

PLANNING COMMITTEE	DATE: 05/02/2024
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 4

Application Number: C23/0844/16/AM

Date Registered: 07/11/2023

Application Type: Outline

Community: Llandygai

Ward: Tregarth & Mynydd Llandygai

Proposal: Development of 4 commercial units (of varying sizes) inclusive of new vehicular and pedestrian access with car parking.

Location: Zone 7, Parc Bryn Cegin, Llandygai, Gwynedd.

Summary of the Recommendation: TO APPROVE WITH CONDITIONS

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1. Description:

- 1.1 This is an application for outline planning permission to develop four commercial buildings of various sizes on one of the empty plots within Bryn Cegin Business Park, Llandygai. It is intended to apply for flexible permission for uses within Use Classes B1 (Business), B2 (General Industrial) or B8 (Storage or Distribution services) in accordance with the permission for the estate in its entirety. All the buildings would be single-storey with three measuring 52m x 15m (783 m²) in size and the other measuring 50m x 52.7m (2635 m²) bringing the total to 5020m² of surface floor area. The buildings would be 8m high to the ridge of the roof (5.0m to the eaves).
- 1.2 The access to the site would be provided via the existing vehicular access that provides access from the inner road serving the broader Parc Bryn Cegin site and it is intended to provide hard-standings to park and turn in front of each unit. It is also intended to undertake soft landscaping throughout the site with the use of indigenous trees and shrubs.
- 1.3 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). It also stands within the Dyffryn Ogwen Landscape of Outstanding Historic Interest.
- 1.4 This an outline application and details have been submitted regarding access to the site and the internal arrangements. Agreement must be reached on the reserved matters listed below prior to implementing the planning permission:
- Appearance
 - Landscaping, and
 - Scale
- 1.5 This is one of three current applications for developments on this site, namely:
- C23/0844/16/AM - Outline application to develop 4 commercial units (of varying sizes) including a new access for vehicles and pedestrians with a car park (this application).
 - C23/0849/16/LL - Full application to construct new industrial units (on the southern part of this application site)
 - C23/0850/16/LL - Full application to construct new industrial units (on the north-eastern part of this application site)

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.

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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

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

PS13: Providing opportunities for a prosperous 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

AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

PS 20: Preserving and where appropriate enhancing heritage assets

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

Supplementary Planning Guidance - The Slate Landscape of Northwest Wales World Heritage Site

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities (SPG)

2.4 National Policies:

Future Wales: The National Plan 2040

Planning Policy Wales, Edition 11, 2021

Technical Advice Note 23: Economic Development (2014)

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Technical Advice Note 24: The Historic Environment

Letter of the Welsh Government's Minister for Climate Change, dated 11 October 2023 announcing an update to chapter 6 of Planning Policy Wales with immediate effect.

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 response received
Transportation Unit:	No objection subject to conditions relating to ensuring acceptable parking arrangements and surface water management.
Footpaths Unit	No response received
CADW :	No response received
Economy and Community Department:	Aware of the shortage of business units across the County, particularly in more populated areas such as Bangor There is a specific need especially along the A55 corridor, and this application is a positive response to this demand. The varied size of the units is also to be welcomed
Public Protection:	No response received
Land Drainage Unit:	No response received
Welsh Water:	Request a condition to agree a foul water drainage plan and offer guidance for the developers.
Network Rail	No observations to offer
Gwynedd Archaeological Planning Service	The site is in a known area of archaeological potential, however, much of the industrial park has already been excavated, with only a few areas remaining unexamined. In this case, in the upper north-eastern corner of the red line boundary there is a pocket of land with a high potential for archaeology, however the plans suggest that there will be no development there. Confirmation has been requested regarding the

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intention for this part of the site.

Public Consultation: A notice was posted on the site and nearby residents were notified. The publicity period has expired and a response was received stating no objection to the proposal

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 Bangor Sub-regional Centre as defined in the LDP but it is part of a site that has been protected as a Regional Strategic 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, taking account of its designation as a Business Site in the LDP, there is appropriate justification to approve such developments in this location.

Economic Development

5.2 Parc Bryn Cegin is protected as a Regional Strategic Business Site for businesses in Use Classes B1, B2 and B8 by policy CYF 1 in the LDP, and the proposal is therefore consistent with this policy. During the consultation process, the Economy and Community Department confirmed that there was a shortage of units of this type in the area, and that the development would meet a recognised need.

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 scheme to enable employers to establish a business locally on a site of strategic importance and we believe that the proposal is for suitable uses and is appropriately scaled 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.

Visual, 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 developments provided they do not have a detrimental impact on the health, safety or amenities of the occupiers of local properties or on the overall area.

5.5 Although large, the new buildings would be of a size, design and of materials that would be expected within modern industrial buildings. The application also states an intention to implement a landscaping plan to include indigenous species. Considering its location on an industrial estate that has already received planning permission, it is not considered that this business development would cause significant harm to the site's general appearance or affect the area's visual amenities.

5.6 Given that this is a designated industrial site, it is believed that it is inevitable that some noise will arise from the site. The applicants have noted the operational hours from 08:00 to 18:00 Monday to Friday, 9:00 to 17:00 Saturday and closed Sunday / Bank Holidays, and it is believed, considering the nature of the site and proposed businesses, that those hours would be acceptable.

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- 5.7 The nearest house is approximately 400m from the site and it must be noted that businesses in use classes B2 and B8 can generate significant noise impacts and there is no assurance in the application 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, we believe it is reasonable to keep the operating hours to those of a standard working day until it can be shown that there would be no significant additional harm from any particular 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. Ultimately, considering 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 The Transportation Unit did not have any objection to the scheme in relation to its impact on transportation, but they did request conditions to ensure that appropriate parking spaces are provided and that appropriate steps are taken to prevent water drainage from the site onto the inner road. Essentially, the development would use the roads network that has been designed for the industrial estate and therefore the existing infrastructure has been designed to cope with the likely transport levels as anticipated. 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 700m 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 On 11 October, the Welsh Government published an update to Chapter 6 of Planning Policy Wales (PPW), which deals with green infrastructure, net worth to biodiversity, the protection afforded to Sites of Special Scientific Interest and trees and woodlands. No ecological information was submitted with the application but, when considering the proposal's location 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 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

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- 5.11 In accordance with the requirements of the Supplementary Planning Guidance: Maintaining and Creating Distinctive and Sustainable Communities (SPG), as well as policy PS1 of the LDP, there are some specific types of developments where the proposal must submit a Welsh Language Statement. The thresholds regarding when such a document must be submitted have been set out in Policy PS1 of the Joint LDP and Diagram 5 of the SPG. The application form notes that the proposed development would create 50 full time posts, and that the surface area of the intended buildings on the site would be significantly above the 1,000m² threshold that is stipulated in the policy regarding the need for a Welsh Language Statement. As a result, a Welsh Language Statement would need to be submitted in support of the application.
- 5.12 The applicant has been informed of this requirement and a statement is expected before the date of the planning committee. The matter will be further reported upon in the committee. Despite this, the site is located on a site that has been earmarked for this type of use and, as a result, it is not an unexpected development and the process of earmarking the site as part of the Local Development Plan has included a language impact assessment. Should the application be approved and in accordance with policy PS 1, a condition could be imposed to secure a Welsh name for the development as well as the internal signage on the site to improve and alleviate the impact on the language. As there is no evidence to show that the development will cause harm to the language and by imposing conditions, it is considered that the proposal complies with policy PS1.

Archaeology Matters and the Historic Landscape

- 5.13 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. Having said that, for practical reasons, not all parts of the site with archaeological potential were excavated during the previous work. A strip of land on the outskirts of this site is one where there is potential for important archaeological material and therefore the Gwynedd Archaeological Planning Service (GAPS) asked for confirmation that this development is unlikely to have an impact on that strip of land. Confirmation was received from the applicant that there would be no development in this part of the site but no further response has been received from the Archaeological Trust. Provided we receive confirmation from GAPS that they are satisfied with the scheme, it is believed that the scheme may proceed in accordance with the requirements of policy AT 4 of the LDP. The matter will be further reported upon in the Committee.
- 5.14 The site is within 400m of the Slate Landscape of North Wales World Heritage Site (WHS) designated by UNESCO and is also within the Dyffryn Ogwen Landscape of Outstanding Historic Interest. Nevertheless, when considering the location on a designated industrial site as well as the formation of the local landscape and the presence of existing natural growth around the site, it is not believed that the development would have a significant harmful impact on the designated landscape or on the visual setting of any heritage asset. We therefore believe that the application would meet the requirements of policies AT1 and PS 20 of the LDP.

Infrastructure and Sustainability Matters

- 5.15 Bryn Cegin has been earmarked as a sustainable location for business by means of the process of adopting the Local Development Plan and it has been developed with the plots served by appropriate utilities for the expected businesses. Welsh Water confirmed that there is adequate

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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.

- 5.16 By following the statutory requirements regarding sustainable drainage, 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 broader 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 delegate powers to the Assistant Head of Environment Department to approve the application subject to completing discussions regarding archaeology as well as relevant planning conditions relating to:
1. The commencement of the development and submitting reserved matters
 2. All materials to be agreed
 3. Submission of a Biodiversity Enhancement Plan prior to the commencement of the development
 4. Landscaping scheme
 5. Welsh Water condition
 6. Highways conditions
 7. Permitted use of buildings for any purposes within Use Class B1, B2 or B8 only
 8. Ensure Welsh / Bilingual signs
 9. Opening Hours: 08:00 to 18:00 Monday to Friday, 09:00 to 17:00 Saturday and not at all on Sunday / Bank Holidays
 10. A Welsh name for the development and ensure that there is Welsh language signage within the site.

Notes

1. Welsh Water
2. Land Drainage Unit