

## **PLANNING & DEVELOPMENT COMMITTEE**

**25 January 2024**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/1285/10 (GH)  
**APPLICANT:** Ortho Clinical Diagnostics  
**DEVELOPMENT:** Proposed expansion comprising part three (offices) and part two storey (medical equipment processing, assembling and manufacturing) building, new staff car park and landscaping works  
**LOCATION:** ORTHO CLINICAL DIAGNOSTICS, FELINDRE MEADOWS, LLANHARAN, PENCOED, BRIDGEND, CF35 5PZ  
**DATE REGISTERED:** 10/11/2023  
**ELECTORAL DIVISION:** Brynna and Llanharan

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**RECOMMENDATION: GRANT SUBJECT TO THE CONDITIONS BELOW**

#### **REASONS:**

Pencoed Technology Park is an established employment site, where the construction or extension of further commercial buildings is compatible with the existing neighbouring land uses and would be consistent with the character and uses of the site.

In addition, the proposal represents a significant investment and expansion by an existing successful business, both supporting long-term economic growth within the County Borough and creating employment opportunities during construction and on a permanent basis thereafter.

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#### **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 new building, car park and associated works, at Ortho Clinical Diagnostics, Felindre Meadows.

The two and three storey building would act as an extension to the Applicant's existing business operations and comprise new floorspace of 7458sqm. Approximately 75% of the additional space would be for manufacturing purposes (Use Class B2) and the remaining 25%, within the three storey element to the front, would be office and laboratory use (Use Class B1).

Both the new building and car park would be constructed within an area of 2.07 hectares, half of which is within the existing curtilage and currently hardstanding laid out as a car park, whilst the other half extends into the adjoining development plot.

The new car park would provide 315 spaces, including 8 disabled and 14 EV charging, all of which represent a net gain of 149 spaces. Separate areas would be set aside for motorcycles and covered cycle shelters.

Further to the above, ancillary development in the form of a new substation, generator, external switch room, condenser compounds and sprinkler tank are proposed. With the exception of the substation, all of these other structures and/or plant are located to the rear of the site.

Lastly, landscaping and green infrastructure plans have been provided which set out a scheme for tree planting, ground cover, native hedge laying, mixed grassed areas and rain gardens. Locations have also been identified for bat and bird boxes, together with brash/log piles. It is noted that the existing security fence would be extended around the enlarged site and external areas would be lit.

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

- Pre-Application Consultation Report
- Preliminary Ecological Appraisal
- Drainage Strategy and Technical Note
- Transport Statement
- Planning Statement
- Site Investigation Report
- Design and Access Statement

## **SITE APPRAISAL**

The application property is the Ortho Clinical Diagnostics production facility, which is located within the Pencoed Technology Park employment site at Felindre Meadows.

The property can be found at the eastern end of Felindre Meadows and comprises a large flat, square area, currently of just over 4 hectares, within which the main building, internal accesses, parking, delivery areas and other ancillary structures are positioned.

The area of the site to which the application relates is both that within the western side of the curtilage and also the adjoining yet-to-be-developed area of land; the latter comprising maintained grassland.

The closest other properties within 300m of the site are either commercial or non-residential land uses. The southern site boundary is demarcated by the M4 motorway, whilst that to the east, beyond Felindre Road, is open countryside.

## **PLANNING HISTORY**

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

- 23/0560/01:** 1 no. fascia signage with individual lettering (halo illumination) and 1 no. monolith sign (halo illumination). Decision: 10/07/2023, Grant.
- 23/0260/09:** The installation of solar panels on the upper and lower roofs of the main building and also on the roofs of two ancillary buildings in close proximity. Decision: 03/05/2023, Grant.
- 22/1372/10:** Proposed Office Building. Decision: TBC.
- 21/5134/41:** Pre-application advice. Decision: 11/01/2022, Raise No Objections.
- 21/1566/10:** Extension to existing factory building to provide additional storage space. Decision: 17/01/2022, Grant.
- 21/0348/09:** Temporary warehouse shelter. Decision: 29/04/2021, Grant.
- 20/0805/01:** Signage to rear of building, facing M4 motorway. Decision: 24/09/2020, Grant.
- 14/1493/10:** Extension to the current facility to accommodate additional business capacity. Decision: 09/01/2015, Grant.
- 13/0212/10:** Extensions to the current facility to accommodate additional business capacity. The units will be located on the south and west side of the current production building. Decision: 05/06/2013, Grant.
- 10/1246/10:** Proposed shelter to house existing effluent treatment tank. Decision: 25/01/2011, Grant.
- 10/0736/10:** New gym. Decision: 20/09/2010, Grant.
- 06/0622/10:** Medical devices manufacture plant - facility will comprise of environmentally controlled production suites with materials storage and associated warehousing, with plant room over, and a three storey

office block, with associated external works and landscaping .  
Decision: 14/06/2006, Grant.

**02/1850/13:** Erection of building for uses within Classes B1 & B2 of the Town & Country Planning (Use Classes) Order 1987, together with associated engineering & building operations & landscaping works (Amended general layout plans received 5th June 2003). Decision: 26/03/2004, Grant.

## **PUBLICITY**

The application has been advertised by direct notification to eleven 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 20th November 2023 identifying that the proposed represented Major Development.

No letters of objection or representation have been received.

## **CONSULTATION**

### Highways and Transportation

No objection subject to conditions relating to parking, construction management and highway condition surveys.

### Flood Risk Management

No objection.

### Public Health and Protection

Conditions are recommended in respect of noise, dust, waste and artificial lighting. However, given that some of these matters can be controlled within the scope of existing public health powers or a construction method statement, it is considered that an informative note would be appropriate.

### Natural Resources Wales

NRW has noted that there are drains at the north and south of the site which are hydrologically linked to the Ewenny Fach, located within 243 metres of the site. Consequently, a condition is recommended for a Construction Environment Management Plan.

### Dwr Cymru Welsh Water

No objection to the principle of the foul flows discharging to the public sewer, subject to a recommended condition to identify the point of connection.

#### National Grid

A new connection or service alteration will require a separate application to the National Grid.

#### South Wales Fire and Rescue Service

The Fire Authority has no comment to make on access for fire appliances or water supplies and no objection to the proposed development.

#### Countryside Section – Ecologist

No objection, subject to a condition to secure ecological mitigation and enhancement measures.

#### South Wales Police

No objection. A list of recommendations, in respect of designing out crime, have been submitted for forwarding to the developer and South Wales Police would welcome working with the Applicant to achieve Secured By Design standard.

#### Welsh Government

The Welsh Government as highway authority for the M4 motorway does not issue a direction in respect of this application.

However, WG advises that there must be no interference with the motorway soft estate, embankment or boundary fence; no drainage from the development site shall be connected to, interfere with or allowed to discharge into the motorway drainage system; and all lights must be suitable directed and cowled so as not to cause dazzle or glare to the motorway users.

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 is 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 outside of any settlement boundary.

**Policy CS2** - The policy emphasis in the Southern Strategy Area (SSA) is on sustainable growth that protects the culture and identity of communities by focusing development within defined settlement boundaries. Emphasis will also be on protecting the cultural identity of the strategy area by protecting the natural environment.

**Policy CS10** - seeks to protect resources and contribute to the local regional and national demand for a continuous supply of minerals without compromising environmental and social issues.

**Policy AW2** - The policy provides for development in sustainable locations which are within the settlement boundary; would not unacceptably conflict with surrounding uses; and have good accessibility by a range of sustainable transport option.

**Policy AW5** – The policy 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** - The policy supports development proposals that are of a high standard of design that reinforce attractive qualities and local distinctiveness. Furthermore, proposals must be designed to protect and enhance landscape and biodiversity by providing measures for mitigation and enhancement, where appropriate.

**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, and other identified risks to public health.

**Policy AW14.1** - Safeguards sand and gravel resources at Llanilid, East of Felindre Road, from any development which would unnecessarily sterilise them or hinder their extraction.

**Policy SSA13** - The settlements in the Southern Strategy Area have absorbed a significant amount of new development during the last decade. In order to protect the identity of these settlements, ensure the efficient use of land and protect the countryside from urbanisation and incremental loss; the policy stipulates that development will not be permitted outside the defined settlement boundary.

## **Supplementary Planning Guidance**

- Design and Placemaking
- Access, Circulation and Parking Requirements
- Planning Obligations
- 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 12: Design;  
PPW Technical Advice Note 15: Development and Flood Risk;  
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**

The Applicant seeks permission to construct a new building and car park, as an extension to existing manufacturing operations, on a parcel of land within the boundary of Pencoed Technology Park. The site is also an existing employment land-bank site (TL36) which is annually monitored by the Council's Planning Policy team.

The wider site consists of a range engineered development plateaus with associated access roads, which were originally set out in anticipation of development. The principle of employment here has long been established via a previous outline permission, dating from when the site was brought forward for development by the then Welsh Development Agency in 2002.

Some of these plateaus have already been developed for employment use or benefit from consent for such; and those Members who were part of the Planning Committee in the previous term of the Council may recall two applications for industrial units on plots at the eastern and western ends of the site. More recently, Members have determined a cross-boundary application on the northern side of the Park.

Whilst the site is wholly within a Sand and Gravel safeguarding area, identified by Policy AW 14.1, it is highly unlikely to be suitable for extraction due to sterilisation buffer zones around existing built development and the proximity of the M4.

As part of 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. In this case the application details set out that the extension would be expected to create up to 150 new jobs.

Therefore, the principle of the development is considered to be acceptable, subject to the other material considerations outlined below.

### **Impact on the character and appearance of the area**

Construction of the application property was completed in 2009 and since its occupation by Ortho-Clinical Diagnostics, has been subject to numerous subsequent applications, including extensions, as set out within the planning history.

However, the current proposal would result in a much more significant enlargement resulting in a facility with a total floorspace of around 23,130sqm, which would be in line with that envisaged by the initial outline planning permission granted in 2004 as the flagship 'Project Bluebird' building.

As a relatively recent development, it is unsurprising that the property is of a contemporary design and with the office block element of the operation forming the north-facing principal elevation, alongside the well-maintained landscaped grounds, its appearance is a far less industrial one compared with some older sites.

The application details outline that the new building has been designed to complement the appearance of that existing building with the height of the addition being comparable. The horizontal fenestration would also provide a visual link between the two structures and the elevations would utilise a mix of facing brickwork, cladding panels and colour coated metal louvres.

The new building is smaller in size than the existing and would be considered to be a suitable addition to the site and the surroundings. Within the wider setting of the business park, the siting, scale and appearance of the development would be sympathetic. Furthermore, the proposed landscaping of the site, including the Green Infrastructure Plan shows that much thought has been given to the outward appearance of the property and its impact on the street scene, including extensive landscaping along the boundaries of the new car park.

As such, it is considered that the proposed development would be acceptable in terms of its immediate and wider visual impact and would constitute a high quality commercial development in an appropriate location.

### **Impact on neighbouring occupiers**

As noted above, the application site is located within a business park where the neighbouring properties and those within the vicinity of the site are mostly all industrial/commercial in character.

This includes the land on the opposite side of the access road which is currently subject to construction of a group of eighteen small industrial units that Committee

Members approved in early 2022. In addition, the South Wales Police building occupies the plot immediately to the west of this construction area.

Nonetheless, whilst the proposed development would result in a greater intensity of activity at the site via an expansion of the existing operations it would not introduce any new uses or processes to the site that might raise concerns about compatibility with the aforementioned neighbouring land uses.

By way of contrast, the closest residential properties to the site are located at least 330m to the south, both in the Vale of Glamorgan area and beyond the M4 and its embankment. To the north, the nearest dwelling to the north is at Velindre Farm, at a distance in excess of 464m.

In light of the above, it is considered that the construction and use of the proposed development would not be detrimental to the other properties or third party land owners adjacent to the application site

## **Access and highway safety**

### Access

Felindre Meadows is an unadopted industrial estate road subject to a Section 38 agreement of the Highways Act 1980 and is currently in the ownership and control of the Welsh Government.

Felindre Road connects to the A473 to the northwest which in turn provides connections to Pencoed, Llantrisant, M4 junction 35 and is located with Bridgend County Borough Council's administrative boundary.

### Transport Statement

A Transport Statement, (TS), by SLR Consulting has been provided dated September 2023 and has been reviewed as follows:

#### *Trip Generation*

The TS indicates at paragraph 5.4 that the proposed expansion of the site would result in an increase in staff numbers of 100-150.

The trip estimation undertaken within the TS utilises the Trip Rate Information System, (TRICS) database which indicates that the existing staff of 670 employees would generate 1374 trips per day (05:00-21:00 hrs)

Following expansion, up to 820 staff would be expected to be employed generating 1682 trips per day (05:00-21:00 hrs), representing an increase of 308 trips per working

day. With the development generating 42 additional trips in the AM Peak (08:00-09:00) and 36 additional trips in the PM Peak (14:00-18:00).

The TS indicates that a sensitivity test comparing ATC Survey data with the TRICS trip generation was undertaken which indicated that the TRICS forecast generated a higher trip rate than observed and can therefore be considered as a robust estimate of trips to and from the development.

The peak hour trip generation represents less than 1 additional vehicle per minute during peak periods which would have no significant impact on highway and junction capacity and within the daily variation of traffic.

### *Accident Data*

Accident data within the TS indicates clusters at the roundabout junction on the route to the proposed development. Nonetheless, the roundabout is located within Bridgend County Borough Council's administrative area, the recorded accidents are typical of such junctions and would be monitored and addresses by Bridgend County Borough Council. No accidents are recorded within the administrative area of RCT.

### *Parking*

Paragraph 4.12 of the TS indicates that the existing site benefits from 463 parking spaces of which 177 spaces would be lost to accommodate extension of the buildings. However, the construction of a new 320 space car park would result in an overall parking provision of 606 spaces.

Whilst PPW 11 and associated documentation encourages control of parking provision to encourage uptake of sustainable modes of travel the level of parking is considered acceptable given the remote location, staff demand (670 employees), shift patterns and lack of public transport. Given the need to avoid parking on street, in the interests of highway safety and free flow of traffic, the parking provision is considered acceptable.

### *Cycle Parking*

The applicant proposes 40no. cycle parking spaces in the form of 20no. Sheffield stands to the east of the new car park. There are existing and proposed walking and cycling active travel routes in the vicinity of the site which link to the nearby towns promoting sustainable modes of transport.

### *EV Charging*

The applicant proposes 16no EV charging bays promoting sustainable modes of transport however in accordance with Future Wales 2040, all new or substantially refurbished non-domestic buildings with dedicated parking will be required to have at

least 10% of parking spaces allocated for EV charging. Since part of the existing carpark is to be retained the requirement applied on the proposed new 320 space carpark would require the provision of 32no EV charging bays.

#### Active Travel Wales Act 2013 /PPW 11.

The Active Travel (Wales) Act 2013 aims to support an increase in the level of walking and cycling in Wales, to encourage a shift in travel behaviour to active travel modes, and to facilitate the building of walking and cycling infrastructure.

It is a legal requirement for local authorities in Wales to map and plan for suitable routes for active travel, and to build and improve infrastructure for walking and cycling every year. It creates new duties to consider the needs of walkers and cyclists and make better provision for them. It also requires the consideration of walking and cycling as a mode of transport and the Act focuses on the promotion of walking and cycling for purposeful journeys, rather than as a purely recreational activity.

There are continuous links along the industrial estate along with segregated footways within the site and good cycle route/active travel route connections. This existing provision is considered to be acceptable and aligns with the requirements of the Act.

#### Construction Traffic

There is a concern that construction traffic could cause damage to the proposed access road at Felindre Meadows which could prejudice adoption in accordance with the highway agreement.

Therefore, a condition has been recommended requiring a condition survey of the access from the roundabout to the access of the site to ensure that any damage arising from the construction of the proposed development is addressed to ensure the highway agreement and adoption of the estates road is not prejudiced.

#### Summary

No objection is raised subject to the conditions recommended at the end of this report.

#### **Ecology and Green Infrastructure**

Natural Resources Wales has identified that there are drains at the north and south of the site which are hydrologically linked to the Ewenny Fach, located within 243 metres of the site. For this reason, NRW has recommended a condition for a Construction Environmental Management Plan to protect that nearby watercourse and this has been included in the list of conditions set out at the end of the report.

The Council's Ecologist advises that the Preliminary Ecological Appraisal is an appropriate assessment, although it doesn't identify the presence of SINC 175 (the

Ewenny Fach corridor) which is within a couple of hundred metres of the site. This omission is not overly significant, but the nearby presence of SINC 175 increases the importance of securing some grassland habitat mitigation for the development (see comments below).

The PEA identifies the car park extension area as species poor semi-improved grassland, although species which are more indicative of a high degree of agricultural improvement, a suite of wet grassland species of greater ecological value (meadowsweet, angelica, compact rush, redshank, fleabane, red clover and ox-eye daisy) are present. There is therefore some evidence of some residual grassland ecology value that might be encouraged through better management of retained areas secured as mitigation.

The PEA concludes that there is a negligible bat roost potential, although it recommends a bat sensitive lighting scheme and reference is made to a previous 2021 Great Crested Newt (GCN) eDNA survey of a nearby attenuation pond and the absence of that species. Limited potential for badger is identified via use of the grassland areas as foraging habitat, and also common reptiles, amphibians and nesting birds. Himalayan balsam is identified as being present.

Section 5 of the PEA concludes that there would be no overriding significant ecological impact but identifies bat sensitive lighting requirements and precautionary measures for mammals, reptiles/amphibians and nesting birds, together with Himalayan Balsam control, and biodiversity enhancement proposals (including bat and bird boxes). Whilst the PEA doesn't include compensatory management of retained grassland areas, this is identified in the TirCollective Green Infrastructure Plan. Consequently, a condition for details and the delivery of all ecological mitigation and enhancement proposals as identified in the Soltys Brewster September 2023 PEA, plus the long-term grassland mitigation areas identified in the TirCollective Green Infrastructure Plan, would be necessary.

Lastly, in terms of landscaping the use of some of the species proposed should be reviewed. For example, the use of species-rich wildflower seeding would not be appropriate and *Prunus laurocerasus* is far too invasive. Similarly, *Alnus cordata* can hybridise with native alder and *Liquidambar* species can also be invasive. A feature of the SINC and the biodiversity mitigation zone along the Ewenny Fach, is the presence of a significant element of veteran wood pasture trees, and riverside alder woodland. Given that context a more ecologically sensitive shrub and tree planting proposal would be necessary and a further condition for landscaping details, to ensure planting is ecologically appropriate and sensitive, should be appended to any planning permission.

## **Land Drainage**

With a total site area of 2.07 hectares Schedule 3 of the Flood and Water Management Act 2010 will require the Applicant to submit an application to the Sustainable Drainage

Systems (SuDS) Approval Body (SAB), in addition to compliance with Part H of the Building Regulations.

Natural Resources Wales' Surface Water Flood Risk maps have been used to review the site's surface water flood risk, which demonstrate that the site falls within areas of high to low surface water flood risk. This risk is associated to surface water accumulation along the highway and surrounding the perimeter of the site. There are also drainage features to the north and northwest of the site which include a pond and unnamed ordinary watercourse.

Ordinary Watercourse Consent under Section 23 of the Land Drainage Act 1991 would be required prior to undertaking any works that may be deemed necessary and which would affect any watercourse identified within the site.

The Applicant has outlined that surface water will be disposed of via SuDS and existing watercourses. The Council, in its role as Lead Local Flooding Authority, is satisfied with the surface water drainage strategy and plan submitted with the application, which show that surface water discharge rates from the site and into the existing watercourse would be close to greenfield runoff estimates.

### **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 support the continued development of this employment land bank site.
- **Facilitating Accessible and Healthy Environments:** The application site is close to a bus, cycle and walking route and has good connections to the principal highway network and M4.

- **Growing Our Economy in a Sustainable Manner:** The development would create construction jobs and foster economic activity by providing a permanent employment base and up to 150 new jobs at an existing manufacturing facility. The development would also make use of the supporting infrastructure which has already been provided for the development of the business park
- **Maximising Environmental Protection:** The development would include green infrastructure, biodiversity and landscape mitigation or enhancement measures; and would manage water resources naturally via the use of sustainable drainage options, including rain gardens.
- **Making Best Use of Resources:** The application site is part brownfield land and the business park as a whole has already been physically engineered to support development of this kind.

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 not CIL liable under the CIL Regulations 2010 (as amended).

### **Conclusion**

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

The development would also be at a sufficient distance from the closest neighbouring occupiers to prevent detriment to amenity from any direct 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 AW2, AW5, AW6, AW8 and AW10.

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

#### **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 completed in accordance with the approved drawings and documents:

- Site Location Plan P100
- Proposed Site Plan P02
- Proposed Ground Floor Plan P03
- Proposed First Floor Plan P04
- Proposed Second Floor Plan P05
- Proposed Roof Plan P06
- Proposed Elevations 1 P07
- Proposed Elevations 2 P08
- Proposed Contextual Elevations P09
- Green Infrastructure Plan GI.1 TC23190\_Landscape Plans v6
- Landscape Strategy LA.1
- Planting Plan LA.2
- Electrical Engineering Services Plan 9001 Rev P04

and details and documents received on 10th November 2023 and 9th January 2024, 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. No development, including site clearance, shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management;
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan;
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details;

- Landscape/ecological clerk of works to ensure construction compliance with approved plans and environmental regulations;

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure protection of nearby watercourses and ensure necessary management measures are agreed prior to commencement of development and implemented for the protection of the environment during construction, in accordance with Policies AW8 and AW10 of the Rhondda Cynon Taf Local Development Plan.

4. No development shall commence until details of the following have been submitted to and agreed in writing by the Local Planning Authority:

- (i) a scheme for the provision of biodiversity mitigation and enhancement measures, in accordance with the conclusions and recommendations of Section 5 of the Preliminary Ecological Appraisal (Soltys Brewster, dated September 2023).

- (ii) a scheme for the management of long-term grassland mitigation areas in accordance with the Green Infrastructure Plan (TirCollective, dated 10th November 2023).

- (iii) revised landscaping planting details to omit the use of species-rich wildflower seeding, *Prunus laurocerasus*, *Alnus cordata* and *Liquidambar*.

The development shall be carried out in accordance with the approved details. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the 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.

Reason: In the interests of the natural environment and to deliver a net benefit to biodiversity, in accordance with PPW 11 and Future Wales Policy 9 and Policies AW5, AW6 and AW8 of the Rhondda Cynon Taf Local Development Plan.

5. No development shall commence, including any works of site clearance, until a Construction Method Statement has been submitted to 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,
- h) hours of operation,
- i) measures for the control of noise from demolition and construction,
- j) site lighting during demolition and construction.

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 the safety and free flow of traffic in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

6. No development shall commence, including any works of site clearance, until the following have been submitted to and approved in writing by the Local Planning Authority:

(i) A report indicating the methodology for undertaking a survey of the condition of the access roads between Felindre Road roundabout and the proposed development. The report should include:

- a) Details of the roads to be surveyed,
- b) The timescales for undertaking the surveys,
- c) The method(s) of reporting the findings to the local planning authority (including the use of comprehensive photographs), and
- d) Any potential compensation arrangements.

(ii) The completed condition survey carried out in accordance with the methodology approved under (i) above.

The development shall not be brought into beneficial use until the final survey on completion of the development has been undertaken and any compensation arrangements have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the extraordinary traffic use arising from the proposed development does not have an adverse impact on highway safety and structural integrity in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

7. Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at or downstream of manhole reference number SS97800704.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

8. The car park indicated on submitted drawing no. "P02" shall remain for the purpose of vehicular parking only.

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

9. HGV's used during construction shall be restricted to 09:00am to 16:30pm weekdays, 09:00am to 13:00pm Saturdays with no deliveries on Sundays and Bank Holidays unless otherwise agreed in writing with 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.

10. ULEV charging points shall be installed and made fully operational in accordance with drawing number 9001 Rev P04 prior to beneficial use of the development and retained for the life of the development thereafter.

Reason: To comply with the requirements of FW2040 and improve the environmental and cultural wellbeing of people and communities.

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