



PLANNING & DEVELOPMENT COMMITTEE

21 FEBRUARY 2019

REPORT OF THE SERVICE DIRECTOR, PLANNING

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below

APPLICATION NO: 18/0408/10
(SF)

APPLICANT: Allied Welsh & Ty Carreg Group

DEVELOPMENT: Phase 1 - Development consisting of a Business/Industrial Park extension on a green field site off Llantrisant Business Park (amended plans / information received 15/08/18).

LOCATION: LAND AT TAL Y FEDW, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONTYCLUN, CF72 8LF

DATE REGISTERED: 10/05/2018

ELECTORAL DIVISION: Town (Llantrisant)

RECOMMENDATION: Approve

REASONS:

The application site forms part of the Llantrisant Business Park employment land bank and the principle of developing the site for industrial uses is therefore considered acceptable. The scheme will make effective use of an undeveloped area of land within the settlement boundary, will generate economic growth on the site and result in a number of employment opportunities in the local area, without having an adverse impact on highway safety, the character and appearance of the site or residential amenity. It has been satisfactorily demonstrated that the impact of this scheme on ecology can be appropriately mitigated and an appropriate diversion for the existing PROW accommodated within the scheme.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Service Director Planning;

APPLICATION DETAILS

This is a full application for the development of the site to provide two Class B1 (light industrial) / B2 (general industrial) / B8 (storage and distribution) units, together with associated building, engineering operations and landscaping. The development comprises 2 buildings positioned to the east and west of the main access road leading from the internal estate road to the south and would provide a total floor area of 894 sqm as follows:

Unit 1 - a rectangular single pitched roof building with approximate dimensions of 27.3m in width by 17.7m in depth and 6.5m in height (344 sqm), shown located towards the western corner of the site. The building is shown to provide 3 warehouses together with offices and a servicing bay on the ground floor and two further offices on a mezzanine level. The building would be constructed on a blue / grey brick plinth and external finishes would consist of vertical dark blue metal cladding and horizontal goose-wing grey metal cladding with anthracite grey powder coated doors and windows and light grey metal roofing panels. The front, east-facing elevation of the building would incorporate a 'cedral' wood effect feature wall and is shown to include the occupying company sign, for which a separate advertisement consent may be required.

Unit 2 - a larger square double pitched building with approximate dimensions of 24.7m in width by 24.7m in depth and 6.5m in height (550 sqm) shown located to the east of the access and adjacent to the southern boundary of the site. The building is shown to provide a large warehouse area of 377 sqm with offices and a staff facility area. The building is of the same material finish as Unit 1 and also includes a 'cedral' wood effect feature wall on the front, west facing elevation.

The areas immediately surrounding the 2 buildings are shown to provide parking, delivery and servicing areas required in association with the industrial uses proposed, with remaining areas being landscaped and turfed.

In addition to the application forms and plans, the application is accompanied by the following information:

- Design and Access Statement – Vale Consultancy – 5.3.18
- Air Quality Proposals Report – Air Quality Consultants Ltd – January 2018.
- Employment and Skills Statement – Vale Consultancy – 11.4.18
- Coal Mining Risk Assessment – Richard Davies – 8.3.18
- Ecological Appraisal – WYG – July 2017
- Bat Activity Survey Report – WYG – November 2017
- Drainage Strategy – Vale Consultancy – April 2018
- Construction Environmental Management Plan – A. Edwards – 7.8.18
- Specification for Tree Works Report & accompanying Tree Plan – Treescene – 9.8.18
- Arboricultural Method Statement & accompanying Tree Protection Plan – Treescene – 20.11.18
- Tree and Ecology Addendum Document – Vale Consultancy – 21.11.18
- Badger Walkover – David Clements Ecology Ltd – November 2018

The Design and Access Statement explains that the development of the whole site is to be phased in two applications, with this application constituting Phase 1 and including a new access, road infrastructure and industrial starter units. The proposal includes two adaptable light industrial buildings suitable for single or multiple use for light industrial manufacturing, storage and distribution, with low staffing levels and commercial visitors only. The largest extent of the layout is to be used as manufacture and storage with smaller areas for offices and amenities. The application details suggest that the development would provide employment for 40 full-time employees and Unit 1 is intended to be occupied by the applicant, Allied Welsh.

The application also confirms that whilst this scheme falls outside of the SPG threshold for requiring an Employment and Skills Plan, the applicant has provided an existing and proposed Employment and Skills Statement and has confirmed that this will be developed further in connection with the Phase 2 development.

Following the receipt of consultee comments primarily in relation to highways and ecology issues, a revised scheme has been received which incorporates an amended layout and a revised access and parking arrangements, a 5 metre buffer zone between the built development and existing tree screen and the location details of other planting detailed in the ecology report.

SITE APPRAISAL

The site forming the subject of this application extends to an area of approximately 0.81ha and is located within the identified settlement boundary. The site forms an irregular area of greenfield land, which lies within the boundary to the north of Llantrisant Business Park. Access to the site is obtained via an existing overgrown access track and this joins the internal estate road within the Business Park to the south of the site. A solid metal gate approximately 2m in height is currently erected across this access point. The internal estate road serving the Business Park connects with Heol-y-Sarn to the south and this joins the A4119 Ely Valley Road, which serves as the major route from the Rhondda to the M4.

The majority of land to the south forms part of the Business Park and has been the subject of significant commercial development over the past two decades. Land immediately to the south-east has been the subject of more recent development by Tom Prichard Contracting for use as a contractor's yard and a smaller parcel of land to the south also accommodates the Dialysis Centre. The remaining land surrounding the site is mainly comprised of agricultural land, with Tal-y-Fedw Farm and other residential properties located to the north-east.

The boundaries of the site are defined by mature trees and well established hedgerows. A track to the rear of Tal-y-Fedw Farm is located close to the eastern boundary and a Public Right of Way (PROW) Llantrisant 223/1 runs through the centre of the site. The Nant Muchudd also runs adjacent to the western boundary of the site and the Nant Castellau joins this to the north.

PLANNING HISTORY

A planning history search of the application site has identified that it has formed part of a larger site which has been the subject of a number of planning applications relating to Tal Y Fedw Farm, however application / enquiries in respect of the current application site are as follows:

| | | |
|---------|--|---------------------|
| 17/5068 | Business / Industrial Park extension on a green field site off Llantrisant Business Park. | Advice provided |
| 17/0582 | Variation of Condition 1(c) of application 14/0284/15 for the approval of reserved matters shall be made before the expiration of six years from 11 June 2014 and Removal of Conditions 25 (Code for Sustainable Homes), 26 (BREEAM) and 27 (BREEAM) as they no longer accord with Welsh Government policy as to sustainable building. | Granted 20/09/17 |
| 14/0284 | Variation of Condition 1 of planning application no 10/1285 to extend by three years the period within which reserved matters applications may be submitted. | Granted 11/06/14 |
| 10/1285 | Application to vary condition 1(c) imposed on planning permission no. 07/0364/13. | Granted 31/01/11 |
| 07/0364 | Employment development (outline) including all associated building, engineering operations & landscaping. | Granted 22/04/08 |

PUBLICITY

The application has been advertised by means of a press notice (due to affecting a PROW), the direct notification of properties in the vicinity of the site and the display of site notices.

In response, **one letter of objection** was received raising issues of land ownership resulting in the submission of an amended site boundary.

One letter has also been received identifying that in order for the development to be accommodated at the site, the existing Public Right of Way (PROW) crossing the site would need to be diverted or extinguished and it is requested that further clarification is sought prior to the consideration of the application by the Planning Committee.

CONSULTATION

Transportation Section – has raised no objections subject to the imposition of conditions to require full engineering details, the provision of parking areas and a construction method statement.

Natural Resources Wales - has confirmed that following the submission of additional information in relation to bat mitigation and the prevention of pollution, no objections are raised.

Coal Authority – has raised no objection, but has requested the inclusion of an informative note in relation to former coal mining activities.

Dwr Cymru / Welsh Water - has raised no objection, but requested a standard condition to prevent surface water connection with the public sewerage network and advisory notes.

Wales and West Utilities - has raised no objection, but has identified the presence of their infrastructure in the vicinity of the application site and requested the applicant to contact them directly to discuss their requirements in detail. Any diversion works will be fully chargeable.

Public Health and Protection Section - has raised no objections subject to conditions to require that an acoustic survey is undertaken prior to the occupation of the Phase 1 units and to control the noise which can be generated from the industrial activities undertaken on site.

Countryside, Landscape and Ecology Section - the Council's Ecologist has raised no objection subject to the imposition of conditions to secure the implementation of the ecological mitigation details submitted in support of the application and to require bat sensitive lighting details.

The Public Rights of Way Officer - has raised no objection and advised that the applicant has identified an appropriate alternative route to enable the development to be accommodated and is pursuing a public path diversion order in order to formalise this. It is advised that the legal process is still on-going and that no development should take place until the footpath has been formally diverted.

Land Reclamation and Engineering Section – has confirmed that the drainage strategy submitted to inform the application will ensure that the surface water flood risk associated with the site is being adequately managed and controlled. It is accepted that a condition requiring the implementation of the drainage strategy is necessary.

South Wales Fire and Rescue Authority – has raised no objections but has advised that the developer should consider the need for the provision of adequate water supplies on the site for fire-fighting purposes and access for emergency fire-fighting appliances.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The site is located within the settlement boundary (SSA13) identified in the Local Development Plan and forms part of Llantrisant Business Park employment land bank (TL6). A Site of Importance for Nature Conservation (SINC AW 8.111 Nant Muchudd), a Special Landscape Area (SSA 23 6. Mynydd y Glyn and Nant Muchudd Basin) and Sandstone Safeguarding Area (AW 14.2) are located at the northern and western boundaries of the site. A small section of land to the north of the site is also located within a C2 Flood Zone.

Policy CS2 – advises that in the Southern Strategy Area, emphasis will be on sustainable growth, focusing development within defined settlement boundaries and promoting the reuse of under used and previously developed land and buildings. This will also be achieved by realising the importance of the Principal Town of Llantrisant / Talbot Green as an area of social and economic growth and providing opportunities for significant inwards investment in sustainable locations.

Policy AW2 - supports development proposals on non-allocated sites in sustainable locations which would not unacceptably conflict with surrounding uses, have good accessibility to a range of sustainable transport options, have good access to key services and facilities and support the role and function of key services.

Policy AW4 - confirms that contributions towards new or improved services, infrastructure and related works may be sought in respect of a number of facilities including, highway infrastructure works, recreation, leisure and community facilities.

Policy AW5 - sets out the criteria for new development in relation to amenity and accessibility and requires development to have no unacceptable effect on the character and appearance of the site or surrounding area, no significant impact on the amenities of neighbouring occupiers and to be accessible to the local and wider community by sustainable modes of transport and not exacerbate existing traffic congestion.

Policy AW6 - requires development to involve a high quality design and to reinforce attractive qualities, including that they include an efficient use of land.

Policy AW8 - permits development only where it would not cause harm to locally designated sites or features of importance to landscape and nature conservation and that proposals demonstrate measures for the mitigation and compensation of potential impacts.

Policy AW10 - advises that development will not be permitted where it would cause a risk of unacceptable harm to health or local amenity due to various risks including noise, contamination, land stability, water pollution and flooding.

Policy SSA3 - proposals for commercial development within Llantrisant / Talbot Green will be permitted where the development reinforces its roles as a Principal Town, is of a high standard of design, integrates positively with existing development and promotes opportunities for new retail, tourism and leisure development.

SPG - Nature Conservation

SPG - Design and Placemaking

SPG - Delivering Design and Placemaking: Access, Circulation & Parking Requirements.

SPG - Employment and Skills

National Guidance

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

The Welsh Government published Planning Policy Wales 10 on 5th December 2018, and the document aims to incorporate the objectives of the Well-being of Future Generations Act into Town & Country Planning.

It is considered that this proposal meets the seven wellbeing of future generations goals inasmuch as they relate to the proposed development and that the site has been brought forward in a manner consistent with the five ways of working.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking as set down in Chapter 2 'People and Places: Achieving Well-being Through Placemaking', of PPW10 and is also consistent with the following, inasmuch as they relate to the development

Chapter 3 - Strategic and Spatial Choices (good design making better places, sustainable management of natural resources, accessibility, supporting infrastructure);

Chapter 4 - Active and Social Places (community facilities and recreational spaces);

Chapter 5 - Productive and Enterprising Places (economic development, reducing energy demand and use of energy efficiency);

Chapter 6 - Distinctive and Natural Places (landscape, biodiversity and ecological network, air quality and soundscape and lighting).

Paragraph 5.4.3 identifies that:

'Development plans should identify employment land requirements, allocate an appropriate mix of sites to meet need and provide a framework for the protection of existing employment sites of strategic and local importance.'

Paragraph 5.4.4 goes on to advise that:

'Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration. Sites identified for employment use in a development plan should be protected from inappropriate development.'

Paragraph 6.4.3 also confirms that:

'Development plan strategies, policies and development proposals must consider the need to:

- Safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them...'

Other relevant policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 15: Development and Flood Risk;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development.

REASONS FOR REACHING THE RECOMMENDATION

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

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

Principle of the proposed development

The application site is located within the Southern Strategy Area (SSA) and settlement boundary of Talbot Green and comprises a vacant area of land within the northern boundary of the Llantrisant Business Park. The site is located within the existing employment land bank and constitutes possibly the last available site to be developed for employment purposes within the Business Park. It is considered that its location within the SSA supports the objectives of core strategy Policy CS2 of the Local Development Plan (LDP), by providing opportunities for inward investment, within a sustainable location inside the settlement boundary. By bringing a vacant part of the estate into beneficial use, it will also contribute to the local economy and job market and is therefore considered to be acceptable in principle.

This submission also follows a number of previous applications to develop the site for employment purposes approved since 2007 including 07/0364 (outline) 10/1285 and 14/0284 (both to extend the time period for development). Therefore, not only is the principle of developing the site considered acceptable but also an extant outline permission already exists for employment development on the current application site.

In terms of considering the suitability of the proposed development against the sustainability objectives of the LDP, the site is within the settlement boundary, on an existing employment site and in view of its relationship with other existing development, is unlikely to unacceptably conflict with surrounding uses. Whilst the site is located at the northern end of the Business Park, a number of sustainable transport options exist including walking, cycling and bus services and as such, is considered to be acceptable in relation to the policy requirements of Policy AW2 and the general sustainability objectives of the LDP. A further assessment of the application in relation to other relevant policy criteria is provided below.

Impact on the character and appearance of the area

The application site currently consists of an open greenfield site which previously formed part of Tal-y-Fedw Farm and is rural in character with a stream running adjacent to two of the boundaries and a Public Right of Way (PROW) crossing the site. The land has however been located within the boundary of the Llantrisant Business Park for a number of years, with there being a continuous history of planning consents for employment uses since 2007 and it has therefore been accepted as inevitable, that there would be a fairly significant change in the character and appearance of the land in the future. The majority of the adjoining land to the south, east and west has already been developed for commercial purposes and the

introduction of two additional commercial buildings and the activity associated with the proposed uses will not therefore be out of character in this context.

As previously identified, the adjoining land to the south has been the subject of significant commercial development and is characterised by large pitched roof, metal clad buildings with associated parking / delivery areas and associated infrastructure. It is not therefore considered that the proposed development consisting of two industrial buildings with associated parking areas and landscaping will have any significant impact of the appearance of the area and with the presence of a well established tree screen and hedgerow along the northern boundary which is proposed to be retained, the proposed development will be self-contained and screened from the open countryside and Special Landscape Area to the north.

In conclusion, the proposed scheme will enable the development of part of the last remaining area of land within the Llantrisant Business Park with uses that will complement the surrounding commercial businesses and as such, is considered to comply with Policy AW6 of the LDP.

Access and highway safety

The application is accompanied by details of the access and parking arrangements for the proposed development which utilises the existing internal estate road leading from Heol-y-Sarn. A new access is proposed to be constructed from the existing estate road to the site which incorporates a new footway and an internal road layout is shown to serve the 2 new industrial units, with appropriate links to enable a Phase 2 scheme to be provided in the future. The Council's Transportation Section has confirmed that the proposal includes a 7.3m wide carriageway to be provided with a 3.0m wide shared use cycleway/footpath on one side and a 0.5m wide hard-strip on the other, which is considered to be an acceptable arrangement given the constraints of the site.

In relation to parking provision for the development Highways Officers have confirmed that as the proposed development is for 2 general industry use units within parking Zone 3, plot 1 has an operational requirement of 94m² and a non-operational requirement of 5 spaces and Plot 2 has an operational requirement of 111m² and a non-operational requirement of 8 spaces. The submitted plans confirm Plot 1 will have an operational provision of 542m² and 7 parking spaces and Plot 2 will have an operational provision of 312m² and 8 parking spaces. As the provision for each unit meets the SPG requirements, the proposed development is considered acceptable in terms of off-street parking provision.

In respect of the sustainability of the site's location, the information accompanying the application confirms that a regular bus service operates within 1.3 miles from the site and a footpath is provided throughout the network of roads, which will be extended into the curtilage of the development site. Due to the location of the site, staff and visitors can access the site on foot and provision for cyclists has also been made with a number of bike stands being provided adjacent to the principal entrance. There are therefore no access or parking issues arising out of the

development of this site, which is therefore considered to comply with Policy AW5 of the LDP.

Ecology

In relation to the ecological impact of the scheme, the application is accompanied by an Ecological Appraisal which involved an extended Phase 1 survey of the application site to record habitat types and vegetation including invasive species and also to determine whether the site supported any protected animal species, or habitats capable of supporting them. The Appraisal describes the application site as comprising cattle grazed improved pasture, semi-improved neutral grassland and marshy grassland adjacent to the Nant Castellau. It is also identified that the development will result in the loss of this improved grassland, however no significant impact is predicted on any designated site or protected habitat or species as a result of the development.

As a result of further discussion with the applicant regarding existing ecological features within the site, some alterations have been carried out to the scheme to secure some protection to the existing boundary trees by incorporating a 5 metres buffer zone between the development and boundary and to include additional planting areas with indigenous shrubs and trees identified in the ecology report and the provision of a number of bat boxes. In addition, further ecological information has also been submitted including a Badger Walkover Survey and report detailing tree works proposed to be carried out along the boundary, an Arboricultural Method Statement and a Tree Protection Plan.

The Council's Ecologist has confirmed that the additional information is sufficient to overcome any ecology issues relating to the development of the site and this view has also been confirmed by NRW. It has been identified however that site operational lighting details should be controlled by an appropriate condition. Subject to the imposition of suitable conditions to secure the implementation of the ecological and landscape mitigation put forward as part of the application, it is therefore considered that the requirements of Policy AW8 of the LDP will be satisfied.

Public Health and Protection

In considering public health issues arising from the proposed development, the main issues that have been identified are the impact that the development could have on air quality and the impact of any noise generated by the proposed uses. In respect of air quality, the DAS accompanying the application confirms that the reduced size of the Phase 1 development is such that an assessment is not justified, however it is confirmed that the applicant is committed to progressing Phase 2 of the development and therefore an air quality survey has been scheduled to take place. The application is also accompanied by a report produced by an air quality consultant which details two options for programmes of work which are able to be carried out at the site. In response to this information, the Public Health and Protection Section has confirmed that an Air Quality Assessment (AQA) is not required to be undertaken in connection with the Phase 1 development, however should the Phase 2 development be of such a size, either as a stand alone application, or in combination

with the Phase 1 development that it meets the requirement for an AQA, such an assessment will be required.

The DAS acknowledges that noise may be an issue resulting from the development and various measures designed to mitigate construction noise are recommended in the Construction Environmental Management Plan subsequently submitted in support of the application. It is also advised that processing noise from the buildings would be difficult to confirm at this stage with no occupier for Plot 2 confirmed, although it is identified that the standard working hours for light industry (8am – 6pm) have been applied for. In response, Public Health Officers have advised that conditions to require that noise monitoring is carried out are recommended in order to ensure that activities associated with the development of this site do not cause disturbance to the nearest residential properties located to the north of the site. It has also been confirmed that during the consideration of the application, the Public Health Section has received complaints from residents regarding excessive noise being generated in the area, although it has been confirmed that these complaints are not associated with the application site, but on the adjoining land, where various operational activities have taken place. Following further discussion with the applicant, it has been agreed however that it would be appropriate to attach noise monitoring conditions to this consent which would require an acoustic survey to be carried out prior to beneficial occupation of the development and also further conditions to control the maximum noise levels which could be generated and the requirements in the event that a complaint is received.

A further issue regarding potential contamination and adverse ground conditions has also been raised by consultees and the response from Public Health has advised that the applicant may wish to carry out appropriate investigations or incorporate appropriate protection measures into the building. The initial response from NRW requested the submission of a Construction Environmental Management Plan (CEMP), however following the submission of the CEMP which now accompanies the application, NRW has confirmed that this addresses their concerns. Subject to appropriate conditions and informative notes to address the above issues, it is therefore considered that the development of this site would comply with the requirements of Policy AW10 of the LDP.

Whilst other general comments raised by the Council's Public Health & Protection Section are noted and some of these have already been addressed in the CEMP, it is considered that all other noise, dust and waste issues can be more efficiently controlled by other legislation. An appropriate Informative can be added to any permission notifying the applicant / developer of the need to comply with legislation concerning noise, dust and waste matters.

Impact on Residential Amenity

Given that the proposed development will be contained within Llantrisant Business Park, it is not considered that the design and layout of the scheme will raise any issues in relation to residential amenity. Due to the rural nature of surrounding settlements there is only a scattering of residential properties and farms to the east of the application site, which are set at a higher level and therefore overlook the site and Business Park. Furthermore, as identified earlier in the report, the site has been

the subject of a number of previous applications relating to commercial development and the current scheme is consistent with these.

Although it is acknowledged that noise generated from the development of the site and the future operations could be a potential source of noise nuisance for nearby residential properties, the applicant has included provision for dealing with the impact of the construction works within the CEMP, which will be the subject of a planning condition. Due to the separation distance between the new buildings and nearest residential properties, it is not anticipated that the uses proposed will have an impact on existing amenities. As identified earlier, the applicant will be required to carry out an acoustic survey before either of the buildings are occupied and further conditions which are proposed to be included will restrict the level of noise which can be generated by any of the future occupiers of the site.

Subject to the imposition of appropriate conditions, it is therefore considered that the proposal will comply with Policy AW5 of the LDP.

Other Issues

Coal Mining

The application site falls within an area that is defined as being a Development High Risk Area and where coal mining features and potential hazards may be present and should be considered in relation to the determination of the application. The planning application is supported by a Coal Mining Risk Assessment (CMRA) which concludes that there is no risk to ground stability posed by coal mining legacy issues at the site. The reason given for this is that the seam under the site is a thin poor quality coal that has never been mined in this location and therefore, it is not proposed to offer any engineering or building location mitigation strategy, particularly as the two buildings fall outside of the High Risk Area.

In response to the information contained within the CMRA, the Coal Authority has confirmed that it has no objection to the application, but has recommended an informative note be appended to any grant of planning permission. It is therefore concluded that the additional information submitted meets the requirements of PPW 10 (paragraphs 6.9.25-26) in demonstrating that the site is safe and stable for the proposed development and is compliant with Policy AW10 of the LDP.

Drainage and Flooding

The application is accompanied by a Drainage Strategy Report which identifies the applicant's proposed intentions for the foul and surface water drainage systems to serve the proposed development. This would consist of a surface water management strategy with an agreed limiting discharge into the Nant Castellau, however the proposed drainage scheme would ensure no increased runoff over the lifetime of the development. The report also advises that an appraisal of flood risk has been undertaken in consultation with NRW and whilst the flood envelope from the Nant Castellau impinges onto a small section of the northern part of the site and is located within a C2 Flood Zone, the proposed development is classified as 'less vulnerable' under TAN 15 and can therefore be acceptable in such locations. It is

confirmed that the affected land represents only a small section of the application site and this area will be unaffected by works required to construct the buildings. It is confirmed that NRW has raised no issues regarding the development in terms of flood risk management and it can therefore be demonstrated that there is no adverse flood risk to the development proposals.

Land Reclamation and Engineering Officers have not raised any issues in relation to the proposed drainage strategy for the development and subject to an appropriate condition to require the drainage strategy to be implemented, if it considered that the proposed development would not raised any issues and would be compliant with Policy AW10 of the LDP.

Public Rights of Way Issues

A Public Right of Way (Llantrisant 223/1) currently runs diagonally across the site from the south-west to the north east where it connects with another PROW (226/4). As a result of discussions with the applicant, an appropriate alternative route for the PROW through the site has been identified which will enable the development to be satisfactorily accommodated and a public path diversion order will be needed in order to formalise this. Members should also be aware that as the definitive route of the existing PROW runs through the adjoining site which forms part of the adjoining contractor's yard, any diversion will be subject to agreement with other landowners. The PROW Officer has confirmed that there may be scope for the neighbouring landowners to work collaboratively on a suitable diversion that would serve all their interests and there does not therefore appear to be any reasons why an alternative route could not be agreed. The PROW officer has advised that no development should take place until the footpath has been formally diverted and this can be addressed through an appropriate note.

Community Infrastructure Levy (CIL) Liability

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

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

Conclusion

Having taken into account all of the issues identified above, it is considered that the proposed development of the site will make effective use of an undeveloped area of land within the settlement boundary, will generate economic growth on the site and result in a number of employment opportunities in the local area, without having an adverse impact on highway safety, the character and appearance of the site or residential amenity. It has been satisfactorily demonstrated that the impact of this scheme on ecology can be appropriately mitigated and an appropriate diversion for the existing PROW accommodated. The proposed development is therefore considered to comply with all relevant policies of the Local Development Plan.

RECOMMENDATION: GRANT SUBJECT TO THE BELOW CONDITIONS:

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

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

2. The development hereby approved shall be carried out in accordance with the approved plan(s) no(s):

Existing Site Plan & Location Map – ND/18-010-a/6343 100 - Rev A
Proposed Site Plan - ND/18-010-a/6343 101 - Rev A
Phase 1 Plan & Sections - ND/18-010-a/6343 102 - Rev A
Allied Welsh Unit (Unit 1) ND/18-010/AW-a AW01 Rev A
Proposed Gross Area (Unit 1) ND/18-010/AW-a AW02
4 Unit Block (Unit 2) ND-18-010-6343-U4 01
Proposed Gross Area (Unit 2) ND-18-010 - 6343-U4 02

Ecology Layout Phase 1 - ND/18-010-a/6343 122 Rev A

Vehicle Tracking in S38 Turning Head 6343-SK02 Rev 02
Max Legal Length (UK) Articulated (16.5m) Vehicle Tracking 6343-SK03 Rev 02
DB32 Refuse Vehicle Tracking 6343-SK04 Rev 01
Articulated Vehicle Tracking 6343-SK07 Rev 01
Section 38 Agreement Drainage Layout Sheet 1 of 2 - 6343/S38_550 Rev 03
Section 38 Agreement Drainage Layout Sheet 2 of 2 - 6343/S38_551 Rev 03
Section 38 General Arrangement 6343_S38_700 Rev 05
Section 38 kerb & Pavement Layout 6343_S38_700 Rev 02
Section 38 Traffic Sign / Road Markings & Kerb Layout - 6343/S38_701 Rev 03
Section 38 Detailed Sections 6343/S38_702 Rev 02
Section 38 Highway Construction Details S38 – 704 Rev 01
Section 38 Street Lighting Layout 6343-S38_706 Rev 01
Section 38 Highways Longsection - 6343/S38_708 Rev 03
Section 38 Highway Cross Section – 6343/S38_709 Rev 03
Section 38 Setting Out Plan - 6343/S38_710 Rev 03
Section 38 Adoption Plan 6343/S38 -760 Rev 03

Drainage Concept Plan Sheet 1/2 6343-500 Rev 02
Drainage Concept Plan Sheet 2/2 6343-501 Rev 02
Surface Water Long Sections 6343-502 Rev 01
Surface Water Long Sections Sheet 2 of 2 6343-503 Rev 01
Foul Water Long Sections Sheet 1 6343-504 Rev 01

and documents received by the Local Planning Authority on 16th April 2018

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. Prior to the beneficial occupation of the development the developer shall undertake and submit an acoustic survey of the site to establish background noise levels. The monitoring locations and methodology shall be agreed in writing with the Local Planning Authority prior to measurements being undertaken.

Reason: To ensure that noise emitted from the development is not a source of nuisance to occupants of nearby residential properties, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. The noise from any part of the application/employment site, as measured externally on any facade at the nearest dwelling house, shall comply with the following: during night hours (23:00 to 07:00 on all days), the noise emitted from any part of the application/employment site shall not exceed 35dB LA90.10 min or background noise level whichever is the greater; at all other times, noise emitted from any part of the application/employment site shall not exceed 43dB LA90.10 min or background noise level whichever is the greater.

Reason: To ensure that noise emitted from the development is not a source of nuisance to occupants of nearby residential properties, in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

5. At the reasonable request of the Local Planning Authority, and following a complaint to the Local Planning Authority relating to noise emissions arising from the operation of any part of the application site, the occupier/owner of the unit(s)/building(s) that had been assessed as carrying out operations (including vehicular movements) producing the adverse noise levels shall measure the level of noise emission at the property to which the complaint relates. The measurement and calculation of noise levels shall be undertaken in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. These details shall be submitted within 14 days of the date of the occupier/owner of the building(s) being notified, in writing, of the complaint.

Reason: To ensure that noise emitted from this development is not a source of nuisance to occupants of nearby residential properties in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

6. The design and details of the tie-in with the existing highway, the internal road layout, street lighting, surface water and all other associated highway works shall be carried out prior to beneficial occupation of the dwelling hereby approved in accordance with the approved plan nos:

Section 38 Agreement Drainage Layout Sheet 1 of 2 - 6343/S38_550 Rev 03
Section 38 Agreement Drainage Layout Sheet 2 of 2 - 6343/S38_551 Rev 03
Section 38 General Arrangement 6343_S38_700 Rev 05
Section 38 kerb & Pavement Layout 6343_S38_700 Rev 02
Section 38 Traffic Sign / Road Markings & Kerb Layout - 6343/S38_701 Rev 03
Section 38 Detailed Sections 6343/S38_702 Rev 02
Section 38 Highway Construction Details S38 – 704 Rev 01
Section 38 Street Lighting Layout 6343-S38_706 Rev 01
Section 38 Highways Longsection - 6343/S38_708 Rev 03
Section 38 Highway Cross Section – 6343/S38_709 Rev 03
Section 38 Setting Out Plan - 6343/S38_710 Rev 03
Section 38 Adoption Plan 6343/S38 -760 Rev 03

unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the adequacy of the proposed development, in the interests of highway safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. The parking areas identified on submitted drawing no. “102 Rev A” shall be laid out and constructed on site in permanent materials and shall be retained for the purpose of the parking of vehicles only.

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

8. The development hereby approved including any works of site clearance shall be carried out in accordance with the details outlined in the Construction Environmental Management Plan (A. Edwards) dated 7.8.18, and the Traffic Management Plan, Security Plan, Emergency Plan, Environmental Plan and Proposed Site Plan Rev 1 submitted on 29.01.2019 unless agreed otherwise in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic and to ensure that the construction works resulting from the proposed development do not have an adverse impact on the environment, ecology or nearby properties in accordance with Policies AW5, AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

9. Prior to the beneficial occupation of the development hereby approved, drainage arrangements shall be completed in accordance with the details set out in the Drainage Strategy Report Ref: 6343 (Vale Consultancy Ltd) dated April 2018, unless otherwise agreed 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.

10. The development hereby approved shall be carried out in accordance with the recommendations set out in the Tal-y-Fedw, Llantrisant Ecological Appraisal (WYG – July 2017), the Tree and Ecology Addendum Document (Vale Consultancy – 21st November 2018) and as illustrated on the Ecology Layout Phase 1 (ND/18-010-a/6343 122), unless otherwise agreed in writing by the Local Planning Authority.

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

11. The bird and bat boxes identified in the Tree and Ecology Addendum Document (Vale Consultancy – 21st November 2018) shall be installed prior to beneficial occupation of the buildings or the completion of the development, whichever is the sooner, unless otherwise agreed in writing by the Local Planning Authority.

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

12. The proposed works to trees located along the north-west boundary of the site shall be undertaken in accordance with the details set out in the Specification for Tree Works Report (Treescene – 9th August 2018) and accompanying Tree Plan (Treescene 08/2018).

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

13. The tree protection measures for trees located along the north-west boundary shall be carried out in accordance with the recommendations set out in the Arboricultural Method Statement and Tree Protection Report (Treescene - 20th November 2018) and accompanying Tree Protection Plan (Treescene 11/2018) prior to the commencement of any construction activities on site. Within the areas so fenced off the existing ground level shall be neither raised nor lowered, and no materials or temporary buildings or surplus soil of any kind shall be placed or stored thereon during the period of construction works. If any trenches for services are required in the fenced-off areas during construction works they shall be excavated and back-filled by hand and any tree roots encountered with a diameter of 5cms or more shall be left unsevered.

Reason: To protect the existing trees on the site during the course of building work in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

14. Prior to the beneficial occupation of the development hereby approved, a comprehensive scheme of landscaping, which includes only native trees and shrubs and is in accordance with the details shown on the submitted Ecology Layout - Phase 1 Plan (ND/18-010-a/6343 122), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

15. All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) 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 the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

16. Prior to the beneficial occupation of the development hereby approved, boundary treatments shall be completed in accordance with a plan indicating the position, design, materials and type of boundary treatments, which shall first be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

17. 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 on the buildings hereby approved without the prior express permission of the Local Planning Authority.

Reason: To prevent light pollution and to avoid potential disturbance to nocturnal animal species in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

=====