



## **PLANNING & DEVELOPMENT COMMITTEE**

**20 MAY 2021**

### **REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0269/16 (CHJ)  
**APPLICANT:** Rhondda Cynon Taff County Borough Council  
**DEVELOPMENT:** Reserved matters application seeks approval of all remaining reserved matters (layout, scale, appearance and landscaping) relating to planning application 18/0302/08.  
**LOCATION:** LAND TO THE WEST OF BRYN PICA WASTE DISPOSAL SITE, MERTHYR ROAD, LLWYDCOED, ABERDARE, CF44 0BX  
**DATE REGISTERED:** 03/03/2021  
**ELECTORAL DIVISION:** Aberdare West/Llwydcoed

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

**REASONS:** The proposed development represents a significant investment into the County Borough. The uses, which have been approved previously, are compatible with the surrounding areas and the nature of them is complimentary to the principal use of the site and accords with the allocation within the LDP.

The details proposed by this application will result in an attractive development that sits well within the landscape and will not have any significantly adverse impacts on the setting or special qualities of the nearby Brecon Beacons National Park.

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

The nature of the applicant's relationship with the Council is such that the application is not covered under the Delegated Authority provisions.

#### **APPLICATION DETAILS**

This is an application for **reserved matters** pertaining to the outline approval granted by Committee on 20<sup>th</sup> December 2018 (Reference 18/0302).

This consent also included the imposition of 9 conditions, some of which require the submission of further details before the development can commence. These are being submitted (where necessary) both integrated and parallel to the application process.

The outline application sought to secure the principal of the development of “*approximately 10,100m<sup>2</sup> of Class B1, B2 & B8 uses and associated vehicle parking*”. Only “means of access” was considered as part of that application and consisted largely of it being the existing access road into the Bryn Pica facility.

This application seeks approval of the remaining matters (the details) of:

- Layout
- Scale
- Appearance and
- Landscaping.

Committee is advised that an *illustrative* layout plan was submitted with the outline application (as required by the Regulations). Members will be familiar with the advice given as part of the presentations relating to outline applications, that such plans are not binding on the applicant nor do they form part of the consent (they are *just* illustrative). This has caused some confusion amongst consultees who may have based their original (outline) comments on the submitted layout. Full explanations (where necessary) have been given as part of the PLANNING CONSIDERATIONS section of this report.

In summary, the *actual* proposed development provides:

- 4 industrial buildings (approximately 50m x 30m) with associated office and staff welfare space. Each of the 4 units will provide 1450 sq.m. of flexible internal space.
- An “Energy Centre” building (approximately 11.7m x 13.4m) with associated external “thermal store” tanks.
- Car parking for 140 vehicles (to include 14 spaces for disabled persons and 14 electric vehicle charging points.
- Cycle storage for 24 bicycles.
- A surface-water attenuation lagoon and associated (in response to Condition 9 of the outline consent)
- An enhancement of the landscaping and biodiversity at the site providing extensive new areas of landscaping and natural habitat.

- The incorporation of “secure by design” principles.

A copy of the proposed layout plan has been included as APPENDIX 1 for Committee’s convenience. Details of the layout and design will also form part of the presentation to Committee.

Committee is advised/reminded that B1, B2 & B8 uses relate to the development of Light Industry (including offices), General Industry and Storage & Distribution facilities which are consistent with the existing uses at the site and for the intention for the site to become an Eco Park.

## **SITE APPRAISAL**

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

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

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

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

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

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

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

<b>05/0850/10</b>	Bryn Pica Landfill Site, Llwydcoed, Aberdare	Modification to the waste containment area and final restoration contours of the Landfill Site.	Grant 04/01/2006
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<b>07/0272/10</b>	Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a recycling/recovery and storage building at Bryn Pica Waste Management facility	Grant 28/11/2007
<b>12/1312/10</b>	Land To The North-West Of Bryn Pica Waste Management Facility, Llwydcoed, Aberdare	Construction of a subsurface petrol interceptor to the north-west of the Bryn Pica Waste Management Facility, including the provision of underground pipeline and erection of two masonry headwalls and associated connection pipes (amended description 12/02/13).	Grant 08/05/2013
<b>13/0186/10</b>	Land At Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Construction of an anaerobic digestion facility, landscaping and associated infrastructure	Grant 12/07/2013
<b>14/1029/10</b>	Land Surrounding Bryn Pica Landfill, Bryn Pica, Llwydcoed, Aberdare	Installation of underground electrical and water service connections, including booster station, associated with the permitted Anaerobic Digestion Facility (Permission Reference: 13/1313/15) at the Bryn Pica Landfill Site, Bryn Pica	Grant 10/03/2015
<b>18/0302</b>	Land to the west of Bryn Pica Waste Disposal site, Llwydcoed.	The development of approximately 190,100m <sup>2</sup> of Class B1, B2 & B8 (industrial) uses and associated vehicle parking (with all matters reserved except for access)	Approved 20/12/18.

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

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

As part of the application process Notices were placed on site and in the Press. No correspondence was received as part of this process.

## **CONSULTATION**

The following were consulted as part of this application. A brief precis of responses have been included for Committees information:

**Transportation Section** – no objection

**Drainage Section** – No objection

**Countryside / Ecology** – no objection subject to condition

**NRW** – no response to date

**Brecon Beacons National Park** – no response to date

**Dwr Cymru / Welsh Water** – no objection.

## **POLICY CONTEXT**

Committee is advised that since the outline application was considered, Planning Policy Wales (Edition 11) and Future Wales 2040 have been issued by Welsh Government.

As this application is for the reserved matters (with the principle of development having been firmly established) there are no policies in either of these documents that are directly relevant to the consideration of the issues that form part of this application (although it is still considered that the principle of the development would still be supported by the changes in guidance). Therefore, the application largely falls to be considered in light of the relevant policies in the Rhondda Cynon Taf Local Development Plan. The most relevant of which are:

## Proposals Map

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

## Core Policies

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

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

## Area Wide Policies

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

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

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

## Strategy Area Policies

None.

## SPG

- Access, Circulation & Parking
- Employment Skills

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

## **PLANNING CONSIDERATIONS (REASONS FOR REACHING THE DECISION)**

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

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

This application seeks consent for:

- Layout

- Scale
- Appearance and
- Landscaping

For the development of an Industrial Estate type development (Eco Park) at Bryn Pica. All matters of principle have already been considered. The principal issues in the determination of the application relate to, essentially, how the development sits within the landscape and surrounding area.

In respect of **layout**, the orientation of the buildings is legible, and the site is easy to navigate. Parking is provided in accordance with the details provided as part of the outline consent and the Transportation Section has acknowledged this as part of their consultation response. The buildings are grouped to make an efficient use of space within the application site and to minimise any potential for “sprawl” when viewed from surrounding areas.

The **scale** of the buildings is also considered acceptable. While it is a prominent location, regard must be had to the operational requirements of the prospective users. While the units are relatively large (when considered on a human scale) they are entirely consistent with other developments of industrial-type buildings within this and other County Borough areas.

Similarly, the materials proposed which will give the buildings their “public-facing” **appearance** are consistent with developments of this type and are not unduly prominent. A condition has been added which requires the submission of samples prior to their use. Committee is advised that this is a relatively standard condition and enables fine detailing of the colours and finishes to be agreed.

The Countryside Section are satisfied that the proposed **landscaping** is appropriate to the site and are native to the area with associated ecological benefits.

### **Impact on the Brecon Beacons National Park**

The issue of the potential for the development to impact upon the setting and special qualities of the Brecon Beacons National Park was considered at the outline stage. It was concluded that while it would have an impact, the impact would not be so detrimental to warrant the recommendation of a refusal. Regard was also had to the existing development at this site and the presence of other “human” influences (such as the existing A465 / the proposed dualling of the “new” A465 and the gas tanks near Baverstocks) against which the proposed development will sit.

However, the outline application only contained an “illustrative” layout for which it would be difficult to have any specific regard to any potential for impact. As part of this application, the applicant provided a more detailed assessment of any impacts and the BBNP were consulted. At the time of writing this report, no response had been received. It is considered unlikely that the BBNPA will offer any objection to the

proposal, but any response will be reported orally at Committee along with any conditions that may be considered necessary. Notwithstanding the non-response from the BBNPA, the impact of the development on the setting and special qualities has been assessed and is considered to be acceptable.

## **Ecology**

Committee is advised that the issue of ecological mitigation and enhancement was considered (and conditioned) as part of the outline application. However, some of the information submitted by the applicant and considered by both NRW and the Council's Ecologist was based upon the illustrative layout submitted at that time. Subsequently, the actual proposed layout changed which requires some relatively minor reassessment of the location of the mitigation and enhancement works. At the time of writing the report, discussions have concluded, and alternative mitigation and enhancement has been agreed (on land that is also within the ownership and control of the applicant). The Council's Ecologist is satisfied that, following this agreement, the consideration of the reserved matters is acceptable. At the time of writing the report no formal response has been received from NRW but any response will be updated orally at Committee although is largely covered by Condition 8 attached to the outline consent.

## **CIL**

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

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

## **RECOMMENDATION: Grant**

1. Building operations shall not be commenced until samples of the all external materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority and all materials used shall conform to the sample(s) so approved.

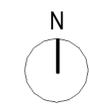
Reason: To ensure that the external appearance of the proposed development will be in keeping with the character of the area and adjoining buildings in the interests of visual amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

2. 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) 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

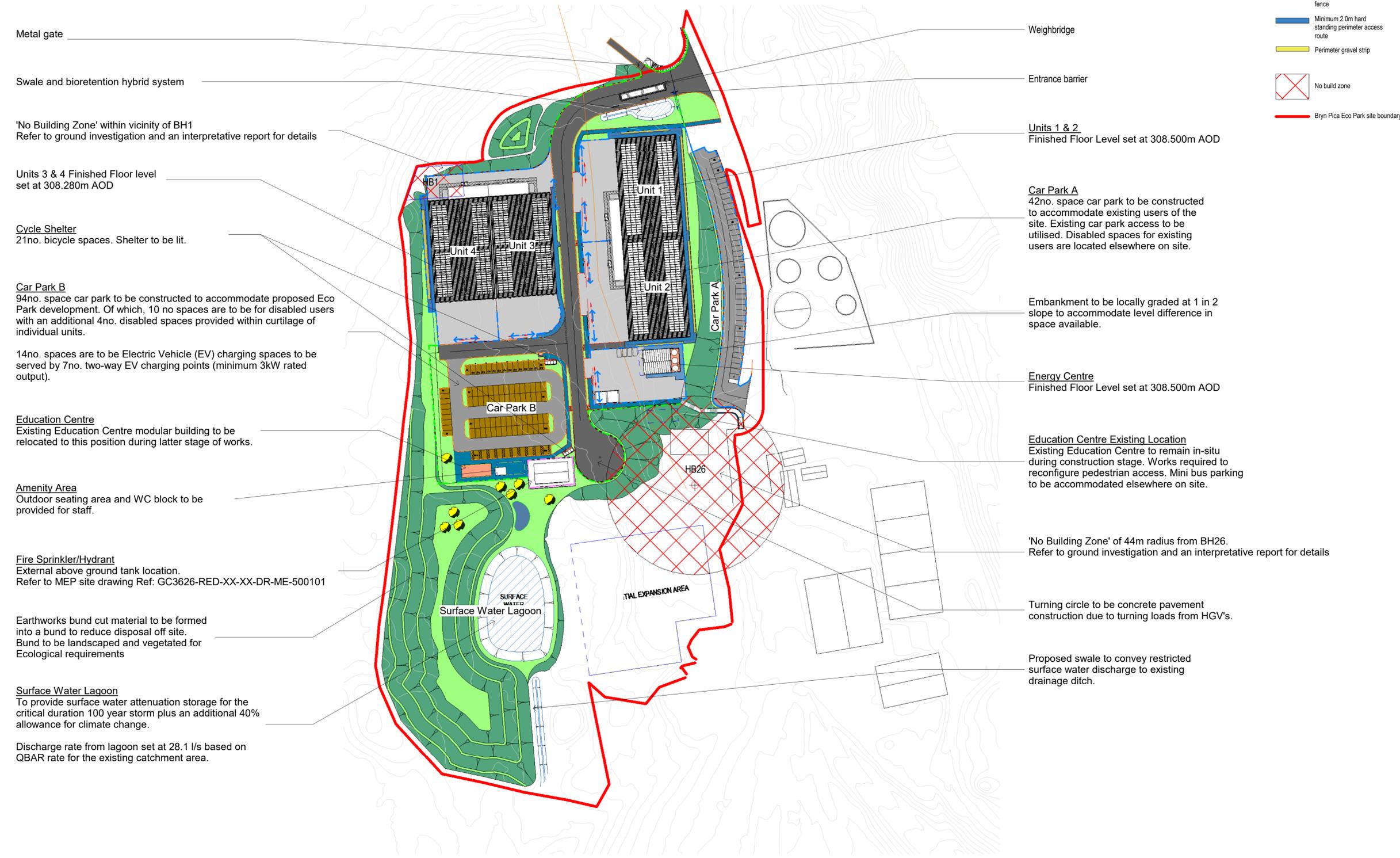
size and species, unless the Local Planning Authority gives written consent to any variation.

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.

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- Site Plan Boundary Legend**
- 2.1m high weldmesh security fence
  - - - - - Sliding vehicle gates to enclose service yards
  - 1.8m high wooden fence enclosure to Fire Hydrant/Sprinkler facility
  - 1.2m high wooden post and wire stock proof boundary fence
  - ▬ Minimum 2.0m hard standing perimeter access route
  - ▬ Perimeter gravel strip
  - No build zone
  - Bryn Pica Eco Park site boundary



**Metal gate**

**Swale and bioretention hybrid system**

**'No Building Zone' within vicinity of BH1**  
Refer to ground investigation and an interpretative report for details

**Units 3 & 4 Finished Floor level**  
set at 308.280m AOD

**Cycle Shelter**  
21no. bicycle spaces. Shelter to be lit.

**Car Park B**  
94no. space car park to be constructed to accommodate proposed Eco Park development. Of which, 10 no spaces are to be for disabled users with an additional 4no. disabled spaces provided within curtilage of individual units.  
  
14no. spaces are to be Electric Vehicle (EV) charging spaces to be served by 7no. two-way EV charging points (minimum 3kW rated output).

**Education Centre**  
Existing Education Centre modular building to be relocated to this position during latter stage of works.

**Amenity Area**  
Outdoor seating area and WC block to be provided for staff.

**Fire Sprinkler/Hydrant**  
External above ground tank location.  
Refer to MEP site drawing Ref: GC3626-RED-XX-XX-DR-ME-500101

**Earthworks bund cut material** to be formed into a bund to reduce disposal off site. Bund to be landscaped and vegetated for Ecological requirements

**Surface Water Lagoon**  
To provide surface water attenuation storage for the critical duration 100 year storm plus an additional 40% allowance for climate change.  
  
Discharge rate from lagoon set at 28.1 l/s based on QBAR rate for the existing catchment area.

**Weighbridge**

**Entrance barrier**

**Units 1 & 2**  
Finished Floor Level set at 308.500m AOD

**Car Park A**  
42no. space car park to be constructed to accommodate existing users of the site. Existing car park access to be utilised. Disabled spaces for existing users are located elsewhere on site.

**Embankment** to be locally graded at 1 in 2 slope to accommodate level difference in space available.

**Energy Centre**  
Finished Floor Level set at 308.500m AOD

**Education Centre Existing Location**  
Existing Education Centre to remain in-situ during construction stage. Works required to reconfigure pedestrian access. Mini bus parking to be accommodated elsewhere on site.

**'No Building Zone' of 44m radius** from BH26.  
Refer to ground investigation and an interpretative report for details

**Turning circle** to be concrete pavement construction due to turning loads from HGV's.

**Proposed swale** to convey restricted surface water discharge to existing drainage ditch.

P05	Planning Issue	09.02.21
P04	Building Control Amendment Issue	08.02.21
P03	Building Control Issue	02.02.21
P02	Office/Welfare block position amendment	12.11.20
P01	Issue for Stage 3 Approval	30.10.20
Rev	Description	Date

Purpose of Issue  
**D5 - Planning Approval**

Classification  
**Commercial in Confidence**



Project  
**Bryn Pica Eco Park Development**

Drawing  
**Proposed Site Plan**

Scale @ A1	Drawn	Checked	Approved
As indicated	EC	PBM	DS

Project No. **GC3626** Date **30.01.20**

Drawing Identifier		BS1192 Compliant	
project	origin	zone	level
GC3626	- RED -	00 - ZZ -	DR - A -
number	revision	number	revision
910001	P05		

**1 Proposed Site Plan**  
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