

# DELEGATED REPORT

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|-----------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Application No:</b>                  | <b>P/24/0232</b>                                                                                                   |
| <b>Site Address:</b>                    | <b>Plot 5<br/>Pengarnddu Industrial Estate<br/>Dowlais<br/>Merthyr Tydfil<br/>CF48 2TA</b>                         |
| <b>Development:</b>                     | <b>Extension to building for the storage of waste, plant and equipment with associated drainage infrastructure</b> |
| <b>Case Officer:</b>                    | <b>Marlene Ferreira</b>                                                                                            |
| <b>Site Visit:</b>                      | <b>30<sup>th</sup> October 2025</b>                                                                                |
| <b>Application Expiry Date:</b>         | <b>15th April 2025</b>                                                                                             |
| <b>Consultation reply date expired:</b> | <b>4th March 2025</b>                                                                                              |

## APPLICATION SITE

The application site relates to a section of land situated in the northern part of an existing waste transfer station and recycling facility, located at plot 5, within the Pengarnddu Industrial Estate. The site, which is enclosed by high galvanised metal fencing, benefits from two private vehicular accesses (one used to enter and the other to exit the facility), and is used for the storage of inert waste, empty skips, mobile plant and equipment. There are a number of steel buildings and portal framed structures located within the site which appear to be used in association with the waste processing business.

The application site, given its siting within an established Industrial Estate, adjoins a waste facility to the west (located at Plot 4 Pengarnddu Industrial Estate), additional land used for the storage and processing of waste material to the east (located at Plot 12 Pengarnddu Industrial Estate), St Merryn meat processing factory further east, the adopted highway to the south and the open countryside to the north.

## PROPOSED DEVELOPMENT

This application seeks full planning permission for the erection of an extension. The extension would be constructed to adjoin an existing 'L' shaped building (granted planning permission P/17/0284) located at the northern part of the site and would be used in conjunction with the existing operations of the waste transfer station and recycling facility.

The proposed corrugated steel building would be painted green and feature 4 east facing roller shutter doors and numerous rooflights. It would measure 12.2m wide, 36.2m deep, with a 9m ridge height. A raised flat roof area, measuring 12.2m wide, 3.6m deep, with a

4.8m height, would also adjoin the southern gable end elevation. This raised area would be enclosed to accommodate 4 attenuation tanks (each with a 10,000L capacity) for the collection of rainwater. The extension would be predominantly used for the storage of mobile plant and equipment, with occasional storage of waste during busy periods or following plant maintenance or repair. The extension, which would be externally illuminated by the addition of 3 luminaires (2700k) at a 6.25m height to its eastern elevation, would continue to be accessed via the existing vehicular entrances off the adopted highway, which currently serve the site. A total of 18 parking spaces (including 1 disabled bay) would be provided, resulting in an additional 11 spaces to serve the site as proposed. 2 Motorcycle bays and 4 bicycle bays would also be provided.

It is noted that no additional staff would be employed in association with this proposal. Indeed, as explained above, the extension would be used to support the existing activities of the business and as such, the operations/processes of the business would remain unchanged as a result of this proposal. It should also be noted that the proposal does not seek to intensify or grow the business, but instead, provide additional covered storage space to enhance the management of segregated commercial waste collections.

## PLANNING HISTORY

The following planning history is relevant to this site:

- P/18/0049 - Change of use from storage building to renewable energy facility including the installation of a biomass boiler – Approved: 10<sup>th</sup> April 2018
- P/17/0284 - Erection of storage building – Approved: 21<sup>st</sup> December 2017

## CONSULTATION

|                                  |                                      |
|----------------------------------|--------------------------------------|
| Head of Engineering and Highways | No objection, subject to conditions. |
| Planning Policy Officer          | No objection.                        |
| Ecology Officer                  | No objection, subject to conditions. |
| Environmental Health Manager     | No objection.                        |
| Welsh Water                      | No objection, subject to conditions. |

## PUBLICITY

In accordance with the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, adjoining premises were consulted and two site notices were displayed within the vicinity of the site. No letters of representation were received following this publicity exercise.

## POLICY CONTEXT

### National Development Framework

- Future Wales: the National Plan 2040 (February 2021)

Policy 1 – Where Wales Will Grow

Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking

Policy 4 – Supporting Rural Communities

Policy 9 – Resilient Ecological Networks and Green Infrastructure

Policy 33 – National Growth Area – Cardiff, Newport and the Valleys

### National Planning Policies

- Planning Policy Wales - Edition 12 (February 2024)

Paragraph 3.3 refers to good design and clarifies that *‘...design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area...’*

Paragraph 3.9 refers to character and states that *‘...the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement...’*

Paragraph 3.14 refers to context appraisal and explains that these *‘...should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment...’*

Paragraph 4.1.51 discusses car parking levels and explains that *‘...A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport...’*

Paragraphs 5.13.1 and 5.13.2 refers to waste management stations and reiterates that *‘...The planning system has an important role to play in facilitating sustainable waste management by providing a framework for decision making which recognises the social, economic and environmental benefits that can be realised from the management of waste as a resource to meet the needs of society and businesses, whilst at the same time minimising adverse environmental impacts and avoiding risks to human health; protecting*

*areas of designated landscape and nature conservation from inappropriate development; protecting the amenity of residents, of other land uses and users affected by existing or proposed waste management facilities. The benefits which can be derived from proposals for waste management facilities as well as the impact of proposals on the amenity of local people and the natural and built environment must be adequately assessed to determine whether a planning application is acceptable. If adverse impacts on amenity or the environment cannot be mitigated, planning permission should be refused.*

Paragraph 6.4.3 discusses biodiversity and discusses that ‘...*the planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement...*’

- Technical Advice Notes (TAN):

- TAN 5: Nature and Conservation Planning (2009)
- TAN12: Design (2016)
- TAN18: Transport (March 2007)
- TAN 21: Waste (February 2014)

#### Local Planning Policies

- The Merthyr Tydfil Replacement LDP 2016-2031

- Policy SW4 – Settlement Boundaries
- Policy SW11 – Sustainable Design and Placemaking
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW4 - Environmental Protection
- Policy EcW2: Protecting Employment Sites
- Policy EcW14: Waste Facilities

#### PLANNING CONSIDERATIONS

The issues to consider when assessing this application relate to whether the proposed development is acceptable in principle in this location, and whether, the building, in terms of its siting, scale, design and use, would be acceptable with regards to its impact upon the character and appearance of the area, amenity of nearby occupiers, ecology, parking provision and highway safety.

#### Principle of Development

The application site is located within the settlement boundary and Primary Growth Area. As such, new development in this area is generally supported by LDP Policy SW4, provided it complies with other relevant policies and material planning considerations.

The application site also lies within a protected employment site. As such, LDP Policy EcW2 is a relevant policy consideration. This policy states that ‘...*at Pengarnddu Industrial Estate...and at allocated employment sites, employment will be permitted if it is within use class B1(B), B1(C), B2 or B8, or; it provides an ancillary facility or service that supports the primary employment use, or, it is an acceptable complementary commercial service outside class B uses, or, it is an appropriate waste management facility compatible with*

*existing industrial and commercial activities...* The proposal seeks to provide an extension to an existing building within an operational waste transfer and recycling facility. As explained earlier, it does not seek to intensify the business or alter its operations and activities, but rather, provide additional covered storage space to enhance the management of segregated commercial waste collections. Furthermore, the proposed development is situated in an area identified under LDP Policy EcW14 as a preferred and suitable location for waste management facilities. Thus, the proposed development is considered acceptable in this location and would accord with LDP Policies EcW2 and EcW14.

### Character and Appearance

The site, as described above, is currently used for the storage of waste materials, and as such, by virtue of its nature and intended use, has an unsightly appearance. The proposed development would allow for the segregation of waste material to be appropriately contained within the proposed building and would therefore serve to improve the overall appearance of the site. Furthermore, the proposed building would help to define the extent of the waste management facility and could potentially prevent the gradual deterioration and/or encroachment into the open countryside, which lies immediately to the north of the site.

With regards to the building itself, this would have a typical industrial design and would therefore be very similar in both scale and appearance to other existing units within the wider waste management facility site. The metal cladded roof and elevations would therefore compliment the external finishes of adjacent buildings on this site and within the wider Pengarnddu Industrial Estate. The proposed development would therefore be consistent with the general industrial appearance of the area and would therefore be in context with the character of the industrial area. As such, it would accord with LDP Policy SW11.

### Amenity

The proposed development, given its siting within an industrial estate, is not located in close proximity to residential properties. Furthermore, it lies adjacent to other waste management facilities, located either side of the application site. As such, the proposed development, by virtue of its scale and use, would not have any adverse or significant impact upon neighbouring uses and would therefore accord with LDP Policy SW11.

### Ecology

The application is supported by a Green Infrastructure Statement (GIS) and the Council's Ecologist was consulted on the application. It is recognised that due to the site's location, within an operational waste management and recycling facility, it is severely limited in areas where green infrastructure could be provided. However, the GIS report and amended plans show that two bird boxes would be located on the neighbouring building. The amended plans also include details of external lighting to be installed on the existing building and the new extension. To prevent any unnecessary light spillage and potential disturbance to bats, the Orangetek Ignis Mini (2700k) will be used. The Council's Ecologist has considered the report and its recommendations/enhancements, as well as the amended plans, and concluded these to be acceptable. As such, a suitably worded condition could be added to any planning permission granted to ensure the development is

carried out in accordance with the submitted documents. Thus, the proposed development would therefore be acceptable and accord with LDP Policy EnW1.

### Parking provision and Highway Safety

The existing adopted highway serving the site and the wider industrial estate is an established road which suitably accommodates heavy goods vehicles and articulated lorries on a regular basis. The site, as mentioned previously is accessed via two private accesses from the highway. These accesses lead to an internal road which runs through the site. These accesses and internal road would remain unaffected by the proposed extension and as such, the siting of the extension in the location proposed would not adversely impact on any on-site traffic movements/manoeuvres. It is also noted that the existing facility is proposed to be served by an additional 11 parking spaces, located to the south of the site. Thus, the on-site parking provision would increase to a total of 18 spaces. A cycle bay parking area, for 4 bicycles, and 2 motorbike spaces would also be provided to the south. The Head of Engineering and Highways has been consulted on the application proposal and it is noted that no concerns or objections have been raised. The proposed development would therefore not be deemed to give rise to any highway or pedestrian safety concerns and would therefore accord with LDP Policy SW11.

### CONCLUSION

For the reasons set out above the proposed development is considered to be acceptable and complies with the relevant LDP policies.

Finally, the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. In reaching the following recommendation, the ways of working set out at section 5 of the WBFG Act have been considered and thus the proposal is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives set out as required by section 8 of the WBFG Act.

Accordingly, the following recommendation is made:

**RECOMMENDATION: BE APPROVED** subject to the following **CONDITIONS:**

1. The development shall begin not later than five years from the date of this decision.

**Reason** - To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in accordance with the following approved plans and documents:

- Location of bird boxes Drawing no: 11131-000-D (Rev A), received: 14th February 2025;
- Parking and Active Travel Provisions Drawing no: 11131 - 000 - G (Rev A), received: 14th February 2025;
- Lighting Plan Drawing no: 11131-000- E (Rev B), received: 14th February 2025;
- Swept Path Drawing no: 11131 - 000 - F (Rev A), received: 14th February 2025;
- Site Plan Drawing no: 11131-000-C (Rev A), received: 14th February 2025;
- Location Plan Drawing no: 11131-000-A (Rev A), received: 14th February 2025;

- Proposed Luminaires - Orangetek - ignis mini, received: 19th November 2024;
- Existing and Proposed Floor Plans Drawing no: 11131-001-A, received: 8th October 2025;
- Existing and Proposed Roof Plans Drawing no: 11131-001-B, received: 8th October 2025;
- Existing and Proposed Elevations Drawing Number 11131-001-C, received: 8th October 2025;
- Green Infrastructure Statement, received: 8th October 2024.

**Reason** -To ensure compliance with the approved plans and clearly define the scope of the permission.

3. No surface water and/or land drainage shall be allowed to discharge directly or indirectly into the public sewerage system.

**Reason** - To ensure adequate disposal of surface water drainage in accordance with LDP Policy EnW4 of the Merthyr Tydfil Replacement Local Development Plan.

4. Prior to the beneficial use of the extension hereby approved, a plan indicating the positions, height, design, materials and type of motorcycle and bicycle bays to be provided, shall be submitted to and approved by the local planning authority. The motorcycle and bicycle bays shall be completed as approved, prior to the beneficial use of the extension.

**Reason** - To ensure that the new development will be appropriately sited and adequate for use, in the interests of highway and pedestrian safety, in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. The car parking area hereby approved, as indicated on Parking and Active Travel Provisions Drawing no: 11131 - 000 - G (Rev A), received: 14th February 2025, shall be completed in accordance with the approved details prior to the beneficial use of the extension and shall remain available for their designated use in perpetuity.

**Reason** - To ensure that vehicles are parked off the highway in the interests of highway and pedestrian safety in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. Prior to the beneficial use of the extension hereby approved, the enhancement measures proposed, as stipulated in the Green Infrastructure Statement and shown on plan 'Location of bird boxes Drawing no: 11131-000-D (Rev A)', shall be implemented and shall be retained thereafter in perpetuity.

**Reason** - To protect the natural environment and important habitat in accordance with Policy EnW1 of the Merthyr Tydfil Replacement Local Development Plan.

## INFORMATIVES

1. This planning permission does not provide consent to undertake works that require a European Protected Species (EPS) licence.  
All bats and their roosts are protected under UK and European legislation. It is an offence to deliberately kill, injure, capture or disturb a bat or to recklessly damage or destroy their breeding sites or resting places.

If works are planned on a building/tree in which bats are found to be roosting, Natural Resources Wales (NRW) must be contacted. on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/species-licensing/apply-for-a-protected-species-licence/bat-licences/?lang=en>.

If work has already commenced and bats are found, or if any evidence that bats are using the site as a roost is found, work should cease and NRW should be contacted immediately.

Under these circumstances, an EPS licence is likely to be required to undertake the works within the law.

2. All birds, their nests and eggs are protected by law under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

If works to any trees, hedgerows and/or other nesting bird habitat (including buildings with suitable features) are to be undertaken, they will take place outside of the bird nesting season. If the works must be undertaken during the nesting season (generally from 1st March until 31st August, although birds are known to nest outside of these dates in suitable conditions), a breeding bird survey will be required and must be carried out by a suitably qualified ecologist. Any active nests identified will be protected until the young have fledged.

Where a Schedule 1 species (as defined in the Wildlife and Countryside Act - <https://www.legislation.gov.uk/ukpga/1981/69/schedule/1> is involved, compensation for impacts, e.g., loss of nesting sites, will be devised and implemented.

3. The applicant/developer's attention is drawn to the comments received from Welsh Water during the course of this application. Their records indicate that the site is crossed by a trunk/distribution watermain. Under the Water Industry Act 1991, Dwr Cymru has rights of access to its apparatus at all times.

Some public sewers and lateral drains may not be recorded on Welsh Waters maps because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal.

The applicant is advised to contact Welsh Water on 0800 917 2652 and request a sewer trace to establish the location and status of the apparatus. The applicant is advised that diversion works/other works may be required to accommodate the proposed development.

**RECOMMENDATION ENDORSED**



**Director of Neighbourhood Services**

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**DATE: 13.05.2025**

