



RECORD OF DELEGATED OFFICER DECISION

SUBJECT:

Treforest Industrial Estate and Parc Nantgarw Local Development Order

PURPOSE OF REPORT:

The purpose of the report is to approve the attached consultation document, incorporating the draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO) and accompanying Statement of Reasons, for carrying out statutory consultation required under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

DELEGATED DECISION (Date):

That the attached consultation document, incorporating the draft Treforest Industrial Estate and Parc Nantgarw Local Development Order (LDO) and accompanying Statement of Reasons, is approved for carrying out statutory consultation required under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.


Chief Officer Signature


Print Name


Date

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

RB

CONSULTEE CABINET MEMBER SIGNATURE

6/1/16

DATE

Steve

OFFICER CONSULTEE SIGNATURE

6/1/16

DATE

Directorate:	Regeneration and Planning
Contact Name:	Simon Gale
Designation:	Service Director Planning
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RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

**MUNICIPAL YEAR 2015 - 2016
REPORT TO ACCOMPANY DECISION OF
CHIEF EXECUTIVE**

**Part 1
(Non Confidential)**

**TREFOREST INDUSTRIAL ESTATE
AND PARC NANTGARW LOCAL
DEVELOPMENT ORDER- APPROVAL
FOR STATUTORY CONSULTATION**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to outline the contents of the draft Treforest Industrial Estate and Parc Nangarw Local Development Order (LDO) and accompanying Statement of Reasons, and seek approval for carrying out statutory consultation.

2. RECOMMENDATIONS

- 2.1 It is recommended that:

The attached consultation document, incorporating the draft LDO and accompanying Statement of Reasons (see **Appendix 1**), is approved for carrying out statutory consultation required under the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

3. BACKGROUND

- 3.1 The Council is working with partners to improve the structure and identity of Treforest Industrial Estate which is a regionally significant site, creating key employment and innovation opportunities. This opportunity area is in a regionally strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M5. The estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.
- 3.2 A Local Development Order (LDO) is proposed for Treforest Industrial Estate and Parc Nantgarw with the aim of encouraging further development within this area, to help deliver the above aims. LDOs can be made by Local Planning Authorities to grant planning permission for specified developments within a particular area. Therefore, they remove the need for formal planning applications for those developments. It is considered that making an LDO for

this area could help deliver economic benefits through making the planning process easier for developers.

3.3 A draft version of the LDO has been circulated within the relevant Council services. Comments have been received from Highways Development Control, Public Health and Protection, Countryside and Legal Services which have been considered in finalising the draft. The LDO must now be subject to a 28 day statutory consultation period. In order to comply with the relevant legislation, the following is proposed:

- Direct consultation of owners and tenants within the LDO boundary;
- Consultation of interested parties, including those who would normally be statutory consultees on a planning application and neighbouring residents;
- Site notices around the area;
- A notice in the Western Mail;
- A copy of the documents placed on the website and made available to view in Sardis House.

3.4 In addition, it is proposed to hold a public exhibition and a workshop to assist with producing a Design Code and User Guide.

3.5 Following the consultation period, modifications will be considered to the draft LDO, and it is then proposed to report it to Cabinet. Prior to adoption, the LDO must ultimately be approved by the Welsh Ministers.

3.6 In respect of the content of the draft LDO, the boundary incorporates both the Treforest Industrial Estate and Parc Nantgarw and broadly follows that of Policy SSA 27 in the adopted Rhondda Cynon Taf Local Development Plan (LDP) (see **Appendix 2**). A few additional areas have been added in the vicinity, including Upper Boat Business Park.

3.7 The LDO permits development that will support the implementation of Policy SSA 27 of the LDP, which allows for development in B1, B2 and B8 Use Classes under the Town and Country Planning (Use Classes) Order 1987, and other similar employment uses. Other uses are only permitted by the policy where they would be considered complementary and ancillary to the primary purpose of the area, to ensure that its integrity as an employment site is not undermined.

3.8 Within the parameters of this policy, The LDO aims to grant planning permission for as wide a range of developments as possible, subject to site constraints. The main constraints are considered to be as follows, and are explained further in Section 5 of the Statement of Reasons:

- Flood risk across much of the area;
- Traffic and junction capacity;
- Nearby residential properties;
- Two listed buildings on Main Avenue;
- A high pressure gas main located close to the southern boundary;
- The railway line to the west;
- Potential bat habitat;

- Existing mature and structural landscaping;
- Watercourses;
- A Coal Mining High Risk Area covering a significant part of the area;
- Historic mine entries within the area;
- Historic Environment Records within the area;
- Potentially contaminated land.

3.9 The development permitted by the LDO is divided into four areas as follows, and is subject to exclusions and limitations and conditions. The development permitted by the LDO is again explained in more detail in Sections 6-9 of the Statement of Reasons.

Area 1- is intended to cover all those areas where development permitted by the LDO would be kept to a minimum due to constraints. No operational development would be permitted within Area 1 and changes of use would only be permitted where the land forms part of a larger site where a change of use is allowed within the LDO. This approach is designed to ensure that sites where part falls within Area 1 can still benefit from the LDO, while limiting development where there are constraints.

Area 2- A draft Strategic Flood Consequences Assessment has identified the area covered by Area 2 as requiring a Flood Consequences Assessment (FCA) for development to be permitted. Therefore, only development that would not normally require an FCA under Natural Resources Wales' criteria is included in the LDO.

Area 3- Area 3 covers the majority of the land within the LDO boundary. Development considered to comply with Policy SSA 27 would be permitted (apart from retail which would only be permitted in Area 4), subject to exclusions, limitations and conditions.

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

3.10 In terms of financial impacts to the Council of the LDO, the main impact will be on planning application fees. Based on the applications that have been submitted within Treforest Industrial Estate and Parc Nantgarw since 2010, it is estimated that the loss of planning application fees will average at approximately £3,000-£4,000 per year. This is a relatively small amount, compared to a projected fee income for 2015-2016 of approximately £913,500, and it is considered the economic benefits that the LDO could help to deliver outweigh this minor loss of fee income.

4. CONCLUSION

4.1 The proposed LDO is considered to be beneficial to the performance of Treforest Industrial Estate and Parc Nantgarw, and consequently economic development within the County Borough. It has been drafted to maximise these benefits, while also taking into account of the constraints in the local area.

Therefore it is recommended that the draft documents are put forward for public consultation.

APPENDIX 1

Attached is the draft LDO

APPENDIX 2

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

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

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

Statutory Consultation
[Insert Dates]

Rhondda Cynon Taf County Borough Council



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1. Introduction

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

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

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

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

A copy of the **draft LDO** is contained within **Appendix 2**.

2. Informal Consultation

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

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

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

3. Statutory Consultation

Now the LDO has been drafted, a statutory consultation is required on the draft document under Article 27 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended). This consultation will close on [insert date].

As part of this consultation, comments have again been requested from local businesses, residents, statutory consultees and other potentially interested parties. However, anyone is welcome to submit comments on the LDO during the statutory consultation period.

For further information, the Council is holding an exhibition [insert details]. All are invited to attend and officers will be present to answer any queries. There will also be an hour long workshop hosted by officers from Rhondda Cynon Taf to explain and seek feedback on the LDO at [insert time] in the same venue. If you wish to attend this, please contact Helen Winsall by [insert date], using her direct email address below. Please note that there are limited places in the workshop and the Council will confirm whether you have a place prior to attendance.

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

4. How to Comment

All comments should be submitted in writing by [insert date].

Comments can be submitted by email to planningservices@rctcbc.gov.uk, or by post to Rhondda Cynon Taf, Planning Services, Sardis House, Sardis Road, Pontypridd, CF37 1DU.

5. What Happens Next

Following the statutory consultation, the comments received will be considered and revisions made where appropriate. The LDO then requires the approval of the Council's Cabinet and the Welsh Ministers prior to adoption. It is intended that the LDO will be adopted sometime in 2016, subject to the consultation responses received.

APPENDIX 1

Treforest Industrial Estate and Parc Nantgarw Local Development Order

Statement of Reasons

1 Introduction

1.1 This Statement of Reasons accompanies a Draft Local Development Order (LDO) for Treforest Industrial Estate and Parc Nantgarw.

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

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

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

2 Reasons for Making the Order

2.1 Treforest Industrial Estate and Parc Nantgarw together ("the Estate") are a regionally significant strategic employment area, and are considered to play a key role in the economy of South East Wales. The Council is working with partners to improve the structure and identity of the Estate, creating key employment and innovation opportunities. The Estate is in a regionally strategic location just north of Junction 32 of the M4, at the funnel point of the rail and road network which link the densely

populated valley areas to the rest of the region. The A470 provides links to the South Wales Valleys as well as the Midlands and beyond via the M5. The Estate has major potential to deliver economic benefit for the region due to its prime location, composition, transport links, Further and Higher Education presence, and location of anchor companies.

2.2

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

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

2.3

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

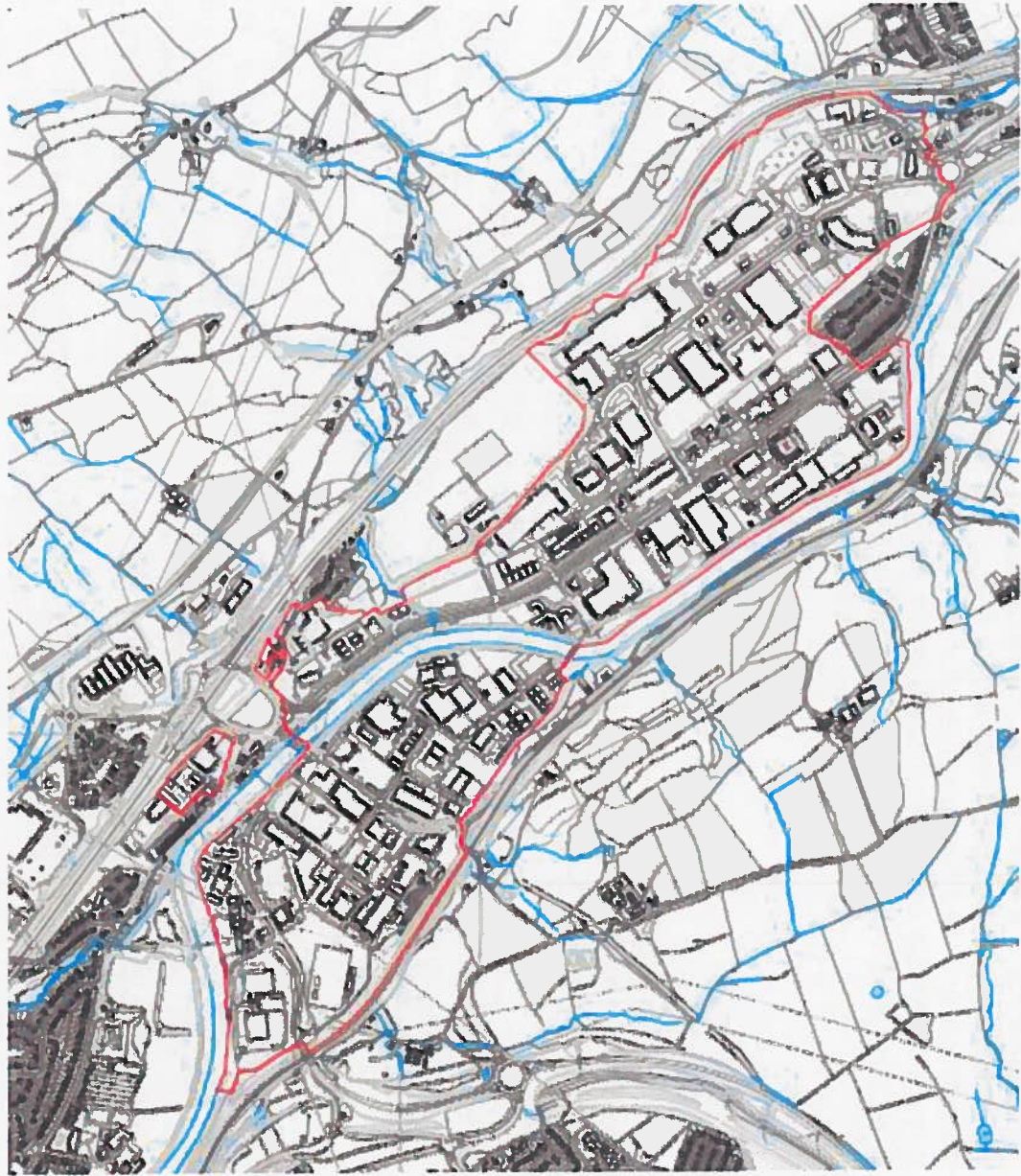
- Increasing the number of employment and training opportunities available;
- Improving the quality of the environment by removing vacant sites and replacing/reoccupying vacant buildings;
- Giving businesses a greater level of confidence in the Estate as a good place to locate;
- Potentially making more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

3 Reasons for Selecting the Boundary

3.1

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

Figure 1 - Plan of Boundary (outlined in red)



4 Policy SSA 27

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

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

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

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

5 Constraints

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

Flood Risk- Much of the area within the boundary is within zone C1 of the Welsh Government's Development Advice Maps accompanying Technical Advice Note 15, with a smaller area in zone C2. This would normally carry the expectation that a Flood Consequences Assessment is submitted for anything other than minor development with any planning application. Therefore a draft Strategic Flood Consequences Assessment has been undertaken for the Estate, and this has been used to inform the drafting of the LDO. As a result of this, less development is permitted under the LDO in an area in the north of the

Estate, and limits to the sizes of buildings and extensions permitted by the LDO are proposed in the rest of the Estate. In addition, floor levels will be required by condition to be set at certain heights, to reduce the risk of flooding to developments permitted by the LDO.

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

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

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

High Pressure Gas Main- This is located close to the southern boundary of the proposed LDO area. A 10 metre easement to either side of the gas main is proposed where operational development would be excluded from the LDO. This is due to concern raised by Wales and West Utilities regarding possible future excavations in this area.

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

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

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

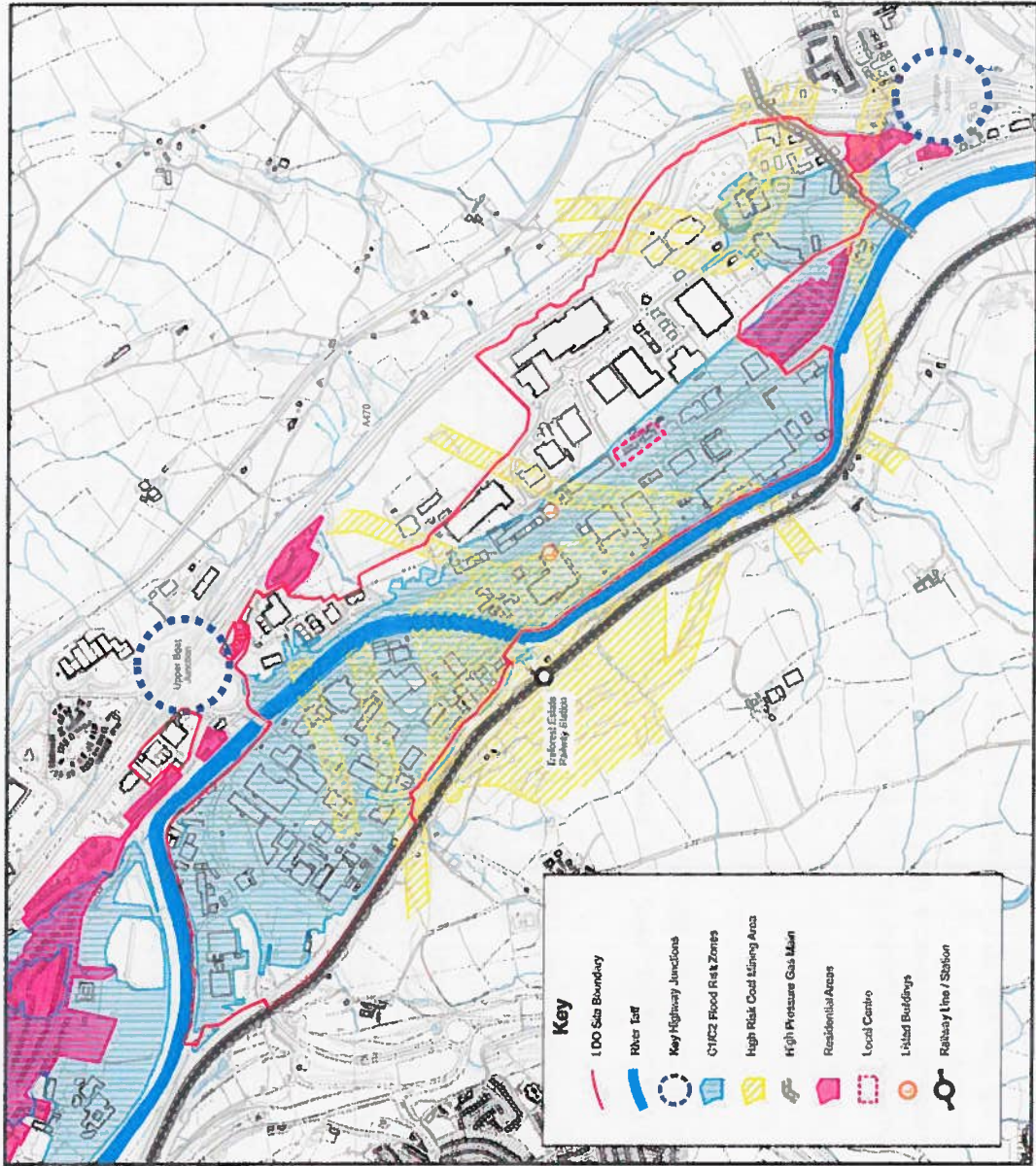
Watercourses- The River Taff runs through the Estate, and there are also other minor watercourses within the boundary area. In order to protect open watercourses, a buffer zone of 7 metres is proposed and operational development would not be permitted by the LDO within this area.

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

Historic Environment Records- It has been suggested by Glamorgan Gwent Archaeological Trust that there are a number of Historic Environment Records in the area proposed to be covered by the LDO. A condition is proposed to address this issue.

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

Figure 2- Constraints Plan



6 Explanation of Part 1: Area 1

6.1 Area 1 constitutes the following land:

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

6.2

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

6.3

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

7. Explanation of Part 2 - Area 2

7.1

The draft Strategic Flood Consequences Assessment has identified the area covered by Area 2 as requiring a Flood Consequences Assessment (FCA) for development to be permitted. Therefore, only development that would not normally require an FCA under Natural Resources Wales' criteria would be permitted in this Area by the LDO. This includes extensions under 250 square metres in floor space and replacement buildings within the same footprint. Uses are the same

as those that would be permitted under Part 3 (see Section 8), except uses classed as "highly vulnerable" under Technical Advice Note 15: Development and Flood Risk.

7.2 In addition to the above, some minor works in conjunction with existing buildings and uses would be permitted. These are the same as those permitted under Part 3, and are explained in Section 8.

8. Explanation of Part 3- Area 3

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

- 8.6 Shelters, such as smoking shelters and bicycle shelters, are permitted as these are considered to provide incidental facilities for premises, rather than create new floor space. Restrictions are placed on dimensions to ensure these remain as minor works.
- 9 **Explanation of Part 4- Area 4**
- 9.1 Area 4 includes an area in the vicinity of the existing Local Centre. Developments that would be permitted by Part 3 are permitted in this area. In addition, this Part would also permit small, new A1, A2 and A3 uses and within Area 4, as due to existing uses and its central and accessible position it is considered the most suitable location for such development.
- 9.2 There is a limit on the size of retail unit that would be permitted (300 square metres), to ensure no large scale retail units are built under the LDO. This, combined with the relatively small area where this would be allowed, is considered to comply with Policy SSA 27 and Planning Policy Wales (Retailing and Town Centres), by facilitating small scale retail that would be considered ancillary to, and that would not be considered to alter, the largely industrial character of the Estate, nor be detrimental to Pontypridd or any other retail centre.
- 9.3 It should be noted that A1 Units permitted by the LDO are still subject to the Community Infrastructure Levy.
- 10 **Letter of Compliance, Design Parameters & Discharge of Conditions**
- 10.1 No development would be permitted to commence under the LDO until the developer has obtained a letter from the Council stating that the development complies with the LDO. The developer would have to submit plans and an application form to demonstrate that the development is in compliance. The proposed application form and information to be required is set out in Schedule 9. This is not as extensive as would be required for most planning applications, but is necessary so the Council has enough information to check the proposal complies with the LDO. The Council would aim to reply within 10 working days of the receipt of details.
- 10.2 When a developer applies for a Letter of Compliance, normally this would only be issued where the development is in compliance with the Design Parameters set out in Schedule 4. However, the LDO does allow for these to be relaxed where

the Local Planning Authority agree that doing so would not cause any harm to the visual amenity of the area or to the amenity of neighbouring uses.

10.3 No development would be allowed to start until all the relevant conditions in Schedule 5 of the LDO have been discharged. The table in Schedule 5 states when the conditions would be considered relevant. These are similar to the conditions that would be required on any planning permission obtained through the standard application process. It should be noted that failure to discharge a condition could result in the requirement for a retrospective planning application. Please note that these conditions would be covered by fees introduced by the Welsh Government under the Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) Regulations 2015. These currently stand at £95 per application, and can be reduced by submitting details for a number of conditions under one application.

11 Design Code/User Guide

11.1 The adopted LDO will include a Design Code/User Guide which will set out design principles for developments permitted under the LDO, and explain and assist developers in complying with it. It is intended the Design Code/User Guide will be developed using feedback from the consultation process.

12 Monitoring Indicators

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

- Number of valid applications for Letters of Compliance with the LDO;
- Percentage of Letters of Compliance that are issued in respect of valid applications for them;
- Percentage of overall development applications on the Estate that are issued with a Letter of Compliance with the LDO;
- Overall amount of floor space issued with a Letter of Compliance;
- Number of developments started under the LDO;
- Number of developments completed under the LDO;
- Overall amount of floor space completed under the LDO (from application form);

- Overall number of jobs created under the LDO (from application form).

APPENDIX 2

Town and Country Planning Act 1990 (as amended)

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

Definitions

In this Order:

“Area 1” constitutes the following land:

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

“Area 2” constitutes the land that is shaded in red in Schedule 7;

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

“Area 4” constitutes the land that is shaded in blue in Schedule 8;

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

“EIA Development” has the same meaning as in regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999;

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

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

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

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

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

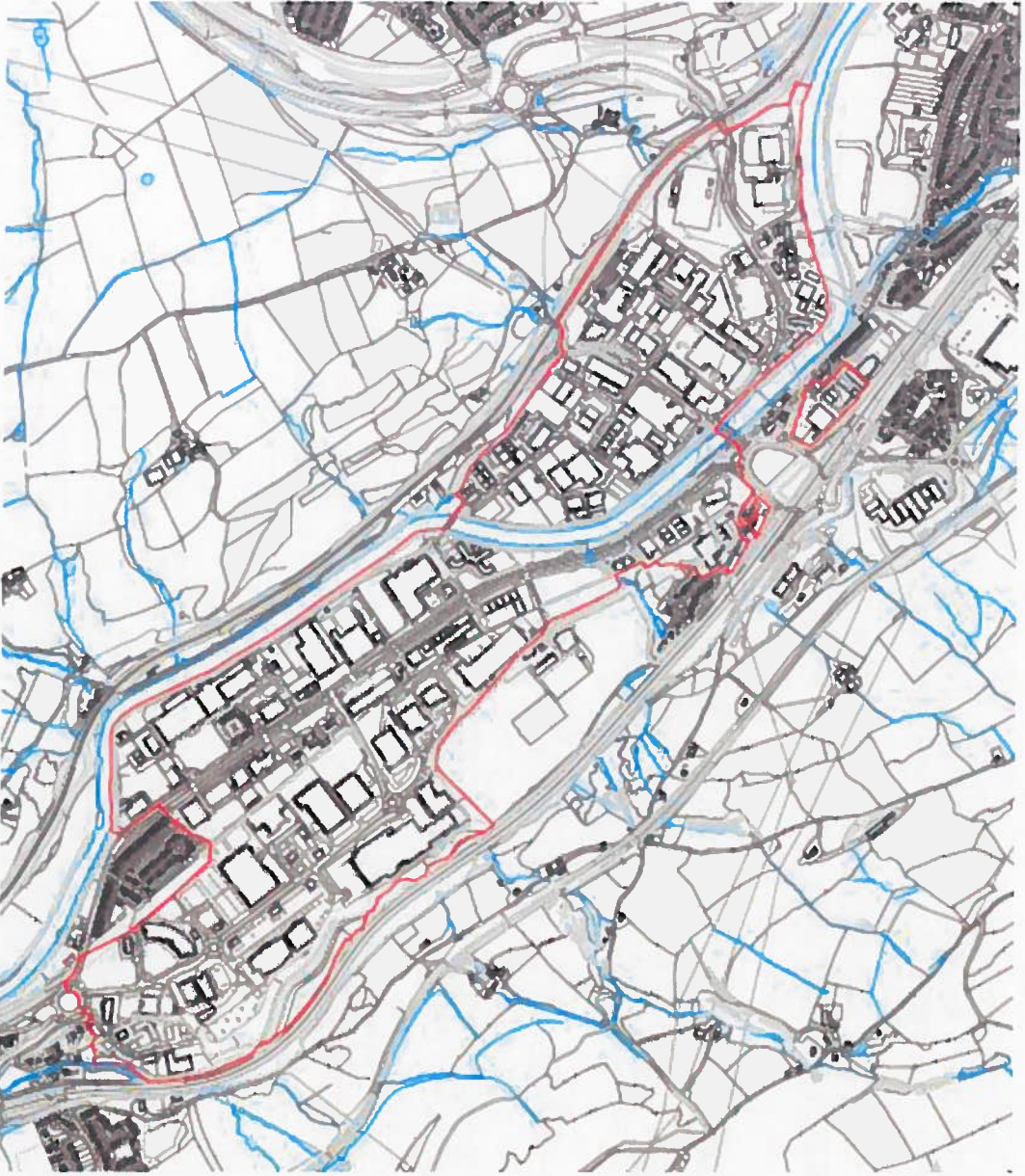
“Shelter” is defined as a largely open structure with a roof which is primarily used as shelter from inclement weather while outside, such as bicycle shelters, bus shelters, smoking shelters and trolley shelters;

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

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

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

1. This Local Development Order ("LDO") is made by the Rhondda Cynon Taf County Borough Council ("the Council") under Section 61A of the Town and Country Planning Act 1990 (as amended) and shall be known as The Treforest Industrial Estate and Parc Nantgarw Local Development Order 2016.
2. This LDO takes effect on the date that it is adopted by the Council and will remain in force for a 10 year period from its adoption following which the LDO shall lapse.
3. This LDO applies to the land edged red on the map attached as Schedule 1 only.
4. **This LDO grants planning permission for developments within Schedule 2, subject to the exclusions, limitations and conditions as set out in this Order.**
5. Nothing in this LDO grants planning permission for development which is EIA Development.
6. Nothing in this LDO grants planning permission for development affecting a listed building within the meaning of Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, or within the curtilage of a listed building.
7. Should permission granted by the LDO be withdrawn due to the Order being revoked or revised, the completion of any development commenced under the version of the Order in force at the time of commencement is permitted to be completed.



Schedule 1 - LDO Boundary

Schedule 2- Developments Permitted by the LDO

Part 1- Area 1

A. Permitted Development within Area 1:

- i. Change of use of land, where the land forms part of a site where a change of use is permitted within another part of this schedule.**
- #### **B. Conditions and Limitations within Area 1:**
- i. The receipt of a letter of compliance, as set out in Schedule 3;**
 - ii. Conditions set out in Schedule 5, where these are relevant to the development permitted;**
 - iii. No operational development is permitted by the Order within Area 1;**
 - iv. No part of any land within Area 1 shall be used for any purpose for which it is not currently used, unless it is to be used for providing landscaping for the site.**

Part 2- Area 2

A. Permitted Development within Area 2- Extensions, New Buildings, New Structures and Changes of Use:

- i. The extension of an existing building where the floor space does not exceed 250 square metres;**
- ii. The demolition and replacement of an existing building with one that is within the same footprint, for a use listed within section v of Part 2A, or uses ancillary of one of these uses;**
- iii. The change of use of existing land and buildings to the uses listed within section v. of Part 2A, or uses ancillary of one of these uses;**

iv. New structures that do not increase building floor space;

v. The uses referred to in sections ii and iii are:

- Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Vehicle hire and sales;
- Vehicle depots;
- Plant hire;
- Car wash facilities;
- Builders yards;
- Industrial laundries;
- Gymnasium and fitness facilities; and
- Vehicle parking, including for park and ride or park and share purposes;

B. Conditions and Limitations within Area 2- Extensions, New Buildings, Structures and Changes of Use:

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

ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;

iii. Conditions set out in Schedule 5, where these are relevant to the development permitted;

iv. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.

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

i. Alterations to existing buildings and structures that do not increase the volume of existing buildings;

ii. External works to land;

iii. The provision of shelters.

D. Conditions and Limitations within Area 2- Alterations to Existing Buildings and Structures, External Works to Land and Provision of Shelters

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

ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;

iii. Conditions set out in Schedule 5, where these are relevant to the development permitted;

iv. Part 2C does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;

v. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;

vi. All developments must be incidental or ancillary to the permitted use of the land.

E. Permitted development with Area 2- Change of Use of Existing Retail Uses to another Retail Use

The changes of use of land, buildings and structures from any existing A1, A2 or A3 use to any other A1, A2 or A3 use.

F. Conditions and Limitations within Area 2- Change of Use of Existing Retail Uses to another Retail Use

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

- ii. Conditions set out in Schedule 4, where these are relevant to the development permitted;
- iii. Development permitted by Part 2E is limited to the change of use of existing land and buildings only and does not permit operational development.

Part 3-Area 3

A. Permitted Development within Area 3- Extensions, New Buildings, Structures and Changes of Use:

- i. The development of vacant sites;
- ii. The re-development of sites that are currently in use;
- iii. The re-use of sites, buildings and structures;
- iv. The extension of existing buildings and structures;
- v. The erection of new or additional buildings and structures; and
- vi. External works incidental to those that fall under the above categories;

for

the following uses, or uses ancillary to one of these uses:

- i. Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)
- ii. Vehicle hire and sales;
- iii. Vehicle depots;
- iv. Plant hire;
- v. Car wash facilities;
- vi. Builders yards;
- vii. Industrial laundries;
- viii. Hotels;
- ix. Education and training establishments;

- x. Healthcare uses;
- xi. Crèches and nurseries;
- xii. Gymnasium and fitness facilities; and
- xiii. Vehicle parking, including for park and ride or park and share purposes.

B. Conditions and Limitations within Area 3- Extensions, New Buildings, Structures and Changes of Use:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;
- iii. Conditions set out in Schedule 5, where these are relevant to the development permitted;
- iv. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- v. Where a site is clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 250 square metres or to covering a maximum of 50% of the area of the site, whichever is the greater;
- vi. Where a site contains buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of 250 square metres or 150% of the size of the total footprint of those buildings, whichever is the greater.

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

- i. Alterations to existing buildings and structures that do not increase the volume of existing buildings;
- ii. External works to land;

iii. The provision of shelters.

D. Conditions and Limitations within Area 3- Alterations to Existing Buildings and Structures, External Works to Land and Provision of Shelters

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;
- iii. Conditions set out in Schedule 4, where these are relevant to the development permitted;
- iv. Part 3C does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- v. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received.
- vi. All developments must be incidental or ancillary to the permitted use of the land.

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

The changes of use of land, buildings and structures from any existing A1, A2 or A3 use to any other A1, A2 or A3 use.

F. Conditions and Limitations within Area 3- Change of Use of Existing Retail Uses to another Retail Use

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

iii. Development permitted by Part 3E is limited to the change of use of existing land and buildings only and does not permit operational development.

Part 4- Area 4

A. Permitted Development within Area 4- Extensions, New Buildings, Structures and Changes of Use:

- i. The development of vacant sites;
- ii. The re-development of sites that are currently in use;
- iii. The re-use of sites, buildings and structures;
- iv. The extension of existing buildings and structures;
- v. The erection of new or additional buildings and structures; and
- vi. External works incidental to those that fall under the above categories;

for

- i. Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)
- ii. Vehicle hire and sales;
- iii. Vehicle depots;
- iv. Plant hire;
- v. Car wash facilities;
- vi. Builders yards;
- vii. Industrial laundries;
- viii. Hotels;
- ix. Education and training establishments;
- x. Healthcare uses;
- xi. Crèches and nurseries;
- xii. Gymnasium and fitness facilities;
- xiii. Vehicle parking, including for park and ride or park and share purposes; and

xiv. Classes A1, A2 and A3 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

B. Conditions and Limitations within Area 4- Extensions, New Buildings, Structures and Changes of Use:

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;
- iii. Conditions set out in Schedule 5, where these are relevant to the development permitted;
- iv. Part 4A only permits development under Use Classes A1, A2 and A3 where the total gross internal floor space of an individual unit permitted is less than 300 square metres;
- v. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- vi. Where a site is clear of buildings on 31st December 2015 and is to be developed, the buildings permitted under the LDO are limited to a maximum floor space of 250 square metres or to covering a maximum of 50% of the area of the site, whichever is the greater;
- vii. Where a site contains buildings on 31st December 2015, the total area of any redevelopment, new buildings or extensions permitted under the LDO is limited to a maximum floor space of 250 square metres or 150% of the size of the total footprint of those buildings, whichever is the greater;
- viii. Any individual unit or extension permitted by Part 4A shall remain as that unit, or in the case of an extension part of the unit for which it was permitted, and shall not be joined with any other unit at any point in time to become a larger unit.

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

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

D. Conditions and Limitations within Area 4- Alterations to Existing Buildings and Structures, External Works to Land and Provision of Shelters

- i. The receipt of a letter of compliance, as set out in Schedule 3;
- ii. The design parameters set out in Schedule 4, unless otherwise agreed in writing by the Local Planning Authority;
- iii. Conditions set out in Schedule 4, where these are relevant to the development permitted;
- iv. Part 4C does not permit any development which results in the increase in height of an existing building or structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure;
- v. Development is only permitted if the site is considered to have low potential for containing a bat roost or the works are considered to have a low potential of impacting on bats, or a satisfactory bat survey has been received;
- vi. All developments must be incidental or ancillary to the permitted use of the land.

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

The changes of use of land, buildings and structures from any existing A1, A2 or A3 use to any other A1, A2 or A3 use.

F. Conditions and Limitations within Area 3- Change of Use of Existing Retail Uses to another Retail Use

- i. The receipt of a letter of compliance, as set out in Schedule 3;**
- ii. Conditions set out in Schedule 4, where these are relevant to the development permitted;**
- iii. Development permitted by Part 4E is limited to the change of use of existing land and buildings only and does not permit operational development.**

Schedule 3- Letter of Compliance

- A. No development permitted by this Local Development Order (LDO) shall commence until:
- i. An application form, plans and other documents have been received as set out in Schedule 9 to the LDO;
 - ii. A letter has been issued by the Local Planning Authority confirming the proposed development complies with the LDO, subject to the discharge of the conditions set out in this Schedule where relevant; and
 - iii. The conditions set out in Schedule 5 have where relevant been discharged.

Schedule 4: Design Parameters

Developments permitted by the LDO shall comply with the following design parameters, unless otherwise agreed in writing by the Local Planning Authority.

Part 1 - Area 1

A. Part 1A - Not Applicable

Part 2 - Area 2

A. The design parameters for developments permitted by Part 2A are as follows:

- i. Buildings, extensions or structures shall be 2 metres or more from the boundary of a site, with the exception of means of enclosure and broadband infrastructure;
- ii. Buildings, extensions or structures shall be 5 metres or more from the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;
- iii. Buildings, structures or extensions shall be 20 metres or less in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- vi. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building or the highest point of any structure.

B. The design parameters for developments permitted by Part 2C are as follows:

- i. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building, or the highest point of any structure;
- ii. Shelters shall be 2 metres or more from the boundary of a site, and 5 metres or more from the boundary of a site with a highway;
- iii. Shelters shall be 3 metres in height or less and 25 square metres in footprint or less;
- iv. Structures or engineering operations that constitute external works shall be 3 metres or less in height to the highest point from the existing ground level, with the exception of broadband infrastructure.

C. Part 2E- Not Applicable

Part 3- Area 3

A. The design parameters for developments permitted by Part 3A are as follows:

- i. Buildings, extensions or structures shall be 2 metres or more from the boundary of a site, with the exception of means of enclosure and broadband infrastructure;
- ii. Buildings, extensions or structures shall be 5 metres or more from the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;
- iii. New buildings, extensions or structures shall be 12.5 metres or more from the boundary of the footway of Main Avenue, or shall not be forward of any existing building on the site where it fronts Main Avenue, whichever is the nearer, with the exception of means of enclosure and broadband infrastructure;
- iv. Buildings, structures or extensions shall be 20 metres or less in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;

- v. Buildings, extensions or structures shall be 10 metres in height or less, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure, within 15 metres of the boundary of the curtilage of a listed building;
 - vi. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building or the highest point of any structure.
- B. The design parameters for developments permitted by Part 3C are as follows:**
- i. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building, or the highest point of any structure;
 - ii. Shelters shall be 2 metres or more from the boundary of a site, and 5 metres or more from the boundary of a site with a highway;
 - iii. Shelters shall be 3 metres in height or less and 25 square metres in footprint or less;
 - iv. Structures or engineering operations that constitute external works shall be 3 metres or less in height to the highest point from the existing ground level, with the exception of broadband infrastructure.

C. Part 3E- Not Applicable

Part 4-Area 4

A. The design parameters for developments permitted by Part 3A are as follows:

- i. Buildings, extensions or structures shall be 2 metres or more from the boundary of a site, with the exception of means of enclosure and broadband infrastructure;

- ii. Buildings, extensions or structures shall be 5 metres or more from the boundary of a site with a highway, with the exception of means of enclosure and broadband infrastructure;
- iii. New buildings, extensions or structures shall be 12.5 metres or more from the boundary of the footway of Main Avenue, or shall not be forward of any existing building on the site where it fronts Main Avenue, whichever is the nearer, with the exception of means of enclosure and broadband infrastructure;
- iv. Buildings, structures or extensions shall be 20 metres or less in height to the highest point of the roof of a building or the highest point of any structure, with the exception of those accommodating A1, A2 and A3 uses and uses ancillary to these, renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- v. Buildings, structures or extensions accommodating A1, A2 and A3 uses and uses ancillary to these, shall be 7.5 metres or less in height to the highest point of the roof of a building or the highest point of any structure, with the exception of renewable energy developments, air conditioning units and broadband infrastructure attached to an existing or permitted building or structure;
- vi. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building or the highest point of any structure.

B. The design parameters for developments permitted by Part 4C are as follows:

- i. Renewable energy developments, broadband infrastructure and air conditioning units attached to an existing or permitted building or structure, shall protrude 5 metres or less from the highest part of the roof of a building, or the highest point of any structure;
- ii. Shelters shall be 2 metres or more from the boundary of a site, and 5 metres or more from the boundary of a site with a highway;
- iii. Shelters shall be 3 metres in height or less and 25 square metres in footprint or less;
- iv. Structures or engineering operations that constitute external works shall be 3 metres or less in height to the highest point from the existing ground level, with the exception of broadband infrastructure.

C. Part 4E- Not Applicable

Schedule 5- Conditions Schedule

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

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

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

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

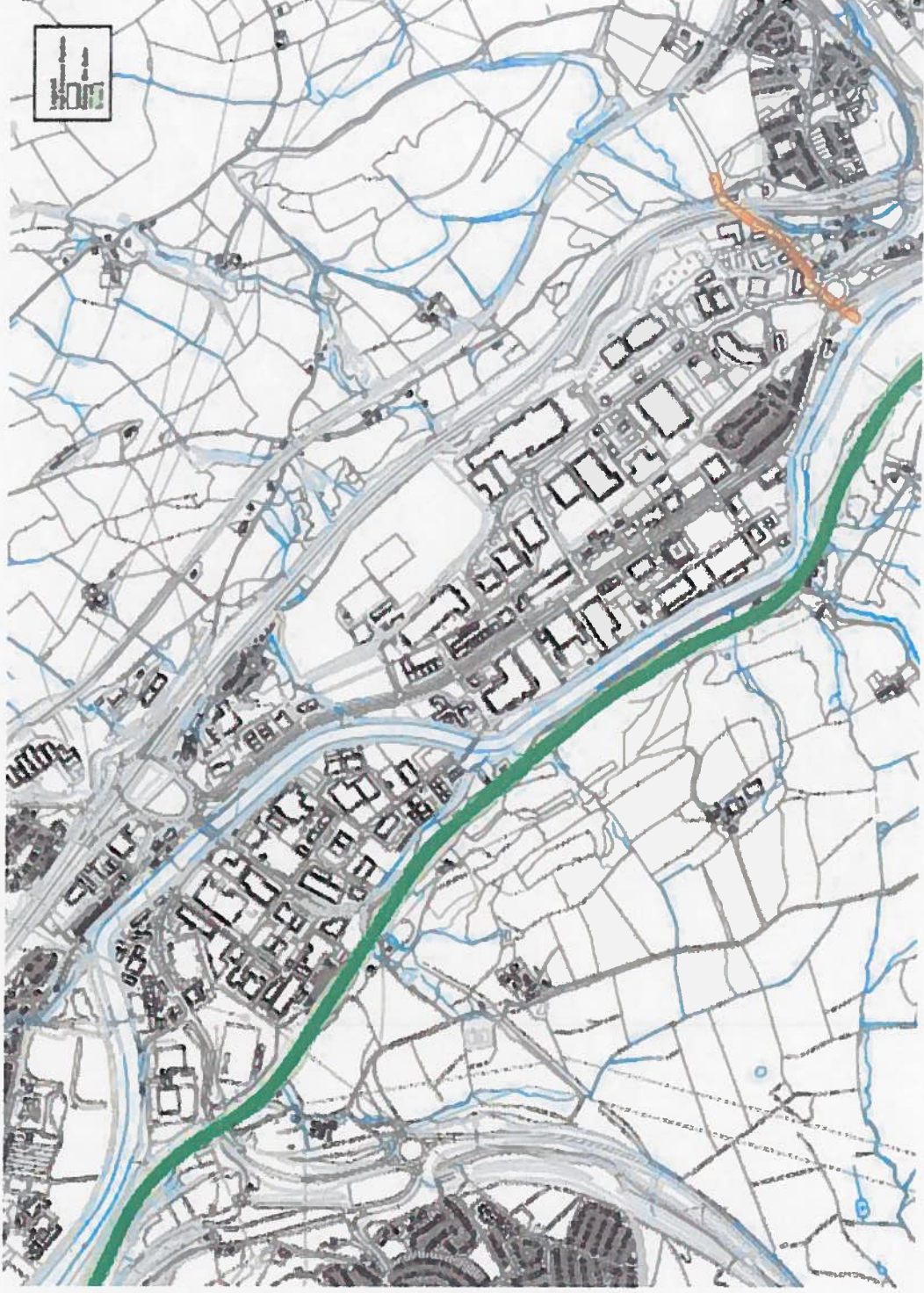
		development being brought into beneficial use.	
9.	New buildings and extensions.	The development shall not be commenced until a safe method of pedestrian access has been submitted to and approved in writing by the Local Planning Authority. The pedestrian access shall be provided in accordance with the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

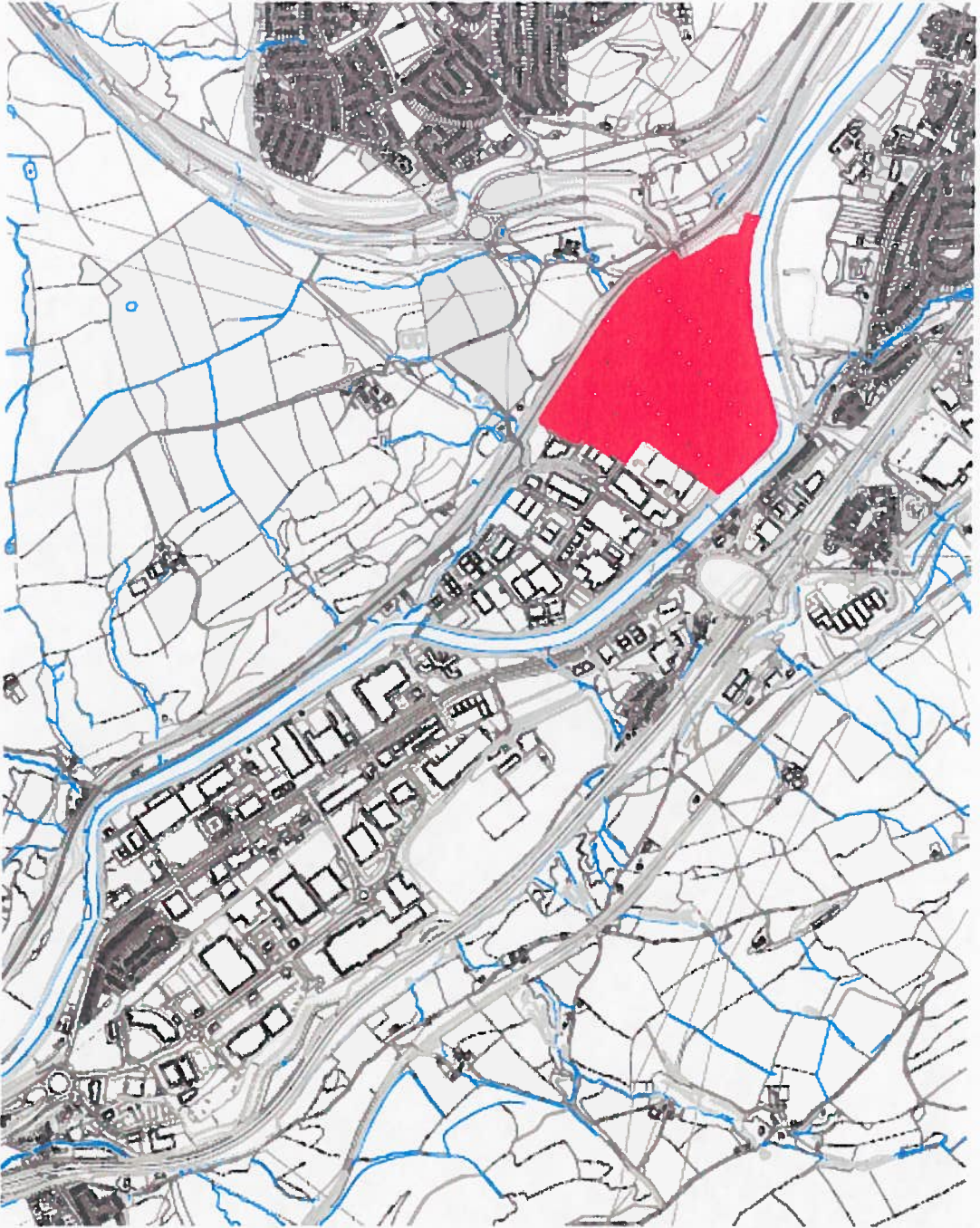
<p>identified as potentially contaminated due to its past use.</p>	<p>include all of the following measures unless otherwise agreed in writing by the Local Planning Authority:</p> <p>A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model;</p> <p>A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been agreed in writing with the Local Planning Authority; and</p> <p>A written method statement for the remediation of contamination affecting the site.</p> <p>The development shall not be brought into beneficial use 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 Local Planning Authority.</p> <p>If during development works any contamination is encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the development re-commencing. The development shall be re-commenced in accordance with the new approved details.</p>	<p>interest of health and safety and environmental amenity.</p>
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13.	New buildings and extensions on a site where a potential archaeological resource is identified.	The development shall not be commenced until the name of a suitably qualified archaeologist to undertake an archaeological watching brief has been submitted to and approved in writing by the Local Planning Authority. The approved archaeologist shall be present during the undertaking of any ground disturbing works in the development area, so that an archaeological watching brief can be conducted. The archaeological watching brief shall be undertaken to the standards of the Institute for Archaeologists. A copy of the watching brief report shall be submitted to the Local Planning Authority within two months of the fieldwork being completed by the archaeologist.	Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
14.	New buildings and extensions which are over 250 square metres in floor space and are within the C1 and C2 zones on the Welsh Government's Development Advice Map.	The development shall not be commenced until the finished ground floor level is submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To ensure that the floor levels of any proposed buildings are above the flood level.
15.	New buildings and extensions which are over 250 square metres in floor space and are within the C1 and C2 zones on the Welsh Government's Development Advice	The development shall not be brought into beneficial use until a flood emergency / flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented in accordance with the approved details.	Reason: In the interests of public safety.

	Map.		
16.	New buildings and extensions which are over 250 square metres in floor space.	The development shall not be brought into beneficial use until a Travel Plan is submitted to and approved in writing by the Local Planning Authority setting out how the development will contribute to achieving a reduction in car journeys. The development shall operate in accordance with the approved details.	Reason: To minimise the impact that development has on the traffic using the local highway network.
17.	All development within 20 metres of the bank of the River Taaf involving additional external lighting.	The development shall not be commenced until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.	Reason: To minimise the impact that the development has on bats.

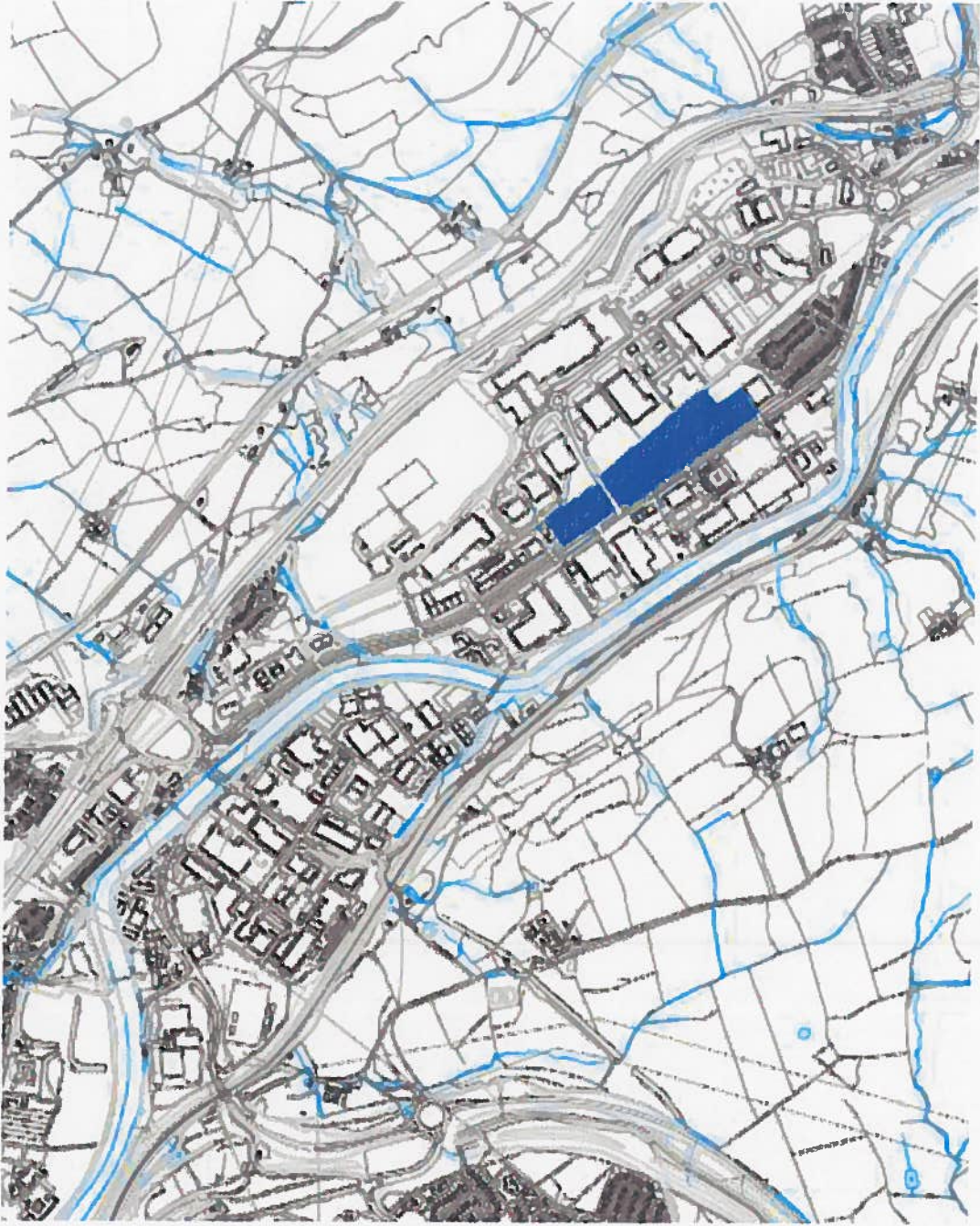
Schedule 6- Plan showing Gas Pipe and Railway Line





Schedule 7 - Area 2

Schedule 8 - Area 4 (Retail Zone)



Schedule 9- Application Form

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

1. Applicant Details

Name:

Address:

Telephone Number:

Email:

2. Agent Details

Name:

Address:

Telephone Number:

Email:

3. Description of the Proposal

Description:

Is this development a (tick all that apply):

Change of use of an existing building or site?;

The redevelopment of a vacant site?;

A new building or structure?;

An extension to an existing building?;

Minor improvement works to an existing site or building?;

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

4. Site Address

5. Existing Use

6. Existing Buildings and Trees on the Site

Are there any existing buildings on the site?

Yes/No (please delete as appropriate)

Approximate date when buildings were constructed:

Are any buildings proposed to be demolished as part of the proposal?

Yes/No (please delete as appropriate)

Were there any buildings on the site that have been demolished?

Yes/No (please delete as appropriate)

Date of demolition:

Will the proposal involve re-roofing works?

Yes/No (please delete as appropriate)

Will the proposal involve cutting into an existing roof structure or the removing of/alterations to an existing roof structure?

Yes/No (please delete as appropriate)

Are there any mature trees on the site?

Yes/No (please delete as appropriate)

Are there mature trees proposed to be felled, or works to mature trees as part of the proposal?

Yes/No (please delete as appropriate)

Are you aware if any bats (or evidence of bats) have been found in association with, or seen emerging from, any buildings, trees or other structures on the site?

Yes/No (please delete as appropriate)

7. Proposed Use

8. Floor Space and Employment

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

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

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

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

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

How many people are currently employed at the site?

Full time

Part Time:

Full time equivalent:

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

Full time

Part Time:

Full time equivalent:

9. Proposed External Finishing Materials (where relevant)

Existing

Proposed

Walls:

Roof:

Windows:

Doors:

Boundary Treatment:

Outdoor Surfaces:

Other:

10. Signature and Date

Signature:

Applicant/Agent (please delete as appropriate)

Date:

11. Please indicate preferred method of reply:

Post/Email (please delete as appropriate)

Please include:

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

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

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

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

APPENDIX 3

Informal Consultation Summary

20 Responses:

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

Summary of comments from businesses:

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

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

Summary of comments from residents:

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

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

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

Summary of comments from other consultees:

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

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

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

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

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

