



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: 18/1074/16
(GD)
APPLICANT: Rhondda Cynon Taf County Borough Council
DEVELOPMENT: The approval detailed layout of plot C3, construction of B1/B2/B8 employment unit with ancillary office accommodation.
LOCATION: **FORMER COEDELLY COLLIERY, OFF A4119, TONYREFAIL**
DATE REGISTERED: 25/09/2018
ELECTORAL DIVISION: Llanharan

RECOMMENDATION: Approve

REASONS:

The principle of the proposed development has already been established by the grant of outline planning permission under planning application 09/0386/13 and the detail submitted in terms of the current proposal is acceptable in terms of all material particulars. Additionally the proposals when implemented will represent an important first step in the reintroduction of employment uses on to this site.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to Service Director Planning;
- The application has been submitted by, or on behalf of the Council or involving land owned by the Council, where the Council's interest is of more than a minor nature.

APPLICATION DETAILS

The application seeks reserved matters approval for the construction of a 2,787 square metre (30,000 square foot) industrial building with ancillary office space for B1/B2/B8 industrial use. In addition to the building the proposals provide details of 45no. parking spaces (3 being disability standard spaces), 2no. motorcycle spaces and secure cycle parking, vehicular access, waste storage facilities and amenity/landscaped areas. The building will have floor dimensions of 36m X 70m in its principal dimensions with a 24m x 6m office block and associated facilities to its front gable elevation and will stand 9.6m at the eaves and 11.5m at the ridge high at its highest. The building will be constructed in a combination of light grey and mid grey composite panelling, built off a grey brick plinth with a light grey profiled steel roof. The overall appearance will be broken in by its detailing with the use of darker rainwater goods, and coloured brise soleil and roller shutter doors along with the occasional use of dark grey curtain walling. The warehouse area will contain roof windows and it is also intended that the roof would also support approximately 315 square metres of photo voltaic panels.

The application is a submission made under reserved matters and as such neither needs nor requires the benefit of supporting documentation that would normally accompany a full planning application.

SITE APPRAISAL

The site lies within the larger Coed Ely colliery and coke works site which covers approximately 31 hectares and runs along the west side of the A4119, adjacent to the village of Coedely. It is a former colliery and cokeworks site that is vacant, and is already split into development plateaux as a result of extensive reclamation works that have taken place. An access road has already been provided from the roundabout junction on the A4119 along the eastern side of the site, which currently terminates towards the northern end of the central plateau and the improvement and extension of this road has already been approved (see below). Three access points are already provided from this road into the central and southern plateaux. The existing cycleway runs alongside the access road, and continues to the north of the access road, past the northern plateau.

Within the wider area, plot C3 forms part of the central plateau area within the wider 31 hectare site, and like the wider plateau areas is largely free of vegetation with landscaping concentrated around its edges with access points given some focus through the provision of stone boundary walls.

PLANNING HISTORY

The site has an extensive history and the following are only those applications considered relevant in the determination of the current proposals:

18/0737	Layout of highway works (approval of reserved matters)	Approved 10/08/18
09/0386	Employment development of up to 30,937 sq.m. of gross floor area; non residential institutions (use class D1, up to 3716 sq.m.) outdoor recreation up to 0.71 hectare, with ancillary changing room facilities and energy centre.	Approved 27/01/11
06/2159	Construction of permanent bund of excavated materials with a topsoil covering	Approved 14/05/07
06/1148	Construction of underground foul pumping station and storage tank with above ground control kiosks	Approved 20/08/06
04/1285	Construction of new factory with associated warehouse, offices, access road, parking , landscaping and other site works	Withdrawn 30/09/2005
94/0912	750,000 sq ft of B1, B2 & B8 with 15,000 sq ft of A1, A2 & A3 service retail	Approved 08/01/1999
94/0911	750,000 sq ft of B1 or B2 general and /or light industrial associated uses and new access on to the A4119	Approved 08/01/99
94/0798	Coed Ely (top tip) reclamation scheme and Coed Ely colliery and coke works scheme (observations requested by Mid Glamorgan County Council)	Raise no objection 23/01/1995
93/0433	Land reclamation works including extension of existing access to form service road and roundabout, comprehensive landscaping	Raise no objection 02/08/93
91/0364	Land reclamation works including new access, extension of existing access and landscaping	Raise no objection 05/08/91

PUBLICITY

The application has been advertised by means of press notice, site notices and neighbour notification letters. At the time of preparation of this report no objections or observations had been received.

CONSULTATION

Highways – no objections subject to conditions.

Drainage – no objection subject to conditions 3 & 4 of the outline planning permission being complied with. The applicant is also advised that the proposed repositioning of the land drainage ditch will also require the benefit of an ordinary watercourse consent independent of the outcome of the planning application.

Public Health & Protection – raise no objection to the proposed development, recognising that matters pertinent to noise insulation and contamination will be dealt with under cover of a separate application for discharge of conditions.

Countryside – raises no objections to the proposed development but advises that from an ecological point of view some minor changes will need to be made to the proposed landscaping scheme to better support the biodiversity of the area.

Glamorgan Gwent Archaeological Trust – no response received.

Dwr Cymru/Welsh Water – no objections subject to compliance with conditions applied at the outline planning permission stage.

Western Power Distribution – no observations received.

Wales & West Utilities – no observations received.

South Wales Fire & Rescue Service – no observations received.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Policy CS2 - sets out criteria for achieving sustainable growth including, promoting and enhancing transport infrastructure services.

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 AW10 - development proposals must overcome any harm to public health, the environment or local amenity as a result of flooding.

Policy SSA14.1 – Allocates 14.32 hectares of land at Coed Ely Tonyrefail for employment related development.

Policy SSA24.1 – supports the Coed Ely land reclamation aftercare scheme.

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 (Development Plans),
Chapter 3 (Making and Enforcing Planning Decisions),
Chapter 4 (Planning for Sustainability),
Chapter 7 (Economic Development),
Chapter 8 (Transport),
Chapter 12 (Infrastructure and Services),
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 12: Design;
PPW Technical Advice Note 15: Development and Flood Risk;
PPW Technical Advice Note 18: Transport;
PPW Technical Advice Note 23: Economic Development
Manual for Streets

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.

Main Issues:

The main Issues in the consideration of this submission are the principle of the proposed development, the impact on the character and appearance of the area, the

impacts of the proposed development on the ecology of the site and impacts of the proposed development on access and highway safety.

Principle of the proposed development

The principle that this site is suitable for development was established through the grant of outline planning permission 09/0386. The provision of an industrial building of the size and type now proposed which is what this reserved matters submission is promoting is entirely compliant with that established principle and can be regarded as a major step in bringing the site forward for the purposes allocated in the Local Development Plan.

Impact on the character and appearance of the area

The character and appearance of the site currently is that of a former industrial site that has been reclaimed and is currently lying fallow. As such the provision of a new industrial unit on the site following on from the previously approved road improvements is a logical next step to serve a new cycle of development for the site. The proposed building will impact on character and appearance of the area but in a positive way, bringing the site forward for employment development on a site that is currently reclaimed but undeveloped. The building will provide some definition and purpose to the appearance of the site which it is currently lacking, and will also set the template for the character of future development of the site moving forward with what will be a modern and well designed building.

Impact on residential amenity and privacy

The site subject of the current application occupies part of the central plateau reclaimed area on the wider application site. It is separated from the residential areas of Coed Ely by the estate access road, river, undeveloped floodplain and the B road. As such its impact on the bulk of residential development in the area would be negligible to nonexistent given what lies between the two with views of the site available only over longer distances from more elevated ground. Whilst development would alter some views of the site the impacts on residential amenity and privacy to established residential areas are acceptable. There are also a few outlying farm houses and associated buildings which occupy elevated ground some distance away from the development site. From these locations the development would read as distant and part of the wider developed landscape and as such the impact on their amenity and privacy is also acceptable.

Access and highway safety

Other Issues:

The following other material considerations have been taken into account in considering the application, though were not the key determining factors in reaching the recommendation.

Members will note the comments of the Councils ecologist above and are advised that this is a relatively minor issue that can be addressed through a planning condition to the current proposals. The requirements are to –

- Reduce the planting mix in the hedgerow planting detail to just hazel and hawthorn.
- Shrub planting – remove Cornus Sanginium from the scheme as they are invasive and can create future problems for ecosystems and habitats.
- Remove Alnus Cordata (Italian Alder) as it is invasive and the native Alnus glutinosa will naturally seed into the area from adjacent trees.
- All planting to be native and of certified welsh provenance.

Community Infrastructure Levy (CIL) 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 not CIL liable under the CIL Regulations 2010 (as amended).

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.

Section 106 Contributions / Planning Obligations

Section 106 of the Town and Country Planning Act (as amended) enables local planning authorities and developers to agree to planning obligations to require operations or activities to be carried out on land (in-kind obligations) or require payments to be made (financial contributions), to mitigate any unacceptable impacts of development proposals.

The Community Infrastructure Levy (CIL) Regulations 2010, with effect from 6 April 2010, state that a planning obligation (under S.106) may only legally constitute a reason for granting planning permission if it is:

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

Planning Policy Wales (Chapter 3) advises that contributions from developers may be used to offset negative consequences of development, to help meet local needs, or to secure benefits which will make development more sustainable. Further guidance regarding what types of obligations developers may be expected to contribute towards is also contained within Policy AW4 of the Local Development

Plan and the Council's SPG on Planning Obligations, however it is made clear that this is intended to form the basis of negotiations between all parties.

The Section 106 requirements in this case

There are no Section 106 requirements with regard to this application for the approval of reserved matters

Conclusion

The application is considered to comply with the relevant policies of the Local Development Plan in respect of sustainability, design, highway and access arrangements. Furthermore the proposals are also acceptable in terms of all other relevant material planning considerations. These issues taken together with the fact that this development represents the next logical step in the long awaited regeneration of the Coed Ely area leads officers to recommend that the proposals be supported.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

1. The development hereby approved shall be carried out in accordance with the approved plan(s) No (s)

The consent hereby granted relates to the following plans unless otherwise modified by the following conditions of consent. -

- Proposed plot C3 site plan (03268-RLL-XX-ZZ-DR-A-P1000 P3)
- Proposed site plan with future expansion (-3268-RLL-XX-ZZ-DR-A-P1001 P5)
- Proposed red line boundary(03268-RLL-XX-ZZ-DR-A-P1002 P5)
- Proposed ground floor plan (03268-RLL-XX-ZZ-DR-A-P1003 P6)
- Proposed first floor plan (03268-RLL-XX-ZZ-DR-A-P1004 P6)
- Proposed roof plan (03268-RLL-XX-ZZ-DR-A-P1005 P5)
- Proposed access diagram (03268-RLL-XX-ZZ_DR-A-P1006 P4)
- Proposed elevation, natural ventilation to warehouse option (03268-RLL-XX-ZZ-DR-A-P2001a P2)
- Proposed context sections (03268-RLL-XX-ZZ-DR-A-P3001 P5)
- Proposed building sections (03268-RLL-XX-ZZ-DR-A-P3002 P7)
- Typical details (03268-RLL-XX-ZZ-DR-A-P5001 P4)
- Proposed external landscaping & finishes (03268-RLL-XX-ZZ-DR-A-P9001 P3)
- Proposed views (03268-RLL-XX-ZZ-DR-A-V2001 P6)
- Proposed landscape layout (RAL 318 01 Rev 3)
- Proposed general arrangement (3268-WSP-XX-00-DR-C-90100 R0)

- Proposed drainage strategy (3298-WSP-XX-00-DR-C-90101 R2)
- Service yard construction details (3268-WSP-XX-00-DR-C-90103 R0)
- Cut/fill analysis (150 P01)

Reason: for the avoidance of doubt as to the approved plans.

2. Notwithstanding the approved plans the landscaping proposals for the site shall be modified as follows.

- The hedgerow planting details shall be reduced to include only hazel and hawthorn.
- All Cornus Sanginium shall be removed from the scheme of planting to serve the development.
- No Alnus Cordata shall be included in the scheme of planting.
- All planting within the site shall be native and of certified British provenance.

Reason: In order to secure an appropriate and ecologically sensitive landscaping scheme for the site in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan 2006-2021.

3. Notwithstanding the submitted layout plan, the design and construction details of the proposed access shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be fully implemented prior to the first beneficial occupation of the building hereby approved.

Reason: In the interests of highway safety.

4. The building shall not be occupied until the area for the parking of vehicles has been laid out in accordance with the approved plans and that area shall not thereafter be used for any other purpose other than the parking of vehicles.

Reason: To ensure that vehicles are parked off the highway in the interests of road safety

5. Surface water runoff from the proposed parking areas and service yard shall not discharge on to the public highway unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety

6. No development shall take place, including any works of site clearance, until a construction method statement has been submitted to and approved in writing by the Local Planning Authority to provide for -

- the means of access into the site for all construction traffic.
- the parking of vehicles of site operatives and visitors.
- the management of vehicular and pedestrian traffic.
- loading and unloading of plant and materials.
- storage of plant and materials used in constructing the development.
- wheel cleansing facilities.
- the sheeting of lorries leaving the site.

The approved construction method statement shall be adhered to throughout the development process unless otherwise agreed in writing by the Local Planning Authority.

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

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