



## **PLANNING & DEVELOPMENT COMMITTEE**

**16 DECEMBER 2021**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 21/0274/10 (CA)  
**APPLICANT:** Easy Panels  
**DEVELOPMENT:** Proposed storage/distribution portal frame building (Unit 2) (Use Class B8)  
**LOCATION:** PHASE 2, LAND OPPOSITE STORAMOVE,  
ABERAMAN PARK INDUSTRIAL ESTATE,  
ABERAMAN, ABERDARE  
**DATE REGISTERED:** 30/06/2021  
**ELECTORAL DIVISION:** Aberaman South

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#### **RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS**

**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, 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.

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#### **REASON APPLICATION REPORTED TO COMMITTEE**

The proposal is not covered by determination powers delegated to the Director of Prosperity & Development as it constitutes new industrial development.

## **APPLICATION DETAILS**

This application seeks full planning permission 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, Aberaman, Aberdare. The proposed building would be used for storage/distribution purposes (Use Class B8).

The proposal would be located at the most northern part of the site. It would measure approximately 42 metres in length and 20 metres in width with an apex roof design that would measure approximately 8 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 and a steel roller shutter door and separate fire exit would be sited on the west facing elevation. In addition, two fire exits would be positioned on the east facing elevation and three UPVC windows would be sited on the south facing elevation.

The new unit would be accessed via a proposed new access off the internal estate road to the southern elevation of the building. A total of eight car parking spaces would serve Unit 2 and a full turning facility would be provided within the site.

The application has been amended during the course of the application to alter the car parking layout.

It is noted that the proposed plans incorporate Unit 1 and the associated car parking area. Whilst Unit 1 does not form part of the current application, it has previously received planning permission under application 20/0777/10. It is also noted that an application was submitted (21/0756/10) to vary the approved plans for Unit 1 in order to enable the provision of Unit 2, the latter of which is being considered under the current application.

## **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 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 site's north-western boundary.

## **PLANNING HISTORY**

21/0765/15	Variation of Condition 2 of Planning Permission 20/777/10 to re-site approved industrial unit and service road/turning head (Amended Plan rec. 30/06/2021)	Granted 05/08/2021
20/0777/10	Proposed storage distribution portal frame building (Use Class B8) (Amended Plans rec. 27/08/2020)	Granted 28/10/2020

## **PUBLICITY**

The application has been advertised by direct notification letter to neighbouring properties and two site notices have been displayed.

No letters of objection or representation have been received.

## **CONSULTATION**

### Highways:

No objections, conditions recommended.

### Drainage:

No objections, conditions recommended.

### Public Health and Protection:

No objections, conditions recommended.

### Ecology:

No objections, conditions recommended.

### Natural Resources Wales:

No objections or conditions recommended.

### Dwr Cymru Welsh Water:

No objections.

## **POLICY CONTEXT**

### Rhondda Cynon Taf Local Development Plan:

The application site is situated within the Southern Strategy Area and outside of the defined settlement boundary.

**Policy CS1 – Development in the North:** This policy places an emphasis on building strong, sustainable communities.

**Policy AW2 – Sustainable Locations:** Provides criteria to determine whether a site is located in a sustainable location.

**Policy AW5 – New Development:** This policy sets out criteria for new development in relation to amenity and accessibility.

**Policy AW6 – Design and Placemaking:** This policy requires development to involve a high quality design and to make a positive contribution to place making.

**Policy AW10 – Environmental Protection and Public Health:** Prohibits development proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

**Policy NSA26 – Safeguarding of Minerals:** 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 11 (PPW) was issued on 24<sup>th</sup> February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WGs current position on planning policy at regional and national level.

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.

It is also considered the proposed development is compliant with the NDF.

Other policy guidance considered:

PPW Technical Advice Note 11 – Noise

PPW Technical Advice Note 12 – Design

PPW Technical Advice Note 15 – Development and Flood Risk

**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 large with a footprint of approximately 840 square metres 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 appear out of context with the established industrial 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 and AW6 of the Rhondda Cynon Taf Local Development Plan.

**Impact on Amenity:**

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. The nearest property (No. 61) is located approximately 60 metres away from the north-western boundary of the site. 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 Assessment been 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.

**Impact on Highway Safety:**

The application has been referred to the Council's Highways Department for consideration.

In terms of access, it is noted that the site is served off Aberaman Park Industrial Estate, which has a carriageway width of 7.3 metres with a 1.8 metre wide footway on the opposite side of the proposed unit. Aberaman Park Industrial Estate has been designed and built for industrial traffic and is acceptable.

The proposed unit is lacking in safe and satisfactory pedestrian connectivity on the development side leading to increased risk of vehicular and pedestrian conflict. This raises highway safety concerns and is contrary to Planning Policy Wales and the Active Travel Wales Act 2013, which aims to promote sustainable modes of travel with

less reliance on the private motor car. The Applicant has however overcome this concern by setting the site boundary back with provision of a segregated 2.0 metre wide footway, which is acceptable.

The access as proposed with a width of 7.3 metres, vision splay of 2.4 metres x 40 metres and a full size turning area for access / egress in a forward gear by all vehicles accords with the Council's Design Guide and on this basis no highway objection is raised subject to a number of conditions.

In terms of car parking, up-to a maximum of 22 off-street car parking spaces for both units combined are required in accordance with the SPG Access, Circulation & Parking 2011. The wider site provides for 23 car parking spaces, which is acceptable.

Based on the above, the proposal is considered to have an acceptable impact upon highway safety.

**Other Issues:**

**Public Health and Protection:** The Council's Public Health and Protection Department have recommended that a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are noted, it is considered that construction noise, waste and dust matters can be more efficiently controlled by other legislation. It is therefore considered the conditions suggested in this respect are not necessary.

**Ecology:** The proposal has been assessed by the Council's Ecologist who notes that the site consists of very short, horse-grazed 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 as the grassland is so short grazed, it is unlikely to have any reptile value. There are however 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. It is also recommended that a condition be added to secure biodiversity enhancement (open fronted box that pied wagtails might use and hold nesting bird box).

**Community Infrastructure Levy (CIL) Liability:**

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

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

**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, 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: APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:**

**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 following approved plans:

- Location Plan, Block Plan, Layout Plan, North & South Elevations and Typical Section (Drawing No: 2784 C 02), dated 30/06/2021;
- Proposed East and West Elevations and Floor Plan (Drawing No: 2784 C 01), dated 24/02/2021;

and documents received by the Local Planning Authority on 24/02/2021, 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. 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 Drawing No. 2784 C 02 (received by the Local Planning Authority on 30/03/2021) and approved by the Local Planning Authority. The approved details shall be implemented to the satisfaction of the LPA prior to beneficial occupation of the first unit and remain for the parking and turning of vehicles thereafter.



Reason: In the interests of highway safety, 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 2.0 metre 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, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

5. Surface water run-off from the proposed development shall not discharge onto the public highway or be connected to any highway drainage system unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway and to prevent the overcapacity of the existing highway drainage system, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. 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 vehicles of site operatives and visitors.
  - c) The management of vehicular and pedestrian traffic.
  - d) Loading and unloading of plant and materials.
  - e) 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 agreed otherwise in writing by the Local Planning Authority.

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

7. 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 PPW.

8. The site shall not be cleared inside of the nesting bird season (between 1<sup>st</sup> March to 1<sup>st</sup> August) unless a suitable method statement for clearance at that 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.