

DELEGATED REPORT

Application No:	P/23/0207
Site Address:	Land At Taff Bargoed Development Trust, The Old Drift Mine Trelewis Treharris CF46 6RD
Development:	Change of use of land for storage of outdoor skips
Case Officer:	Nia Chard
Application Expiry Date:	1st November 2023
Consultation reply date expired:	28th September 2023

APPLICATION SITE

This application relates to an area of hardstanding situated in the southern part of the Taff Bargoed Summit Centre and to the rear (south) of an existing industrial building. On all other sides, the site is bound by dense vegetation and woodland areas, with a watercourse further to the west and reed beds to the south. There is also a residential property (Pant Y Ffynnon House) approximately 60m to the east of the site situated further up the valley side.

The site is located at the bottom of a valley and is at a much lower level to the main highway (B4255) to the east, which leads to Bedlinog. Access to the site from the B4255 is via a long access road to the north, which extends past the carpark serving the Summit Centre to the gated entrance on the eastern side of the site.

PROPOSED DEVELOPMENT

Planning permission is sought for the use of the site for the storage of skip bins. The applicant has indicated that the proposal is essential to accommodating the growing needs of the business (Step Up Skip Hire & Recycling). The business already has a waste transfer station located elsewhere in Trelewis. However, due to the constrained nature of that site, there is a need to utilise other areas for the storage of skip bins. It has been noted that there is no intention to store waste material at the application site, with the use of heavy goods vehicles being limited to the drop-off and pickup of empty skips only.

No more than 20 skips would be stored to the north of the site with no more than 3 of the smaller skips being stacked, which slot inside each other. The stacked skips would be stored at a height of 3m.

A 2m high landscape bund is proposed, along the southern, western and northern boundaries of the site, an indigenous hedge would be planted to the top of the bund.

PLANNING HISTORY

P/21/0198 Use of land for outdoor storage of skips for a temporary period of 12 months
Refused 21 July 2021

PUBLICITY

In accordance with the Town & Country Planning (Development Management Procedure) (Wales) Order 2012, a letter was sent to a neighbouring property and a site notice was displayed within the vicinity of the site.

As a result of the publicity exercise, 1 letter of objection were received which raised the following concerns:

- The skip business when previously operating from the site had an unacceptable noise and visual impact on the surrounding area.
- The land was previously a wet land and in 2016 Welsh Water undertook some works to create a hardstanding in the area and did not appropriately restore the land once those works were completed.

The ward councillors have been made aware of the concerns raised in the objection letters and it has been confirmed that the determination of the application can proceed under delegated powers.

CONSULTATION

Head of Engineering and Highways	-	No objection
Ecology Officer	-	Further information requested
Welsh Water	-	It has been advised that a water mains crosses the site and that no development would be permitted within the safety zone. This appears to affect the access road.

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040 sets out a strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of our communities.

Planning Policy Wales (PPW), Edition 12, February 2024

Technical Advice Notes (TAN):

- TAN 5 Nature Conservation and Planning, September 2009
- TAN 6 Planning for Sustainable Rural Communities, July 2010

- TAN 11 Noise, October 1997
- TAN 12 Design, March 2016
- TAN 15 Development and Flood Risk, July 2004

Local planning policy

Merthyr Tydfil Replacement Local Development Plan (LDP) 2016-2031:

- Policy SW4 - Settlement Boundaries
- Policy SW11 - Sustainable Design and Placemaking
- Policy EnW1 - Nature Conservation and Ecosystem Resilience
- Policy EnW3 – Regionally Important Geological Sites, Sites of Importance for Nature Conservation, Local Nature Reserves and Priority Habitats and Species.
- Policy EnW4 - Environmental Protection
- Policy EnW5 - Landscape Protection
- Policy EcW10 – Sustainably Supplying Minerals
- Policy EcW13 – Minerals Safeguarding

Supplementary Planning Guidance (SPG):

- SPG 2 Planning Obligations, March 2012
- SPG 4 Sustainable Design, July 2013
- SPG 5 Nature and Development, May 2015

PLANNING CONSIDERATIONS

This application has been submitted following a previous refusal (ref P/21/0106) for the 'Use of land for outdoor storage of skips for a temporary period of 12 months'. The application was refused for the following reasons:

- 1. The proposed development, by virtue of its siting in the open countryside, would have an adverse impact on the character and appearance of the surrounding landscape. As such, the proposal is contrary to policies SW4, SW11 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.*
- 2. The proposed development would have the potential to impact on protected species and habitats within the surrounding countryside, by virtue of the disturbance of ecological environments, emissions and leeching of pollutants into the ground. Therefore, the proposal runs contrary to Policies EnW1 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.*

Land use principle

The application site is located outside of the settlement boundary and as such the proposal is regarded as countryside development as defined by policy SW4 of the LDP. In such areas development is strictly controlled and will not normally be permitted unless it meets specific criteria i.e. it relates to agriculture/forestry, is associated with a rural enterprise, supports an existing business in the countryside or it relates to tourism/recreation/leisure etc.

One of the key objectives of policy SW4 is to encourage development within the urban areas and to protect/support the countryside. In this instance, the proposal relates to the use of land for the storage of skip bins, which is not required as part of any agricultural or forestry works. It is acknowledged that the Summit Centre is used for tourism/recreation and that there is an existing industrial building adjacent to the site. However, the proposal does not form part of or support the expansion of these existing businesses. Furthermore, the need to locate the skip hire business in the countryside has not been fully justified.

Therefore, the principle of the proposed development is unacceptable as it would be at odds with the fundamental objectives of policy SW4 of the LDP, which seeks to protect the countryside for its own sake.

Countryside character

The site is situated in a relatively isolated area that is surrounded by open countryside, high valley sides with limited urban development and highway infrastructure. Within the immediate vicinity are a small number of industrial buildings, remnant of the former use of the area as part of a drift mine. The majority of which are now used as part of the Summit Centre for recreation.

There is some contention (highlighted through the publicity exercise), that the site was previously an area of shallow marshland. It is suggested that the hard standing area was created by Welsh Water when undertaking works in the area and the land was not subsequently reinstated. It appears on aerial photos taken in 2010 this may well have been the case and that in 2013 a hardstanding area was created. In 2016 the aerial photos illustrate the land being naturally reclaimed and subsequently cleared again in 2018, at which point there is some signs that the site was then being used to store materials.

It is evident from the aerial photographs that the land forms part of the open countryside and was not previously developed. It is likely that the site was either naturally reclaimed or restored following the closure of the former drift mine. Whilst the creation of the hardstanding area has clearly left its mark on the landscape, the introduction of 20 skip bins within the site would further deteriorate the quality of the countryside. A bund has been proposed to try and mitigate the visual impact of skips, however, due to the topography of the land the site would be still be visible from the upper valleys sides looking down into the site and from the nearby footpaths, particularly from the east. Furthermore, the screening of the development is not a reason in itself to justify that the proposal would not have any impact on the surrounding area, as it would otherwise be all too easy to enable inappropriate forms of development in a countryside location.

Overall, it is considered that the development would represent a clear encroachment into the countryside, which would have a harmful impact on its character and appearance. Therefore, the proposal fails to meet the requirements of policies SW11 and EnW5, which seek to ensure development appropriately integrates with its surroundings and to safeguard the local landscape character/setting.

Ecological impact

The site lies within close proximity to three Sites of Importance for Nature Conservation (SINC), being Lower Cwm Bargoed (33m away), Afon Bargoed Taf (54m away) and Gelligaer Common (134m away). Additionally, there are a few woodland environments in

the area, including the trees to the west, which are protected by a Tree Preservation Order.

A Preliminary Ecological Assessment and Landscaping Layout and Details was submitted with the application. The Ecologist requested further information following the submission of these documents. These further details include amendments to the PRA, however, the main issue is that the reports are out of date and may not be a true reflection of the current condition of the site.

The Ecologists comments was forwarded to the Agent in September and no further reports have been received from the agent. In this situation given that the principal of development is unacceptable this has not been pursued further. Given this lack of information to the contrary, the development is deemed to have some potential to impact on protected species and habitats in the surrounding environment contrary to policies EnW1 and EnW3 of the LDP.

Highway implications

Access to the site from the main highway is via a private road with limited pedestrian segregation, which currently serves the Summit Centre and two industrial buildings. The access road also forms part of an Active Travel route, being a strategic pathway and cycleway that crosses through the site from north to south.

This access is already used occasionally by mini buses and coaches as part of the Summit Centre. The section of highway serving the application site, albeit with limited pedestrian segregation, is generally of a suitable width to accommodate the heavy good vehicles used to transport the skip bins. Therefore, the proposal complies with policy SW11 of the LDP.

Local amenities

Although the site is situated in a relatively isolated location away from the main residential areas of Bedlinog and Trelewis, concerns have been raised in respect of the noise and disturbance experience at Pant Y Ffynnon House, approximately 60m to the east of the site. During the site visit there appeared to be little activity within the site and it has been indicated by the applicant that skip bins are only dropped off or picked up from the site. As such, the noise associated by the development would likely be limited to the coming and going of vehicles, the running of engines and any associated knocking sounds when skip bins are being loaded and unloaded. Regard is also given to the existing use of the Summit Centre with two industrial units and it is associated traffic movements and noise from visitors undertaking the various indoor and outdoor activities. It is not apparent that the noise from the development would be significantly greater than the background noises generated from the existing uses in the area.

Given the separation distance and the significant changes in levels between the site and the residential property, together with the nature of the proposed storage use of the site, it is not considered that the development would give rise to significant noise levels. Similarly, the development is not likely to generate significant levels of dust from vehicles visiting the site, or from the loading/unloading of skips bins, which is likely to affect the amenities of the neighbouring resident. Therefore, the proposal complies with policies SW11 and EnW5 of the LDP.

CONCLUSIONS

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, as well as the Welsh Ministers well-being objectives set out in section 8 of the WBFG Act.

For the reasons set out above, the proposed skip bin storage facility would be inappropriately located in the open countryside and would have a detrimental impact on the character and appearance of the site and surrounding area, contrary to policies SW4, SW11 and EnW5 of the LDP. Accordingly, the following recommendation is made:

RECOMMENATION: **BE REFUSED** for the following **REASONS:**

1. The proposed development, by virtue of its siting in the open countryside, would have an adverse impact on the character and appearance of the surrounding landscape. As such, the proposal is contrary to policies SW4, SW11 and EnW5 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.
2. The proposed development would have the potential to impact on protected species and habitats within the surrounding countryside, by virtue of the disturbance of ecological environments, emissions and leeching of pollutants into the ground. Therefore, the proposal runs contrary to Policies EnW1 and EnW3 of the Merthyr Tydfil Replacement Local Development Plan 2016-2031.

RECOMMENDATION ENDORSED



 **Director of Neighbourhood Services**

DATE: 26.03.2024