



**PLANNING, ACCESS AND RIGHTS OF WAY COMMITTEE**  
**18 June 2019**

<b>Application Number:</b>	18/16983/FUL	<b>Date Validated:</b>	4 January 2019
<b>Site Address:</b>	W D Lewis Ltd Chapel Road Penderyn Hirwaun CF44 9JY	<b>Decision Due Date:</b>	18 June 2019
<b>Grid Ref:</b>	E: 295012 N:208557	<b>Proposal:</b>	Proposed building to house a new concrete block production facility and associated external plant, aggregate storage bays, access alterations and sustainable drainage
<b>Case Officer:</b>	Donna Bowhay	<b>Community:</b>	Hirwaun and Penderyn
<b>Reason(s) Application Reported to Committee:</b>	Major Planning Application as the development proposed is greater than 1,000 square metres.		

**RECOMMENDATION:** Permit, subject to conditions

**I. Description of Development**

The proposed development consists of the construction of a new building to house a new concrete block production facility and associated external plant, aggregate storage bays, access alterations and sustainable drainage at Stuart Quarry, Chapel Road, Penderyn.

The proposed development is located within the north east corner of the former quarry void area.

The new facility is hoped to produce an average of 30,000 blocks per day, which would enable the older existing production plant to be used less intensively. The hours of operation are proposed to remain as existing which generally operates Mon - Fri 06:00 - 18:00 and Saturday 06:00 - 14:00 Hours.

It is envisaged that the new development would create 8 full time jobs whilst also providing long term job security for the existing workforce of 54 persons.

It is anticipated that the movement of HGV trips would increase from 60 daily trips to 90 HGV trips once

the new production facility is fully operational. A new internal HGV roadway is proposed to serve new aggregate storage bays.

The building would measure approximately 67metres x 21metres in width for the majority of its length widening to 25 metres where the main production is housed x 13metres high to the ridge and eaves height of 10.2m and 9.3m on the widest part.

The building would house a block manufacturing plant and an automated block curing area. It would be fully enclosed with composite metal sheeting coloured in dark grey with a similar matt dark composite sheeted roof.

Externally fixed to the building are aggregate feed hoppers and a conveyor belt on the north elevation, a concrete mixing and storage silos on the eastern elevation and a further dispatch conveyor on the south elevation. To the north of the new building there are eight storage bays to store different grades of crushed and graded limestone, gritstone, pumice, expanded clay and sand required for the different types of blocks produced at the site. The application also includes a ramped access and loading and hgv manoeuvring area.

The proposals also include alterations to improve the existing access onto the public highway. Surface water drainage is proposed to be managed sustainably and additional drainage works are proposed on the existing access road to reduce the surface water run off on to the highway.

The development includes led directional lighting to minimise light pollution.

The existing block production business comprises of two block manufacturing plants producing an average of 25,000 blocks per day. With demand outstripping supply and one of the production facilities being over 20 years old the continuity and reliability of the plant is becoming an issue. The new additional production facility offers space to expand and deliver without hampering the existing production facility and enabling the old plant to be used less intensively. The new facility would have capacity to produce 30,000 blocks per day and store 70,000 blocks within the building.

The design and construction of the building has adopted a fabric first approach and renewables in the form of solar pv are also included. The development also includes rainwater harvesting and LED directional lighting to minimise light pollution.

The existing site is subject to an existing Environmental Permit under The Environmental Permitting (England & Wales) Regulations 2016 which may need to be updated to cover the proposed development.

The proposal is detailed within the following documents:-

- i) Planning design and access statement
- ii) Pre-application consultation Report
- iii) Site Investigation Report
- iv) Sustainable Drainage Strategy
- v) Visual Impact Analysis
- vi) Figures 1-4 Viewpoints
- vii) Ecology Survey

Since the application was originally submitted the following amendments or clarifications have been provided:-

- viii) Revised Landscaping Plan
- ix) Site access sections
- x) Surface water drainage plan
- xi) Revised site boundary plan as the proposed landscaping and some of the engineering works to

raise the bank were originally outside the red line of the application site.

xii) Revised access alterations

## 2. Site and Context

The site is located within a disused quarry formerly known as Stuart Quarry, which is located immediately to the south of the village of Penderyn and west of Chapel Road. It is currently used by the applicants for the manufacture and storage of concrete blockworks. The site offices and the production unit building, together with associated storage areas and vehicle/hgv parking areas are situated within the quarry floor which varies between 10 and 30 metres below surrounding ground levels.

The access to the site is along a 100m access road which runs in a westerly direction from the A4059 (Chapel Road). The vegetation either side of the access road helps to screen the site from the road. The quarry faces are primarily covered with areas of scrub, bracken, bramble and secondary grassland.

The application site extends to 0.84 hectares and lies in the north eastern corner of the former quarry area.

The site lies outside the TAN 15 Dam C2 Flood Zone.

The nearest residential properties lie within Beacons Park, a cul de sac of predominantly detached bungalows located to the north of the site. To the west and south the area is predominantly agricultural land. Along the northern boundary of the site with Chapel Road there is an existing well vegetated embankment which rises up to 10 metres high.

The existing premises employ 50 full time and four part time staff on site.

## 3. Planning History

10/04502/FUL	Provision of additional storage areas for raw materials and associated movement of material.	Refused 20.12.16R
C20538	Use of land for storage of minerals	Not Determined
RC17775	Extension to existing office facilities	Granted 09.07.2001
CV13024	Full planning permission for infill panels to form external walls of portal frame building	Granted 08.03.1993
CV10257	Proposed workshop and offices	Granted 28.03.1989
P.28	Quarrying Operations - Interim Development Order	Granted 23.01.47

## 4. Relevant Local and National Planning Policy

4.1 Brecon Beacons National Park Authority Local Development Plan and Supplementary Planning Guidance

Policy no.	Policy
SPI	National Park Policy
SP3	Environmental Protection
SP4	Climate Change
SPII	Sustainable Design
Policy 1	Appropriate Development in the National Park
Policy 6	Biodiversity
Policy 7	Protected and Important Wild Species
Policy 8	Trees and Development
Policy 10	Water Quality
Policy 11	Sustainable Use of water

Policy 12	Light Pollution
Policy 14	Air Quality
SPI 1	Sustainable Design
SP 12	Economic Wellbeing
Policy 35	Employment Generating Development
Policy 56	Water and Sewage Supply for New Development
Policy 58	Sustainable drainage Systems
Policy 59	Impacts of Traffic
SPG	Biodiversity and Development 2016
SPG	Landscape and Development 2014

## 4.2 National Planning Policy and Guidance

### Document

Planning Policy Wales: 10th Edition (Dec 2018)

The Well-being of Future Generations (Wales) Act 2015

The Planning (Wales) Act 2015

The Environment (Wales) Act 2016

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 24: The Historic Environment (2017)

Conservation of Habitats and Species Regulations 2017 (as amended) - Regulation 9

## 5. Summary of Consultation responses

### NP Planning Ecologist

- o I welcome the clarification that the bat and bird boxes will be sited on existing trees.
- o The cross section of the road widening is helpful to clarify that the impacts are relatively small i.e. gabions are not required.
- o I haven't found an amended ecological report on the electronic file - perhaps it has yet to be submitted or hasn't yet been uploaded? Would you like me to contact the agent directly about this?

I can provide planning conditions when I have received the additional information. I hope this is of help - please let me know when you need anything further.

- o With regard to the landscaping scheme, I can confirm that the proposed tree planting is acceptable and welcomed.
- o The proposed bat and bird boxes are also acceptable, but they cannot be installed on newly-planted trees. Perhaps it can be clarified that they will be planted on existing trees to the periphery of the site where this is within the blue line of land-ownership?
- o The external lighting is now within the red line of the application site.
- o I understand that the impacts on the access to the site have been reduced. It still appears that the northern side of the road will be widened slightly and it would be helpful to have a cross-section to show this, particularly if any gabions are required to reinforce the bank.
- o I note that the agent states that the Ecology report will be amended and re-submitted. Please can you re-consult me when you have received this?

**Rhondda Cynon Taf CBC Highways** Raises no objections subject to the imposition of conditions regarding details of the full engineering design and details of the proposed access improvements including, its tie in with Penderyn Road A4059 and a Construction Method Statement. An information note is also recommended regarding works to the highway.

**Rhondda Cynon Taf CBC Environmental Health** Raises no objections subject to the imposition of conditions regarding hours of operation, noise, dust and a note re waste during the construction phase.

An information note is also included regarding the possible need to amend the existing Environmental Permit issued under the remit of The Environmental Permitting (England & Wales) Regulations 2016.

**Rhondda Cynon Taf Regeneration And Planning Department** It is not considered the proposed development would have a significant impact upon the visual appearance of the site or surrounding locality, or upon the amenities of surrounding residents. Raises no objections.

Rhondda Cynon Taf

Drainage Section Raises no objection or conditions in relation to surface water flood risk. Provides an information note regarding requirement for suds approval.

**NP Strategy And Policy** Subject to detailed technical considerations, including on the lawful operation of Penderyn Quarry, the principle of the proposal is supported by LDP Policies CYD LPI and 36.

**Dwr Cymru Welsh Water - Developer Services** Recommends a condition to ensure no surface water, highway drainage and/or land drainage is connected directly or indirectly with the public sewerage network and a note regarding any future connection to the public sewer.

**Hirwaun And Penderyn Community Council** Raises the following comments:-

- The current road surface needs to be improved concerned about further deterioration of this road if this planning application goes ahead.
- Concerned about the increase in the number of lorries going through the village.
- Requests adequate monitoring of noise and dust levels.

**NP Heritage Officer Building Conservation** Raises no comments.

**Natural Resources Wales/Cyfoeth Naturiol Cymru** We have no objection to the application as submitted.

Source Protection Zone (SPZ) and groundwater quality

We have reviewed the additional information submitted by the applicant in relation to the proposed drainage methods and disposal for the roads and HGV parking areas. We understand that much of this site is already being used for this purpose and that the methods of drainage for these areas remain as they are currently. In consideration of this we have no objection to the proposed development.

Notwithstanding the above, as the site is located within Zone I of the Source Protection Zone for the public (potable) water supply at Penderyn and located on a Principal aquifer (Dowlais Limestone Formation), we consider the site to be highly sensitive with respect to controlled waters and being vulnerable to pollution. The activities on site such as lorry parking on an unsealed surface have the potential to impact this sensitive receptor. We refer the applicant to the Pollution Prevention Guidance (PPG), which is published on the NetRegs website, and specifically to PPG 1 'Understanding your Environmental Responsibilities - good environmental practices', which outlines their environmental responsibilities and GPP 21 'Pollution Incident response planning'.

## Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents relevant to their development. Please refer to our website for further details.

Advises that have significant concerns with the proposed development as submitted. Recommends planning permission should meet the following requirement, otherwise objects.

Requirement- Further details to be provided on the proposed design and operation of the surface water drainage across the whole of the redline boundary area, to demonstrate that there is no unacceptable risk to groundwater. This should also include details on the surfacing to be used across the site.

## Source Protection Zone (SPZ) and groundwater quality

The site is located within Zone 1 of the Source Protection Zone for the public (potable) water supply at Penderyn and located on a Principal aquifer (Dowlais Limestone Formation). We therefore consider the site to be highly sensitive with respect to controlled waters and vulnerable to pollution.

We have reviewed the following:

- o Drawing: surface water drainage plan dated 11/3/2019, drawing ref WDL-PA-5101-08
- o Site investigation report, reference 12353/GNS/19/SI
- o Email dated 14 March 2019, subject 18/16983/FUL WD Lewis Penderyn

The documents submitted show that the drainage around the proposed building has been amended and relocated. We note that the proposed system is now a sealed tank attenuation system (as opposed to a soakaway system), located to the south of the building, after which water passes into an existing drainage system. We request details of the location of the existing culvert discharge are provided.

However, the information submitted refers solely to the drainage around the building. There is a large area of the site, including roads and HGV parking, where the proposed method of drainage and disposal is not clear. These areas were specifically referenced in our letter dated 4 December 2018, reference CAS-71285-V8Q5, as areas of concern, and it is not clear if infiltration to ground is proposed in these areas.

In consideration of the above, we require details of:

- a. The proposed methods of drainage for all areas of the proposed development site; and
- b. Depending on the method of drainage, details of any proposed soakaways and the method of treatment to be used prior to discharge to the soakaway, (as the surface water is potentially from road surfaces and HGV parking area).

The above list is not exhaustive and the relevant positions statements within our "Approach to Groundwater Protection" document should be considered when assessing the risk to controlled waters.

Copies of the full consultation responses can be found on our website at: [Public Access](#)

## 6. Third Party Representations

The application was advertised by way of a site notice, direct neighbour notification and a press notice. Three letters have been received raising the following comments:-

Recent expansion of storage area has removed wooded area which did hide most of site  
Noise and vibration from production plant and from traffic within the site  
Noise from machinery digging into rock of location of proposed unit  
Creation of landscape and noise bund towards Chapel Rd but no mention of impacts to residential

properties

Increase in production and consequently noise and traffic is unacceptable

Supports development but considers site is close to a flood zone, increase in traffic will exacerbate existing problem, dust on highway from additional hgv vehicles will have adverse impact on amenity of nearby neighbours and existing management measures within Environmental Permit will not be adequate, surface water management proposals seem inconsistent with flooding of existing highway drainage network.

Increase in production is likely to create production noise and site vehicle noise and dust on highway,

Query need for a wheel wash system given condition of site entrance at many times of the year

As site is located within the National Park the company should be considerate of its duties to flora and fauna, damage to highway due to volumes of heavy vehicles, noise and dust and impact on health and well-being of local residents.

## **7. Well Being and Future Generations (Wales) Act 2015**

The primary objective of Planning Policy Wales Edition 10 (2018) is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales as required by the Well-being of Future Generations (Wales) Act 2015.

The Authority has taken into account the ways of working set out at section 5 of the WCFG Act and considers that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers well-being objectives, as required by section 8 of the WCFG Act.

## **8. Planning Obligations:**

N/A

## **9. Assessment:**

9.1 Key Gateway Test - Strategic and Spatial Choices:

### Strategic Planning

The application site is located outside the settlement boundary of Penderyn, and in an area of open countryside, as shown on the proposals map of the Brecon Beacons National Park Local Development Plan (LDP). However, it is located within the overall site area of the existing concrete manufacturing premises, within a former quarry void area and is therefore considered to be previously developed land.

The LDP defines countryside locations as areas unsuitable to accommodate future development in accordance with the Environmental Capacity of the National Park. As such, in these areas, there is a presumption against development with the exception given to those development forms where there is a defined essential need for a countryside location.

LDP Policy CYD LPI provides that, subject to all other relevant LDP Policies, proposals that utilise previously developed land will be permitted (Criterion 1).

LDP Policy 36 also enables B use class employment use outside settlement boundaries and extents in exceptional circumstances to meet a proven need which cannot be met in any other way. However, LDP Policy SPI2 does not indicate support for development of the type proposed.

PPW and TAN 23 Economic Development recognise that small businesses play a key role in maintaining a vibrant economy in rural areas and contribute to maintaining and enhancing community sustainability. Para 3.1.6 of TAN23 advises that whilst allocated sites should be given priority, development on

unallocated sites could be permitted if the resulting benefits outweigh any adverse impacts of the development.... Development on land not allocated in the development plan should, however, only be permitted in exceptional circumstances and must be fully justified. Paragraph 3.13 of Technical Advice Note 23 - Economic Development (2017) '... the needs of established businesses or clusters may be very specific. When businesses expand or modernise, they may need to do so in situ; it may be highly inefficient or impracticable for them to relocate to a sequentially preferable site'.

The planning design and access statement submitted with the application explains that: "The nature of the business and size of the site area required for both production and storage mean it would be unsuitable and unviable to be located on a conventional business park and in any event, no such allocated, vacant or suitable land and buildings of adequate size exists in Penderyn or other business parks in the locality."

Furthermore, that "Logistically, administratively and economically it is therefore more appropriate for the existing site to be expanded to accommodate the new facility rather than splitting the business across two sites. This is particularly so given the characteristics of the existing site being a former quarry and manner in which the impact of development can be minimised. The brownfield status of the existing site is also a strong material planning consideration in favour of expanding the existing site."

The site is located within the buffer zone of Penderyn Quarry, located in close proximity. The proposed development does rely on a substantial supply of limestone resource from the quarry obtained by hgv traffic movements (40% of raw materials). No objections have been received from the quarry operator. It is therefore considered that the proposed development would have no detrimental impact on the lawful operation of Penderyn Quarry.

In view of the above policy considerations and statements presented within the application, as set out above, it is considered that the proposed development is fully justified and is supported by LDP Policies CYD LPI and 36.

#### Good design.

PPW Para 3.4 advises that 'meeting the objectives of good design should be the aim of all those involved in the development process', which is illustrated by Figure 7 in the Good Design Wheel. In this regard it is considered that the scale of the development has the potential to have an adverse impact on the special qualities of the National Park in terms of its natural beauty, wildlife and cultural heritage, peace and tranquillity.

The scale of the development is large in order to cater for the proposed function and associated plant. It is considered that the scale is appropriate to its context and is well contained within the floor of the former quarry which is at least 10 metres below the top of the former quarry workings and set behind a 10m high embankment along Chapel Road. The ground level of the site is proposed to be lowered by an average of 2metres to tie in with adjoining hardstanding levels and the scale is smaller than the existing buildings. The proposed building is a typical industrial functional type building with matt dark grey cladding and is considered to take account of its context, being at a similar scale and height of existing production buildings at the site. The proposal also improves the access into the existing site for all users and maintains the natural resources. It is considered that the proposed building is appropriate and would not have an adverse impact on the environmental resources of the National Park.

Overall, in terms of the scale, design and appearance of the proposed building it is considered that it reflects the character and appearance of the immediate surroundings, with the use of appropriate materials.

In terms of sustainable design the proposed building would be clad in composite metal sheeting which are 'A' rated in the BRE green materials guide. A 'fabric approach ' is to be used to minimise energy demands. The building is orientated south west and contain solar pv panels on the roof to capture good levels of solar gain. All external lighting will be directional led fitted with night time sensors to minimise light pollution and electricity demands. There would be a water resource requirement of 5,000 cubic litres per annum and to mitigate this a rainwater harvesting system( estimated to generate 2000 cubic metres per

annum) linked to a sustainable drainage system is proposed. The production process would generate about 400 tonnes of wastage per annum of blocks with imperfections or damage and these would be stored on site, periodically crushed to be re-used within the production process. In terms of community safety the site is served by one access point with a centrally located main office with surveillance and security lighting to control access into the site. Improvements are proposed to the existing access, by widening the access and improving the junction radii with Chapel Road to improve hgv movements entering and leaving the site. Internally, the access route will be extended into the new site with clear pedestrian demarcation.

#### Promoting healthier places.

PPW Para 3.21 advises 'that planning must consider the impacts of new development on existing communities and maximise health protection and well-being and safeguard amenity.'

In this regard no objections have been raised by the local Environmental Health Officer who has recommended conditions and advised that the proposed development would be subject to regulatory control within the existing or an amended Environmental Permit. The permit covers emission of particulate matter arising from the site operations. However, as there are no controls regarding noise, it is considered that an acoustic report is secured to identify any mitigation measures required prior to beneficial use to ensure the activities would not have a negative impact on the amenities of local residents. This should ensure that the health, well-being and amenity of nearby local residents are safeguarded.

#### Sustainable Management of Natural Resources (SMNR)

PPW Para 3.30 advises that 'the objective of SMNR is to maintain and enhance the resilience of ecosystems and the benefits they provide.' In this regard the proposed development and its associated proposed landscaping and ecological mitigation measures including erection of bird and bat boxes are considered to maintain and enhance the existing biodiversity within the site.

#### **Conclusion**

In conclusion, it is considered that the proposed development is acceptable in terms of Policies CYD LPI policy 36 and SP4 , SPI I of the LDP, TAN 12 in terms of the key planning principles as set out above, and also meets the objectives of good design. It therefore meets the key gateway test, as set out in PPW.

## 9.2 Detailed Impact Assessment:

### 9.2.1 Distinctive and natural places

Landscape, Historic Environment, Green Infrastructure, Biodiversity, Water, Air, Soundscape & Light, Flooding, De-risking.

#### Landscape

CYD LPI, Policy I and Policy SP3 of the LDP seek to ensure that any development is appropriate to the surroundings and maintain or enhance the quality and character of the National Park's natural beauty. In addition, the SPG -Landscape and Development (October 2014) states that the Authority will only support applications which result in positive impacts on the defined characteristics of the Landscape Character Areas.

Given the scale of the proposed development, a Landscape and Visual Appraisal accompanies the application. This has given due consideration to the likely impacts on landscape character of the surrounding landscape and visual impact of the proposed development on the surrounding landscape.

The Appraisal shows that as the new building would be contained within the footprint of the former quarry working, the existing trees and vegetation around the top of the quarry banks, the building and external plant would not be visible from the village and immediate area or from local heritage assets. This includes St Cynogs Church and adjacent features which are grade II listed with an associated area of archaeological interest. Views of the roof of the building will be just visible from elevated vantage points

to the east of the site near the summit of Mynydd y Glog which is also designated as registered Landscape of Special Historic Interest, as evidenced by a viewpoint provided at a distance of 1.7km This shows that the proposed development would be barely visible and viewed in the context of a wider panoramic view with the existing buildings set within the vegetated quarry surroundings. Mitigation planting along the existing embankment with Chapel Road would in time provide further screening from this viewpoint. In conclusion, it is considered that the proposed development would comply with CYD LPI, Policy 1 and Policy SP3 of the LDP.

#### Biodiversity

To comply with Planning Policy Wales (2018), section 6 and also Technical Advice Note (TAN) 5, biodiversity considerations must be taken into account in determining planning applications. Planning permission should be refused if the proposals will result in adverse harm to wildlife that cannot be overcome by adequate mitigation and compensation measures.

The adopted Local Development Plan for the Brecon Beacons National Park includes a number of policies regarding ecological issues and safeguarding biodiversity:

The application is accompanied by an updated ecological information: Land at Stuart Quarry, Penderyn - Preliminary Ecological Assessment (including for Protected Species) by Mid Wales Ecological Consultants dated April 2018 - update issued 14/05/2019.

The ecological information shows that much of the application site is bare ground, but there is also scattered scrub and areas with short, ephemeral vegetation. The proposed building will result in the loss of a small area of scrub habitat. The mature woodland around the periphery of the site has nature conservation value, but will not be affected by the proposed building. There is potential for nesting bird habitat to be present as well as low potential for reptiles and amphibians.

The National Park's Planning Ecologist has been consulted and detailed comments are provided above. The loss of scrub planting is not considered to be significant, and some additional native-species planting is proposed along the eastern boundary of the site. The species proposed for planting - hazel, birch and oak are considered acceptable and the proposed landscaping is within the blue ownership line of the application site.

As originally submitted, the proposed changes to the access were of ecological concern as it would have likely affected self-seeded woodland and scrub with potential for reptiles and breeding birds to be present. The proposed changes to the access have been clarified; the impacts are limited in extent and no gabions are required. The Method Statement in the ecological report has been amended to include this area.

As Cwm Cadlan Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) lies approximately 500 metres to the north-west of the proposal site. There are existing operations at the application site and it is understood that dust emissions are controlled by the Environmental Permit. In addition, NRW have raised no objection to approval of the application. Therefore, it is considered that there will be No Likely Significant Effects on the SAC as a result of this permission.

The site is approximately 250 metres from the Dark Skies Buffer Zone and it will be important to ensure that any external lighting is of an appropriate design and sensitively located to avoid light-spill towards bat roosting areas or wildlife corridors. The details of the external lighting required are shown on Drawing No. WDL-PA-5101-07c and are considered to be acceptable.

Policy 1 of the LDP and Section 6 of the Environment (Wales) Act 2016 require the BBNPA to seek to maintain and enhance biodiversity. There will be opportunities to accommodate biodiversity enhancement measures and the features recommended in paragraphs 9.12 and 9.13 of the report are appropriate and welcomed and are also shown on the landscaping plan.

There is no ecological objection to approval of the application, subject to the imposition of planning conditions to secure the following:

- o The implementation of the development in accordance with the Ecological Method Statement.
- o The installation of biodiversity enhancement measures (bat and bird boxes).
- o The implementation of a native-species landscaping scheme

The concerns of local residents in relation to the biodiversity of the site is therefore considered to have been addressed. The proposed development is considered to comply with Planning Policy Wales (2018), section 6, Technical Advice Note (TAN) 5 and LDP Policies.

#### Historic Environment

Welsh planning legislation and policy guidance outlines that the desirability of conservation of archaeological remains is a material consideration in the determination of a planning application (Planning Policy Wales, Chapter 6, Para. 6.5.5).

Technical Advice Note 24 (May 2017): Paragraph 4.7 advised that:

'Where archaeological remains are known to exist, or considered likely to exist, and a study has not already been undertaken by the applicant, the local planning authority should ask an applicant to undertake a desk-based archaeological assessment and, where appropriate, an archaeological evaluation. These should be done by a qualified and competent expert to the appropriate standard. The reports of these investigations will form part of the planning application. Applicants should show they have modified their development proposals to minimise any negative impact on the identified archaeological remains, and how they intend to mitigate any remaining negative impacts'.

Local Development Plan Policy SP3 f) requires all development proposals to demonstrate that they do not have an unacceptable impact on, nor detract from or prevent the enjoyment of ... archaeological features.

The Local Planning Authority therefore has to take into account archaeological considerations from the beginning of the development control process, and needs to be fully informed about the nature and importance of archaeological remains, and their setting and the likely impact of any proposed development upon them.

Consultation of the regional Historic Environment Record and sources held by the Brecon Beacons National Park Authority indicates that this application is unlikely to have any direct archaeological impact. Since ceasing as an active limestone quarry, the site has been used for the manufacture and storage of concrete blocks.

The topography of the site indicates that any visual impacts of the substantial development will be largely screened by its placement within the former quarry.

However, the site is set within a wider historic landscape, and is situated within 300m of the East Fforest Fawr and Mynydd-y-Glog Registered Landscape of Special Historic interest and a landscape visual appraisal accompanies the application. A viewpoint taken westwards from Mynydd Y Glog at a distance of 1.7 km has indicated that the proposed development is remotely visible in the valley below, set against a backdrop of mature vegetation.

It is therefore considered that the proposed development would comply with policy SP3f of the LDP.

#### Water, Air, Soundscape

Water resources, water Environment, flood risk, pollution control, and air quality considerations  
Policy 56 of the LDP requires development to have adequate water and mains sewerage infrastructure and that conditions should be imposed to ensure adequate services are available to serve the development.

Policy 14 of the LDP states that proposals for development will only be permitted where it is proven that no detrimental effect will be had on air quality.

Supplementary Planning Guidance within the Sustainable design and construction and climate change context states that development proposals in the Parks can help to meet this objective by avoiding areas which are at risk from flooding now or are predicted to be at risk in the future and by constructing sustainable drainage systems (SUDS).

The application is accompanied by a sustainable drainage strategy. The SUDS drainage will cover the new impermeable areas that is created associated with the building. Soakaway tests have confirmed that ground conditions will support infiltration drainage. In relation to the impermeable areas ( roof of building and surrounding concrete apron) surface water will incorporate the provision of sub surface storage soakaway crates within the vehicle manoeuvring areas which will be hydraulically linked via manholes and pipework to accommodate capacity for a 1 in 100 +30% rainfall event. The surface water will then connect to an existing outfall which connects to the existing road culvert.

NRW have raised no objections to the proposed drainage methods and disposal for the roads and HGV parking areas. However, as the site is highly sensitive with respect to controlled waters and being vulnerable to pollution (located within Zone 1 of the Source Protection Zone for the public (potable) water supply at Penderyn and located on a Principal aquifer (Dowlais Limestone Formation) NRW refer the applicant to Pollution Prevention Guidance and good environmental practices. This can be added as an informative. However, it is considered that pollution measures should be provided within the Construction Method Statement to minimise any pollution.

The drainage proposals also includes the installation of a new channel drain across the site access to better direct water into the existing highway drainage channel. To ensure this is not overloaded an underground storage container is proposed near the junction with the highway and a low discharge rate of 5 litres per second.

Consultation has been undertaken with RCT Drainage Section who have raised no objection or conditions in relation to surface water flood risk. An information note is provided regarding requirement for suds approval.

Dwr Cymru Welsh Water have reviewed the information submitted as part of the application. DCWW acknowledge that the development does not require a foul drainage connection and that the intention is to dispose of surface water via a sustainable drainage system. In addition, DCWW advise that no highway or land drainage run-off will be permitted to discharge directly or indirectly into the public sewerage system and request a conditions to secure this matter. No comments have been provided in relation to the proposed water supply requirements.

#### Impacts on Neighbour Amenity

Planning Policy Wales (Edition 10, November 2018), which states

'Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people'. (2.7, PPW, 2018)

Policy SP3 Environmental Protection - Strategic Policy requires all proposals for development or change of use of land or buildings in the National Park to demonstrate that the proposed development does not have an unacceptable impact on, nor detract from, or prevent the enjoyment of; a) the special qualities of the National Park as identified in the National Park Management Plan.

Policy 12 of the LDP requires light pollution to be sympathetic in order to not significantly effect a number of criteria including the character of the area and local residents.

Due to the very close proximity of the proposed development to the residents of Beacons Park, there is

the potential for the construction activities, operational phase and additional traffic to have a detrimental impact on the amenity of nearby residents in terms of dust, noise, disturbance, light pollution. Consideration must therefore be given to assessing these impacts and in providing mitigation measures which could be utilised to ensure such impacts are not significant.

Concern has been raised by local residents and Hirwaun and Penderyn Community Council in relation to increased traffic, noise and dust from the proposed increase in production.

The existing production facility does not appear to be subject to any planning conditions controlling hours of operation, noise or dust minimisation or traffic movements. However, there is an existing Environmental Permit which controls the management of dust and particulate matter which may need to be updated in relation to the proposed plant.

Consultation has been undertaken with the Environmental Health Service of Rhondda Cynon Taf. No objections have been raised subject to a number of conditions to secure hours of operation, minimisation of dust and noise during the construction phase.

The Planning Statement acknowledges that the existing plant is over 20 years old and does not incorporate any noise mitigation or attenuation and advised that the new block production process will contain noise attenuation within the building. The other noise generating activities would be associated with delivery and loading operations.

It is recognised that the proposed plant and operations would be located further away from existing residents and that the location of the site is much lower which assists in screening any noise. However, it is considered that a planning condition should be imposed to ensure activities associated with the operations of the new plant ensure that the amenities of local residents are not significantly affected. Therefore, prior to construction, an acoustic report should be provided to identify any requirements for any noise mitigation measures and that these are secured prior to beneficial use.

It is therefore considered that the development, subject to the recommended planning conditions as set out above satisfies the requirements of the LDP policy.

### **9.2.2 Active and Social Places**

#### Transport and sustainable transport

##### Highway Infrastructure

Policy 59 of the LDP requires that development will only be permitted where appropriate access can be achieved commensurate with the level of development proposed.

The supporting statement states that the existing access is served by a single access onto Chapel Road, which is sufficiently wide for part of its length to allow two vehicles to pass each other entering and leaving the site. The access is located within a 30 mph zone and benefits from good visibility in both directions. Chapel Road benefits from lit footpaths in both directions which provides safe pedestrian access to the nearest bus stops in Penderyn to the north and south of the site.

The proposals originally included widening the access for the first 20 metres to allow two hgv's to enter and leave simultaneously together with improvements to the radii on both sides of the access. These improvements were requested in pre application consultation by RCT Highway Authority due to the proposed intensification in the use of the access. However, these proposals have been amended in order to retain the northern embankment for landscape and ecological reasons, but still allow safer access for hgv traffic.

Staff and visitor parking would be accommodated within the existing areas around the existing main office building. Covered cycle storage is proposed alongside the main office to encourage sustainable travel choices.

RCT Highway Authority has been consulted on the application. The Authority raise slight concern over the proposed increase in vehicular movements by HGV vehicles from 60 daily trips to 90 daily trips. However, taking into account the proposed access improvements and that Penderyn Road is a classified Road A4059 designed for the use of larger vehicles, with the majority of trips for supplies come from the Hanson Quarry opposite, there is limited impact on the capacity of the A4059 to withstand the increase of vehicular movement. On this basis the proposed is considered acceptable subject to detailed engineering design of the proposed works to the junction with Penderyn Road A4059.

In addition, the parking and circulation within the site layout is considered acceptable. In terms of surface water - the proposal to attenuate the existing flows entering the highway drainage system is a betterment to the existing situation and on this basis the proposal is considered acceptable subject to detailed design of the proposed connection to existing system.

The Community Council have raised concern about the current road surface and its further deterioration if permission is granted. The road surface of the public highway is considered to be the responsibility of the Local Highway Authority.

In conclusion, no highway objection is raised subject to conditions to secure the engineering design and detail of the proposed works which will include the widening of the access point, relocation of junction radii, surface water drainage gully and connection with resurfacing details of the tie in with the A4059.

### **9.2.3 Productive and enterprising places**

Economic Development, The Rural Economy, Transportation Infrastructure, Waste

SPI2 of the LDP supports proposals which improve the economic well-being of the National Park's communities.

The applicant advises that there is no allocated, available or suitable land within the settlement of Penderyn, consequently Policy 36 provides support for the principle of the development.

The proposed development is sought for the continued expansion of an existing concrete products manufacturing premises. The company produces a range of concrete products including dense concrete blocks, medium weight concrete blocks, lightweight concrete blocks, concrete bricks and coursing blocks. The company has contracts supplying blocks to several of the volume house builders and main builder's merchants.

The proposed development is for a B2 building measuring approximately 1534sqm to support and expand an existing block manufacturing facility within its existing site area and is to be located on previously developed land.

It would also bring some economic benefit in terms of additional employment of 8 full time jobs whilst providing security for the existing 54 workforce. The construction would also bring indirect wider economic benefits through the supply chain during the construction phase. The development would therefore make a small but valuable contribution to the local economy.

The proposed development secures improvements to the existing site access and sustainable travel options.

The proposed development does produce waste product but this is stored on site and re-used within the production facility.

There are therefore local and wider economic benefits arising from the proposed development.

The primary objective of Planning Policy Wales Edition 10 (2018) is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales as required by the Well-being of Future Generations (Wales) Act 2015.

o National Park Purpose and Duty.

The proposal has no adverse impact on the purposes or duty of the National Park.

o Sustainable Development.

Sustainable Development has four pillars:

o Social considerations - The proposed development is likely to generate some disturbance during the construction phase, but mitigation measures secured by conditions should minimise impacts to the local area. The operational phase should not lead to significant impacts with adherence to an Environmental Permit and planning conditions.

o Economic considerations - The development itself will create employment, will secure the existing workforce and will have indirect impacts through the construction and operational phase through supply chains.

o Cultural considerations - The development has no impact on cultural considerations.

o Environmental considerations - The proposed development would have no significant detrimental impact on the existing landscape, ecological or cultural heritage features. Consultation with Statutory Consultees have advised that environmental risks can be appropriately managed. Re-use of waste products is proposed. Climate change is accounted for in the development.

Options: Implications for sustainable development if:

o Refuse

o Permitted

o Permit with mitigation - planning obligations

The proposed development delivers a positive impact on the economic well-being of Wales without adversely impacting on the other pillars of sustainability. In putting forward this recommendation I have considered options of permitting the proposal, permitting with conditions and refusing it and the most appropriate option is as recommended which delivers sustainable development and meets current needs without hindering those of future generations.

## **10. Recommendation Permit**

### **Conditions and/or Reasons:**

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 The development shall be carried out in all respects strictly in accordance with the approved plans set out below, unless otherwise agreed in writing by the Local Planning Authority.

WDL-PA-5101-01b Site Boundary/Location Plan

WDL-PA-5101-02b Site Plan

WDL-PA-5101-03 Proposed Building with plant

WDL-PA-5101-05 Elevations

WDL-PA-5101-06 Sections

WDL-PA-5101-07 Site Layout.

WDL-PA-5101-07c Landscaping Plan

WDL-PA-5101-01-08a highway entrance improvements.

WDL-PA-5101-01-08 surface water drainage

WDL-PA-5101-01-09 highway entrance improvements (sections)

WDL-PA-5101-01-10 surface water drainage - culvert position at highway

- 3 Aside from the groundworks, no development shall take place until details or samples of materials to be used externally on walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 4 The premises shall be used as a concrete block production facility in association with the remainder of the overall site occupied by V D Lewis Ltd, and for no other purpose (including any other purpose in Class B2; of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
- 5 Notwithstanding the submitted plans, development shall not commence on the access improvement works until full engineering design and details of the proposed access improvements including, its tie in with Penderyn Road A4059 together with sections, surface-water drainage details, un-controlled pedestrian crossing point and surfacing details have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to beneficial use of the new plant.
- 6 No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted and approved in writing by the Local Planning Authority to provide for;
  - a) the parking of vehicles of site operatives and visitors,
  - b) the management of vehicular and pedestrian traffic,
  - c) loading and unloading of plant and materials,
  - d) storage of plant and materials used in constructing the development,
  - e) wheel cleansing facilities,
  - f) the sheeting of lorries leaving the site
  - g) measures to minimise the generation of noise
  - h) adequate provision is made for the suppression of dust
  - i) for the removal of dirt/dust on the access road to the site
  - j) pollution prevention measures

The approved Construction Method Statement shall be adhered to throughout the construction process unless agreed otherwise in writing by the Local Planning Authority.

- 7 The surface water drainage of the site shall be carried out in accordance with the approved plans. No surface water, highway drainage and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
- 8 An acoustic report in respect of the proposed building and any associated fixed external plant to include any mitigation measures arising from the operations within the building and associated external fixed plant shall be submitted to and approved in writing by the Local Planning Authority prior to construction of the building. Any recommended noise mitigation measures shall be implemented, as approved, before the development is brought into beneficial use.
- 9 Unless otherwise agreed in writing with the Local Planning Authority, during the construction phase of the development the hours of work shall be restricted to the following:-
 

Monday to Friday	07.00 to 18.00 hours
Saturday	08.00 to 13.00 hours
Sunday and Bank Holidays	Not At All
- 10 The development shall be carried out strictly in accordance with the Method Statement and recommendations in Section 9 of the ecological report dated April 2018, updated 14/05/2019. The biodiversity enhancement scheme as described in the report and shown on drawing no. WDL-PA-5101-07c shall be undertaken and/or installed prior to the first beneficial use of the development hereby approved, in accordance with the approved details. Following the installation of the approved scheme, a report confirming adequate installation shall be submitted to the Local Planning Authority.
- 11 The landscaping plan as shown on drawing no. WDL-PA-5101-07c shall be implemented in the first planting season following the implementation of the development and maintained thereafter. Any

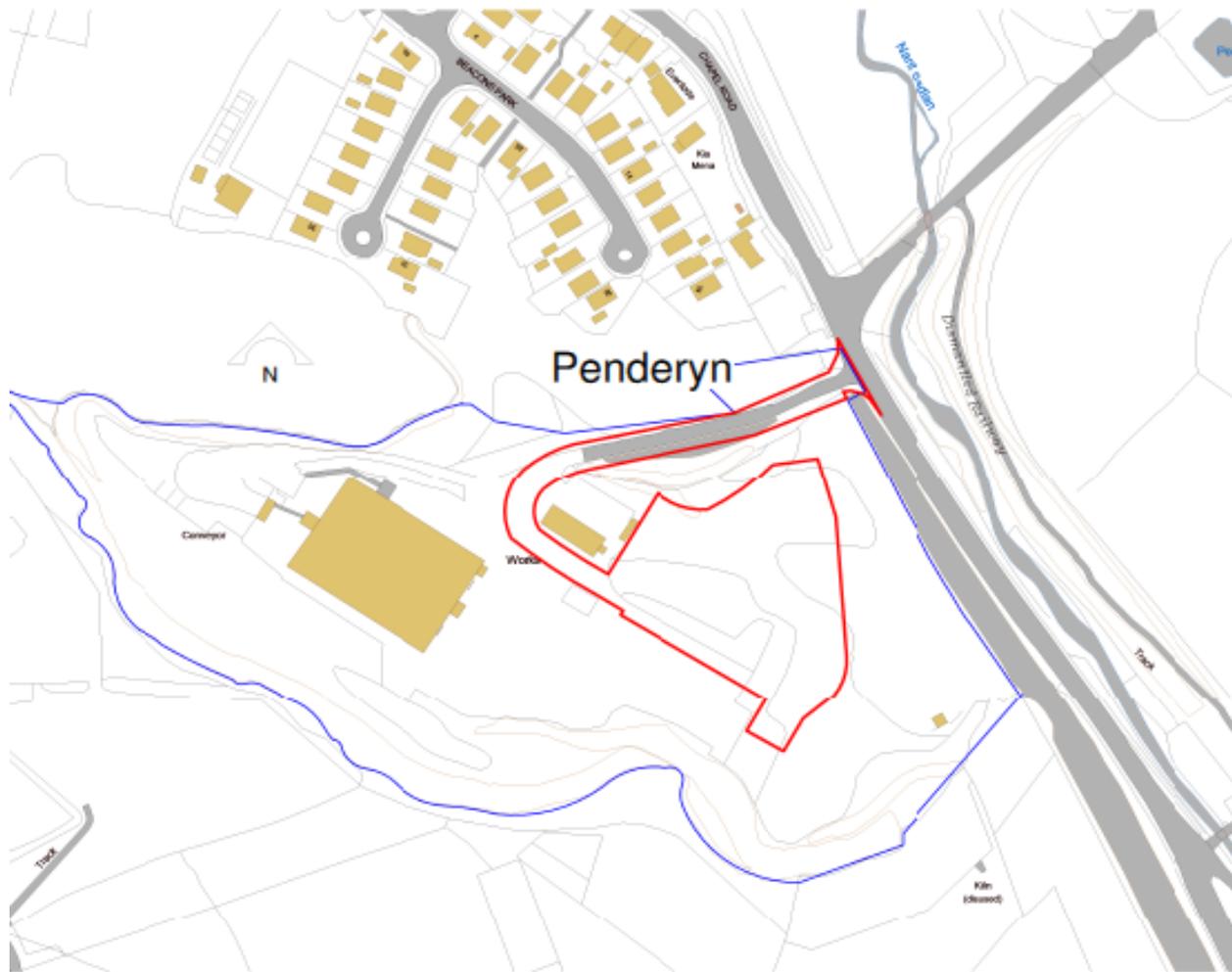
trees or shrubs that fail in the first five years after planting shall be replaced in the next available planting season on a like-for-like basis.

- 12 External lighting shall only be installed in accordance with the external lighting plan shown on drawing no. WDL-PA-5101-07c.

**Reasons:**

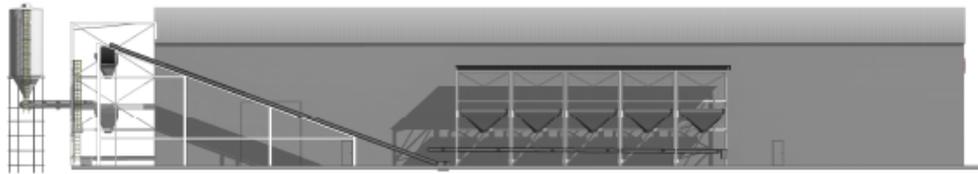
- 1 Required to be imposed by Section 91 of the Town and Country Planning Act 1990.
- 2 To ensure adherence to the approved plans in the interests of a satisfactory form of development.
- 3 To ensure that the materials harmonise with the surroundings.
- 4 The National Park Authority wish to control the specific use of the land/premises, in the interest of local amenity.
- 5 In the interests of highway safety.
- 6 In the interests of highway safety, residential amenity and environmental pollution.
- 7 To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 8 In the interests of residential amenity.
- 9 In the interests of residential amenity.
- 10 To comply with Section 6 of Planning Policy Wales (2018), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7, 12 and 14 of the adopted Local Development Plan for the BBNP and to comply with the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016.
- 11 To comply with Section 6 of Planning Policy Wales (2018), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7, 12 and 14 of the adopted Local Development Plan for the BBNP and to comply with the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016.
- 12 To comply with Section 6 of Planning Policy Wales (2018), Technical Advice Note 5 and Policies SP3, 1, 3, 4, 6, 7, 12 and 14 of the adopted Local Development Plan for the BBNP and to comply with the Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2017 (as amended) and the Environment (Wales) Act 2016.

# LOCATION PLAN



02-Location Plan

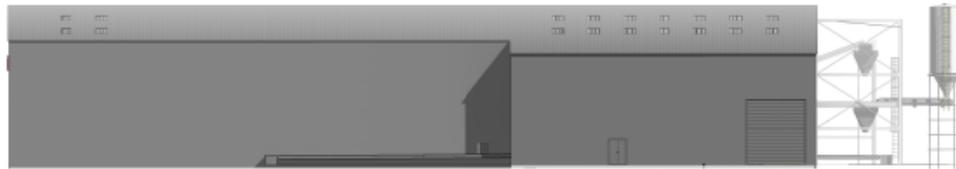
# ELEVATIONS



1 North Elevation  
1 : 200



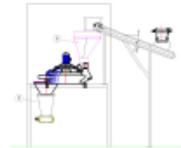
2 Block making plant- supply silo and conveyors  
1 : 200



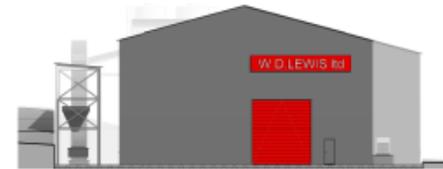
5 South Elevation  
1 : 200



3 East Elevation  
1 : 200



4 Block making plant- main supply silo  
1 : 200



7 West Elevation  
1 : 200

Not to Scale

