

PLANNING & DEVELOPMENT COMMITTEE

15 OCTOBER 2020

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 20/0777/10 (KL)
APPLICANT: Easy Panels
DEVELOPMENT: Proposed storage distribution portal frame building (Use Class B8) (amended plans rec. 27.08/2020)
LOCATION: LAND OPPOSITE STORAMOVE, ABERAMAN PARK INDUSTRIAL ESTATE, ABERAMAN, ABERDARE
DATE REGISTERED: 27/08/2020
ELECTORAL DIVISION: Aberaman South

RECOMMENDATION: Approve

REASONS: The application site is located inside the defined settlement boundary and in an area that is characterised by a number of existing industrial units. The principle of the proposal to construct an industrial unit in this location is therefore considered to be acceptable.

The proposed industrial unit is considered to be acceptable in terms of its siting, scale, design and overall visual appearance and it is not considered that it would have an adverse impact upon the character and appearance of the surrounding area or upon the amenity and privacy of surrounding residential properties.

Furthermore, the proposed access and parking and turning facilities are considered acceptable and it is not considered that the proposal would have an adverse impact upon highway safety in the vicinity of the site.

As such, the application would comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

REASON APPLICATION REPORTED TO COMMITTEE

- The proposal is not covered by determination powers delegated to the Director of Prosperity & Development

APPLICATION DETAILS

Full planning permission is sought for the construction of a steel portal frame building on a parcel of land that is located at the junction to Aberaman Park Industrial Estate, in Aberaman, Aberdare. The proposed building would be used for storage/distribution purposes (Use Class B8).

The proposed building would be constructed at the most southern part of the site and adjacent to the estate road which runs along the eastern boundary. It would measure 60 metres in width by 15.5 metres in depth with an apex roof design that would measure 7.6 metres in height to the ridge and 6.2 metres in height to the eaves. It would be constructed using grey coloured composite steel panels with a steel roller shutter door in the south-western elevation. All other windows and doors would be upvc.

The new unit would be accessed via a proposed new access off the internal estate road to the northern elevation of the building. A total of 12 car parking spaces and a full turning facility would be provided within the site.

In addition to the standard application forms, documents and plans, the application is also accompanied by the following:

- Coal Mining Risk Assessment.

The application has been amended during the course of the application to overcome concerns raised by the Council's Highways Development Control section.

SITE APPRAISAL

The application site relates to a vacant parcel of land which is located at the junction between Cardiff Road and the internal estate road of Aberaman Park Industrial Estate. The site, which measures approximately 0.53 hectares, is of an irregular shape and is relatively flat in ground profile. It is bound by Cardiff Road, the junction to Aberaman Park Industrial Estate and the internal estate road of the industrial estate to the north-west, north and east respectively whilst the south-western boundary of the site is bound by a watercourse. An area of vacant land lies to the south of the site.

The site lies to the west of a number of existing industrial units associated with Aberaman Park Industrial Estate however, it is noted that there are a number of residential properties located on the opposite side of Cardiff Road (Heol Ty Aberaman), the nearest of which are approximately 60 metres away from the north-western boundary.

PLANNING HISTORY

No planning application have been submitted in relation to this site within the last 10 years.

PUBLICITY

The application has been advertised by means of direct neighbour notification and through the erection of two site notices in the vicinity of the site. No letters of objection or representation have been received as a result of this exercise.

CONSULTATION

Countryside, Ecology & Landscape – No objection, subject to conditions to ensure works are carried out outside of the nesting bird season and to secure biodiversity enhancement.

Highways Development Control – No objection, subject to conditions (discussed in full later in this report).

Natural Resources Wales – No objection. It is noted that the proposal involves less vulnerable development and that the site is partially within Zone C2 of the Development Advice Map (DAM) however, the proposed unit, access and associated car parking spaces/turning area are outside of the DAM Map and flood outlines. It is also noted that an ordinary watercourse runs through the site and a flood risk activity permit may be required. An advisory note is recommended.

Public Health & Protection – No objection, subject to standard conditions relating to hours of operation, noise, dust and waste. Whilst the recommended conditions are noted, these issues can be dealt with by separate legislation and the conditions are therefore not considered necessary and advisory notes would be sufficient in this instance.

Welsh Water – It is noted that the proposed method of surface water disposal would be via a soakaway and a condition is therefore recommended to ensure there is no detriment to the public sewerage system. Further advisory notes recommended in relation to Sustainable Drainage Systems and sewage treatment.

No other consultation responses had been received at the time of writing this report. Any further responses received will therefore be reported orally at the meeting.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

The application site is located inside the defined settlement boundary and is not allocated for any specific purpose. The following policies are considered to be relevant to this application:

Policy CS2 - emphasis on building strong, sustainable communities by promoting commercial development in locations which will support and reinforce the roles of the Principal Towns and Key Settlements.

Policy AW2 - advises that development proposals on non-allocated sites will only be supported in sustainable locations.

Policy AW5 - sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 - requires development to involve a high quality design and to make a positive contribution to place making, including landscaping.

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

Policy NSA26 - states that development that will contribute to the achievement of the Cynon Valley River Park Strategy will be supported.

Supplementary Planning Guidance

Design and Placemaking

Access Circulation and Parking

National Guidance

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

Planning Policy Wales Edition 10 (PPW) sets out the Welsh Government's (WG) current position on planning policy. The document incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out the WG's policy on planning issues relevant to the determination of planning applications.

It is considered that the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

Other relevant national policy guidance consulted:

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;

Manual for Streets

REASONS FOR REACHING THE RECOMMENDATION

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purposes of any determination to

be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

Main Issues:

Principle of the proposed development

The application site is located within the defined settlement boundary and within an established industrial estate in which there are a number of existing industrial units of varying scales and designs. The site is well connected to the surrounding area via the existing road network and there are local bus stops and a train station located within reasonable walking distance. It is therefore considered to be in a sustainable location, which would ensure that the proposed development would comply with Policy AW2 of the Rhondda Cynon Taf Local Development Plan.

The proposed unit would be operated within the B8 Use Class (storage) and whilst it is noted that there are a number of residential properties in the wider vicinity, it is not considered that the proposed use would conflict with the residential use of those properties, which is a further requirement of Policy AW2. Furthermore, the site clearly relates more closely to the existing industrial estate where such uses are to be expected.

As such, the principle of the development is considered to be acceptable subject to an assessment of the criteria set out below.

Impact on the character and appearance of the area

The proposal would result in the construction of a large industrial unit on a parcel of land which lies to the eastern side of the internal estate road serving Aberaman Park Industrial Estate. Whilst the site is located on the opposite side of the road to existing units, the proposed unit would still appear to be part of the existing industrial estate as the location of Cardiff Road provides a clear buffer between the industrial estate and the existing residential area to the north-west.

The scale of the proposed unit is exceptionally large with a footprint of approximately 930sqm however, there are a number of other industrial units in the immediate vicinity which vary in terms of their scale and design. Furthermore, buildings of this scale are typically found in such industrial estates and it is not considered that the unit would be out of context with the established industrial area.

The building would be sited towards the southern end of the application site with the parking and access being positioned between the building and Cardiff Road to the

north. This would reduce the overall visual impact of the proposed unit when viewed from Cardiff Road and it is therefore not considered that the proposal would appear overly prominent within the wider area.

Consequently, it is not considered that the proposal would have an adverse impact upon the character and appearance of the site or the surrounding area and the application would therefore comply with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

Impact on residential amenity and privacy

The application site is located within an area that is predominantly characterised by a number of existing industrial units that are within various different use classes. However, it is noted that there are residential properties in the vicinity and it is therefore important to consider the potential impact of the proposal on the amenity and privacy of those properties.

Heol Ty Aberaman is a modern residential estate that is located on the north-western side of Cardiff Road (in relation to the application site). The nearest property (no. 61) is located approximately 60 metres away from the north-western boundary of the site however, the proposed unit would be sited to the southern end, resulting in a separation distance of approximately 100 metres. Taking this into account, it is not considered that the proposed unit would result in any overbearing, overshadowing or overlooking impact that would be detrimental to the amenity and privacy of the nearest residential properties.

Whilst the proposed use may result in some noise and disturbance, the site is located within an existing industrial estate where some degree of noise and disturbance is to be expected. Nevertheless, it is unlikely that the proposal, given the proposed B8 use and the separation distances between the site and residential dwellings, would have a significant impact in this respect. It is also noted that no objection has been received from the Council's Public Health and Protection, nor has any noise impact assessments being requested.

Consequently, it is not considered that the proposal would have an adverse impact upon the amenity and privacy of surrounding residential properties and the application would therefore comply with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

Access and highway safety

The application and been assessed by the Council's Highways Development Control team in order to determine the potential impact of the proposal on highway safety in the vicinity of the site. Whilst an objection was initially raised in relation to the proposed access, parking and turning facilities proposed, it was determined that these issues could be overcome by amending the scheme accordingly. Following discussions with

the applicant, amended plans were submitted to address the concerns and objections raised. The comments received from the Highways Development Control team in relation to the amended plans subsequently raise no objection to the proposal (subject to conditions). The comments received are summarised as follows:

Access

The application site lacks safe and satisfactory pedestrian connectivity on the development side which would lead to increased risk of vehicular and pedestrian conflict to the detriment of safety of all highway users however, the amended plans indicate that the site boundary will be set back by 2.0m which would enable a segregated footway to be provided and which is considered to be acceptable.

Vehicular Access

The proposed access, vision splay and turning area is proposed in accordance with the Council's design guide and is therefore considered to be acceptable.

Parking

The proposal requires up-to a maximum of 12 off-street car parking spaces in accordance with the SPG: Access, Circulation and Parking. The plans indicate that a total of 12 spaces would be provided within the site and it is noted that there is potential for further parking to be provided, should the need arise.

Consequently, the amended plans overcome the previous concerns raised by the Highways Development Control team and it is not considered that the proposal would have an adverse impact upon highway safety in the vicinity of the site. The application would therefore comply with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

Other Issues

Ecology

The proposal has been assessed by the Council's Ecologist who notes that the site is of very short, horse-grazed brownfield marshy grassland with lots of rush. It is advised that the site will have some very local ecological value but it is not of SINC value and the grassland is so short grazed, it is unlikely to have any reptile value, although there are a few scattered bushes that could support nesting birds. As such, a condition is recommended to ensure that site clearance occurs outside the nesting bird season (March 1st to July 31st). It is also recommended that a condition be added to secure biodiversity enhancement (open fronted box that pied wagtails might use and a hole nesting bird box).

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

The application site is located inside the defined settlement boundary and in an area that is characterised by a number of existing industrial units. The proposed industrial unit is considered to be acceptable in terms of its siting, scale, design and overall visual appearance and it is not considered that it would have an adverse impact upon the character and appearance of the surrounding area or upon the amenity and privacy of surrounding residential properties. Furthermore, the proposed access and parking and turning facilities are considered acceptable and it is not considered that the proposal would have an adverse impact upon highway safety in the vicinity of the site. As such, the application would comply with the relevant policies of the Rhondda Cynon Taf Local Development Plan.

RECOMMENDATION: Grant

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 plans and documents received by the Local Planning Authority, unless otherwise to be approved and superseded by details required by any other condition attached to this consent:

- Drawing No. 2711.C.01 Rev A: Site Plan, Proposed Elevations and Proposed Floor Plan (rec. 27th August 2020);
- Drawing No. 2711.C.02 Rev A: Proposed Layout, Proposed Side Elevations and Section (rec. 27th August 2020)

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. Before the development is brought into use, the means of access, together with the vision splays, parking and turning facilities, shall be laid out in accordance with the submitted plan 2711. C.02 Rev. A. The approved details

shall be implemented to the satisfaction of the LPA prior to beneficial occupation of the new unit.

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

4. Notwithstanding the submitted layout plan, the design and construction details of the proposed vehicular access and proposed 2.0m continuous pedestrian footway link fronting the site shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to beneficial use.

Reason: In the interests of highway and pedestrian safety and in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
 - a. The means of access into the site for all construction traffic;
 - b. The parking of vehicle of site operatives and visitors;
 - c. The management of vehicular and pedestrian traffic;
 - d. The loading and unloading of plant and materials;
 - e. The storage of plant and materials used in constructing the development;
 - f. Wheel cleansing facilities;
 - g. The sheeting of lorries leaving the site.

The approved Construction Method Statement shall be adhered to throughout the development process unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the safety and free flow of traffic, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

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

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

7. Building operations shall not be commenced until full details of the finishing materials proposed to be used have been submitted to and approved in writing by the Local Planning Authority. The proposed dwelling shall be finished 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, in the interests of visual amenity and in accordance with Policies AW5 & AW6 of the Rhondda Cynon Taf Local Development Plan.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a comprehensive scheme of landscaping. 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 5 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.

9. The site shall be cleared outside of the nesting bird season (between 1st March to 1st August) unless a suitable method statement for clearance at any other time has been submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

Reason: To protect the biodiversity of the site in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

10. Notwithstanding the submitted details, prior to above ground works, a scheme for biodiversity enhancement, such as incorporation of permanent bat roosting features and or nesting opportunities for birds shall be submitted to and agreed in writing with the Local Planning Authority. The approved details thereafter shall be implemented, retained and maintained for the designed purpose in accordance with the approved scheme. The scheme shall include, but not be limited to, the following details:

- a) Description, design or specification of the type of feature(s) or measure(s) to be undertaken.
- b) Materials and construction to ensure long lifespan of the feature/measure
- c) A drawing(s) showing the location and where appropriate the elevation of the features or measures to be installed or undertaken.
- d) When the features or measures will be installed and made available.

Reason: To provide biodiversity enhancement, in accordance with Chapter 6 of Planning Policy Wales: Edition 10.