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O'REILLY GROUP LTD

FORMER LME UK SITE, TANK FARM WAY, SULLY, CF64 5RP

PLANNING STATEMENT

MAY 2017

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PLANNING STATEMENT

MAY 2017

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1 INTRODUCTION

- 1.1.1 Wardell Armstrong LLP has been instructed by O'Reilly Group Ltd to prepare a full planning application relating to commercial/industrial development in respect of premises known as the Former LME UK Site, Tank Farm Way, Sully, Vale of Glamorgan.
- 1.1.2 Permission is sought to extend the existing building, the installation of associated plant and machinery and the creation of a hardstanding area for vehicle parking and circulation.
- 1.1.3 The purpose of this Planning Statement is to provide additional and complementary information to that contained within the accompanying planning application. This Statement outlines the context of the application site and the details of the scheme, reviews the planning policy context relevant to the site presents an appraisal of the development and draws together the key points and conclusions from the supporting technical documents to demonstrate the overall appropriateness of the proposal.
- 1.1.4 This planning application is accompanied by the following plans: -

Drawing Title	Drawing Number	Prepared by
Site Location Plan	PL001	Hatcher Pritchard Architects / Franks & Toms Architects
Existing Site Plan	PL002	Hatcher Pritchard Architects / Franks & Toms Architects
Existing Floor Plan	PL003	Hatcher Pritchard Architects / Franks & Toms Architects
Existing Elevations	PL004	Hatcher Pritchard Architects / Franks & Toms Architects
Proposed Site Plan	PL011	Hatcher Pritchard Architects / Franks & Toms Architects
Proposed Floor Plan	PL012	Hatcher Pritchard Architects / Franks & Toms Architects
Proposed Elevations	PL013	Hatcher Pritchard Architects / Franks & Toms Architects

1.1.5 In addition to this Planning Statement, the following documents are submitted in support of the application: -

Document Title	Prepared by
Design & Access Statement	Hatcher Pritchard Architects / Franks & Toms Architects
Pre-Application Consultation Report	Wardell Armstrong LLP
Flood Consequence Assessment	RVW Consulting

2 SITE LOCATION AND CONTEXT

- 2.1.1 The application site itself covers an area of approximately 2.24 hectares (5.54 acres) and is centred on National Grid Reference ST 14443 68417.
- 2.1.2 It is located in the southern part of the Vale of Glamorgan Council jurisdiction, approximately 0.75km away from the coastline and Bristol Channel. It is situated approximately 3.6km to the east of the centre of the town of Barry, which is the principal settlement of the Vale of Glamorgan, and 0.8km to the west of the smaller settlement of Sully.
- 2.1.3 The site forms part of an extensive area of industrial land, much of which has been cleared over recent years. It includes a significant portion of such land, but also the extent of existing buildings which were formerly occupied by LME UK Ltd for their commercial/industrial operations.
- 2.1.4 These buildings are situated in the southern extreme of the site and equate to floorspace of 1,803.32m² together with surrounding circulatory space split between 2 no. sizeable factory/warehouse spaces and also ancillary single storey office space. The former are constructed of brick to door and window head height and metal cladding above with occasional high level glazing; the latter is constructed in brown brick and has a flat roof hidden behind a parapet.
- 2.1.5 The site, as evidenced by the red line site location boundary, is of irregular L shape, with a predominant north-south axis. The narrowest part of the site equates to that part containing the existing building premises, and to the north the width of the application site somewhat widens towards the west.
- 2.1.6 The site margins are principally demarcated by physical boundaries. To the east, the route of Tank Farm Way denotes the extreme of the site boundary; to the south, the existing buildings (and surrounding circulatory space) are bounded by the watercourse known as Sully Brook); to the west is the site of an electricity substation which is closed with security fencing, and as the extent of site projects outwards further in this direction the route of the Rover Cadoxton.
- 2.1.7 To the north of the existing buildings is a substantial area of cleared industrial land, with the line of a palisade fence running west-east enclosing the existing premises (and current associated parking/circulatory space). It should be noted that the line of the fence does not denote the northern extreme of the application site – this extends to the north and beyond the fence line.

- 2.1.8 The site is found on the western flank of Tank Farm Way. On the eastern flank (and beyond) is the extent of the site currently operated by AES Barry Limited, characterised by numerous structures, buildings, and associated equipment and structures including chimneys and vent stacks. Initial dialogue with the Health and Safety Executive (HSE) has confirmed that this site is covered by the Control of Major Accident Hazards (COMAH) Regulations 2015, and assessed to be an Upper Tier Establishment as a result of the chemicals manufacture/production processes that are underway.
- 2.1.9 Access to the site will be from the east off Sully Moors Road (B4267), at an existing junction point found at National Grid Reference ST 14729 68413. This junction of considerable width of access/egress and benefits from a dedicated right turn lane to assist vehicular movements from the north. The junction is already used by remaining industrial operators within the wider area (principally Hexion UK and Barry Trading Services Ltd), and beyond this junction, access to the site will be achieved by following the two-way unnamed internal road in a westerly direction for 200m, before turning right and heading north onto Tank Farm Way.
- 2.1.9 The site benefits from flat topography and is generally found at a ground level of 6.3m AOD. The existing buildings possess existing ground levels ranging from circa 6.2m to 6.6m AOD. The full extent of the site falls within Flood Risk Zone C2 (without significant flood defence infrastructure) as defined by the Development Advice Map which accompanies Technical Advice Note 15 (Development and Flood Risk, July 2004). This document will be referred to in more detail under Section 5 of this statement.

3 PLANNING HISTORY

3.1 Site History

3.1.1 There is no recent planning history in respect of the application site. Prior to vacating the premises, LME UK occupied the existing buildings present within the application site for primarily manufacturing and industrial processes. Although the office space within the building premises were in active use, this was ancillary to the main operations, which are considered to fall under Use Class B2.

3.2 Adjacent Planning History

3.2.1 The following applications relate to land to the south of the application site, in respect of the operations associated with Hexion UK Ltd.

Planning Ref	Address	Proposal	Decision & Date
2006/00114/HAZ	Hexion Speciality Chemicals UK Ltd (formerly Bordens), Sully Moors Road	Hazardous substances consent for storage of substances as listed.	Withdrawn 21/03/07
2006/01129/FUL	Hexion Speciality Chemicals, Sully Moors Road	Erect steel-framed, steel clad building for storage of dry chemicals	Approved 04/10/06
2007/01449/LAW	Hexion Speciality Chemicals Ltd, Sully Moors Road.	Demolition of redundant portion of offices and laboratory buildings. Making good and cladding the interface with the remaining buildings	Approved 29/11/07

3.2.2 As mentioned in the previous section, the AES Barry site is found to the east of the application site, albeit primarily accessed via a separate junction off Sully Moors Road. The following planning history in respect of this adjacent site includes consent for the separate access arrangement:-

Planning Ref	Address	Proposal	Decision & Date
1998/00435/FUL	AES Barry Power Station, Sully Moors Road.	Improve entrance onto Sully Moors Road	Approved 19/06/1998

Planning Ref	Address	Proposal	Decision & Date
1999/00460/FUL	Barry AES, Sully Moors Road.	Entrance alterations relating to previous consent 98/00435/FUL	Approve 25/06/1999

4 PROPOSED DEVELOPMENT

4.1 Applicant Details

4.1.1 Wardell Armstrong LLP has been instructed by O'Reilly Group Ltd to prepare a full planning application relating to commercial/industrial development in respect of premises known as the Former LME UK Site, Tank Farm Way, Sully, Vale of Glamorgan as described in Section 2 of this statement.

4.1.2 O'Reilly Group were formed in 1939, principally as O'Reilly Concrete, and in recent decades have expanded their original sand and gravel business to become one of the largest precast manufacturers in Ireland and the UK.

4.1.3 Still 100% family owned, O'Reilly Group specialise in the design, manufacture and erection of precast frame buildings. Their total precast structures are being used for many types of construction including schools, apartment blocks, parking structures, retail developments, office blocks and student accommodation.

4.1.4 At present, the company now directly employs 170 staff with 55 sub-contractors and manufacturing facilities at various locations in Ireland. It is their express desire to expand their location span, especially so in order to facilitate their expanding UK market. Productive discussions have been held with representatives of the Welsh Government, landowners and their representatives, with the decision being made that the site, as described in Section 2, being wholly appropriate for investment and therefore future operations.

4.2 Nature of Proposals

4.2.1 In summary, permission is sought to extend the existing building, the installation of associated plant and machinery and the creation of a hardstanding area for vehicle parking and circulation. This description is included on the planning application forms, but each of these elements is outlined in further detail below.

Extension of existing building

4.2.2 It is proposed to construct an extension to the main open-plan part of the existing premises, so as to create sufficient floorspace in order that the applicant can undertake the required processes associated with the production of their pre-cast concrete products. The extension will provide for a total of 1,412.22m² floorspace

within a rectangular area projecting northwards and then westwards from the existing building line.

- 4.2.3 The proposed extension follows the profile of the existing factory. As it will be wider, replication of the existing roof ridge is not possible and as such the ridge height of the extension will appear slightly higher.
- 4.2.4 It is proposed to follow the palette of finishing materials as close as possible so as to match the existing buildings and create a unified development.
- 4.2.5 The offices located within the premises will remain and are intended for utilisation as ancillary to the manufacturing operations to take place on site.

Installation of associated plant and machinery

- 4.2.6 It is proposed to utilise the existing hardstanding area located to the south of the site for the siting of plant and machinery associated with the concrete manufacturing process. Such structures would be similar to those which are commonly found on construction sites.
- 4.2.7 The location has been chosen primarily because of its proximity to the conveyor process plant which will be sited within the buildings (to be extended), but also because within this external area the apparatus will largely be screened from view such that it enjoys obvious security and visual amenity benefits.

Creation of hardstanding area for storage and vehicle parking and circulation

- 4.2.8 At present, the site benefits from plentiful parking and circulatory space along the western flank of Tank Farm Way and also to the north of the existing building. Although such parking is not formally demarcated, the extent of available space is obvious.
- 4.2.9 As a result of the northwards extension of the existing premises (see earlier), it will be necessary to re-provide the similar space for vehicles and as such the extent of the application site seeks to do this in terms of the projection of the site boundary to the north (and also to the west). Any vehicle movements to and from the site will be focussed towards the northern part of the site (as currently is the case), and the proposals allow for a considerable hardstanding provision in this respect. Existing ground levels in this area of the site will remain the same.
- 4.2.10 As was the case with the previous operations of LME UK Ltd, it is proposed to utilise the same access arrangements as outlined in Section 2 of this statement. No

alterations to this route are proposed and noting that this is very much a continuation of operations, it is not considered necessary to produce a technical assessment for consideration.

Other matters

- 4.2.11 The site benefits from a network of private drains which provide a ready-made solution for the disposal of surface and foul water. It is considered that this network has sufficient capacity to continue to serve the premises and its use, in its expanded form.
- 4.2.12 It is anticipated that the site, once fully developed, will create in the region of 30-35 no. jobs in varying positions. For the purpose of the planning application forms, the above parameter of number of jobs has been stated so as to allow for a more rounded assessment of impacts.

4.3 Environmental Impact Assessment

- 4.3.1 The proposed development has not been the subject of a formal Environmental Impact Assessment (EIA) Screening exercise.
- 4.3.2 Noting the nature of the intended operations, the proposed development is most likely to fall under Schedule 2, Part 10 (Infrastructure Projects), Category a (Industrial Estate Development Projects). However, as the site area does not exceed 5 hectares, it is essentially categorised as a Schedule 3 development, in accordance with the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. As such, no formal EIA Screening is deemed to be necessary.
- 4.3.3 An Environmental Statement is therefore not deemed to be necessary to accompany the planning application.

5 PLANNING POLICY FRAMEWORK

- 5.1.1 The planning policy context comprises National Planning Policy in the form of Planning Policy Wales (9th Edition, November 2016) and its accompanying suite of Technical Advice Notes, together with the development plan which is at present the Vale of Glamorgan Unitary Development Plan 1996-2011 (UDP).
- 5.1.2 In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.
- 5.1.3 However, regard is given to the fact that the UDP, whilst still remaining as the development plan, is time expired. As such, relevant policies from the emerging Local Development Plan are also presented in this chapter.
- 5.1.4 This section outlines the relevant planning policies extracted from the above documents. Where possible, efforts are made to condense the amount of policy quoted verbatim, although in some instances this is unavoidable.

5.2 Planning Policy Wales (Edition 9, November 2016)

- 5.2.1 National Planning Policy in Wales consists of Planning Policy Wales (Edition 9, November 2016), which is supplemented by a series of Technical Advice Notes (TAN's).

Sustainability Objectives

- 5.2.2 PPW outlines the Welsh Government's duty under the Well-being of Future Generations (Wales) Act 2015 to carry out sustainable development (para 4.1.3).
- 5.2.3 Paragraph 4.4.3 sets out a list of key policy objectives that should be taken into account in the control of development throughout Wales. They include:
- Preference for the re-use of suitable previously developed land and buildings, wherever possible avoiding development on greenfield sites;
 - Locating development so as to minimise the demand for travel;
 - Facilitating development that reduces emissions of greenhouse gases, energy efficient development and the use of renewable energy;
 - Promote quality, lasting, environmentally-sound and flexible employment opportunities;

- Respecting and encouraging diversity in the local economy;
- Support initiative and innovation and avoid placing unnecessary burdens on enterprises so as to enhance the economic success of both urban and rural areas, helping businesses to maximise their competitiveness.

5.2.4 Paragraph 4.9.1 emphasises the preference for the development of previously developed (brownfield) land over greenfield sites. Figure 4.4 defines the scope of the term 'previously developed land' and explains that land within the curtilage of the application site falls within the definition of 'brownfield'. It should also be borne in mind that the application will involve the efficient re-use of a vacant 'previously developed' site, thereby making a positive contribution to the existing environment.

5.2.5 Moreover, it will provide good quality employment use in a sustainable location, creating a number of new jobs in the meantime.

Economic Development

5.2.6 PPW advises that the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development (paragraph 7.1.3). To this end, PPW advises that the planning system should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.

5.2.7 PPW also advises that local planning authorities should aim to steer economic development to the most appropriate locations, rather than prevent or discourage such development (paragraph 7.1.4) and that Local Planning Authorities should ensure that the economic benefits associated with a proposed development are understood and that these are given equal consideration with social and environmental issues in the decision-making process, recognising that there will be occasions when the economic benefits will outweigh social and environmental considerations (paragraph 7.2.2).

5.2.8 PPW also notes that local planning authorities should adopt a positive and constructive approach to applications for economic development and that in determining applications for economic land uses authorities should take account of the likely economic benefits of the development based on robust evidence (paragraph 7.6.1).

Transport

5.2.9 Chapter 8 relates to transport issues and outlines that when determining applications for development, LPA's should take into account a number of factors including the impacts of the proposed development on travel demand; the accessibility of the site by a different range of transport modes and the effects the development may have on the safety and convenience of other users of the transport network. The document also outlines that Local Authorities should ensure that new developments provide lower levels of parking that have generally been achieved in the past; 'minimum parking standards are no longer appropriate' (para 8.4.2).

Flood Risk and Climate Change

5.2.10 Paragraph 13.2.1 correctly states that flood risk is a material consideration in land use planning.

5.2.11 As has already been stated in Section 2, the full extent of the site falls within Flood Risk Zone C2 (without significant flood defence infrastructure) as defined by the Development Advice Map which accompanies Technical Advice Note 15 (Development and Flood Risk, July 2004). Paragraph 13.4.1 states that development proposals in areas defined as being of high flood hazard should only be considered where:-

- New development can be justified in that location, even though it is likely to be at risk from flooding; and
- The development proposal would not result in the intensification of existing development which may itself be at risk; and
- New development would not increase the potential adverse impacts of a flood event.

5.2.12 Paragraph 13.4.2 advises close liaison with Natural resources Wales and other relevant authorities to ensure that surface water run-off is to be controlled as near to the source as possible. In addition, it will also be necessary to ensure that development does not:-

- Increase the risk of flooding elsewhere by loss of flood storage or flood flow route
or
- Increase the problem of surface water run-off.

5.2.13 The applicability of these criteria, and the acceptability of the development, will be discussed under the appraisal section.

5.3 Technical Advice Notes

5.3.1 Planning Policy Wales is supplemented by 21no. Technical Advice Notes (TAN's). These are to be taken into account by local planning authorities when preparing development plans, as well as in making decisions on planning applications.

5.3.2 The contents of those TAN documents that are of relevance to the context of the proposed development are summarised under the following subheadings.

TAN 12: Design

5.3.3 This document is reviewed as part of the accompanying Design and Access Statement and, as such, is not subject to further discussion as part of this document.

TAN 15: Development and Flood Risk

5.3.4 TAN 15 was adopted in July 2004 and provides advice on matters relating to development and flooding, above and beyond that which is extracted from PPW (see earlier).

5.3.5 The overarching aim of the precautionary framework outlined in TAN 15 is to direct new development away from those areas which are at risk of flooding. However, where development has to be considered in high risk areas (Zone C), only those developments which can be justified on the basis of the tests outlined in Section 6 and 7 can be located in such areas.

5.3.6 On the basis of the manufacturing process that will take place within the extended premises, and that this constitutes 'general industrial/employment/commercial development', it is considered that this will fall under the development of 'less vulnerable development' (the table under Figure 2 of the document refers further). This category of 'less vulnerable development' is used to describe development where the ability of occupants to decide on whether they wish to accept such risks is greater than that in the highly vulnerable category.

5.3.7 Section 6 of TAN 15 prescribes a test that new development (other than that categorised as 'highly vulnerable') should be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. Development, including transport infrastructure, will only be justified if it can be demonstrated that:-

- i. Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement, **or**
- ii. Its location in zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region;

and,

- iii. It concurs with the aims of PPW and meets the definition of previously developed land; and
- iv. The potential consequences of a flooding event for the particular type of development have been considered, and in terms of the criteria contained in sections 5 and 7 and appendix 1 found to be acceptable.

5.3.8 Should the development is considered to meet the above tests, the justification will be in the knowledge that such developments will flood and will need to be planned accordingly.

5.3.9 Section 7 states that whether a development should proceed or not will then depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development. This will require an assessment examining the likely mechanisms that cause the flooding, and the consequences on the development of those floods. The accompanying Flood Consequence Assessment by RVW Consulting provides the necessary assessment, which includes the suitability of the development when judged against the above justification tests.

TAN 18: Transport

5.3.10 TAN 18 was adopted in March 2007 to provide advice on how the complex inter-relationships between land use planning system and the development of transport infrastructure can best play a key role in addressing the environmental aspects of sustainable development.

5.3.11 Wider sustainable development policy objectives can be achieved through a variety of means, with the following being applicable in this context: -

- Supporting provision of a reliable and efficient freight network;
- Promoting the location of warehousing and manufacturing developments to facilitate the use of rail and sea transport for freight;
- Ensuring that transport infrastructure or service improvements necessary to serve new development allow existing transport networks to continue to perform their identified functions.

TAN 23: Economic Development

5.3.12 TAN 23 was adopted in February 2014 to provide further guidance on the economic development aspects of all development. It has principal regard to the use classes B1, B2 and B8 as the 'traditional' employment classifications, and therefore is of particular relevance to the context of the proposed development.

5.3.13 Section 2 of the TAN states that invariably, economic objectives point in the same direction as social and environmental objectives. Indeed, planning should positively and imaginatively seek such 'win-win' outcomes, where development contributes to all dimensions of sustainability.

5.3.14 However, where economic development would cause environmental or social harm which cannot be fully mitigated, careful consideration of the economic benefits will be necessary. In such instances, three questions need to be asked, which should be treated as tests:-

- Alternatives (in terms of alternative sites);
- Jobs Accommodated; and
- Special Merit.

5.4 The Development Plan

5.4.1 The Vale of Glamorgan Unitary Development Plan (UDP) 1996-2011 (adopted April 2005) constitutes the statutory development plan against which the proposals will be assessed.

The Vale of Glamorgan Unitary Development Plan 1996-2011

5.4.2 Paragraph 5.3.1 of the UDP stresses the Council's commitment to supporting the local economy and local economic development through a range of measures. The objectives for economic development include the following:-

- Strengthen the local economy; and

- Widen job opportunities for local residents by improving access to employment, and training;

5.4.3 The established industrial use of the wider area is reflected in the fact that the UDP does not seek the need to designate it for employment purposes. No such designation covers the application site, but this doesn't in any way prejudice the principle of development which is considered to be consistent.

5.4.4 Policy EMP 2 relates to new business and industrial development, and covers the extension, conversion and replacement of existing premises. It states that such proposals will be permitted if all of the stated criteria are met. These are listed below in a summarised manner:-

- (i) It does not lie within the countryside;
- (ii) It minimises the loss of good quality agricultural land and does not have an unacceptable impact on areas of attractive landscape and high quality townscape or on areas of historical, archaeological or ecological importance;
- (iii) The size and relationship of any new building and/or alteration or extension is not disproportionate to its size and setting;
- (iv) Access and parking arrangements are in accordance with the Council's approved standards;
- (v) The proposal does not have an unacceptable effect on residential amenity by virtue of traffic congestion, noise, smell, safety, health impacts and emissions;
- (vi) Adequate utility and infrastructure services exist or are reasonably accessible or capable of being readily and economically provided;
- (vii) Does not present additional risk to the health and safety of users of the site and does not unacceptably pollute air, water, or land; and
- (viii) Does not unacceptably affect the use of the adjoining land by virtue of the risk and impact of potential pollution.

5.4.5 Policy EMP 3 relates to general industry, although the interpretation is that this relates to new such development, and for sites which are allocated under policy EMP 1 (note: the site does not form one such allocation).

5.4.6 Policy EMP6 seeks to control development adjacent to hazardous industrial uses. It states that development will not be permitted adjacent to industrial or other establishments which are likely to cause unacceptable pollution or hazards to users of the proposed development. With such a policy purpose in mind, regard is given to all

relevant advice produced by the Health and Safety Executive in respect of land use planning.

- 5.4.7 As mentioned already in this statement, the site is located within a C2 flood zone. UDP Policy ENV 7 is of relevance insofar as it relates to water resources as a whole. Criteria (ii) in particular states that development will be permitted where it would not be potentially at risk from flooding, or increase the risk of flooding locally or elsewhere to an unacceptable level. This matter will be addressed in particular by the accompanying Flood Consequence Assessment.
- 5.4.8 Policy ENV 27 seeks to control the design of new developments. Ideally, the principles of an acceptable design are covered under the scope of criteria of Policy EMP 2, however, it is accepted that regard needs to be given to this policy as well. It states that new development will be permitted where it satisfies the following (relevant) criteria:-
- (iii) Ensures adequacy or availability of utility services and adequate provision for waste management;
 - (iv) Minimises any detrimental impact on adjacent areas;
 - (vii) Has regard to energy efficiency in design, layout, materials and technology; and
 - (ix) Has regard to measures to reduce the risk and fear of crime.
- 5.4.9 Policy ENV 29 relates to the protection of environmental quality and states that development would not be permitted if it would be liable to have an unacceptable effect on either people's health and safety or the environment:
- (i) By releasing pollutants into water, soil or air, either on or off site; or
 - (ii) From smoke, fumes, gases, dust, smell, noise, vibration, light or other polluting emissions.
- 5.4.10 UDP Policy TRAN 10 seeks to ensure an appropriate level of parking. It states that the provision of parking facilities will be in accordance with the approved parking guidelines, and will be related to the type of land use, its density and location; accessibility to existing and potential public transport facilities; and the capacity of the highway network.

6 SUPPORTING DOCUMENTATION

6.1.1 The following sub-sections summarise the findings of the technical documentation submitted in support of the planning application.

Design & Access Statement

6.1.2 A Design & Access Statement (DAS) has been prepared to support the planning application having regard to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, the Welsh Government's Guidance on Design and Access Statements (May 2009) and Appendix 1 of TAN 12: Design (June 2009). Its purpose is to provide a clear and logical document to demonstrate and explain the various facets of design and access in relation to the application site. The DAS also acts as a method of demonstrating the details of a planning application in a way that can be read by professionals and the public.

6.1.3 TAN 12 identifies clear objectives for good design and states that these objectives are fundamental to the design process. As such, the nature of the proposed development has been assessed having full regard to access, movement, character, community safety, environmental sustainability and movement.

6.1.4 The document concludes that the proposed development is considered to be in accordance with all relevant planning policy in respect of design considerations.

Flood Consequence Assessment

6.1.5 A Flood Consequence Assessment has been prepared by RVW Consulting in support of the development proposals.

6.1.6 The assessment finds that the proposals will not increase the extent of the impermeable area offered by the site. To ensure that there will be no flood risk due to surface water generation, surface water flows from the site will be disposed using the existing connections to the industrial estate drainage network. As the receiving network is maintained by the industrial estate operator, the risk of surface water drainage flooding at the site is considered to be very low.

6.1.7 Foul flows generated by the development proposals will also be connected to the industrial estate drainage network, using the existing connections.

6.1.8 The statement identifies the main source of flood risk to the surrounding area to be fluvial flooding from the River Cadoxton and the Sully brook, and tidal inundation from Sully Bay. It confirms that the site is located within a C2 flood zone, but that the form

of development, by virtue of its size and nature, would be categorised as 'less vulnerable development' in accordance with TAN 15.

6.1.9 With regards to acceptability criteria, the following information is offered:-

1. The proposed development will generate no flood risk, due to surface water run-off, as flows will continue to be discharged to a drainage system that is managed by the industrial estate operator;
2. There will be no loss of flood storage;
3. Flood defences are those that currently exist, and are deemed adequate for existing usage;
4. The applicant is aware of the potential for flooding in this area and will implement flood management procedures, if required;
5. If considered necessary, end users and occupiers will be informed of the potential flood risk at the site so that they are aware of their duties under the Health and Safety at Work legislation, and can be duly made aware of any appropriate procedures to protect people and property;
6. Escape routes onto adjacent higher land, which is outside the extent of the flood risk zone, are available;
7. If considered necessary, formal flood plans and procedures can be established as part of an operating plan for the premises. This could include the erection of suitable warning signs to inform people entering the site, and the preparation of safe and effective flood warning and evacuation plans agreed with the local authority and emergency services, including subscription to Floodline Warnings Direct (as itemised in Appendix 6 of TAN 15);
8. Flood proofing and mitigation will be considered within the design of the development, if considered necessary. This could be undertaken in accordance with the guidance that is available from Natural Resources Wales using the online publication 'Prepare your property for flooding'.

6.1.10 Overall, the report concludes that, due to the nature of the development, the proposals do not aggravate or increase the risk of flooding to the existing site or to the surrounding properties. It confirms that the applicant has been advised of the potential for flooding in the area and also about the residual risk. The development therefore meets the acceptability criteria when assessed against published guidelines and TAN 15.

7 APPRAISAL

7.1.1 Section 5 of this Statement identified the relevant planning policy context that needs to be taken into account in the determination of this planning application. This was followed by a summary of the supporting documentation conclusions in Section 6.

7.1.2 The following section expands on this by appraising the development against the relevant policies and any other material considerations. The key planning issues for discussion are summarised as follows:-

- The principle of development, having regard to the proposed uses and the economic development benefits;
- The visual impact of the proposals;
- The acceptability of the development against flood risk criteria; and
- Impact on highways and transport considerations.

7.2 The Principle of Development

7.2.1 The application proposes that the site be redeveloped for B2 purposes, being a category that correctly summarises the activities and processes that are intrinsically linked to business model of O'Reilly Group – the manufacture of pre-cast concrete-related products. As is confirmed by TAN 23 (Economic Development), such uses form part of the traditional employment use classes and relate to general industrial use.

7.2.2 Before being vacated, the site was used and operated by LME UK Ltd for general industrial purposes and as such it should be treated as already benefiting from in-principle support for re-use for B2 purposes.

7.2.3 The proposed development, by virtue of proposing the use and development of the site for B2 purposes, therefore seeks to ensure the retention and thereby protection of an existing employment land resource within the local area and the Vale of Glamorgan as a whole. And the intentions to create up to 35 jobs should be treated as a material consideration weighted towards a positive decision.

7.2.4 As the intended uses are consistent with the wider employment/industrial area which is located between Sully and Barry, it is considered that the likely form of development will not represent any unnatural juxtaposition with adjacent land uses. It is therefore unlikely that amenity, privacy, overshadowing and other impacts on adjacent occupiers will represent material planning considerations of significant weight, even at this outline stage.

- 7.2.5 Having regard to UDP Policy EMP6 in respect of development adjacent to hazardous industrial uses, is stressed that the applicants are fully aware of the proximity of the AES Barry site, to the east of the application site, which is regulated as an upper level site under the COMAH Regulations.
- 7.2.6 Full regard has been given to the land use planning advice in respect of large scale hazardous storage sites, and in particular the acceptable forms of development within zones surrounding such sensitive locations. The proposed development is presented with the comfort of it being an acceptable use (general industrial) and that it will not include a level of activity that would make it vulnerable in health and safety terms. For example, up to 35 persons will be employed at the site (the threshold is 100 persons), and development will be over a maximum of 2 floors (the criteria is no more than this).
- 7.2.7 Overall, therefore, it is considered that the principle of development is considered appropriate when considered against UDP Policies EMP2 and EMP6 in particular.

7.3 Visual Impact of the Proposals

- 7.3.1 The application site is located within a wholly industrial area and has been in operation for general industrial and storage purposes for a considerable period of time. No sensitive receptors in terms of other land uses are considered to be in the immediate vicinity and the site is screened from view from the principal highway network (to the east).
- 7.3.2 Given the site's industrial context and the nature of the works proposed, it is not considered that the proposals will result in any undue harm to the character of the area, nor will it prejudice existing visual amenity considerations. Moreover, the appearance of the extension to the existing building is considered to be appropriate when regard is given to the appearance of the buildings that are already in situ.
- 7.3.3 As such, it is considered that the proposal is considered acceptable when assessed against Policy EMP2, in particular criterion (iii).

7.4 The Acceptability of the development when assessed against flood risk criteria

- 7.4.1 As has already been identified in this statement, the whole of the application site falls within flood zone C2, as outlined in the Development Advice Maps to accompany TAN

15 (Development and Flood Risk, 2004). Section 6 of TAN 15 prescribes a test that new development (other than that categorised as 'highly vulnerable') should be permitted within zones C1 and C2 if determined by the planning authority to be justified in that location. The nature of the proposals and operations are considered to be general industrial which fall under the category of low vulnerability, and therefore the justification test needs to be applied.

- 7.4.2 Having regard to the relevant development plan, it is clear that the application site does not form part of a formal allocation for employment purposes. This is partly due to the age of this development plan (it was adopted when much of the wider area was in active industrial use) as it is the clear acceptance that the area is industrial in nature without the need for formal protection policies. There is no other formal planning documents relating to the area (such as Supplementary Planning Guidance or development briefs) and as such it is not considered that the location is necessary to assist, or be part of a local authority regeneration initiative.
- 7.4.3 Notwithstanding this, the local authority have clear economic development objectives for the Vale of Glamorgan area, which include the need to strengthen the local economy and widen job opportunities for local residents (Paragraph 5.3.1 of the UDP clearly states this). The clear message given by TAN 23 (economic development) supports these employment objectives, and the creation of approximately 35 positions at the site - should planning consent be granted – should be taken as demonstrable evidence of a welcome contribution.
- 7.4.4 Such a contribution to overall economic development objectives will be achieved on an existing brownfield site, which meets the definition of previously developed land, as defined by Planning Policy Wales. The development is therefore considered to meet the justification tests.
- 7.4.5 TAN 15 further states that, should the development be considered as meeting the above tests, the justification will be in the knowledge that such developments will flood and will need to be planned accordingly. Section 7 of the same document states that whether a development should proceed or not will then depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development. This will require an assessment examining the likely mechanisms that cause the flooding, and the consequences on the development of those floods.

7.4.6 A Flood Consequence Assessment has been prepared by RVW Consulting and provides the necessary assessment. Overall, the report concludes that, due to the nature of the development, the proposals do not aggravate or increase the risk of flooding to the existing site or to the surrounding properties. It confirms that the applicant has been advised of the potential for flooding in the area and also about the residual risk. The development therefore meets the acceptability criteria when assessed against published guidelines and TAN 15. And as a result, it is considered that the development does not fall contrary to UDP Policy ENV 7 Criteria (ii) in particular

7.5 **Transport, Movement and Access Considerations**

7.5.1 Pedestrian and vehicular access to the site will remain as existing, being taken from Sully Moors Road at the principal entrance to the site. Noting the previous use, and the status of the existing highway network, it is considered that the proposed development will be wholly compatible with the surrounding area, and will not represent a detrimental impact to highway safety.

7.5.2 Plentiful car parking space will be retained on site for both cars and also vehicles, such that the development will accord with the Council's adopted guidance. In addition, clear ease of movement for vehicles will be achieved so as to allow access and egress in a forward gear, space for turning manoeuvres and also for loading/unloading. In doing so, the applicants will ensure that there is no danger to road users either on the main highway network or neighbouring operators within the wider industrial environment.

8 CONCLUSION

- 8.1.1 Wardell Armstrong LLP has been instructed by O'Reilly Group Ltd to prepare a full planning application relating to commercial/industrial development in respect of premises known as the Former LME UK Site, Tank Farm Way, Sully
- 8.1.2 Permission is sought to extend the existing buildings, the installation of associated plant and machinery, and the creation of a hardstanding area for vehicle parking and circulation.
- 8.1.3 This statement demonstrates that the proposed development wholly accords with relevant national and development plan policy and other material considerations. It achieves sustainable development by improving economic (and indirectly social) conditions in the area, whilst at the same time ensuring that there is no significant or detrimental impact on environmental conditions. Such positive end results are encouraged by TAN 23 (Economic Development).
- 8.1.4 In light of the above, it is respectfully requested that the local planning authority grant full planning permission for the proposed development as submitted.

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