

PLANNING COMMITTEE	DATE: 22/04/2024
ASSISTANT HEAD OF DEPARTMENT'S REPORT	

Number: 2

Application Number: C24/0071/16/LL

Date Registered: 05/02/2024

Application Type: Full

Community: Llandygai

Ward: Arllechwedd

Proposal: Erection of 10 industrial units, new access, parking and landscaping

Location: Cnc Fuels Parc Bryn Cegin, Llandygai, Bangor, Gwynedd, LL57 4BG

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1 Description:

- 1.1 This is an application for full planning permission to erect a building on one of the empty plots within Bryn Cegin Business Park, Llandygai. The building would be split into ten units, with the intention of obtaining consent for Use Classes B2 (General Industrial), however there are currently no specific users for the units. This would be the first step in a proposal for three similar buildings on nearby sites.
- 1.2 The building would have a total floor surface area of 995m² and would be 8.2m in height to the roof ridge. The walls and the roof would be covered in profiled steel panels. The plot around building 1 would measure 0.9 ha and this would include 31 parking spaces (including 10 disabled spaces).
- 1.3 Access to the site would be provided via the existing vehicular access which provides access from the inner road serving the broader Parc Bryn Cegin site.
- 1.4 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). The site is also within the Buffer Zone of the Llandygai Henge and Cursus Registered Monument (CN 153)
- 1.5 The following documents were submitted to support the application:
 - Design and Access Statement
 - Welsh Language Statement
 - Drainage Strategy
 - Construction Transport Management Plan (CTMP)

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 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

PS 5: Sustainable Development

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PS 6: Alleviating and adapting to the effects of climate change

PS13: Providing opportunity for a flourishing economy

PCYFF 1: Development Boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PCYFF 5: Carbon Management

TRA 2 : Parking standards

TRA 4: Managing transport impacts

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

AMG 5: Local biodiversity conservation

AT 4: Protection of non-designated sites and their setting

2.5 National Policies:

Planning Policy Wales Edition 12, 2024

Technical Advice Note 23: Economic Development (2014)

Technical Advice Note 24: The Historic Environment

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: No objection

Suggest that the applicant contacts the Welsh Language Commissioner to seek information about the "Cynnig Cymraeg".

Transportation Unit: No response received

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Welsh Government (Transportation)	No guidance to offer in this case.
Footpaths Unit	There would be no impact on any public right of way resulting from this development.
Economy and Community Department	No response received
Language Unit	Welcome the intention to use Welsh names and to publish bilingual documents. Express concern that there is insufficient evidence to justify that the development will increase the use of the Welsh language. Encourage the applicant to contact the Welsh Language Commissioner to seek information about the "Cynnig Cymraeg".
Public Protection:	Request conditions to: <ul style="list-style-type: none"> • Ensure that the details of any mechanical equipment / external flue are submitted prior to their installation on the building • A noise insulation plan should be submitted to safeguard the amenities of neighbouring properties. • Suggest setting conditions for operational times • No unit should be brought into use until the connection with the public sewer has been completed. • Act in accordance with the submitted CTMP. • The details of any external lights should be agreed prior to their installation on the site.
Land Drainage Unit:	Due to the size and nature of the development, an application will need to be made to the SuDS Approval Body for approval before construction work commences.
Welsh Water	Request a condition to agree a method for foul water drainage and offer guidance for the developers.
Network Rail	No objection
Gwynedd Archaeological Planning Service	There are no archaeological implications arising from this application.
Public Consultation:	A notice was posted on the site and nearby residents were notified. The advertising period has expired and an objection was received from the Local Member as there is insufficient evidence to justify that the development will increase the use of the Welsh language.

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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 are determined in accordance with the adopted development plan, unless other material planning considerations state 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 but it is part of a site that has been protected as a Strategic Regional Business Site. Policy PCYFF 1 of the LDP encourages the refusal of developments outside development boundaries, unless they are in accordance with other local or national planning policies. In this case, given its designation as a Business Site in the LDP, there is appropriate justification for approving this type of development in this location.

Economic Development

- 5.2 Parc Bryn Cegin is protected as a Strategic Regional Business Site for businesses in Use Classes B1, B2 and B8 by policy CYF 1 in the LDP and therefore the proposal for business units within use class B2 is consistent with this policy requirement.
- 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 employers to establish a business locally in a site of strategic importance and it is believed that the proposal is for suitable use at an appropriate scale for its location within an industrial site of this type. It is therefore considered that the proposal satisfies the requirements of policy PS 13 in the LDP.

Design, general and residential amenities

- 5.4 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.
- 5.5 Although fairly large, the new building would be of a size, design and materials that would be expected within contemporary industrial buildings. The site is hidden from public places due to the existing growth and the natural screening provided by the landscape. Given 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.
- 5.6 There is residential property approximately 130m from the site, and as this is a designated industrial site it is believed that it is inevitable that some noise will derive from the site. However, it must be noted that businesses in use class B2 could be ones that can generate significant noise impacts and there is no assurance regarding the end use of the units; indeed, there is nothing from a planning perspective to prevent the whole site from being operated as one large industrial unit. In the absence of any specific noise assessment for the uses, it is believed reasonable to keep to the operational hours during a normal working day until it can be shown that no significant additional harm derives from any specific activity. Any individual business will be free to submit an application to vary its operating hours, in accordance with the evidence available at the time.

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- 5.7 The Public Protection Unit suggested setting a number of additional conditions to ensure that there will be no harm to the amenities of the dwellings which abut the estate. Ultimately, given the busy nature of the surrounding roads and the proximity of the existing Llandygai industrial estate, by keeping to reasonable operating hours, it is not believed that these businesses are likely to create a significant additional harmful impact on residential amenities. There are also regulations outside the planning field to manage noise that causes a constant nuisance to local residents.
- 5.8 Overall, the layout of the proposed development is considered to be acceptable and suited to the location. It is not considered that the development will cause significant harm to the amenity quality of the site or the local neighbourhood compared to what could occur on the site under its designation in the LDP and therefore 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

- 5.9 Welsh Government's Transportation Department had no objection to the plan in terms of its impact on transport, and extensive space for parking has been allocated around the site. As the development uses the road network designed for the industrial estate, it is accepted that the existing infrastructure has been designed to cope with the transport levels as envisaged for this site. The location is also connected to the local walking and cycle paths network with public footpaths passing the front of the site and Lôn Las Ogwen running along the western boundary of Bryn Cegin. There is also a bus stop in the village of Llandygai, which is located approximately 450m away. Therefore, it is believed that the development would meet the requirements of policies TRA 2 and TRA 4 of the LDP in relation to parking requirements and highway safety and that the site is in an accessible location for alternative modes of transport, in accordance with the objectives of Policy PS 4 of the LDP.

Biodiversity

- 5.10 In accordance with the requirements of Planning Policy Wales (February 2024), it is a requirement to submit a Green Infrastructure Statement to support every planning application to demonstrate how the development in question will contribute to the enhancement of biodiversity in Wales. The applicants are aware of this but at the time of writing the report no statement had been received. The matter will be further reported upon to the committee. However, given the location of the proposal, on an existing industrial estate, it is believed that it would be appropriate to try to secure biodiversity improvements that contribute to the green infrastructure by means of an appropriate planning condition to agree on a Biodiversity Enhancement Plan before the development of the site commences. In doing so, it is believed that the development would be consistent with PPW and comply with the requirements of Policy AMG 5 of the LDP that aim to protect, and where appropriate, enhance the area's biodiversity.

Language Matters

- 5.11 In accordance with the Planning (Wales) Act 2015, it is a duty when making a decision on a planning application to consider the Welsh language. Supplementary Planning Guidance (SPG) 'Maintaining and Creating Unique and Sustainable Communities' provides further guidance on how it is expected for Welsh language considerations to be incorporated in each relevant development. It is noted that there are some specific types of development where it will be required for the proposal to submit a Welsh Language Statement or a Welsh Language Impact Assessment. A Welsh Language Statement has been submitted in support of this application and the statement concludes that there is no need to submit a Welsh Language Statement to support

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the application, specifically as the thresholds set within the criteria of Policy PS1 have not been reached.

- 5.12 Excluding the developments that meet the thresholds for submitting a Welsh Language Impact Statement / Assessment, Appendix 5 of the SPG provides guidance on the type of relevant applications where consideration should be given to the Welsh language. The guidance contained in Appendix 5 states that all retail, commercial or industrial developments that are not required to submit a Welsh Language Statement/Assessment should demonstrate how consideration has been given to the language. The submitted Planning Statement along with the proposal have highlighted the consideration given to the Welsh language in considering the proposal. The Statement concludes that the development would not have a detrimental impact on the Welsh language, and that it is likely that the development would increase the use and prominence of the Welsh language locally. The report notes the following points:
- The applicant was brought up on Anglesey, has a strong local connection and intends to employ local workers.
 - Approving the application would enable the applicant to remain and work in their local area.
 - The applicant intends to produce all advertisements and literature relating to the development bilingually.
 - Welsh names with local characteristics will be used for the industrial units.
 - The applicant has received enquiries from a number of local businesses interested in renting the finished units.
 - The development will promote other local businesses by attracting business and increasing commerce in the area.
- 5.13 A response was received from the Language Unit and the Community Council welcoming the development in general, but expressing concern that no reference has been made to the language use of the businesses that had made enquiries. In mentioning the intention to employ local workers, the applicant does not mention any conditions in relation to language skills. The applicant is encouraged to contact the Welsh Language Commissioner to seek information about the “Cynnig Cymraeg”. Observations were also received objecting to the application due to insufficient evidence to justify that the development will increase the use of the Welsh language.
- 5.14 In response to these points, an explanation was received from the applicant noting that there were no tenants for the units as yet, and until planning permission was granted, the applicant was unable to advertise the units. In order to promote the Welsh language, the applicant has noted his willingness to collaborate with the Language Unit and create a transfer file for the units which will commit the tenants to the Cynnig Cymraeg.
- 5.15 Ultimately it is believed, by boosting the local economy and offering an opportunity to retain existing jobs and create new suitable jobs for local people, that the development could be positive for the situation of the Welsh language locally and the application is therefore consistent with the aims of policy PS 1.

Archaeological Matters

- 5.16 The Bryn Cegin site has been the subject of extensive archaeological excavation which has been identified as a location of historic importance, which offers a snapshot of life in the final prehistoric years in Wales (Iron Age), and the relationship with the Roman Occupation. Gwynedd Archaeological Planning Service (GCAG) confirmed that the area of the proposed development was fully excavated when the business park was established, and significant multi-period archaeology was noted. Although there is the potential for remains to have survived in small pockets of undisturbed land (including along the western boundary of this plot), it is not

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considered that this application has any archaeological implications as the land to all intents and purposes has been sterilised by the previous excavation. It is therefore believed that the plan may proceed in accordance with the requirements of policy AT 4 of the LDP.

Infrastructure and Sustainability Matters

- 5.17 Bryn Cegin has been earmarked as a sustainable location for business through the process of adopting the Local Development Plan and it has been developed with plots served by appropriate utilities for the expected businesses. Welsh Water confirmed that there is adequate capacity in the local sewerage system to meet the requirements of the development and that a connection to the water supply can be ensured. Sustainable drainage systems (SuDS) are required to control surface water for every new development of more than 100m² in floor area and an application will need to be submitted to the SuDS Approval Body for approval before the construction work commences.
- 5.18 The Design and Access statement submitted with the application notes that it is intended to develop the site in a sustainable manner. It is intended to use high grade insulation materials for the new building, and therefore the units will need minimal energy for heating. It is also proposed to use low emission argon filled double glazing to further improve the building's thermal performance. The proposed new units will fully comply with the existing regulatory standards for buildings and will use renewable energy technology to further reduce the environmental impact.
- 5.19 Provided that the statutory requirements regarding sustainable drainage are followed, it is believed that this development will comply with the requirements of policies PCYFF 5, PS 5 and PS 6 as they relate to ensuring that new developments will not have a harmful impact on the wider environment and that they are resilient against likely environmental changes in the future.

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 believed to be 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 planning issues and it is not believed that the proposal is likely to cause any unacceptable adverse impacts to nearby residents or the community in general.

7. Recommendation:

- 7.1 To approve the application subject to relevant planning conditions in relation to:
1. Time
 2. Compliance with the plans
 3. Materials all to be agreed
 4. Permitted use of Units for any purposes within Use Class B1, B2 or B8 only
 5. Landscaping / biodiversity enhancements condition.
 6. Opening Hours: 06:30 to 18:00 Monday to Friday, 06:30 to 17:00 Saturday and 08:00 to 16:00 Sunday / Bank Holidays
 7. The details of any external equipment installed on the building must be submitted.

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8. No unit should be brought into use until the connection with the public sewer has been completed.
9. Act in accordance with the Construction Transport Management Plan submitted
10. Welsh Water Condition
11. Ensure Welsh / Bilingual signs

Notes

1. Welsh Water
2. Land Drainage Unit
3. Language Unit