (Heads of the Valleys Trunk Road) located directly to the north of the site beyond a band of mature trees which lines the site's northern boundary. The unit itself is of typical profile sheet construction having a number of vehicle and pedestrian accesses throughout. The wider industrial estate comprises a large number of industrial units of a varying scale, design and use, many of which are comparable to the application property. There are no residential properties in close proximity of the of application site.

## **PLANNING HISTORY**

Previous planning applications submitted at the application site:

18/0670	Single storey warehouse extension to side of existing warehouse	WDN 20/06/18
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## **PUBLICITY**

The application has been advertised by means of direct neighbour notification, site notices and a press notice. No representations have been received.

## **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, subject to condition.

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

Natural Resources Wales – no objection.

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

Western Power – no objection.

## **POLICY CONTEXT**

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

The application site is situated outside of settlement limits but within the boundary of the established 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 AW2** – supports development in sustainable locations and includes sites that are accessible by a range of sustainable transport modes and would not unacceptably conflict with surrounding uses.

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

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

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

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

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

**Policy NSA12** – identifies the criteria for assessment of development proposals within and adjacent to settlement boundaries in the Northern Strategy Area.

### **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 48C, Hirwaun Industrial Estate. The works would involve a significant extension to the existing unit, amounting to 3450m<sup>2</sup> additional floor space. 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 continue to operate and expand within the County Borough 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 extension would be located to the western side of the existing building on a vacant parcel of land that forms part of the site curtilage. Creating an additional 3450m<sup>2</sup> floor space it is acknowledged that the extension would form a significant addition to the site that would inevitably form a visible feature in the locality. However, the application site is considered capable of accommodating the proposed extension whilst leaving adequate space around so as to not result in overdevelopment of the plot. Additionally, the proposed extension would be of a comparable design, scale and height as 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 extension is required in order to allow an existing business that has outgrown its current premises to expand and continue to operate within the County Borough. As such the scale and design of the proposed extension is dictated primarily by its function, with the need to provide additional storage space for the adjacent factory unit.

It is therefore considered that the proposed extension 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 an extension 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 and no complaints received in respect of the existing unit, it is not considered the extension or its 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. The application is therefore considered acceptable in this regard.

### **Highway Safety**

No objections have been raised by the Council's Transportation Section following consultation. They did however suggest a number of conditions be added to any consent ensuring the access and parking arrangements proposed be installed prior to beneficial occupation of the extension.

In their assessment of the scheme the Transportation Section commented that the application site is served off an existing vehicular access point which is acceptable for safe vehicular access and circulation within the curtilage. Further, whilst the extension would require an additional 43 no. off-street parking spaces at the site in accordance with the Council's SPG: Access, Circulation and Parking, with only 42 no. proposed, there is space for some overspill parking within the new yard area should the need arise. Consequently the scheme is also acceptable in this regard.

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 site is cleared ground that has little ecological value. Consequently the proposed works would be unlikely to impact upon any ecology on site. However, the ecology report submitted with the application details that some precautionary measures for reptiles, nesting birds and hedgehogs should be taken on site and therefore a condition to effect is suggested.

The Ecologist 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 former Royal Ordnance Factory and therefore potential hazards associated with land contamination may exist on site. As such a number of conditions are suggested requiring site investigations to be undertaken at the site and the results to be submitted to and approved by the LPA prior to any development works starting on site.

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

## **Land Drainage**

No objections have been raised by the Council's Flood Risk Management (FRM) Section following consultation. It was noted during their assessment of the scheme 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.

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

### **Other Issues**

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

### **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. Therefore no CIL would be payable.

### **Conclusion**

The proposal represents the enlargement of an existing industrial building located within the boundary of the established Hirwaun Industrial Estate. The extension is required to allow the expansion of an established business within the County 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 acknowledged the extension would form a considerable addition to the existing property and a prominent feature in the locality, it is considered acceptable in terms of its scale, design and overall visual appearance, and would have no undue impact upon the amenity or operation of the surrounding industrial units.

Additionally, the scheme is 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. PL 01, PL 02, PL 03, PL 04A, PL 05A, PL 06 and documents received by the Local Planning Authority on 03/09/18 and 11/09/18 unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

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

3. No development shall 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 use 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 commence 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;
  - h) precautionary land management measures for reptiles, nesting birds and hedgehogs, as detailed in Table 7 of the August 2018 Wildwood Ecology Report.

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. The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following



measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

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

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

6. The development hereby permitted shall not be brought into beneficial use until the measures approved in the scheme referred to in Condition 5 have been implemented and a suitable validation report of the proposed scheme is submitted and approved by the Local Planning Authority. Any validation report shall be carried out by a competent person.

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

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

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

8. Any topsoil (natural or manufactured), or subsoil, to be imported shall be assessed by a competent person for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in

advance of its importation. Subject to approval of the scheme of investigation, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken by a competent person in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported.

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

9. Before the development hereby approved is brought into beneficial use the means of access, together with the parking and turning facilities, shall be laid out in accordance with the submitted plan PL 04A and approved by the Local Planning Authority. The off-street car parking facilities shall be implemented prior to beneficial use of the unit and retained thereafter for the parking of vehicles only.

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

10. 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.