

## **PLANNING & DEVELOPMENT COMMITTEE**

**21 NOVEMBER 2024**

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

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

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 23/0884/FUL (JE)  
**APPLICANT:** Mr Silvester  
**DEVELOPMENT:** New industrial units and resitting of existing steel containers (Drainage details received 13/08/24).  
**LOCATION:** Town And Country Fencing Gilfach Road Tonyrefail Porth CF39 8HL  
**DATE REGISTERED:** 3 August 2023  
**ELECTORAL DIVISION:** Tonyrefail West

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**RECOMMENDATION:** Approve

**REASONS:** The application site is an established employment site, where the construction of further industrial units would be compatible with the existing neighbouring land uses and consistent with the character of the site.

Furthermore, the proposal represents an investment within the County Borough, offering flexible floor space which would support economic growth and the potential for the creation of employment opportunities during both construction and thereafter.

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

The proposal is not covered by determination powers delegated to the Director of Prosperity and Development because it constitutes new-build industrial development.

#### **APPLICATION DETAILS**

Full planning permission is sought for the construction of new industrial units and resitting of existing steel containers at Town and Country Fencing, Gilfach Road, Tonyrefail.

The proposal would see the creation of 7no. industrial units located along the western and northern boundaries of the site. The units would consist of 4no. semi-detached units (Units 1 to 4) located along the western boundary and 3 no. detached units (Units 5-7) located along the northern boundary. The details/measurements of the units are provided below:

## Units 1-4

These units would consist of 2no. buildings split into 4.no individual units. The buildings would measure a width of 17.5 metres by a depth of 8 metres. The buildings would have a dual pitched roof design with a gable end on the side elevations measuring a maximum height of 6.1 metres sloping to 5.2 metres at the eaves.

## Units 5-7

These units would measure a width of 10 metres by a depth of 8.1 metres. The units would have a mono pitched roof design measuring a maximum height of 4.4 metres sloping to 3.4 metres at the eaves. The plans detail that these units would match an existing storage building at the site.

The proposal would see the existing containers relocated from their current position along the northern boundary of the site to the southern boundary of the site. No additional containers would be imported, and the containers would be set off the boundary by 1 metre.

The application is supported by:

- Ecological Appraisal
- Planning Statement
- Drainage Report
- Phase 1 Contamination Report
- Full drainage details

## **SITE APPRAISAL**

The application premises is located off Gilfach Road, just west of Trane Cemetery, Tonyrefail. The site is currently occupied by Town and Country Fencing. To the west part of the site are several small wooden buildings used as a retail area and manufacturing area for the business' products. The majority of the site is open and contains products related to the business with a number of containers for rent located along the northern boundary. The site is surrounded by palisade fencing along its perimeter. To the south the site is bounded by residential properties along Nant-Y-Fron. These dwellings are located at a lower level than the site with their back gardens rising steeply up to the boundary. In close proximity to the north and east are other industrial premises including a food production unit and a car garage. To the west of the site is an area of woodland and grassland which is located within the Rhos Tonyrefail Site of Special Scientific Interest (SSSI) and TPO No. 136 2023.

## **PLANNING HISTORY**

The most recent planning applications on record associated with the application site are:

**06/1726/10:** TOWN AND COUNTRY FENCING, GILFACH ROAD, TONYREFAIL, PORTH

Change of use - Town and Country Fencing to children's indoor adventure play facility.

Decision: 18/06/2007, Refuse

**07/1291/10:** LAND OFF GILFACH ROAD, TONYREFAIL, CF39 8HL

Single storey industrial unit for sign manufacture and printing.

Decision: 01/10/2007, Withdrawn by Applicant

**09/5029/25:** TOWN & COUNTRY FENCING, GILFACH ROAD, TONYREFAIL, CF39 8HL

Use class enquiry - currently B1 (97/2562) - wants to convert it to B2.

Decision: 22/01/2009, Permission Required

**09/5278/25:** BAGUETTE-U-LIKE CATERING, GILFACH ROAD, TONYREFAIL, CF39 8HL

3 advert signs on building, one on forecourt.

Decision: 14/05/2009, Permitted Development

**13/0706/10:** BAGUETTE-U-LIKE, UNIT 1, SITE OF TOWN & COUNTRY FENCING, GILFACH ROAD, TONYREAIL, PORTH, CF39 8HL

To provide a seating area for food and drink to be consumed on the premises.

Decision: 10/03/2014, Grant

**14/0728/10:** UNIT 2 TYRE TRAX, GILFACH ROAD, TONYREFAIL, PORTH, CF39 8HL

Change of use of unit 2 to garage services plus proposed extension to unit 2 for MOT services (Amended details received 03/07/2014).

Decision: 22/08/2014, Grant

**14/0904/10:** LAND ADJACENT TO TYRE TRAX, DAN-Y-FRON, TONYREFAIL, PORTH CF39 8HL

Amendment to previously approved application 09/0250 to raise finished floor level of dwelling to allow for adequate drainage.

Decision: 09/09/2014, Grant

**19/0026/10:** TOWN AND COUNTRY FENCING, GILFACH ROAD, TONYREFAIL, PORTH, CF39 8HL

Division of existing storage yard to provide 34 No. self storage units for rent including change of use from Sui Generis to B8 Storage or Distribution (Amended description 18th February 2019).

Decision: 16/04/2019, Grant

## **PUBLICITY**

The application has been advertised by direct notification to neighbouring properties as well as notices displayed at the site.

2no. letters of objection have been received from the occupiers of neighbouring properties following consultation. The points raised have been summarised below:

- Concerns associated with drainage and the impact upon neighbouring properties.

- Concerns that items stored above containers could be blown towards neighbouring properties.
- The relocation of the containers to the southern boundary will have a negative visual impact and impose on the neighbouring properties.
- The margin between the existing buildings/structures and boundary fence is currently overgrown. As such, this area should be treated accordingly before the containers are relocated.

## CONSULTATION

**National Grid:** Standard consultation response noting that should a new connection or a service alteration be required, the developer will need to make a separate application to National Grid.

**Natural Resources Wales:** Conditions recommended in relation to contamination and construction activities.

**Public Health and Protection:** No objection although conditions suggested in relation to hours of construction, noise, dust, waste and contamination.

**South Wales Fire and Rescue:** No objection raised.

**Transportation Section:** No objection raised subject to conditions.

**Dwr Cymru/Welsh Water:** No objection raised.

**Flood Risk Management (Drainage):** No objection following the submission of full drainage details which set out that surface water flood risk will be adequately managed by Schedule 3 of the Flood and Water Management Act 2010.

**Ecology and Biodiversity:** No objection raised subject to conditions.

## 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 a replacement is in the process of being produced. 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 4<sup>th</sup> 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 4<sup>th</sup> 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 24<sup>th</sup> 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 Tonyrefail and is located adjacent to the Rhos Tonyrefail SSSI.

**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 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 options.

**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. Additionally, 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.

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

**Policy AW10** - Development proposals must overcome any harm to public health, the environment or local amenity.

#### Supplementary Planning Guidance

- Design and Placemaking
- Nature Conservation
- Access, Parking and Circulation.

#### 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 12 (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, 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
- Policy 3 – Supporting Urban Growth – Council land/Placemaking/developers/regeneration/sustainable communities'/exemplar developments.
- Policy 9 – Resilient Ecological Networks – green infrastructure/ecology

#### 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 11: Noise;

PPW Technical Advice Note 12: Design;

PPW Technical Advice Note 18: Transport;

#### **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 proposes the construction of 7no. industrial units and the resiting of existing storage containers at Town and Country Fencing, Gilfach Road, Tonyrefail. The site is within the settlement boundary of the Local Development Plan and is currently used for storage purposes in relation to the existing retail and manufacturing of sheds and fences use, along with separate storage containers for rent.

In terms of how the proposal fits in with surrounding uses, it is noted there is a housing estate adjacent to part of the site. This is however at a lower level to the site and is not

accessed from the same road. The site is close to and served by the same access as other industrial uses on the wider industrial estate area. This includes a car tyre/servicing/M.O.T. garage and a unit producing food products. As such the proposed use would fit in with the existing uses on the site.

The site is also accessible by various sustainable methods with bus stops providing connections to the wider area located to the east along Gilfach Road.

Therefore, the principle of the development is considered to be acceptable subject to an assessment of the material planning considerations set out below.

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

The proposed new buildings would inevitably alter the appearance of the site. However, the wider Estate comprises of existing commercial buildings which vary in terms of their scale, design and height. The scale and design of the proposed new buildings would be comparable to that of neighbouring properties on other plots within the estate whilst the proposed finishing materials would further ensure that the buildings would not appear out of keeping with the surrounding area.

Furthermore, the location of the site to the rear of a private access results in views of the proposed development being limited to the close vicinity only. As such, it is not considered that the proposed development would have an adverse impact upon the character and appearance of the site or the surrounding area.

Taking the above into account the application is considered to be acceptable in this regard.

### **Impact on residential amenity and privacy**

The proposed development would result in a greater number of people visiting the site given the intensification of use associated with the creation of the new units. It is recognised that whilst some existing vehicle movement on the site and unloading and loading activities already takes place, the proposed use would most likely intensify the potential for noise and disturbance to effect local residents. The proposed units would however be set back from the site boundary (with the nearby residential dwellings) and would open into the site. This would reduce the impact of the proposal in these terms.

To further ensure that any impact does not result in a significant effect upon the amenity of neighbouring occupiers, it is considered that a condition to restrict the hours of operation of the proposed units is necessary. As such, a condition is set out below restricting the use of the units to between 07:00 to 19:00 Monday to Friday, 07:00 to 13:00 on Saturdays and not at all on Sundays and Bank Holidays. In addition, a condition restricting the use of the containers to the hours previously approved (07:00 to 19:00 Monday to Sunday) as part of the earlier permission has also been recommended should Members be minded to approve the application.

When considering the impact of the proposed development with regard to the visual amenity of neighbouring occupiers. The proposed units (1-4) would be located at the site of the existing buildings with units 5-7 located along the northern boundary and separated from the closest neighbouring properties along Nant Y Fron.

Turning to the relocated containers, whilst the proposal would see the containers located closer to properties along Nant Y Fron in comparison to the existing arrangement, when considering their scale and nature, it is not considered that the containers would result in an impact great enough to warrant a refusal of the application. Furthermore, given that the proposed containers would be set back from the boundary with these properties, it is considered that landscaping could be provided to establish partial screening of the site which could be secured via a suitably worded condition.

Taking the above into account, it not considered that the proposed would adversely impact upon residential amenity and is considered acceptable in this regard.

### **Highway Safety and Parking Requirement**

The Council's Transportation Section were notified during the consultation period in order to assess the impact of the development upon highway safety and parking provision. No objection was raised with the following response received:

#### Access

The application site is accessed via a private shared access served off Gilfach Road. The private shared access provides a single 1.8m footway on the left-hand side upon entering the site with a carriageway width of 6.7m. The private shared access also provides traffic calming in the form of speed humps. Gilfach road provides a single footway on the side of the development with a carriageway width of 6.7m. The proposed is also within walking distance of public transport with the nearest bus stop approximately 135m east of the site along Gilfach Road.

#### Vision

Gilfach Road is a 30mph road which has a vision splay requirement of 2.4m x 40m in accordance with Technical Advice Note (TAN) 18; Transport. The private shared access provides a vision splay of 2.4m x 94m to the left and 2.4m x 278m to the right which is more than the required 40m and is therefore acceptable.

#### SPG: Access, Circulation & Parking Requirements (March 2011)

The site is currently used to manufacture and sell wooden fencing products which has a B2: General Industrial Use Class. Therefore, in accordance with SPG: Access, Circulation & Parking Requirements (March 2011) the existing use has a parking requirement of 1 van space and 2 vehicle spaces.

The proposed units have a gross floor area below 235m<sup>2</sup> per unit and therefore, have a parking requirement of 1 van space and 2 vehicle spaces per unit in accordance with the previously mentioned SPG. Drawing No hdw/ph/hs.01 indicates provision of 2 car parking spaces and 1 van parking space per unit which is acceptable. The service yard provides space for short term parking associated with use of the proposed lock up containers.

#### Internal Layout

There is concern that there is insufficient space between the parking spaces of unit 7 and the lock up containers to allow vehicles to access and egress the parking spaces. As such, a condition has been suggested for space to be laid out within the site for 1 van



parking space and 2 car parking spaces for unit 7 with a minimum of 6m aisle width/clearance provided to enable vehicles to manoeuvre to and from the proposed spaces.

### Conclusion

The proposed provides sufficient off-street parking to cater for the proposed use of the site. Subject to satisfaction of the suggested conditions the site would provide adequate off street parking provision and is not envisaged to have any detrimental impact on highway or pedestrian safety and therefore, is considered acceptable.

### **Ecology and Drainage**

The application is supported by an ecological assessment that sets out that the site is of a low ecological value at local level to the habitats present. However, following consultation the Council's Ecologist set out concerns in relation to the impact of the development upon the adjacent Rhos Tonyrefail SSSI. The SSSI is a large lowland site of special interest for its marshy grassland, acid flush, species-rich neutral grassland, acid grassland, wet heath and blanket mire. These habitats are associated with areas of woodland. The site is also of special interest for its population of marsh fritillary butterfly.

Members are advised that the concerns raised are associated with the proposed drainage arrangement and the downstream impact of additional discharge upon this area. As such, full drainage details were requested by the Ecologist, in conjunction with the Council's Flood Risk Management (FRM) Team, in order to fully understand this impact.

The submitted drainage details were assessed by the FRM team who set out that the proposed discharge rate of 1.6l/s is a 64% betterment of the existing runoff rate. As such, no objection was raised with the FRM team setting out that they are satisfied that surface water flood risk will be adequately managed. This view was supported by the Council's Ecologist who removed their initial objection to the application but advised that a Construction Environmental Management Plan should be attached to any consent.

Notwithstanding the above the Council's Ecologist retained concerns in relation to adjacent watercourses that appear to have been historically altered which is affecting downstream properties and the SSSI. However, these watercourses are located outside of the redline boundary of the application site. In addition, these concerns would be covered by separate legislation outside of the planning system.

### **Natural Resources Wales**

Following consultation Natural Resources Wales (NRW) set out that the development site is partially within the Rhos Tonyrefail SSSI which is a large lowland site of special interest for its marshy grassland, acid flush, species-rich neutral grassland, acid grassland, wet heath and blanket mire. These habitats are associated with areas of woodland. The site is also of special interest for its population of marsh fritillary butterfly.

Within their comments NRW have reviewed the submitted Desk Study (Phase 1) Report by Jackson Geo Services, dated May 2023, and agree with the conclusions of the report that an intrusive site investigation is required. They go on to comment that there is potential for contamination associated with the use of the site and its location on a former

landfill (Trane Farm historic landfill). The site is also of relatively high sensitivity as it lies over secondary aquifers and adjacent to a SSSI. As such, it is set out that contamination conditions should be attached to any consent.

NRW also set out concerns in relation to the use of a cesspit as a method of foul waste disposal for the proposed development. Whilst these comments are noted, the use of cesspit would require a permit from NRW and would be required to comply with Building Regulations in relation to its construction and operation. As such, it is considered that an informative note would be sufficient in this instance.

### **Public Health and Protection**

As set out above the application is supported by a Desk Study (Phase 1) Report which has been reviewed by the Council's Public Health and Protection Division during the consultation period. Following consultation, the Public Health Team have set out that based on the potential contaminant sources and risks to future end users of the proposed development, as detailed in the report, any permission should be subject to full contaminated land conditions and that the desk top study element of these conditions cannot be dispensed.

The Public Health and Protection Division also suggested a number of conditions be attached to any consent in relation to construction noise, waste and dust. Whilst these comments are appreciated, 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 and an appropriate note highlighting them would be sufficient instead.

### **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**

Being located within an existing, established business park, the proposed development would be compatible with the surrounding commercial land uses and is of a sufficient separation distance to prevent harm to amenity. Furthermore, it is considered the proposal would not have a significant impact upon the character and appearance of the site or immediate locality, and in addition to the acceptable access and circulation space, it would benefit the local economy and provide opportunities for employment. The application is therefore considered to comply with LDP Policies CS2, SSA13, AW2, AW5, AW6, AW8 and AW10.

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

- 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:
- Hdw/ph/hs.01
  - Location Plan

and documents received by the Local Planning Authority on 02/08/2023 and 13/08/2024 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 Notwithstanding the submitted plans, the development shall not be brought into use until space has been laid out within the site for 3 off-street parking spaces for unit 7 to facilitate access and egress to the parking spaces in accordance with details, including swept paths to demonstrate access by vans and cars, to be submitted to and approved in writing by the Local Planning Authority prior to any development commencing on site. The spaces shall be constructed in permanent materials in accordance with the approved details, and retained for the parking of vehicles thereafter.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 4 No development on the site shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

a. A preliminary risk assessment which has identified:

- i. all previous uses.
- ii. potential contaminants associated with those uses.
- iii. a conceptual model of the site indicating sources, pathways and receptors.
- iv. potentially unacceptable risks arising from contamination at the site.

b. A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving

full details of the remediation measures required and how they are to be undertaken.

d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy referred to in c are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully addressed to prevent unacceptable risks to controlled waters from contamination in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 5 Prior to the operation of the development a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure that the development can be carried out safely without unacceptable risks to offsite receptors in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 6 The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing.

i. A desk-top study carried out by a competent person 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.

ii. A site investigation shall be carried out by a competent person 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 (i) above.

iii. 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 by a competent person. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 7 The development hereby permitted shall not be brought into beneficial use until the measures approved in the scheme referred to in Condition 6 have been implemented and a suitable validation report of the proposed scheme is submitted to and approved by the Local Planning Authority. Any validation report shall be carried out by a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 8 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 a competent person.

Reason: In the interest of health and safety and environmental amenity and so as to accord with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 9 No development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Reason: To ensure there is no unacceptable risk to groundwater in accordance with Policy AW10 of the Rhondda Cynon Taf Local Development Plan.

- 10 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 should include:
- Construction methods: details of materials, how waste generated will be managed;
  - General site management: details of the construction programme including timetable, details of site clearance; containments areas, appropriately sized

- buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain;
- Control of nuisances: details of restrictions to be applied during construction including timing, duration, and frequency of works; details of measures to minimise noise and vibration from piling activities, for example acoustic barriers; details of dust control measures; measures to control light spill;
  - Resource management: details of fuel and chemical storage and containment;
  - Traffic management: details of site deliveries, plant on site, wheel wash facilities;
  - 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;
  - Construction Surface Water Management Plan (CSWMP): details of the management of surface water quality and quantity throughout the construction process to mitigate impacts off site; and
  - Method statement: details in a logical sequence of exactly how the construction phase is to be carried out and includes all the control measures to be adhered to.

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

Reason: To ensure that necessary management measures are implemented for the protection of the environment during construction in accordance with Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 11 No development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a comprehensive scheme of landscaping, which shall include indications of all existing trees (including spread and species) and hedgerows on the land and details of any to be retained together with measures for their protection during the course of development.

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.

- 12 All planting, seeding or turfing in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that the new development will be visually attractive in the interests of amenity in accordance with Policies AW5 and AW6 of the Rhondda Cynon Taf Local Development Plan.

- 13 The parking area shall be constructed in permanent materials and retained for the purposes of parking only.

Reason: To ensure that vehicles are parked off the highway, in the interests of road safety in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

- 14 The use of the storage containers hereby permitted shall be restricted to the hours:  
Monday to Sunday: 07:00am and 19:00pm.

Reason: To protect the amenities of the occupiers of adjoining properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 15 The hours of operation for the industrial units hereby approved shall be restricted to between the following hours:

- Monday to Friday: 07.00 hours - 19:00 hours.
- Saturday: 07:00 hours - 13:00 hours.
- Sundays and Bank Holidays: Not at all.

Reason: To ensure that noise emitted from the development is not a source of nuisance to occupants of nearby residential properties in accordance with Policies AW5 and AW10 of the Rhondda Cynon Taf Local Development Plan.

- 16 Prior to the commencement of development, details for the provision of biodiversity enhancements shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and maintained as such thereafter.

Reason: In the interest of nature conservation in accordance with Policies AW5 and AW8 of the Rhondda Cynon Taf Local Development Plan.