

DELEGATED REPORT

Application No: P/21/0198

Site Address: Land At Taff Bargoed Development Trust
The Old Drift Mine
Trelewis
Treharris
CF46 6RD

Development: Use of land for outdoor storage of skips for a temporary period of 12 months

Case Officer: David Cross

Site Visit: 18th July 2021

Application Expiry Date: 27th July 2021

Consultation reply date expired: 30th June 2021

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 Ffnon 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 retrospectively for the use of the site for the storage of skip bins for a temporary period of 12 months. 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.

Whilst a detailed site plan has not been provided illustrating the general arrangement within the site, it is noted that the skip bins are currently being stored along the western boundaries of the site. It has been clarified with the applicant that approximately 10-20 skips would be stored at the site with no more than 4 of the smaller skips being stacked, which slot inside each other. None of the skips would exceed a height of 2.7m.

PLANNING HISTORY

There is no relevant planning history relating to the application site.

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, 3 letters of objection were received which raised the following concerns:

- The skip business operating from the site has an unacceptable noise and visual impact on the surrounding area.
- The land was previously a shallow marshland and post 2017 Welsh Water undertook some works in the area and did not appropriately restore the land once those works were completed.
- There are concerns about the volume of traffic and the transporting of skips back and forth in an area where there are many walkers and children using the summit centre.

Additionally, 2 letters of support have been received from the Taff Bargoed Development Trust and the occupants of industrial building adjoining the site.

In these letters the following points have been raised:

- The use of the site is assisting local businesses and employment.
- The land is well screened from the surrounding area.
- The skip hire business does not generate excessive noise or dust.
- The vehicles come and go from the site during the day and do not arrive in the early or late hours of the day.

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	-	No objection
Planning Division's Ecologist	-	The operation of the development has the potential to have an adverse impact on the surrounding ecological environment.

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 11, February 2021

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

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, even when considered on a temporary basis, 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 10-20 skip bins within the site would further deteriorate the quality of the countryside. The operational use of the land with the coming and going of heavy good vehicles would also not be conducive to the countryside environment. It has been highlighted by a local resident that the use of the land as part of the skip hire business presents an eyesore to the area. In this respect, the site would be visible from the upper valleys sides looking down into the site and from the nearby footpaths, particularly from the east.

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

It has been highlighted by the Planning Division's Ecologist, that 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.

The Planning Division's Ecologist has noted that there are a number of protected species and habitats within 500m of the site, which include schedule 1 birds, fungi, fish, invertebrates, bats (nearest recorded 158m away), otter, water vole, badger, hedgehog, stoat, reptiles, amphibians and vascular plants.

Given that the site largely promises an area of hardstanding, the use of the land for the storage of skip bins would unlikely have a significant direct impact on any features of ecological importance. However, there is some potential indirect effects on the environment that have been raised by the Planning Division's Ecologist. It has been highlighted that there is potential for leeching of pollutants from the skips during periods of rainfall. As part of the operational use of the site, there are concerns that the development could give rise to the following adverse impacts:

- Water pollution from accidental spillages/run-off and an increase in sediment which can result in adverse changes in aquatic biodiversity.
- Soil pollution from vehicle emissions, dust and other particulates, which may change soil pH and structure.
- Air pollution from vehicle emissions and dust, which may affect biodiversity.
- Disturbance from noise, lighting and vibrations by vehicles which may impact on certain bird species. Lighting can also impact on nocturnal species. The vibrations can reduce the abundance of and richness of some insects, amphibians and birds.
- Some potential for increased direct mortality due to wildlife casualties.

No ecological assessment has been undertaken in support of the application to demonstrate the extent of any impacts the development may have on the surrounding environment. This information may inform the layout of the development and whether any buffer zones need to be provided, as well as any other mitigations measures to minimise any potential effects on the land and water environment. It would also acknowledge and consider any protected species or habitats within the immediate vicinity that may be sensitive to the operational use of the site. 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.

Concerns have been raised in response to the publicity exercise to the additional traffic the development generates and the highway safety conflict this would have pedestrians, in particular children at the Summit Centre. In this regard it is noted that there is some pedestrian links between the car park and the main entrances of the summit centre. Whilst details of the number of visits to the application site have not been specified, it is not anticipated that the proposal would result in a significant rise in traffic movements. It is accepted that the development would slightly increase the number of heavy goods vehicles passing the Summit Centre. However, it should be noted that one of the industrial buildings is used as a bus depot and so large vehicles using the access road is already a frequent occurrence. Given the nature and current use of the existing access it is not considered that the development would give rise to significant highway safety concerns. In this regard it is acknowledged that the Head of Engineering has not raised any objection. 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 Ffnon 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

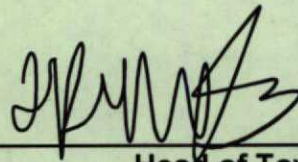
The duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act") has been taken into consideration when determining this application. 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 **REASON:**

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



Head of Town Planning

DATE:

21/7/21