

## **PLANNING & DEVELOPMENT COMMITTEE**

**20 DECEMBER 2018**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 18/0302/08 (CHJ)  
**APPLICANT:** Rhondda Cynon Taf CBC  
**DEVELOPMENT:** The development of approximately 10,100m<sup>2</sup> of Class B1, B2 and B8 (Industrial) uses and associated vehicle parking (with all matters reserved except access).  
**LOCATION:** LAND TO THE WEST OF BRYN PICA WASTE DISPOSAL SITE, LLWYDCOED, CF44 0BX  
**DATE REGISTERED:** 17/04/2018  
**ELECTORAL DIVISION:** Aberdare West/Llwydcoed

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

#### **REASONS**

The proposed development represents a significant investment into the County Borough. The uses are compatible with the surrounding areas and the nature of them is complimentary to the principal use of the site and accords with the allocation within the LDP. The proposal also embraces the principles of Planning Policy Wales 10 which seeks to support the development of business networks and clusters of related developments particularly in regard to innovative and technology based enterprises.

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#### **REASON THE APPLICATION IS REPORTED TO COMMITTEE**

The nature and scale of the proposal and the site is such that the application is not covered under the Delegated Authority provisions.

#### **APPLICATION DETAILS**

This is an **outline** application for the development of approximately 10,100sq.m. of Use Class B1 (light industrial and office), B2 (general industrial) and B8 (storage and distribution) units with associated vehicle parking on land within the curtilage of the existing Bryn Pica Waste Management Site in Llwydcoed.

Only "means of access" is to be considered as part of this application. All other matters (appearance, landscaping, layout and scale) are reserved for future consideration.

An indicative layout has been submitted with the application. Committee is advised that the layout itself is not under consideration although it is likely that the built development will take a similar form (subject to the approval of reserved matters)

The indicative proposal includes:

- 5no. warehouses each with a gross floor area (GFA) of c1,500 sq.m.
- c1800 sq.m. of associated storage yards.
- A 2 storey office block with a total GFA of c800 sq.m.
- An education centre with a GFA of c225 sq.m.
- A biomass heat exchange facility with a GFA of c915 sq.m. and c57 sq.m. of associated material storage bays.
- Associated car parking for the development for c140 vehicles.
- A new weighbridge and gatehouse.
- New internal access roads for the site.
- A surface water attenuation lagoon and a wildlife pond.
- An outdoor picnic/seating area.

The application site is situated adjacent to the existing Bryn Pica Waste Management facility on the site of the (reclaimed) former Dyllas Colliery. It measures approximately 5.3 hectares.

The site is accessed via the existing landfill access road which is around 1.1km in length and connects with Merthyr Road to the north of the site. The access road is surfaced to normal highway specifications as it serves the existing waste management facilities at the site.

The application was subject to Pre Application Consultation (PAC) and a PAC Report was submitted with the application. The application also includes a Design & Access Statement, a Coal Mining Risk Assessment, Transport Statement and an Ecological Assessment. Consideration was also given to Archaeological & Cultural Heritage, Noise and Air Quality.

The applicant has advised that the development of medium sized industrial units will become the new home of private businesses currently exploring new recycling technologies. The units will be heated and cooled using surplus waste heat produced at the Anaerobic Digester (AD) plant already on site.

Discussions have been held with companies involved in paint recycling, mattress recycling, nappy recycling and plastic recycling (although Committee is advised that these do not form part of the determination of this application).

The applicant has advised that the uses will be operated for the same hours as the existing Bryn Pica site. These are:

Monday to Friday

07.30 – 18.00 hours

Saturday  
Sunday and Bank Holidays  
the Local Planning Authority.

07.30 – 16.00 hours  
Not at All - unless otherwise agreed in writing with

## **SITE APPRAISAL**

The site lies approximately 2.5km north of Aberdare Town Centre and 4.5km south west of Merthyr Tydfil town centre (although the County Borough boundary lies much closer). The site also lies within close proximity to the administrative boundary of the Brecon Beacons National Park.

The existing Bryn Pica site is licensed and permitted to recycle, recover, re-use and dispose of waste materials through established operational facilities and activities.

Existing on-site activities include a material recycling facility, a green-waste recycling facility, an anaerobic digestion facility, site offices and a landfill site.

The application site occupies gently sloping ground bordered by areas of conifer planting and scrub woodland. The Bryn Pica landfill site is located to the south with the built infrastructure of the waste management facility being located to the east.

A planning application for a recycling / recovery and storage building was approved on the site in November 2007. Although it was never constructed, the site was cleared. The proposed Eco-park development will occupy the same site location, upon a re-engineered site area as the previously approved scheme, with a similar form.

Part of the site lies within a “High Risk” area for potential impact from past mining activities. A Coal Mining Risk Assessment (CMRA) was prepared and submitted with the application. The site also lies within 1km of a Special Area for Conservation (SAC). An assessment of the likelihood of any impact was also undertaken.

## **PLANNING HISTORY (Recent / Relevant)**

<b>05/0850/10</b>	Bryn Pica Landfill Site, Llwydcoed, Aberdare	Modification to the waste containment area and final restoration contours of the Landfill Site.	Grant 04/01/2006
<b>07/0272/10</b>	Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a recycling/recovery and storage building at Bryn Pica Waste Management facility	Grant 28/11/2007

<b>12/1312/10</b>	Land To The North-West Of Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a subsurface petrol interceptor to the north-west of the Bryn Pica Waste Management Facility, including the provision of underground pipeline and erection of two masonry headwalls and associated connection pipes (amended description 12/02/13).	Grant 08/05/2013
<b>13/0186/10</b>	Land At Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Construction of an anaerobic digestion facility, landscaping and associated infrastructure	Grant 12/07/2013
<b>14/1029/10</b>	Land Surrounding Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Installation of underground electrical and water service connections, including booster station, associated with the permitted Anaerobic Digestion Facility (Permission Reference: 13/1313/15) at the Bryn Pica Landfill Site, Bryn Pica	Grant 10/03/2015

The following applications are linked to the same BLPU(s) as 18/0302/08:

<b>18/0807/08</b>	Waste Transfer Station, Bryn Pica Waste Disposal Site, Merthyr Road, Llwydcoed, Aberdare, Cf44 Obxwaste Transfer Station, Bryn Pica Waste Disposal Site, Merthyr Road, Llwydcoed, Aberdare	Extension to mattress building and associated external works	Pending
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## **PUBLICITY**

As part of the application process Notices were placed on site and in the Press.

As a result of this exercise ONE letter of objection was received from Infinis – the operator of the adjacent landfill gas management compound which manages gas from the Bryn Pica landfill site.

They express concern that they are unable to find any information in the application documentation which would allow them to consider the impact of local air quality *upon the users/visitors of the Eco Park*. The Infinis operation is subject to an Environmental Permit to control and monitor emissions from the site in respect of landfill gas electricity generation and landfill gas flaring. They are therefore concerned that the Eco Park has not considered the impact of this existing development in its planning application. They consider it is not for Infinis to undertake this air quality assessment work to support, or otherwise, an application that has been submitted on adjacent land. Nevertheless they advise that they would be willing to provide data in terms of their operations so that an assessment of effects could take place.

## **CONSULTATION**

In addition to the Publicity measures outlined above the following were also consulted in respect of the proposal. A précis of responses have been included for Committee's information.

**RCT Transportation (Highways)** – no objection

**RCT Drainage** – no objection

**RCT Public Health & Protection** – no objection

**RCT Countryside** – no objection

**Coal Authority** – satisfied with the provisions contained within the Coal Mining Risk Assessment

**Natural Resources Wales** – no objection

**Fire Service** – no objection (advisory only)

**Utility Companies (Gas & Electric)** – advise on the location of apparatus

**Health & Safety Executive** – no objection

**BBNP Authority** – no objection

**MTCBC Authority** – no objection.

**Glamorgan Gwent Archaeological Trust** – no objection

## **POLICY CONTEXT**

## Proposals Map

The site is (a) outside any settlement boundary and (b) forms part of a site identified for regional waste management.

## Core Policies

**Policy CS 1** promotes development that emphasises the building of strong, sustainable communities. This is to be achieved partly by commercial development that supports the principal towns (1), and partly by encouraging a strong, diverse economy (6).

**Policy CS 9** identifies 57.9 hectares of land at Bryn Pica, including the 4.1 hectare application site (7%), for development to accommodate a “range of waste management options, including recycling and composting, at a regional level”.

## Area Wide Policies

**Policy AW 2** promotes development in sustainable locations.

**Policy AW 5** gives amenity and accessibility criteria for new development.

**Policy AW 6** gives design criteria for new development.

## Strategy Area Policies

None.

SPG

- Access, Circulation & Parking
- Employment Skills

The Bryn Pica site is part of the “Cynon Gateway – Energizing the Region” project that had Cabinet approval in September 2017.

## National Planning Policy

### **PPW 10: December 2018 – Adopted version**

#### **Productive and enterprising places**

##### **Energy**

5.7.1 The planning system plays a key role in delivering clean growth and the decarbonisation of energy, as well as being crucial in building resilience to the impacts of climate change. The transition to a low carbon economy not only brings opportunities for clean growth and quality jobs, but also has wider benefits of

enhanced places to live and work, with clean air and water and improved health outcomes. (Page 87)

### **Business Clusters**

5.4.16 Economic clustering typically occurs when businesses from the same or similar industry, or with a common interest, choose to locate in close proximity for mutual benefit. Often, clustering concerns high technology, innovative or research and development based companies, but may also include finance, food and media businesses, or supply industries serving larger manufacturers. Businesses can benefit from shared facilities, infrastructure, local pools of skilled and qualified labour, common supply chains and links to higher education. (Page 84)

5.4.17 Planning authorities should seek to support the development of business networks and clusters particularly in relation to innovative and technology based enterprise. (page85)

5.4.18 Development plan policies should identify potential networks and clusters, and make clear the criteria used to categorise them. Associated transport, environmental and telecommunications infrastructure links needed to support these networks and clusters and, where improvements are necessary, these should be included in the development plan. Planning authorities should also look favourably on any renewable and low carbon energy generation proposals designed to serve clusters, such as district heating systems and high efficiency energy recovery from waste, or the provision of an integrated network of waste recycling or collection. (Page 85)

### **Development Management and Renewable and Low Carbon Energy**

5.9.16 In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account:

- the contribution a proposal will make to meeting identified Welsh, UK and European targets;
- the contribution to cutting greenhouse gas emissions; and
- the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development. (page93/94)

5.9.18 Planning authorities should also identify and require suitable ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development. The construction, operation, decommissioning, remediation and aftercare of proposals should take into account:

- the need to minimise impacts on local communities, such as from noise and air pollution, to safeguard quality of life for existing and future generations;
- the impact on the natural and historic environment;
- cumulative impact;
- the capacity of, and effects on the transportation network;

- grid connection issues where renewable (electricity) energy developments are proposed; and
- the impacts of climate change on the location, design, build and operation of renewable and low carbon energy development. In doing so, consider whether measures to adapt to climate change impacts give rise to additional impacts. (page 94)

### **Assessing the Sustainable Benefits of Development**

2.21 Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals. (page 24)

2.22 Key factors in the assessment process include:

#### **Economic Considerations**

- the numbers and types of long term jobs expected to be created or retained;
- whether, and how far, the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing local employment opportunities or upgrading the environment;
- the contribution the development would make to achieving wider strategies, for example the growth or regeneration of certain areas;
- the contribution this economic activity will have to wider policy goals; and
- how the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales. (Page 25)

### **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 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.

The application is for approximately 10,100 sq.m. of B1 (Light Industrial & Office), B2 (General Industry) and B8 (Storage and Distribution) uses with associated vehicle parking.

It is made in “outline” with only “means of access” to the site being considered in conjunction with the principle of the use on this site. All other details of “appearance”, “landscaping”, “layout” and “scale” are reserved for future consideration.

In light of the application details, the principal considerations in the determination of this application are considered to be highway safety, compatibility of the proposed use(s) with the existing and neighbouring sites, proximity to the Brecon Beacons National Park, ecology, the economic benefits of the development and the potential for the development to be affected by past mining activity. Consideration has also been given to the objection from the adjacent business (Infinis)

### Highway Safety

The vehicular access is off the existing access serving the Bryn Pica waste Management site.

A road connects the site to the B4276 Merthyr Road approximately 1.2km north of the proposed site. Merthyr Road provides access to the A465 around 2.2km north of the proposed site and the A465 provides access to Merthyr Tydfil 5km to the east.

The B4276 Merthyr Road also provides access to Aberdare 3.5km to the south of the proposed site. Merthyr Road to the east has an existing weight restriction to vehicles of 7.5 tonnes. Therefore the majority of vehicles should access from the west via the A465.

As part of the application, the applicant has submitted TRICS data which indicates the likely additional vehicular trips associated with the proposed development when fully operational. The assessment indicates that there will be a low increase in vehicular movements at peak time with the proposed traffic using the A465 and B4276. It is not anticipated that the proposed will have a detrimental impact on existing traffic flows and, taking into account the junction improvements which will be undertaken on the A465 dualling, the proposal is acceptable.

### Car Parking

Car parking provision would form part of the “layout” reserved matter and, accordingly is not the subject of determination as part of this application. However, as the layout is likely to be constructed as illustrated the Council’s Transportation Section have assessed the parking provision as submitted.

Based on the Council’s adopted standards the maximum overall ‘requirement’ for parking provision is 176 spaces. The indicative provision of 140 parking spaces is fewer than that maximum requirement of the SPG. However, taking into consideration the provision of 36 cycle parking spaces (for staff rather than operational vehicles) and the availability for overspill parking within the site the provision is considered acceptable.

It is suggested (by the applicant) that the existing 60 space staff car park for the landfill site, waste offices and anaerobic digestion plant is moved to the new car parking area and accommodated within the proposed 140 spaces.

The TRICS data showed that the estimated average vehicle movements associated with the **fully operational** Eco Park would be approximately 117 per day.

During construction of the development it is expected that the existing site will provide sufficient available land for temporary parking, storage and lay-down for the construction phase.

Once fully operational, there is the potential to provide 140 car parking spaces which would include up to 10 disabled person bays, four cycle parking sheds (for up to 36 bikes) and space for 15 electric car charging parking bays.

The Council's Transportation Section has concluded that the site benefits from a safe and satisfactory access. The parking provision *is* below the optimum standard however, considering provision of cycle parking and any overspill parking can be accommodated within the site without there being a detriment to highway safety and the free flow of traffic on the B4276 the proposed parking provision provided is acceptable.

#### Sustainable location

Although the site is outside settlement boundaries, it is considered that the development would support the principal town of Aberdare, and would complement the adjoining waste treatment and renewable energy production activities. So, on balance, the site is considered to be a sustainable location for this particular proposal.

#### Compatibility of the proposed use with the existing use and surrounding uses

The application is considered to be entirely compatible with the existing uses at Bryn Pica and is considered to be in accord with the allocation of the Local Development Plan.

While not under consideration at this stage, it is likely that the development can be constructed without any significant impact on the landscape or the amenities of the surrounding area. There are a number of isolated residential properties in relatively close proximity to the broader site but it is considered unlikely that the operations will be unduly onerous to the standards of amenity that occupiers of those properties can reasonably expect to enjoy. Statistics provided as part of the Transport Statement (and verified by the Council's Transportation Section) would suggest that the predicted increases in vehicular movements are not significant.

The site is proposed to operate for the same duration as the existing facility at Bryn Pica. These hours are:

Monday to Friday	07.30 – 18.00 hours
Saturday	07.30 – 16.00 hours
Sunday and Bank Holidays	Not at All - unless otherwise agreed in writing with the Local Planning Authority.

The Council's Public Health & Protection Section have recommended that a slightly more restricted regimen is introduced however, given the proximity and relationship between the existing and proposed sites it seems reasonable to enable them to operate in conjunction with each other. Should there be any undue noise or disturbance at the site, separate legislation exists to deal with this on a case by case basis.

One letter of objection has been received as part of the application. This is from an adjacent business and is specifically addressed later in this report.

### Economic benefit

PPW 10 states that Planning Authorities should seek to support the development of business networks and clusters particularly in relation to innovative and technology based enterprise. It is considered that this application would meet this policy objective.

The main economic development elements of the (illustrative) proposal are:

- 5no. warehouses each with a gross floor area (GFA) of c1,500 sq.m.
- c1800 sq.m. of associated storage yards.
- A 2 storey office block with a total GFA of c800 sq.m.
- An education centre with a GFA of c225 sq.m.
- A biomass heat exchange facility with a GFA of c915 sq.m. and c57 sq.m. of associated material storage bays.
- Associated car parking for the development for c140 vehicles.
- A new weighbridge and gatehouse.
- New internal access roads for the site.
- A surface water attenuation lagoon and a wildlife pond.
- An outdoor picnic/seating area.

Job numbers are not estimated but some are expected to be highly skilled (heat engineers).

The site also forms part of the "Cynon Gateway – Energizing the Region" project which seeks to build on the £1 billion investment made within the energy sector in the northern part of the Cynon Valley (and into parts of the Rhondda Valleys). These investments include the wind farms at Pen Y Cymoedd, Maerdy and Mynydd Bwllfa, the solar farms at Rhigos and Penrhiwceiber and developments on the Hirwaun Industrial Estate such as Enviroparks, Green Frog and Hirwaun Power. The project seeks to build on this investment and attract more investment both within the energy sector and also those enterprises that may benefit from a close proximity to the energy providers.

The likely economic benefits should be given significant weight at this outline stage, although a more accurate assessment can be undertaken through the submission of the reserved matters.

### Ecology

The site at Bryn Pica is known for its ecological interest and specifically the habitat which supports the Great Crested Newt.

As part of the original submission, the ecological assessment confirmed that there were no GCN found within the application site but they were known to exist in close proximity.

At the time NRW was concerned about the potential change to the habitat as part of the construction process and required the applicant to undertake further work to ensure that the “favourable status” for the GCN was not affected.

Following the submission of an additional survey and mitigation measures, NRW confirmed that they no longer had concerns and removed their initial objection. A condition requiring the developer to carry out any works in accordance with the approved mitigation is included.

### Objection received

As part of the application, one letter of objection was received. The complaint was in respect of “air quality” although it would seem that the principal reason is in respect of Infinis requiring an Environmental Permit for their operation which, in their opinion, may be adversely affected through the introduction of new “receptors” (people) within proximity of their operation. They want the applicant to carry out a new assessment to establish whether the future renewals of this permit would be affected by the introduction of these new uses.

While this concern is understandable, Committee is advised that this is not a requirement of this application. It is unclear how such permitting regulations operate but it is done outside of the Planning system and covered by other legislation. In addition, the proposed use is in close proximity to the existing operation at Bryn Pica where they can choose to employ as many or as few people as their operations dictate. Furthermore, the requirement of environmental permitting on one site cannot preclude the expansion of a developer on another site. The Permitting Authority is Natural Resources Wales. NRW was consulted as part of this application and have made no mention of the proposal potentially affecting operations on an adjacent site.

Committee is therefore advised that little weight can be given to this objection in the consideration of this application.

### BBNP

In their consultation response, the BBNPA do NOT OBJECT to this proposal. However it is their view that the Landscape and Visual Appraisal should be expanded to better consider the potential impact on the Brecon Beacons National Park and further specific consideration should be given to impacts to support the conclusions outlined in the appraisal. As a result some further work was undertaken in respect of “views” (and therefore impact) from the Park.

Committee is advised that in reaching the RECOMMENDATION regard has been had to the potential impact of the development on the “special qualities” of the Park although it is acknowledged that only the “fringe” areas are likely to be affected. More detailed consideration of any specific impacts can be had as part of the consideration of the reserved matters, although it is considered unlikely that any such impacts would be of such significance as to refuse the submissions on this basis..

#### Past mining activity

Committee is advised that the site lies within the influence of “high risk” from past mining activities. As a result the applicant was required to submit a Coal Mining Risk Assessment (CMRA). This was submitted both as part of the PAC process and, subsequently, the planning application. The Coal Authority initially required the applicant to supplement their original submission. This work was subsequently submitted and, in light of the assessment and remediation measures, the Coal; Authority are satisfied that the applicant has taken appropriate regard to the risk and have offered no objection subject to a further report being submitted in respect of the reserved matters (when the exact siting and layout is under consideration). A condition has been added to satisfy this requirement.

#### Community Infrastructure Levy (CIL)

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

As planning permission first permits development on the day of the final approval of the last reserved matters CIL is not payable at outline stage, but will be calculated for any reserved matters or full application. However, the rate for this kind of development as set out in the charging schedule is £0 and therefore no CIL will be payable.

#### Conclusions

The proposal is predominantly for a significant amount of B1, B2 & B8 floor-space. It is anticipated that the construction of these units will promote “closed loop recycling”, provide custom for renewably generated heat and power produced by the adjoining AD plant and create jobs (including highly skilled jobs).

The site, from a distance, appears to be “greenfield” but on closer inspection not of good appearance, forms a small portion of land allocated for regionally significant waste management, and is located where it would support the principal town of Aberdare.

The development would provide a compatible use in close proximity to an existing use which provided surplus heat / energy from its own operations such that this resource can be made available to adjacent users. This is not only sustainable but embraces the principle in PPW of encouraging “clusters” of users where the operators are of a similar industry, share a common interest or choose to locate for a common interest. It is also compatible in delivering clean growth and building resilience to the impact of climate change.

Accordingly the following recommendation is made:-

**RECOMMENDATION: Grant**

1. (a) Approval of the details of the layout, scale and appearance of the building(s) and the landscaping of the site (hereinafter referred to as "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.  
  
(b) Plans and particulars of the reserved matters referred to in (a) above relating to the layout, scale and appearance of any building to be erected, the means of access to the site and the landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.  
  
(c) Applications for the approval of reserved matters shall be made before the expiration of three years from the date of this permission.  
  
(d) The development hereby permitted shall be begun before whichever is the latter of either (i) the expiration of 5 years from the date of this permission or (ii) the expiration of 2 years of the final approval of the reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with Sections 92 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s) and documents received by the Local Planning Authority:

AM5584/18/01 – Site Location Plan

AM5584/18/02 R1 – Existing Topographic Survey and Planning Application Boundary

AM5584/18/03 R1 – Aerial Photograph

AM5584/18/04 R1 – Development Platform Earthworks Isopachytes

AM5584/18/05 R1 – Masterplan  
AM5584/18/06 – Industrial Units 1-5 Floor Plans Roof Plan and Elevations  
AM5584/18/07 – Unit 6 Floor Plans Roof Plan and Elevations  
AM5584/18/08 – Offices and Education Building Floor Plans Roof Plan and Elevations  
AM5584/18/09 R1 – Site Sections  
AM5584/18/10 R1 – Indicative Surface Water Drainage Plan  
AM5584/18/11 – Car Park Plan  
AM5584/18/12 – Weighbridge and Gatehouse Floor Plans Roof Plan and Elevations  
AM5584/18/13 R1 – Indicative Lighting Plan  
AM5584/18/14 – Proposed External Finishes  
AM5584/18/16 – Security Fencing Details

### **Documents:**

- Planning Statement
- Design and Access Statement
- Application Form (Outline)
- Landscape and Visual Appraisal  
LVA Drawings
  - Figure 1 – Site Location Plan
  - Figure 2 – LVA Study Area 2.5km Radius
  - Figure 3 – Landscape Designations and Recreational Routes 2.5km Radius
  - Figure 4 – Landscape Character LANDMAP Layers
  - Figure 5 Rev A – Zone of Theoretical Visibility Plan
  - Figure 6 Rev A – Viewpoint Location Plan
  - Figure 7 – Viewpoint 1
  - Figure 8 – Viewpoint 2
  - Figure 9 – Viewpoint 3
  - Figure 10 – Viewpoint 4
  - Figure 11 – Viewpoint 5
  - Figure 12 – Viewpoint 6
- LVA Methodology
- Landscape Character and LANDMAP
- Preliminary Ecology Appraisal
- Transport Statement
- Flood Consequence Assessment
- Preliminary Geo-Environmental Appraisal Rev A
- Pre-application Consultation Report

### **Post Submission**

- Ecological Assessment Revised and Expanded
- Great Crested Newt Surveys
- Coal Mining Risk Assessment

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no external lighting equipment shall be erected or installed without the prior express permission of the Local Planning Authority.

Reason: To prevent light pollution and to protect the amenities of neighbouring residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the new development will in keeping with the surrounding area and to protect residential amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

5. Prior to the commencement of any development, a scheme to deal with contamination shall be submitted to and approved in writing by the LPA. The scheme shall be reviewed by a competent third party who shall be agreed in writing by the LPA. The scheme shall include:

1. 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. This should be conducted in accordance with the recommendations specified and to refine the preliminary conceptual site model within the pre appraisal report. However all potentially risks from contamination to human health and groundwater should be addressed.

2. A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the LPA 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 LPA.

AND

#### B. Validation Condition

The development hereby permitted shall not be occupied and/or operated

until the measures approved in the scheme have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the LPA. Any validation report shall be carried out by a competent person.

AND

#### C. Contamination Found During Development

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 LPA prior to the work recommencing. Any revised contamination proposals shall be carried out by a competent person.

AND

#### D. Importation of Soils

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.

Reason: In the interest of Health and Safety as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. Construction works on the development and post construction hours of operation shall not take place other than during the following times:

- Monday to Friday 07:30 to 1800 hours;
- Saturday 07:30 to 16:00 hours;
- Not at any time on Sundays, Bank or Public holidays, without the consent in writing of the Local Planning Authority.

Reason: To ensure that the noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. In addition to the submission of any reserved matters and prior to the commencement of any development (other than site clearance) the following must be submitted to, and approved in writing by, the Local Planning Authority:

- a scheme of intrusive site investigations for the mine entries;

- a scheme of intrusive site investigations for the shallow coal workings;
- the submission of a report of findings arising from both of the intrusive site investigations;
- the submission of a layout plan which identifies appropriate zones of influence for the any mine entries present on site, and the location of the highwall and the definition of suitable 'no-build' zones for these, if necessary;
- the submission of a scheme of treatment for the mine entries and shallow mine workings, if necessary, for approval;
- the submission of a scheme of remedial works for the shallow coal workings for approval; and

The development must be carried out in strict accordance with the approval of the above details.

Reason: The site may be unstable / be affected by previous mining activities and to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

8. The development shall be carried out in strict accordance with the details and recommendations contained within:
- Appendix 3, associated plans
  - Plan 5: Site Clearance Procedure' and
  - Plan 6: Mitigation Measures'

of the report '**Land at Bryn Pica, Llwydcoed, Aberdare. Ecological Assessment (Revised & Expanded)**', produced by David Clements Ecology Ltd, dated September 2018, including those relating to management and monitoring.

Reason: To enhance and afford protection to animal and plant species in accordance with Policies AW5 & AW8 of the Rhondda Cynon Taf Local Development Plan.

9. No development shall take place until drainage arrangements have been submitted to and approved in writing by the Local Planning Authority.

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