

PLANNING & DEVELOPMENT COMMITTEE

21 JULY 2022

REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT

PURPOSE OF THE REPORT

Members are asked to determine the planning application outlined below:

APPLICATION NO: 22/0597/10 (GH)
APPLICANT: Sigma 3 (Kitchens) Ltd
DEVELOPMENT: Proposed extension and enlargement of the existing Sigma 3 (Kitchens) Ltd premises, along with associated works. (Revised landscaping plan and EIA received 20th June 2022)
LOCATION: SIGMA 3 KITCHENS LTD, LLANTRISANT BUSINESS PARK, LLANTRISANT, PONT-Y-CLUN, PONTYCLUN, CF72 8LF
DATE REGISTERED: 17/05/2022
ELECTORAL DIVISION: Llantrisant and Talbot Green

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

REASONS: The Llantrisant Business Park is a long-established employment site, where the construction of an extension to the existing business would be compatible with neighbouring land uses and consistent with the character of the site.

Furthermore, the proposal represents a welcome investment within the County Borough which would ensure the future presence of Sigma 3 Kitchens at Llantrisant, whilst protecting existing jobs and creating new employment opportunities and economic development thereafter.

REASON APPLICATION REPORTED TO COMMITTEE

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

APPLICATION DETAILS

Full planning consent is sought for the construction of a 2500m² extension to the Sigma 3 factory at Llantrisant Business Park.

The purpose of the development is part of a reorganisation of the company's manufacturing arrangements across its current and future sites at Llantrisant and Bridgend.

The extension will enable the company to grow and develop its business at its Llantrisant head office, whilst internal alterations to the extant buildings will permit investment in new plant and processes.

The information accompanying the application demonstrates that the existing office space will be remodelled, which will include training facilities and an improved show room.

Furthermore, additional, formally laid out car parking will be provided on land to the rear of the site, whilst an existing temporary store will be removed. The proposals will also result in a redirection of part of the internal access road and minor changes to circulation space.

In addition to the plans and elevation drawings accompanying the application, the following supporting documents have been submitted:

- Design and Access Statement
- Geotechnical and Geoenvironmental Report
- Pre-Application Consultation Report
- Ecological Impact Assessment
- Transport Note
- Drainage Strategy

SITE APPRAISAL

The application property comprises the head office and manufacturing facility of Sigma 3 Kitchens, which occupies a 2.26 hectare site towards the centre of the Llantrisant Business Park.

The factory is accessed from a single entrance/exit onto the adopted highway which leads to Heol-Y-Sarn a short distance to the south-west. The majority of the internal circulation road is arranged as a one way system for both staff and visitor cars and HGVs. Parking is provided to the front and rear of the site.

The site is located inside the settlement boundary and where most of the surrounding development is characterised by Class B uses. The closest residential uses, other than the Three Saints Hotel, are outside the Industrial Estate boundary and between 230 and 350m away.

In terms of any specific constraints the commercial land uses, previous rail alignment crossing the site and proximity to a landfill mean that these are potentially contaminating land uses that would require further investigation. However, only a small

part of the site to the north-western corner, intersects with an area identified as being at high risk to development from coal mining legacy.

Currently parts of the site are indicated by Development Advice Maps as being subject to a high and medium risk from surface water flooding.

PLANNING HISTORY

The most recent or relevant applications on record associated with this site are:

- 22/5018/41:** Pre-app advice. Decision: 16/03/2022, Raise No Objections
- 14/1672/10:** Extension to the existing warehouse and factory. Decision: 03/02/2015, Granted
- 95/0291/10:** Erection of new factory and single storey reception link to existing offices. Decision: 30/06/1995, Granted

PUBLICITY

The application has been advertised by direct notification to thirteen neighbouring properties and notices were displayed on site.

Furthermore, in accordance with the Development Management Procedure Order (Wales) the relevant press notice was published on 24th May 2022 identifying that the proposal constitutes 'Major Development'.

No letters of objection or representation have been received.

CONSULTATION

Highways and Transportation

No objection and no conditions or advisory notes are recommended.

Flood, Water and Tip Risk Management

Given the total construction area is greater than 100m², the applicant will be required to submit an application to the Sustainable Drainage Systems (SuDS) Approval Body (SAB) and also comply with Part H of the Building Regulations.

It is noted that the applicant has already stated that surface water will be disposed of using SuDS and all surface water runoff will infiltrate into the ground.

Regarding the requirements of the Lead Local Flood Authority, the Applicant has provided adequate information to satisfy the requirements of Section 8.3 of Technical Advice Note 15 and no condition is necessary in this regard.

Public Health and Protection

No objection, subject to a condition requiring a site investigation for contamination.

Dwr Cymru Welsh Water

DCWW does not object and notes that the development does not require a new foul drainage connection and that the intention is to dispose of surface water via a sustainable drainage system.

Countryside – Ecologist

A revised landscaping plan and EIA were submitted at the request of the Ecologist, to amend the proposed plant mix and grass seed type, clarify future grass maintenance, and to confirm the scope of the bat survey.

Consequently, there was no objection to the proposals, subject to a condition for bird and reptile mitigation measures during construction, as identified by the EIA.

The Coal Authority

Only a very small part of the site is within the defined Development High Risk Area. In considering that no built development is proposed in this location, the Coal Authority concurs with the conclusions made in the supporting Geotechnical Report and Geoenvironmental Report (April 2022, prepared by Terra Firma Ltd) that the part of the site where built development is proposed is unaffected by shallow coalmine workings. Consequently, the Coal Authority has no objections to this planning application.

No other consultation responses have been received within the statutory period.

POLICY CONTEXT

Rhondda Cynon Taf Local Development Plan

Members will be aware that the current LDP's lifespan was 2011 to 2021, that it has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 4th January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 4th January 2016 will remain the LDP for determining planning applications

until replaced by a further LDP. This was clarified in guidance published by the Minister on 24th September 2020. Subsequently, Members are advised that the existing Plan remains the development plan for consideration when determining this planning application.

The application site lies within the settlement boundary for Llantrisant.

Policy CS2 - emphasises sustainable growth in the Southern Strategy Area, to be achieved by focusing development within defined settlement boundaries and providing opportunities for significant inward investment in sustainable locations.

Policy AW2 - ensures that development proposals are only supported when located in sustainable locations. Such locations are within a defined settlement boundary, would not unacceptably conflict with surrounding uses, and have good accessibility by a range of sustainable transport options.

Policy AW5 - identifies the appropriate amenity and accessibility criteria for new development proposals. It expressly states that the scale, form and design of the development should have no unacceptable effect on the character and appearance of the site and the surrounding area. There should also be no significant impact upon the amenities of neighbouring occupiers and should, where appropriate, retain existing features of natural environmental value. In addition, the development would require safe access to the highway network and provide parking in accordance with the Council's SPG.

Policy AW6 - supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness, and which must be designed to protect and enhance landscape and biodiversity.

Policy AW8 - seeks to protect and enhance the natural environment from inappropriate development.

Policy AW10 - permits development proposals where they do not cause an unacceptable harm to public health, the environment or local amenity as a result of flooding, pollution and noise.

Supplementary Planning Guidance

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Employment Skills
- Nature Conservation

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 24th 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), WG's 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, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow – Employment / Housing / Infrastructure
- Policy 2 – Shaping Urban Growth – Sustainability / Placemaking

SE Wales Policies

- Policy 33 – National Growth Areas Cardiff Newport & the Valleys – SDP/LDP/large schemes.

Other relevant national policy guidance consulted:

PPW Technical Advice Note 5: Nature Conservation and Planning;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

PPW Technical Advice Note 23: Economic Development;

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

In this case the site is already located within a long-established industrial park, and within the defined settlement boundary. Therefore, the development would accord with LDP Policy CS2. This policy is also supportive of investment opportunities which benefit the economy of Rhondda Cynon Taf.

Likewise, LDP Policy AW2 aims to direct development to sites within the settlement boundary in the Southern Strategy Area. The factory extension would also comply with the other relevant criteria of this Policy, in particular that the proposed use would not conflict with the surrounding land uses, the majority of which fall within Use Classes B1, B2 and B8.

Furthermore, during the decision making process, weight can be given to the proposal's economic benefits. PPW11 encourages planning authorities to take a positive approach towards developments which generate economic prosperity and regeneration. Needless to say, Sigma 3 Kitchens have been a longstanding resident of Llantrisant, and the expansion of the operation at this location will help retain local jobs, as well as provide new ones.

In light of the foregoing, the development would be ideally located at the existing business park premises and its further contribution to economic activity would align very well with local and national planning policies.

Impact on the character and appearance of the area

The context of the Business Park is one where the built environment consists primarily of large scale factory units, of typical appearance and no particular defining style.

In terms of the impact of the development on the character and appearance on both the current site and the surrounding area, the extended building would be unremarkable, and would tie-in with the existing structures to which it would be attached, and which are of a similar height and appearance.

There would be a limited impact on the street scene since the rear of the site can only be observed from a no-through road to the south-eastern side of the site. The metal paling boundary fence is also lined with vegetation in part, and because the road is at a higher level, the immediate sense of scale of the scheme would be diminished.

The only other views towards the site would be from the neighbouring units to the north-west and north-east, and since they also comprise large units – one being a haulage contractor, the other a food manufacturing business, the development would not be visually harmful and detract from local character.

Impact on neighbouring occupiers

The proposed extension would increase the intensity of manufacturing processes and distribution/storage activities that currently take place on site, which could have the potential to create additional noise from machinery and disturbance from vehicle movements.

However, the context of the setting is such that the application site is located within a large and busy industrial estate, where nearly all of the neighbouring properties and those within the vicinity of the site are industrial in character, and where similar manufacturing or commercial office-based activities take place. In this regard it would be difficult to find a more appropriate location for the business to expand from.

In addition, with there being no dwellings located in close proximity of the site, the nearest being 230m to the north-west, it is not considered that any detriment would be caused to the amenity of the closest residents.

Access and highway safety

Access

There would be no alterations to the proposed access. The site is served from Llantrisant Business Park which has been designed and built for safe vehicular and pedestrian movement and is therefore satisfactory to serve the expanded premises.

Parking

The Council's SPG for Access, Circulation and Parking identifies that the proposed warehouse and factory extension would require the provision of 9 further parking spaces.

It is noted that the extension will use an area of land which will require the removal of 71 existing parking spaces. However, there is sufficient space within the proposed service yard to accommodate the parking requirements for both cars and delivery vehicles and it is proposed to provide a total of 80 car parking spaces as part of the development, which is acceptable.

In addition, the developer has submitted swept path analysis which shows access / egress in forward gear which is acceptable to the Highway Authority.

Cycle and Disabled Parking

Parking provision for both cycles and disabled use has been provided in line with the Council's SPG.

Conclusion

Taking the above into consideration, no highways objections are raised or conditions suggested.

National Sustainable Placemaking Outcomes

Chapter 2 of PPW11 emphasises that development proposals should demonstrate sustainable placemaking, to ensure that the right development is achieved in the right place, and states that development proposals should be assessed against the national sustainable placemaking outcomes.

PPW acknowledges that not every development proposal will be able to demonstrate that they can meet all of the outcomes, or that it can be proved that an attribute of a proposal will necessarily result in a particular outcome.

It is also recognised that the interpretation of the relevant criteria will depend upon the detail and context of the proposal and the application site, and in the planning balance, that greater material weight may be given to some attributes rather than others.

Therefore, in addition to consideration of the placemaking merits of the scheme within the sections of the report further above, the proposed development is considered to align particularly well with the following national sustainable placemaking outcomes:

- **Creating and Sustaining Communities:** The development will provide jobs to meet society's needs and will enable a mix of smaller scale commercial uses.
- **Facilitating Accessible and Healthy Environments:** The application site is close to a bus and cycle route and has good connections to the principal highway network, Ely Valley Link Road/A4119 and the M4.
- **Growing Our Economy in a Sustainable Manner:** The development would create construction jobs and foster economic activity by providing a permanent employment base for existing and new employees.
- **Maximising Environmental Protection:** The development would include biodiversity and landscape mitigation and enhancement measures and would manage water resources naturally via the use of sustainable drainage options.

In respect of the other national outcomes listed, the development would be considered to have a neutral impact.

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 would be payable.

Conclusion

On account of its location within an established business park, the proposed development would be compatible with the surrounding land uses and would both benefit the local economy and protect and provide local opportunities for employment.

The development would also be at a sufficient distance from the closest neighbouring occupiers to prevent detriment to amenity from any additional physical or operational impact and would have safe access to the highway network with sufficient parking and circulation space.

The application is therefore considered to comply with the relevant parts of LDP Policies CS2, AW2, AW5, AW6, AW8 and AW10.

RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW:

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 completed in accordance with the approved drawings and documents:

- Proposed site plan - 1003 C
- Proposed ground floor plan - 1004 A
- Proposed elevations - 1011 B
- General Arrangement: Landscape - 2391-DWG-001-P3-S3
- Proposed External Works Layout – 02 P1

and details and documents received on 13th May 2022 and 20th June 2022, 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. 1. No development shall commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme, all aspects of which must be carried out by, or under the direction of, a suitably qualified competent person in accordance with BS10175, shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:

(a) A desk-top study to identify and evaluate all potential sources and impacts of contamination relevant to the site. The desk top study should contain a conceptual site model.

(b) A site investigation shall be carried out to fully and effectively characterise the nature and extent of any contamination and its implications. The site investigation shall not be commenced until a desk-top study has been completed satisfying the requirements of paragraph (a) above.

(c) A written method statement for the remediation of contamination affecting the site shall be agreed in writing with the Local Planning Authority prior to commencement and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

2. The development hereby permitted shall not be occupied and/or operated until the measures approved in the scheme (1) have been implemented and a suitable validation report of the proposed scheme has been submitted to and approved in writing by the Local Planning Authority. Any validation report shall be carried out by, or under the direction of, a suitably qualified competent person.

3. If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then work shall cease and revised contamination proposals shall be submitted to and approved in writing by the Local Planning Authority prior to the work recommencing. Any revised contamination proposals shall be carried out by, or under the direction of, a suitably qualified competent person.

Reason: In the interest of health and safety and environmental amenity in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until details of a scheme for the provision of mitigation measures to be taken to protect nesting birds and reptiles during construction, as identified in Section 5 of 'Sigma 3 Ecological Impact Assessment' (TACP – Revision P2 dated 20th June 2022), have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details.

Reason: To protect and enhance the natural environment in accordance with PPW11 and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.