

PLANNING COMMITTEE	DATE: 19/12/2022
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

Application Number: C22/0874/16/LL

Date Registered: 23/09/2022

Application Type: Full

Community: Llandygái

Ward: Arllechwedd

Proposal: Construction of a building to be used as a builder's merchant (sui generis use) and associated yard structures, loading areas, car park, landscaping proposals together with associated work.

Location: Plot C5, Parc Bryn Cegin, Llandygái, Bangor, LL57 4LD

Summary of the Recommendation: APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This application is for full planning permission for the construction of a building to be used by a builder's merchant (sui generis use) and associated yard structures, loading areas, car park, landscaping proposals together with associated work on an empty plot, 4.81ha, at Parc Bryn Cegin, Llandygfái.
- 1.2 The proposed building would comprise a total of 2,405 m² of floor area, split into 2,069 m² on the ground floor and 336m² on the mezzanine floor. The building's ground floor would include a retail area, trade counter, office, toilets, staff room/canteen and warehouse. There will be access for customers via a covered access. The retail area will also be provided on the mezzanine floor. The proposed unit would measure 72m x 28m. The roof would be 8m to the eaves and 9m to the ridge.
- 1.3 The walls and roofs will be finished with insulated composite metal profile cladding (installed vertically), and it is proposed to be coloured grey. There would be a 2m high fence surrounding the site with 9 lighting columns 6m high around the outside of the site.
- 1.4 Access to the site would be provided via the existing vehicular access (north-eastern access) that provides access from the internal road serving the wider Parc Bryn Cegin. The access to the site would be outlined by landscape planting with a footpath provided near the side of the access. The proposed building would be located along the eastern boundary of the site close to the access, with a car park for staff and customers with 33 spaces and 3 spaces for commercial vehicles.
- 1.5 The site is located on the Bryn Cegin Strategic Regional Business Site. It would be approximately 1km south of the development boundary of the Bangor Sub-regional Centre, as defined by the Anglesey and Gwynedd Joint Local Development Plan (LDP).
- 1.6 This application, due to its floor area, is defined as a major development. In accordance with the requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended), a Pre-application Consultation Report was received as part of the application. The report shows that the developer has informed the public and statutory consultees of the proposal prior to submitting a formal planning application. The report includes copies of the responses received.
- 1.7 In addition, the following documents were submitted to support the application:
- Transport Statement
 - Water Conservation Statement
 - Energy Statement
 - Design, Access and Planning Statement
 - Initial Ecological Assessment
 - Welsh Language Statement
- 1.8 The application has been screened for an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The proposal does not fall within any development criteria in Schedule 1, but it does fall within the development description under Part 10(a) to Schedule 2, Infrastructure Developments: Development Plans for Industrial Estates, as the site is over 0.5ha in size. Having assessed the likely impact of the proposal on the environment using the selected criteria in Schedule 3 as well as the guidelines in the Welsh Office Circular 11/99, it is considered that the impact of the

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development on the environment is insufficient to justify submitting an environmental statement with the planning application.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be made in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 Under the Well-being of Future Generations (Wales) Act 2015 the Council has a duty not only to carry out sustainable development, but also to take reasonable steps in exercising its functions to meet its sustainable development (or well-being) objectives. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act, and in making the recommendation the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. It is considered that there would be no significant or unacceptable impact upon the achievement of well-being objectives as a result of the proposed recommendation.

2.3 Anglesey and Gwynedd Joint Local Development Plan. (July 2017)

PS 1 : Welsh Language and Culture

PS 4 : Sustainable transport, development and accessibility

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4 : Design and landscaping

PCYFF 5: Carbon Management

PCYFF 6: Water conservation

TRA 2 : Parking standards

TRA 4 : Managing transport impacts

PS13 : Providing opportunities for a prosperous economy

CYF 1: Safeguarding, allocating and reserving land and units for employment use

CYF 5 : Alternative use of current employment sites

AMG 5 : Local biodiversity conservation

2.4 National Policies:

Planning Policy Wales, Edition 11, 2021

Technical Advice Note 23: Economic Development (2014)

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3. Relevant Planning History:

3.1 No recent planning history on this specific site, but there is a general planning history for the development of the Bryn Cegin industrial site.

4. Consultations:

Community/Town Council: Not received

Transportation Unit: No objection

Economy and Community Department

1. The new employment land at Parc Bryn Cegin was established to encourage businesses to develop
2. The proposed plan attracts a significant investment from the private sector
3. From the details on the Planning application, we welcome the proposal to create 20 new jobs in the area
4. Land that has been standing empty for years being developed for commercial use
5. The hope that this development will create more interest in the site and other investments from the private sector

CADW: Not received

Biodiversity Unit: Not received

Public Protection: Noise from the proposed commercial use has the potential to have a harmful impact on the health and amenities of noise-sensitive properties near the development.

Land Drainage Unit: Observations for the developer

Welsh Water: Observations for the developer

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and no responses have been received.

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5. Assessment of the material planning considerations:

The Principle of the Development

- 5.1 It is a requirement that planning applications be determined in accordance with the adopted development plan, unless other material planning considerations indicate otherwise. The Anglesey and Gwynedd Joint Local Development Plan (LDP) is the adopted 'Development Plan' in this case. The application site is located outside the development boundary of the Sub-regional Centre of Bangor as defined in the LDP and is part of a site that has been protected as a Strategic Regional Business Site. Within such designations, the main uses will be uses B1 (Business), B2 (general industry) and B8 (storage and distribution) as well as some unique uses, and this site is part of one of the main designated sites in the Plan in Gwynedd due to its size and location.
- 5.2 Use as a builder's merchant is an unique use that does not fall under any specific use class and therefore the application is not in complete accordance with policy CYF 1. Therefore, policy CYF 5 is relevant and permits land safeguarded for B1, B2 and B8 uses in special cases to be released for alternative uses. Although a builder's merchant is an unique use, it is an appropriate use expected to be seen on a business/industrial estate. In addition, the site is mainly empty and therefore there are plenty of opportunities for other B1, B2 and B8 businesses to develop on the site.
- 5.3 Strategic Policy PS 13 in the LDP aims to facilitate economic growth by supporting several aspects of the local economy including supporting economic prosperity by facilitating appropriately scaled growth. This is a plan to enable a significant local employer to grow his business locally on a strategically important site and it is considered that the proposal is for suitable use at an appropriate scale for its location within such an industrial site. It is therefore considered that the proposal satisfies the requirements of policy PS 13 in the LDP.
- 5.4 In considering the above discussion, due to the importance of the scheme to secure the development of an initial business on a strategically important site that has been empty for many years, it is considered that there is exceptional justification to grant the proposed development on the designated employment site in accordance with Policy PS13, CYF 1 and CYF 5 of the LDP.

General and residential amenities

- 5.5 Generally, policies PCYFF 2 and PCYFF 3 of the Joint Local Development Plan encourage the approval of proposals for new development provided they do not have a detrimental impact on the health, safety or the amenities of the residents of local properties or on the area in general.
- 5.6 Although large, the new building would be of a size, design and of materials that would be expected within a modern industrial building. Indeed, the plan also includes landscaping proposals that will include reinforcing the existing screening and this, together with the natural screening given by the natural landscape, would conceal the site from most public viewpoints. In considering its location on an industrial estate that has already received planning permission, it is not considered that this business site would cause significant harm to the site's general appearance or affect the area's visual amenities.
- 5.7 There are three residential properties at Rhos Isaf, approximately 250m from the site, and the Public Protection Service had concerns regarding noise disturbance that may arise from the business site causing a nuisance for local residents. In response to the above concerns a further explanation was provided by the applicant regarding the nature of the site's use including:

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- The opening hours will be:
 - Monday – Friday (07:30 - 17:00)
 - Saturday (08:00-12:00)
- In terms of external apparatus used, a forklift will operate in the yard loading HGV wagons and unloading supplies from suppliers, storage of stock etc. These forklift wagons usually operate all day during opening hours.
- The applicants already operate a number of sites that are much closer to residential dwellings including residential estates and no noise complaints were raised by residents or Councils.

5.8 In noting the above, it must be recognised that this is a designated industrial site and therefore it could be the location for a much more intensive and noisy industrial use than what is proposed here. It is not considered that this plan for a commercial site is likely to be detrimental especially in considering the distance to the nearest houses and also the difference in land levels. Indeed, by adhering to the opening hours and in considering the background noise and busy nature of the nearby roads and the proximity of the existing Llandygái industrial estate, it is not believed that this business is likely to create an additional significant detrimental impact. There are also regulations outside the planning field to manage noise that causes a consistent nuisance to local residents.

5.9 Overall, it is considered that the layout of the proposed development suits the location in an acceptable manner. It is not considered that the development would cause significant harm to the amenity quality of the site or the local neighbourhood and, consequently, it is considered that the development is acceptable under Policies PCYFF 2 and PCYFF 3 of the LDP as they relate to these matters.

Highways matters

5.10 As a result of receiving the amended site plan, the Transportation Unit had no objection to the plan in terms of its impact on transport. The development would use the roads network designed for the industrial estate and therefore the existing infrastructure has been designed to cope with the likely transport levels as anticipated. The Transport Impact Assessment concludes that the site is also accessible for alternative modes of transport such as walking and cycling. Therefore, it is considered that the application meets the requirements of policies TRA 2 and TRA 4 of the LDP.

Biodiversity

5.11 An Initial Ecological Report was submitted with the application that sets a series of recommendations to preserve and enhance biodiversity on the site. By ensuring that these measures are implemented via an appropriate planning condition it is considered that the application meets with the requirements of Policy AMG 5 of the LDP that encourages proposals to protect, and where appropriate, to enhance the area's biodiversity.

Language Matters

5.12 In accordance with the requirements of the Supplementary Planning Guidance, Planning and the Welsh Language, as well as policy PS1 of the LDP, due to the size of the development's surface area, a Welsh Language Statement was provided to support the application. This comes to the conclusion that the proposal is of benefit to the language by creating employment opportunities for local people. The statement also notes:

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- The applicant's commitment to support the local supply chain to maximise the benefits to businesses in Gwynedd and North Wales;
- Commitment to find labour locally, where possible; and
- Commitment to provide bilingual signage for the proposed development (Welsh and English).

5.13 It is believed, as this development would offer an opportunity to retain existing jobs and create new suitable jobs for local people, offering them an opportunity to stay in their community, the development could therefore be positive for the situation of the Welsh language locally and the application is consistent with the aims of policy PS 1.

6. Conclusions:

6.1 As a result of the above assessment, it is not considered that the proposal is contrary to any material planning policy within the LDP and the proposed development is appropriate for the site and is likely to be of strategic importance to the county as a starting point for business developments on the site. Consideration was given to all material issues and it is not believed that the proposal is likely to cause any unacceptable detrimental impact to nearby residents or the community in general.

7. Recommendation:

7.1 To approve the application subject to material planning conditions involving:

1. Time
2. Compliance with the plans
3. The development shall be implemented in accordance with the ecological report
4. Landscaping conditions
5. Opening hours
6. Ensure Welsh / Bilingual signs

Notes

1. Welsh Water
2. Land Drainage Unit