

DELEGATED REPORT

Application No: P/21/0157

Site Address: Pengarnddu Service Reservoir
Pengarnddu Industrial Estate
Dowlais
Merthyr Tydfil
CF48 2TA

Development: Variation of condition 2 of planning permission P/20/0228 to refer to an updated contract management plan

Case Officer: David Cross

Site Visit: 4th May 2021

Application Expiry Date: 18th June 2021

Consultation reply date expired:

APPLICATION SITE

This application relates to an area of land measuring approximately 2.83 hectares, which includes an existing water reservoir facility. The site is located immediately to the west of the established Pengarnddu Industrial Estate and is largely bound on all sides by the open countryside. In the wider surroundings to the south-west (approx. 140m) is a residential property, together with a number of out-buildings, stables and dilapidated structures. To the north-west (approx. 330m) is a residential property with out-buildings and to the south (approx. 230m) are nearby retail stores.

The existing reservoir facility is situated to the east of the site with a smaller above ground service reservoir located to the north-east. The reservoir facility is enclosed by security fencing with access into and around the site via a track that links to the main highway serving the adjacent industrial estate to the south-east. The site and surroundings generally comprise of semi-improved acid grassland that slopes down from north to south.

PROPOSED DEVELOPMENT

Planning permission is sought for the variation of condition 2 of planning permission P/20/0228 which refers to the list of approved plans and documents. The siting of temporary porta-cabins to be used during the construction of the reservoir has been revised and as such, it is necessary to vary condition 2 to reflect the updated Contract Management Plan.

It was originally intended for the porta-cabins to be located on the northern side of the existing reservoir. However, it is now proposed that the cabins would be located closer to the main entrance and a new haul road, which is being considered as part of a separate

application (Ref P/21/0142). The porta-cabins would be double stacked and would include 2 offices and a kitchen, 2 drying rooms and canteen areas and welfare facilities, as well as 2 material stores and a meeting room.

PLANNING HISTORY

P/20/0142 - Construction of a temporary haul road to facilitate construction of a new service reservoir.

Application is currently under consideration

P/20/0228 - Construction a 9ML (mega litre) 2-cell reservoir and associated engineering, access and landscaping works.

Permission GRANTED on 13.01.2021

CONSULTATION

No consultation exercise was undertaken.

PUBLICITY

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

No representations were received as a result of this publicity exercise

POLICY CONTEXT

National planning policy

The Future Wales – the National Plan 2040

Planning Policy Wales (PPW), Edition 11, February 2021

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 EnW4 - Environmental Protection
- Policy EnW5 - Landscape Protection

PLANNING CONSIDERATIONS

Planning permission has been granted for the construction of a new reservoir (Ref P/20/0228). As such, the principle of developing the site has already been established and any environmental impacts have been addressed as part of that permission. The main consideration of this application is whether the siting of the temporary cabins associated with the approved development would cause any significant harm to the surrounding environment.

During the construction phase, the cabins would likely be visible from the surrounding countryside. However, they would be seen in the wider context of the construction site and adjacent to the industrial estate. Following the completion of the development the porta-cabins would be removed from the site. As such, they would have a limited and temporary visual impact on the surrounding area.

The siting of the cabins close to the main entrance of the existing reservoir would be a practical approach and would limit the potential for disturbing the land in the northern part of the site, which has previously been considered to have some ecological value. The land adjacent to entrance of the site comprises an area of grassland which has already been disturbed by vehicles in the past and includes an existing gravel track. As such, the revised location for the cabins is likely to have a lesser impact on any habitats environments. Notwithstanding this, it is noted that the temporary use of porta-cabins, as may be required during construction, does not normally require planning permission and would fall under permitted development rights.

Overall the revised location of the porta-cabins, given their temporary nature, is deemed to be acceptable and would not give rise to significant environmental impacts or have an unacceptable impact on the surrounding landscape. As such, the variation of the condition 2 to include the updated revision of the Contract management Plan is acceptable.

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 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.

For the above reasons, the variation of condition2 is acceptable and complies with the relevant LDP policies. Accordingly, the following recommendation is made:

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

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

- Dwg No. B10237-123532-ZZ-XX-DR-ZA-PN0069, Rev P03 - Proposed Site Plan (received 24.09.2020)
- Dwg No. B10237-123532-XX-XX-DR-LA-D19003, Rev P02 - Landscaping and Planting General Arrangement (received 24.09.2020)
- Dwg No. B10237-123532-XX-XX-DR-LA-D19004, Rev P01 - Proposed Sections (received 24.09.2020)
- Ecological Impact Assessment Report (received 24.09.2020)
- Contract Management Plan Rev H (received 01.06.2021)
- Assessment of the Significance of the Impact of Development on Historic Landscape (received 24.09.2020)

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

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

2. **Prior to the development being brought into use**, details including structural calculations and facing materials, of any retaining wall which exceeds 1 metre in height shall be submitted to and approved in writing by the Local Planning Authority. The walls shall be completed in accordance with the approved details before the development hereby approved is brought into beneficial use.

Reason - In the interest of safety and visual amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

3. **Prior to the development being brought into use**, details of the surface material for the access tracks shall be submitted to an approved in writing by the local planning authority. All works shall be carried out in accordance with the approved details.

Reason - To ensure that the new development will sensitively integrated with the surrounding historic landscape in accordance with policies CW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

4. **Prior to the development being brought into use** of the reservoir hereby approved, details of the gravel material to be laid across the top of the reservoir shall be submitted to and approved in writing by the local planning authority. All works shall be completed in accordance with the approved details.

Reason - To ensure that the new development will sensitively integrated with the surrounding historic landscape in accordance with policies CW1 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

5. **Prior to the development being brought into use**, details of the design and finish of the wire mesh fencing to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed in accordance with the approved details.

Reason - To ensure that the new development will be visually attractive and boundaries protected in the interests of amenity in accordance with Policy SW11 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

6. A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority **prior to the development being brought into use**. The landscape management plan shall be carried out as approved and all planting, seeding or turfing comprised in the approved details of landscaping shall be implemented in the first planting and seeding seasons following the completion of the development.

Reason - To ensure that the new development appropriately integrates with the surrounding landscape and provides suitable habitat environments in accordance with policies EnW1, EnW3 and EnW5 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

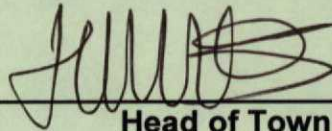
7. **Prior to the development being brought into use**, the two brash piles and two hibernacula shall be provided in the locations as set out in the Landscaping and Planning General Arrangements plan (Dwg No. B10237-123532-XX-XX-DR-LA-D19003, Rev P02).

Reason - To protect the natural environment in accordance with Policies EnW1 and EnW2 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

8. Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 09:00 to 14:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason - To ensure that the noise emitted/activities are not a source of nuisance to occupants of nearby properties in accordance with Policies SW11 and EnW4 of the Merthyr Tydfil County Borough Council Replacement Local Development Plan.

RECOMMENDATION ENDORSED



Head of Town Planning

DATE:

28/6/21