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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Bridgend County Borough Council



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*Rydym yn croesawu gohebiaeth yn Gymraeg.
Rhowch wybod i ni os mai Cymraeg yw eich
dewis iaith.*

*We welcome correspondence in Welsh. Please
let us know if your language choice is Welsh.*



Cyfarwyddiaeth y Prif Weithredwr / Chief Executive's Directorate

Deialu uniongyrchol / Direct line /: 01656 643148 /
643147 / 643694

Gofynnwch am / Ask for: Democratic Services
Section

Ein cyf / Our ref:

Eich cyf / Your ref:

Dyddiad/Date: Friday, 29 May 2020

Dear Councillor,

DEVELOPMENT CONTROL COMMITTEE

A meeting of the Development Control Committee will be held Remotely via Skype for Business on
Thursday, 4 June 2020 at 14:00.

AGENDA

1. Apologies for Absence
To receive apologies for absence from Members.
2. Declarations of Interest
To receive declarations of personal and prejudicial interest (if any) from Members/Officers including those who are also Town and Community Councillors, in accordance with the provisions of the Members' Code of Conduct adopted by Council from 1 September 2008. Members having such dual roles should declare a personal interest in respect of their membership of such Town/Community Council and a prejudicial interest if they have taken part in the consideration of an item at that Town/Community Council contained in the Officer's Report below.
3. Approval of Minutes 3 - 8
To receive for approval the minutes of the 27/02/2020
4. Amendment Sheet
That the Chairperson accepts the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for Committee to consider necessary modifications to the Committee Report, so as to take account of late representations and revisions that require to be accommodated.
5. Development Control Committee Guidance 9 - 12
6. P/20/119/FUL - Bridgend Paper Mills, (WEPA), A4063, Llangynwyd, CF34 9R5 13 - 58

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7. Urgent Items

To consider any other item(s) of business in respect of which notice has been given in accordance with Part 4 (paragraph 4) of the Council Procedure Rules and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Yours faithfully

K Watson

Chief Officer, Legal, HR & Regulatory Services

Note: Please note that due to the current restrictions on travel and the requirement for social distancing this meeting will not be held at its usual location. This will be a virtual meeting and Development Control Committee Members and Officers will be attending remotely. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available once the meeting has concluded. If you have any queries regarding this, please contact cabinet_committee@bridgend.gov.uk or tel. 01656 643147 / 643148.

Councillors:

JPD Blundell
NA Burnett
RJ Collins
SK Dendy
DK Edwards
RM Granville

Councillors

MJ Kearn
DRW Lewis
JE Lewis
JC Radcliffe
JC Spanswick
R Stirman

Councillors

G Thomas
MC Voisey
KJ Watts
CA Webster
AJ Williams

Agenda Item 3

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 FEBRUARY 2020

MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD IN COUNCIL CHAMBER, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON THURSDAY, 27 FEBRUARY 2020 AT 14:00

Present

Councillor G Thomas – Chairperson

JPD Blundell	NA Burnett	SK Dendy	DK Edwards
RM Granville	DRW Lewis	JC Radcliffe	JC Spanswick
RME Stirman	MC Voisey	CA Webster	AJ Williams

Apologies for Absence

RJ Collins, MJ Kearn, JE Lewis and KJ Watts

Officers:

Rhodri Davies	Development & Building Control Manager
Craig Flower	Planning Support Team Leader
Mark Galvin	Senior Democratic Services Officer - Committees
Rod Jones	Senior Lawyer
Hayley Kemp	Principial Planning Officer
Robert Morgan	Senior Development Control Officer
Jonathan Parsons	Group Manager Development
Leigh Tuck	Senior Development Control Officer

360. DECLARATIONS OF INTEREST

None.

361. SITE VISITS

RESOLVED: That a date of Wednesday 26 February 2020 be confirmed for proposed site inspections arising at the meeting, or identified in advance of the next Committee by the Chairperson.

362. APPROVAL OF MINUTES

RESOLVED: That the Minutes of a meeting of the Development Control Committee dated 16 January 2020, be noted.

363. PUBLIC SPEAKERS

The following public speakers addressed the meeting:-

<u>Application no:</u>	<u>Address</u>	<u>Name of speaker</u>
P/19/911/RLX	Land at Moor Lane Porthcawl CF36 3EJ	Cllr N Clarke, objector J Matthews, applicant
P/19/810/FUL	Housing development off All Saints Way, Penyfa, CF31 4BT	Cllr A Hussain, objector G John Planning applicant/agent

364. AMENDMENT SHEET

RESOLVED: The Chairperson accepted the Development Control Committee Amendment Sheet as an urgent item in accordance with Part 4 (paragraph 4) of the Council Procedure Rules, in order to allow for the Committee to consider necessary modifications to the Committee report, so as to take account of late representations and revisions that are required to be accommodated.

365. P/19/911/RLX - LAND AT MOOR LANE, PORTHCAWL

RESOLVED: That the above application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:-

Proposal

Vary conditions 1, 3, 8, 9, 10, 11, 12, 13 14, 18, 19, 23 and 24 of P/19/115/RLX to facilitate an increased provision of timber chalet accommodation units from 56 to 80.

Condition 13 should now read:-

13. Within six months of the date of this consent, an updated Traffic & Delivery Management Plan for the site shall be submitted to and agreed in writing by the Local Planning Authority. All guest arrivals and departures and servicing and delivery vehicles movements to the site shall be made in accordance with the agreed Traffic & Delivery Plan once the development is brought into beneficial use.

Reason: In the interests of highway safety.

As a result, advisory note g. at the end of the recommendation should be changed to refer to Condition 13, not 10 as follows:

g. The Traffic and Delivery Management Plan required to address Condition 13 will need to contain sufficient information in respect of the following:-

- (i) Guest arrival and departure arrangements (directions to the site and timing of those movements;
- (ii) Guest arrival and departures of the adjacent Brodawl Caravan Park;
- (iii) Proposed Delivery Schedules;
- (iv) Proposed Delivery Vehicle/Service Vehicles sizes;
- (v) Supporting swept path diagrams; and
- (vi) The need to review the plan in the event that any of the above arrangements change or at the request of the Highway Authority.

Condition 22 of the recommendation should be superseded by the following wording:

22. Site clearance works shall be taken in full accordance with:-

- The details relating to lighting design, method for vegetation clearance, knotweed protocol as approved under App. No. P/18/827/DOC dated 15th February, 2019.
- The pollution prevention measures which comprise a 5m wide buffer zone from the SINC along with a 2m x 1m clay bund as approved under App. No. P/19/307/DOC dated 31st May, 2019.

Reason: In the interests of biodiversity.

Subject to the inclusion of a further Condition 25 as follows:-

25. Prior to the beneficial occupation of the holiday chalets, a scheme for the provision of gateway traffic signs warning of the presence of equestrians sharing the highway at the junction of Moor Lane with the A4229 and the junction of Moor Lane near St. David's Well to the east and at the junction of Moor Lane opposite Parc Newydd Farm Caravan Site to the west, together with any necessary illumination, shall be submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details prior to the development being brought into beneficial use and shall thereafter be maintained in perpetuity.

Reason: In the interests of highway safety.

In addition, the following original Condition should be included under the recommendation:

26. All site clearance works shall be undertaken in accordance with the methods and measures contained within the Mitigation Method Statement - Great Crested Newt prepared by Soltys Brewster Ecology (dated 28 October 2016).

Reason: In the interests of biodiversity.

Subject also to the following Condition 27:-

27. Within 6 months of the date of this consent a scheme for the provision of appropriate passing places along Moor Lane to the east of the site shall be submitted to the Local Planning Authority for its approval. The approved scheme shall be implemented in accordance with the approved details prior to the development being brought into beneficial use and the passing places shall thereafter be retained in perpetuity.

Reason: In the interests of highway safety.

Subject also to Note i. below:-

Note

The developer is recommended to explore methods of encouraging sustainable forms of transport to and from the site to limit the amount of traffic on the surrounding highway network.

366. P/19/810/FUL - HOUSING DEVELOPMENT OFF ALL SAINTS WAY, PENYFAI

RESOLVED: That the above application be granted, subject to the Conditions contained in the report of the Corporate Director – Communities:-

Proposal

Siting of a temporary one story sales suite for the marketing of the residential development.

367. P/19/895/RLX - OCEAN FARM, OFF DAVID STREET, BLAENGARW

DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 27 FEBRUARY 2020

RESOLVED: That the above application be deferred, in order that Members of the Committee can be afforded an opportunity to visit the site in question:-

Proposal

Remove Condition 1 of P/16/989/RLX to enable permanent use for dog breeding

368. APPEALS

- (1) That the four Appeals received since the last Committee meeting, as outlined in the report of the Group Manager, Planning and Development Services, be noted.
- (2) That it be noted that the Inspector appointed by the Welsh Ministers to determine the following appeals, has directed they be Allowed, subject to Conditions:-

Code No's

Subject of Appeals

- | | |
|---------------------|---|
| A/19/3239599 (1876) | Change of use to hand car wash with the erection of a free standing canopy and widening of one doorway, 35, Village Farm Road, Village Farm Ind. Estate, Pyle. |
| C/19/3240183 (1880) | Change of use to hand car wash with the erection of a free standing canopy and widening of one doorway, 35, Village Farm Road, Village Farm Ind. Estate, Pyle. (Not subsequently determined). |

- (3) That it be noted that the Appellant has requested that the following appeal be Withdrawn:-

Code No

Subject of Appeal

- | | |
|---------------------|--|
| A/19/3241246 (1882) | Timber self-contained Holiday Let Unit, Land adjacent to Penylan Farm, Aberkenfig. |
|---------------------|--|

- (4) That the Inspector appointed by the Welsh Ministers to determine the following Appeal has directed that it be Dismissed:-

Code No

Subject of Appeal

- | | |
|---------------------|--|
| A/19/3239912 (1879) | Conversion of existing garage into a Beauty Salon (Re-Sub of P/18/297/FUL), 14 Woodland Avenue, Pencoed. |
|---------------------|--|

369. TRAINING LOG

RESOLVED: That the report of the Corporate Director – Communities outlining the training session planned for Members on 9 April 2020, be noted.

370. URGENT ITEMS

None.

The meeting closed at 16:00

I submit for your consideration the following report on Planning Applications and other Development Control matters based upon the information presently submitted to the Department. Should any additional information be submitted between the date of this report and 4.00pm on the day prior to the date of the meeting, relevant to the consideration of an item on the report, that additional information will be made available at the meeting.

For Members' assistance I have provided details on standard conditions on time limits, standard notes (attached to all consents for planning permission) and the reasons to justify site inspections.

STANDARD CONDITIONS

On some applications for planning permission reference is made in the recommendation to the permission granted being subject to standard conditions. These standard conditions set time limits in which the proposed development should be commenced, and are imposed by the Planning Act 1990. Members may find the following explanation helpful:-

Time-limits on full permission

Grants of planning permission (apart from outline permissions) must, under section 91 of the Act, be made subject to a condition imposing a time-limit within which the development authorised must be started. The section specifies a period of five years from the date of the permission. Where planning permission is granted without a condition limiting the duration of the planning permission, it is deemed to be granted subject to the condition that the development to which it relates must be begun not later than the expiration of 5 years beginning with the grant of permission.

Time-limits on outline permissions

Grants of outline planning permission must, under section 92 of the Act, be made subject to conditions imposing two types time-limit, one within which applications must be made for the approval of reserved matters and a second within which the development itself must be started. The periods specified in the section are three years from the grant of outline permission for the submission of applications for approval of reserved matters, and either five years from the grant of permission, or two years from the final approval of the last of the reserved matters, whichever is the longer, for starting the development.

Variation from standard time-limits

If the authority consider it appropriate on planning grounds they may use longer or shorter periods than those specified in the Act, but must give their reasons for so doing.

STANDARD NOTES

- a. Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

- b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.
- c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter).

To determine whether your building work requires Building Regulation approval, or for other services

provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at:- <http://www.bridgend.gov.uk/buildingcontrol>

- d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development
- e. Attention is drawn to the provisions of the party wall etc. act 1996
- f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.
- g. If your proposal relates to residential development requiring street naming you need to contact 01656 643136
- h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)
- i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>
- j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)
- k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk
- l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.
- m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-
 - re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
 - increase in the volume of a building;
 - increase in the height of a building;
 - changes to the site area;
 - changes which conflict with a condition;
 - additional or repositioned windows / doors / openings within 21m of an existing building;
 - changes which alter the nature or description of the development;
 - new works or elements not part of the original scheme;
 - new works or elements not considered by an environmental statement submitted with the application.
- n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

- o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.
- p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

THE SITE INSPECTION PROTOCOL

The Site Inspection Protocol is as follows:-

Purpose

Fact Finding

Development Control Committee site visits are not meetings where decisions are made and neither are they public meetings. They are essentially fact finding exercises, held for the benefit of Members, where a proposed development may be difficult to visualise from the plans and supporting material. They may be necessary for careful consideration of relationships to adjoining property or the general vicinity of the proposal due to its scale or effect on a listed building or conservation area.

Request for a Site Visit

Ward Member request for Site Visit

Site visits can be costly and cause delays so it is important that they are only held where necessary normally on the day prior to Committee and where there is a material planning objection.

Site visits, whether Site Panel or Committee, are held pursuant to:-

1. a decision of the Chair of the Development Control Committee (or in his/her absence the Vice Chair) or
2. a request received within the prescribed consultation period from a local Ward Member or another Member consulted because the application significantly affects the other ward, and where a material planning objection has been received by the Development Department from a statutory consultee or local resident.

A request for a site visit made by the local Ward Member, or another Member in response to being consulted on the proposed development, must be submitted in writing, or electronically, within 21 days of the date they were notified of the application and shall clearly indicate the planning reasons for the visit.

Site visits can not be undertaken for inappropriate reasons (see below).

The Development Control Committee can also decide to convene a Site Panel or Committee Site Visit.

Inappropriate Site Visit

Examples where a site visit would not normally be appropriate include where:-

- purely policy matters or issues of principle are an issue
- to consider boundary or neighbour disputes
- issues of competition
- loss of property values
- any other issues which are not material planning considerations
- where Councillors have already visited the site within the last 12 months, except in exceptional circumstances

Format and Conduct at the Site Visit

Attendance

Members of the Development Control Committee, the local Ward Member and the relevant Town or Community Council will be notified in advance of any visit. The applicant and/or the applicant's agent will also be informed as will the first person registering an intent to speak at Committee but it will be made clear that representations cannot be made during the course of the visit.

Officer Advice

The Chair will invite the Planning Officer to briefly outline the proposals and point out the key issues raised by the application and of any vantage points from which the site should be viewed. Members may ask questions and seek clarification and Officers will respond. The applicant or agent will be invited by the Chairman to clarify aspects of the development.

The local Ward Member(s), one objector who has registered a request to speak at Committee (whether a local resident or Town/Community Council representative) and a Town/Community Council representative will be allowed to clarify any points of objection, both only in respect of any features of the site, or its locality, which are relevant to the determination of the planning application.

Any statement or discussion concerning the principles and policies applicable to the development or to the merits of the proposal will not be allowed.

Code of Conduct

Although site visits are not part of the formal Committee consideration of the application, the Code of Conduct still applies to site visits and Councillors should have regard to the guidance on declarations of personal interests.

Record Keeping

A file record will be kept of those attending the site visit.

Site Visit Summary

In summary site visits are: -

- a fact finding exercise.
- not part of the formal Committee meeting and therefore public rights of attendance do not apply.
- to enable Officers to point out relevant features.
- to enable questions to be asked on site for clarification. However, discussions on the application will only take place at the subsequent Committee.

Frequently Used Planning Acronyms

AONB	Area Of Outstanding Natural Beauty	PINS	Planning Inspectorate
APN	Agricultural Prior Notification	PPW	Planning Policy Wales
BREEAM	Building Research Establishment Environmental Assessment Method	S.106	Section 106 Agreement
CA	Conservation Area	SA	Sustainability Appraisal
CAC	Conservation Area Consent	SAC	Special Area of Conservation
CIL	Community Infrastructure Levy	SEA	Strategic Environmental Assessment
DAS	Design and Access Statement	SINC	Sites of Importance for Nature Conservation
DPN	Demolition Prior Notification	SPG	Supplementary Planning Guidance
EIA	Environmental Impact Assessment	SSSI	Site of Special Scientific Interest
ES	Environmental Statement	SUDS	Sustainable Drainage Systems
FCA	Flood Consequences Assessment	TAN	Technical Advice Note
GPDO	General Permitted Development Order	TIA	Transport Impact Assessment
LB	Listed Building	TPN	Telecommunications Prior Notification
LBC	Listed Building Consent	TPO	Tree Preservation Order
LDP	Local Development Plan	UCO	Use Classes Order
LPA	Local Planning Authority	UDP	Unitary Development Plan

REFERENCE: P/20/119/FUL

APPLICANT: WEPA UK Ltd
Bridgend Paper Mills, A4063 Llangynwyd CF34 9RS

LOCATION: **Bridgend Paper Mills (WEPA), A4063 Llangynwyd CF34 9RS**

PROPOSAL: Expansion of current operation including an extension for a new paper machine and stock preparation area, new converting and warehouse facilities and ancillary buildings

APPLICATION/SITE DESCRIPTION

The scheme seeks planning permission for the expansion of the Paper Mills operation at Llangynwyd.

The established factory is located approximately 10km to the north of Bridgend town centre, on an area of land that fronts on the A4063 to the south and west and is bordered by the railway line and the River Llynfi to the east and farmland to the north.

The overall site covers a total area of around 25ha, around 15ha of which is covered by industrial buildings and other hardstanding areas.

The overall redevelopment of the site will include building a second hygiene tissue paper production line at the facility with a new pulp storage area for bales, a bale handling area, a new sludge press building, a paper machine building for a second production line (Neptune), a converting extension, an auxiliary material storage area, a high bay storage warehouse with a capacity for approximately 35,000 pallets and a shipping area for the finished products.



Fig. 1 - Proposed Site Layout

Construction work is planned to start in Q2 of 2020. The construction and commissioning phases of the proposed plant are expected to last approximately 63 months. Energy for the new plant will be supplied by the existing Combined Heat and Power (CHP) power plant which uses natural gas only. The additional gas will be delivered via the existing below ground high pressure gas pipeline.

The project is classed as an Environmental Impact Assessment (EIA) development under Schedules 1 and 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 (mainly due to the scale and type of development, what is being produced and its location).

More specifically, it is a Schedule 1 (18) development in that it is an “Industrial plant for (a) the production of pulp from timber or similar fibrous materials; (b) the production of paper and board with a production capacity exceeding 200 tonnes per day” and it can be classed as a Schedule 2(8) form of development (Textile, leather, wood and paper industries) in that it is an “a) Industrial plant for the production of paper and board” with an area of new floorspace exceeding 1,000 square metres.

In view of the above, the application is accompanied by an Environmental Statement.

The company intends to invest approximately £100 million in expanding the business and to produce approximately 250 tonnes a day, 75,000 tonnes annually. The overall redevelopment of the site will include the demolition of some buildings (including the vacant bungalows to the north western corner of the site as approved under P/19/934/DPN), a new access to south eastern corner of the site (the subject of a separate application (P/19/948/FUL refers) and a concrete hardstanding area to form the new bale handling area (as approved under P/19/896/FUL).

The development will proceed over three phases:

Phase 1: Buildings to add space and capacities for the storage of raw materials, pre-treatment of the stock and producing tissue paper (Pulp Storage, Bale Handling, Sludge Press, Paper Machine and Pipe Bridge elements).

Phase 2: Buildings to add converting and distribution capacities (Converting, Shipping and Gate House elements).

Phase 3: High Bay Storage building including another Shipping department with its related administration office and all parking (truck and car) and paved areas.



Fig. 2 - Phasing of Development

The factory currently employs 267 local people in a range of roles within the business. It is estimated that the expansion will generate more than £100 million of inward investment into the Bridgend Paper Mill, creating 74 new and permanent high-quality jobs whilst protecting employment for the existing workforce at the site, as well as secondary and tertiary employment opportunities in the wider supply chain.

It is anticipated that there will be an average of 100 construction workers on the site during the various phases of the expansion. A variation of the existing Environmental Permit will be required to operate the new development in parallel with the application for planning permission.

With regards to Public Rights of Way (PRoW), the following illustration indicates the PRoWs in the immediate vicinity of the site (including Bridleways in green) although none will be affected by the development.



Fig. 3 - Adjoining Public Rights of Way/Bridleways

A corresponding Sustainable Drainage Systems (SuDS) application has been submitted to the SuDS Approving Body within the Council (P/20/4/SAB refers) as required following the implementation of Schedule 3 to the Flood and Water Management Act 2010.

The site is generally within a low risk Coal Mining Referral Area although it is crossed by a defined Development High Risk Area (underlain by recorded and likely unrecorded coal mine workings at shallow depth with five mine entries (adits) within the site) requiring a Coal Mining Risk Assessment.

The application site is close to a Gas Main (providing gas to the Gas Compound and Gas Station at the southern part of the factory site). It is close to designated sites of importance for nature conservation (SINC) (Cwm Nant Gwyn to the south-west, Cwm Cefnydfa to the south-east and Llwyn y Brian to the north). The site also backs on to an Electricity Overhead Line and Pylons to the north and is crossed by Flood Zone B as an area that has flooded in the past (although it is not within Zone C2 where there is no significant flood defence).

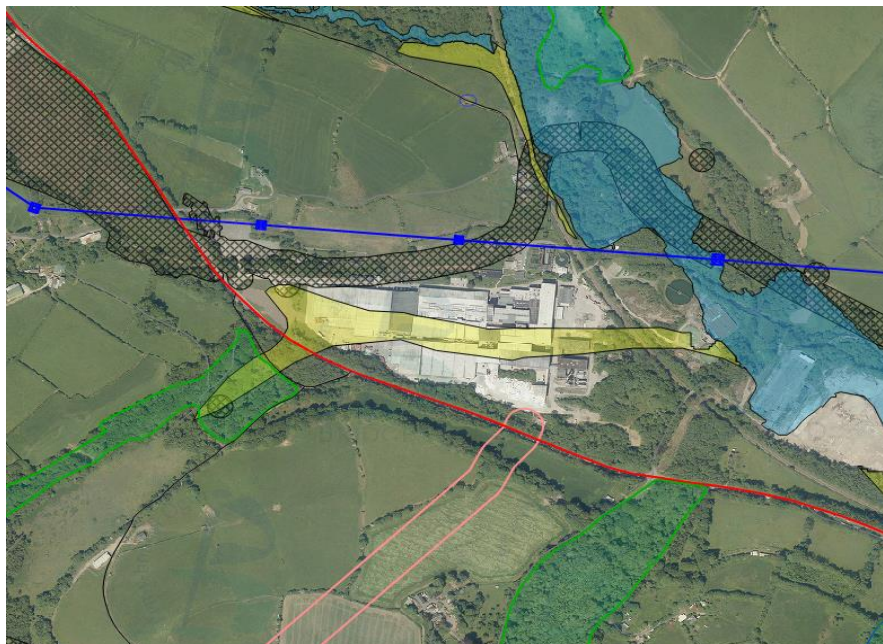


Fig. 4 - Development Constraints Plan

Bridgend Paper Mills was built in 1950 and over the following decades the site passed through several owners. From 2016, approximately £25m has been invested in new modern lines and technical equipment to ensure that the factory remains at the forefront of the paper industry.

WEPA is currently the third largest supplier of toilet paper, napkins, kitchen rolls etc. in Europe. In 2019, WEPA UK produced approximately 50,000 tonnes of paper with its existing tissue paper machine (“Jupiter”) as well as approximately 80,000 tons of finished goods. WEPA UK is an established leader in the UK and Ireland household paper markets, with major retailers forming part of its long-term client base. WEPA UK has more than 300 employees across two main sites in the UK - a paper mill and converting facility in Bridgend and a commercial office in Bolton.

The existing factory lies in a slight indentation at the floor of the Nant Gwyn Valley and is on land that is at a lower level than the adjoining A4063 to the south and adjoining farmland to the north.

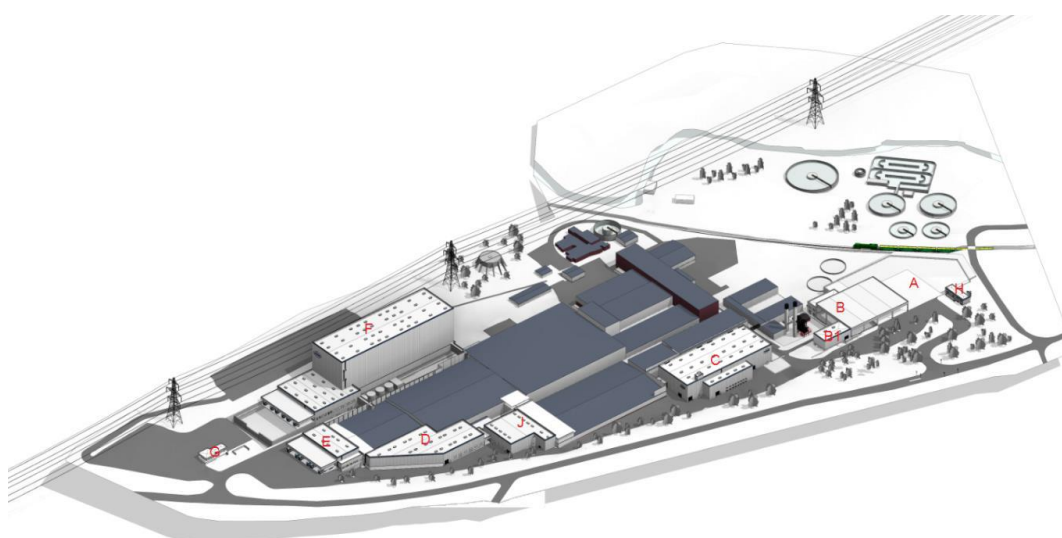


Fig. 5 - Proposed 3-D Visualisation of the Site (New Buildings in White)

The scheme has been the subject of detailed pre-application consultation and, as well as the plans for the scheme, a raft of documents, assessments, surveys and reports have been submitted in support of the application, as follows:

- Environmental Statement and Appendices
- Planning Statement
- Description of Project and Process
- Design and Access Statement
- Air Quality Impact Assessment
- Arboricultural Report
- Water Environment Impact Assessment
- Landscape and Visual Impact Assessment
- Noise Impact Assessment Report
- Coal Mining Risk Assessment Report
- Ecological Mitigation and Enhancement Report and Plan
- Habitats Regulation Assessment
- Ecological Appraisal
- Invasive Non Native Species Management Plan and Eradication Specification
- Delivery Management Plan
- Outline Travel Plan
- Flood Risk Assessment Report
- Pre-Application Consultation Report
- Site Investigation Report
- Transport Assessment
- Stage 1 Road Safety Audit
- Outline Construction Environmental Management Plan Report

During the consideration of the application and in response to Statutory Consultee comments, the application has been supplemented by an updated Design and Access Statement, an updated Travel Plan, additional information in regard to surface water drainage, additional information regarding the exact positioning of the high bay storage building in relation to the Overhead Power Lines and Pylons, additional clarification regarding Radon Gas and Grounds gases/gas protection, clarification regarding noise elements of the Construction Environmental Management Plan, additional information regarding the location and treatment of coal mining related features located to the north west of the site and confirmation that coal mining related remedial mitigation measures will not be required for Project Phase 1 in the south eastern corner of the site.

In accordance with Part 1A of the Town and Country Planning (Development Management Procedures) (Wales) (Amended) Order 2016, the proposal has been the subject of a pre-application consultation process with specialist consultees and the community including the surrounding Town and Community Councils, local Ward Members and residents.

WEPA appointed a specialist community communications consultancy to deliver the statutory pre-application consultation process and to lead on stakeholder and local resident engagement. They conducted a wider local non-statutory consultation exercise that allowed a wide variety of local residents, key community stakeholders and statutory consultees to obtain their feedback on the proposals.

The applicant provided residents, stakeholders and consultees with a variety of methods to provide feedback including a Freephone information line and a dedicated consultation webpage. This allowed interested parties and consultees to receive further

information about the proposals as well as view and download the draft application documents.

Two information events were held in November 2019 with over 2,000 local residents and businesses being invited to attend. 52 local residents attended the events that were publicised via their webpage. WEPA received over 100 forms of feedback from the local community with 85% expressing support for the proposals.

Key positive comments from the local community related to the provision of additional jobs and the generation of inward investment into the site although a number of residents did confirm that they were concerned about the impact of additional vehicles on the local highway network.

PLANNING HISTORY AND RELEVANT BACKGROUND

Bridgend Paper Mill was built in 1950, has passed through several owners and, since 2016, approximately £25m has been invested in new modern lines and technical equipment to ensure that the Bridgend factory remains at the global forefront of the paper industry. The WEPA Group purchased the other half of the site from Northwood in 2018. The factory site is designated as a protected Employment Site (Georgia Pacific), under Policy REG1 (29).



Fig. 6 - Employment Site Designation Under the LDP

In terms of planning history, the following applications are relevant to the proposal:

P/20/223/FUL	Increasing roof height of current storage area to facilitate additional storage – Approved 18/5/20
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P/19/934/DPN

Prior notification to demolish three bungalows within the site – Approved 13/1/20

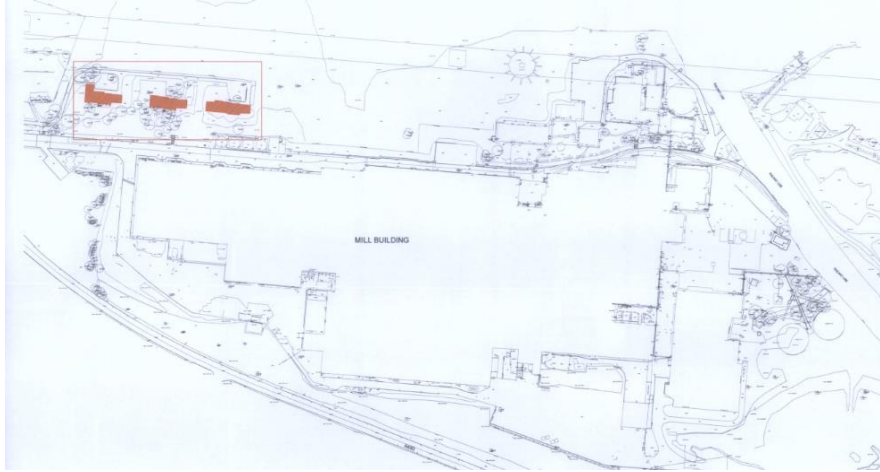


Fig. 7 – Demolition of Bungalows

P/19/948/FUL

New Access to South East of Existing Site – not yet determined

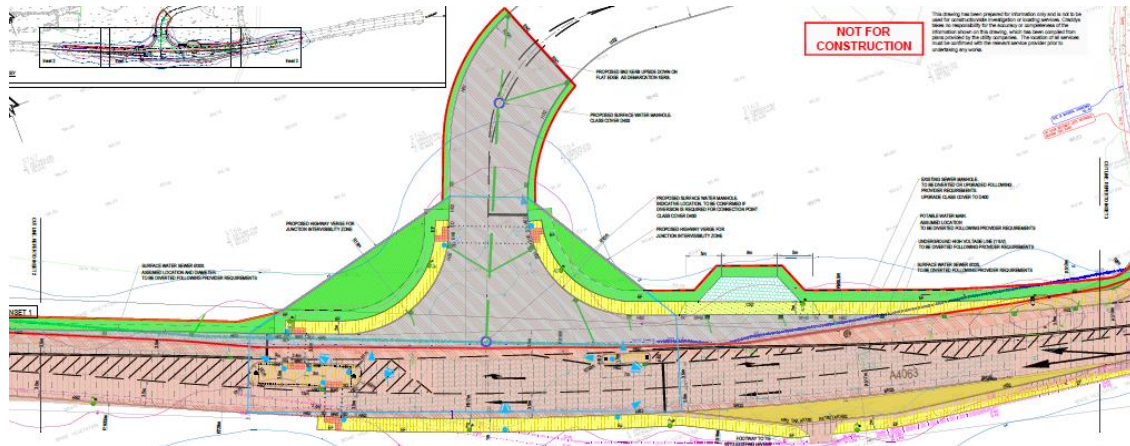


Fig. 8 – Second Access

P/19/896/FUL

Concrete hardstanding to form new bale handling area – Approved 5/2/20

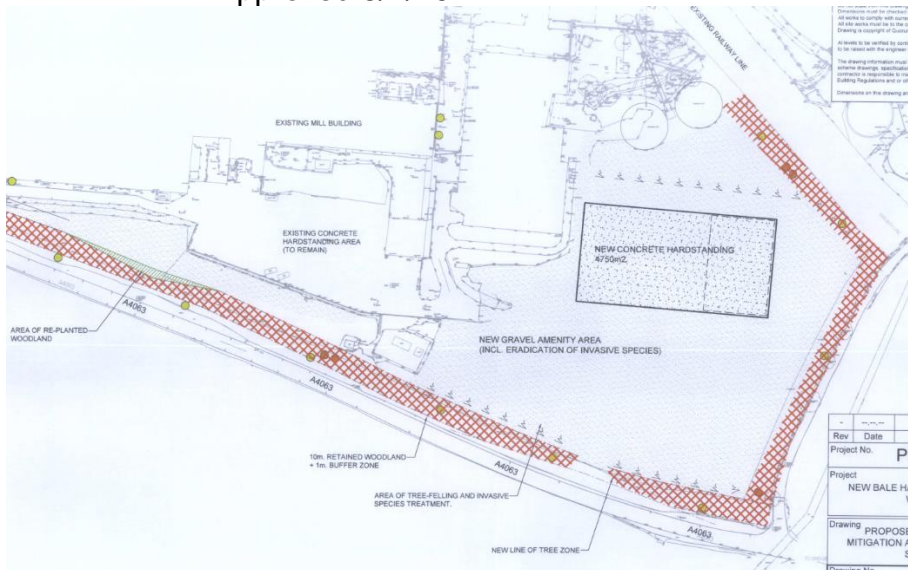


Fig. 9 – Bale Handling Area

P/19/379/FUL	Erection of 2no. rooftop ventilation cowls to the Jupiter Machine Shop - Approved 04/07/19
P/18/713/FUL	Construct a new metal clad substation building – Approved 30/10/18
P/15/636/FUL	Construction of Piled Slab And Portal Frame Building To House Replacement Filtration Plant – Approved 03/11/15
P/13/518/FUL	Construction of New Profiled Metal Roof To The Secondary Fibre Plant – Approved 09/08/13
P/13/57/FUL	Remove Existing Patent Glazing To North End Wall To Pulp Store And Replace With Profiled Metal Cladding – Approved 25/02/13
P/13/205/FUL	Pulp Store Side Walls (Part) Replacement of Patent Glazing With Metal Cladding – Approved 16/05/13
P/12/443/FUL	Demolish Two & Single Storey Structures & Transformer Encs. & Erect 2No. Transformer Encs. & Grp Switch Room Cabin – Approved 25/10/12
P/07/943/FUL	Erection of Mollases Tank – Approved 27/09/07
P/98/72/FUL	New Distribution Warehouse Production Area And Associated External Works – Approved 06/04/98
P/98/103/FUL	New Distribution Warehouse Production Area And External Works- Approved 03/04/98
P/97/837/FUL	Construction of new distribution warehouse, production area and associated works – Approved 28/11/97
P/97/833/FUL	Steel frame external clad building with new slab and foundations – Approved 15/10/97
P/96/1044/FUL	Extension to Jupiter machine shop – Approved 02/01/97
P/96/74/FUL	Construction of new machine control rooms and mess room – Approved 12/03/96

In addition to the on-site Planning History, the site is adjacent to a site that is allocated for renewable energy generation under Policy ENV17(1) – Renewable Energy and low/Zero Carbon Technology (Former Llynfi Power Station). Whilst a biomass plant was approved for this site under P/11/21/FUL, the consent has now lapsed.

PUBLICITY

The application has been advertised on site and in the press. Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 25 March 2020.

CONSULTATION RESPONSES

Highways Officer - No objection subject to conditions.

Countryside Management Officer – No objection subject to a condition requiring the applicant to adhere to the Construction Environmental Management Plan and the submission of a revised Native Species Management Plan and Eradication Specification.

Shared Regulatory Services - Air Quality Control Comments: No objection subject to a condition relating to dust suppression/control.

Shared Regulatory Services – Environment Team (Contaminated Land) Comments: No objection subject to conditions.

Shared Regulatory Services – Noise – No objection subject to conditions.

Drainage Officer - No objection subject to conditions.

Coal Authority: No objection subject to conditions.

Natural Resources Wales: No objection subject to conditions.

Dwr Cymru Welsh Water - It appears the application does not propose to connect to the public sewer, and therefore Dwr Cymru Welsh Water has no further comments.

Network Rail – No objection subject to advisory notes regarding works around its land/infrastructure.

National Grid - National Grid has no objections to the above proposal which is in close proximity to a High Voltage Transmission Overhead Line –Overhead Electricity Line, Electricity Tower.

REPRESENTATIONS RECEIVED

Huw Irranca-Davies AS –

“I am writing to express my support for the above application, which will secure existing jobs and create new job opportunities at this important local manufacturer, which is of particular importance in these challenging economic times. I do so in the knowledge that there has been strong support for the proposal from the local community who recognise the contribution of this business to local employment and to boosting average earnings in the locality.

The construction of additional buildings will undoubtedly have some visual impact, but this will largely be evident in the immediate vicinity, rather than in any significant way to the wider local area. I understand that these buildings are essential to the proposed development.

I would however, want the council to have due regard to the development of appropriate highways mitigation at and near the site, and the wider impact of the increased traffic along the A4063 and especially at the congested Tondy rail-bridge/ traffic lights section. I understand that there are proposals for the latter section of the A4063 to be significantly remodelled to alleviate the existing traffic problems, and I would consider this essential to ease the traffic flow in and out of the Llynfi Valley.

I would also like the local authority to consider the future development of Active Travel routes along the A4063 and how this development (including the associated highways development) will help facilitate that future development. The Llynfi valley is still the only of the three valleys which has no Active Travel route along its length connecting the communities to Bridgend and Maesteg. The Welsh Government has challenged local authorities to bring forward new and imaginative proposals to further develop Active Travel, and I would hope that this route would be a priority for future rounds of applications for funding.

The local authority could use this opportunity to enter discussions with WEPA on future possibilities where they may help with this ambition, including to enable their own workers to walk or cycle to work.

Finally, if there is to be any further community gain from this or other developments in the vicinity, could I ask the local authority to ensure that investment in safe crossings of the A4063 are actively considered. There is still public demand for safe pedestrian crossings at Coytrahen, Pont Rhyd-y-Cyff and Cwmfelin which I hope could be taken forward at some point.”

Cllr, James Radcliffe – Ward Member for Aberkenfig

“I am in favour of this application and believe it should be approved subject to the appropriate checks on flooding and the environment that we would expect to take place, and solutions found to a couple of issues highlighted in the pre-consultation.

In my view the economic benefits this will offer the wider community are significant and outweigh the concerns raised. Furthermore, it should be noted that the applicant is in an environmentally friendly industry, dealing with recycled goods, and thus consider the environmental benefits to encouraging such industries to be a positive factor that should be considered.

There are two concerns highlighted in the pre-consultation that I wish to comment on:

(1) The impact on traffic and road safety, especially for pedestrians and cyclists.

There is no doubt in my mind that the A4063 is no longer fit for purpose, and cannot cope with the existing traffic flows and expected increase in traffic in future years. This development will add to the traffic, however I believe that the potential impact of this on safety can be mitigated by seeking changes to the A4063 in Coytrahen to protect pedestrians. Currently there is no crossing point, and a potential blind spot near the Nichols arms for traffic heading South to Bridgend. I would therefore propose that a pelican crossing (or suitable equivalent) is installed around this area. Furthermore, in light of the comments made by Cyclists in the pre-consultation, I would propose that the authority should seek to improve the Cycle paths in the area to encourage Cyclists off the main road and onto the path. Obviously a contribution to achieving this from the development would be most welcome.

(2) The impact on air pollution.

Air pollution is increasingly seen as the public health issue that it is, and an increase in freight to and from the expanded paper mill potentially does cause an issue. Thankfully there are mitigating measures that can reduce the impact of this. A study in the Netherlands found that simply having trees between housing/public areas and a busy road can reduce particle pollution by around 40%. Whilst this wouldn't be practical for homes right next to the A4063, there are a number of residential areas alongside this road that potentially could benefit from increased tree planting. I would thus ask for some consideration to be given to the idea of tree planting where practical to mitigate

air pollution, with a contribution sought from the developer. Moreover, an additional issue regarding air pollution is the lack of data in several parts of Wales, which makes it difficult to identify areas where air quality is poor. The British heart foundation have proposed that at the very least, such equipment should be installed outside schools. I would therefore propose that permanent monitoring equipment for air pollution is installed at Llangynwyd School, which will assist the authority in determining levels of air pollution in school hours.

I would therefore request a condition that If the levels of air pollution reported by this equipment were to reach unsafe levels (and it is possible this could fluctuate depending on other factors), it would trigger a window where freight deliveries were suspended on a temporary basis (i.e. hours) during school hours to allow pollution levels to return to safer levels.

Nonetheless, despite these concerns, I support the development and believe it should be approved with the appropriate conditions.”

Cllr. Malcolm James – Ward Member for Llangynwyd

“I have no concerns about this application.”

Cllr. Martyn Jones – Ward Member for Bettws

“I have been fully briefed by the developers which included a visit to the actual site where the proposed development will take place, I believe the proposal will ensure longevity of current business at the site and provide opportunity for future employment growth. In my capacity as Borough Councillor for the Bettws Ward and as Chair of Llangynwyd Lower Community Council I support the application and I look forward to maintaining good community relationships with the developers to ensure continued community cohesion.”

Cllr. R. Thomas – Ward Member for Maesteg West

“I was present during a presentation by the managing director a couple of weeks ago and am supportive of the application; I was quite impressed with the various tenets of the application that they had considered and understand they are considering a number of different highway improvements.

A constituent has raised with me today the need for street lighting along that stretch of highway. You may be aware that there is a history of collisions along this route, from minor incidents to fatal accidents. My cautious inner-self would suggest that, were there to be highway improvements - for e.g. a filter lane for HGVs turning right into the site to allow free flowing traffic north into Maesteg - that there should be some streetlighting along this stretch in particular. Is this something that's being considered as part of the wider scheme do you know?”

Llangynwyd Middle Community Council – No comments have been received to date.

Llangynwyd Lower Community Council – No comments have been received to date.

Garw Valley Community Council – No comments have been received to date.

In terms of responses from neighbouring residents and the local community, 63 comments (using the WEPA comment cards) were received.

41 are from residents in Llangynwyd, 5 from Coytrahen, 8 from Bettws/Shwt, 5 from Maesteg and 4 from Tondu. 62 of the responses are predominantly supportive

although one respondent has outlined their concerns with the development only (increased traffic and pollution).

Four separate responses were from residents in Caerau, Llangynwyd, Coytrahen and a nearby property. The first three generally support the application although one of them highlights traffic congestion in Coytrahen and Tondu and the need for a travel plan.

However, the occupier of the property to the north west of the site (Brynsiriol Farm) has objected to the development as follows:

“We strongly object to the new development proposed for the papermills. As we live adjacent to the Mill it will have a great impact on our lives i.e. the monstrosity of a 42m warehouse, which will block our views, and which we will be looking straight at, and have a significant visual impact from our property.

Lorries, forklift trucks and general vehicle use i.e. noise from forklift trucks back and forth, beeping, operating 24 hrs, air brakes from lorries, cuppling up to trailers along with a lorry park for 30 lorries.

Artificial lighting shining up to our property at night time, also dust and pollution which will be created during and after construction, having a considerable affect on our well-being.

De-valuation of our property especially with the erection of the monstrosity of the 42m building, this will have a great impact on the value and our lives.

We have had a meeting with Wepa representatives making our views clear, and also have instructed a land agent (Watts and Morgan) who have met with Wepa stating our complaints.”

COMMENTS ON REPRESENTATIONS RECEIVED

In response to the comments made by the neighbouring Ward Members, the developer will be required to enter into a Section 106 Legal Agreement to fund a feasibility assessment of an Active Travel route through the Llynfi Valley and to fund traffic management/calming features at Coytrahen; the factory has to comply with the terms of the licence issued by NRW relating to air pollution; the Council’s Shared Regulatory Services (Air Quality) Officer has no objection to the scheme and the whilst there are already streetlights along the A4063, the second access will be the catalyst for speed limit reductions, traffic lights and improved visibility.

In response to the comments made by residents, the majority of the concerns are addressed in the Appraisal section of this report however, devaluation of property is not a material planning consideration.

POLICY CONTEXT

The most relevant policies relating to the proposed development from the adopted Bridgend County Borough Council Local Development Plan (2013) are:

- Strategic Policy SP2 – Design and Sustainable Place Making
- Strategic Policy SP3 – Strategic Transport Planning Principles
- Strategic Policy SP4 – Conservation and Enhancement of the Natural Environment
- Strategic Policy SP7 – Waste Management
- Strategic Policy SP14 – Infrastructure
- Policy ENV1 – Development in the Countryside

Policy ENV3 – Special Landscape Areas
Policy ENV4 – Local/Regional Nature Conservation Sites
Policy ENV5 – Green Infrastructure
Policy ENV6 – Nature Conservation
Policy ENV7 – Natural Resource Protection and Public Health
Policy ENV9 – Mineral Safeguarding Areas (Sandstone Resource Safeguarding Area)
Policy ENV15 – Waste Management in New Development
Policy PLA4 – Climate Change and Peak Oil
Policy PLA5 (2) – Development in Transport Corridors (Llynfi)
Policy PLA7 (1) (25) – Transportation Proposals (Llynfi Valley Community Route)
(Improvements to A4063 between Sarn and Maesteg)
Policy PLA11 – Parking Standards
Policy REG1 (29) – Employment Sites (Georgia Pacific)

and Supplementary Planning Guidance (SPG):

SPG07: Trees and Development

SPG17: Parking Standards

SPG19: Biodiversity and Development: A Green Infrastructure Report

SPG21: Safeguarding Employment Sites

Policy SP2 (Design and Sustainable Place Making) in particular states:

All development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment by:

- 1) Complying with all relevant national policy and guidance where appropriate;
- 2) Having a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;
- 3) Being of an appropriate scale, size and prominence;
- 4) Using land efficiently by:
 - (i) being of a density which maximises the development potential of the land whilst respecting that of the surrounding development; and
 - (ii) having a preference for development on previously developed land over greenfield land;
- 5) Providing for an appropriate mix of land uses;
- 6) Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access;
- 7) Minimising opportunities for crime to be generated or increased;
- 8) Avoiding or minimising noise, air, soil and water pollution;
- 9) Incorporating methods to ensure the site is free from contamination (including invasive species);
- 10) Safeguarding and enhancing biodiversity and green infrastructure;
- 11) Ensuring equality of access by all;
- 12) Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected;
- 13) Incorporating appropriate arrangements for the disposal of foul sewage, waste and water;
- 14) Make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change; and
- 15) Appropriately contributing towards local, physical, social and community infrastructure which is affected by the development.

The supporting text to this policy advises that Policy SP2 demands a high quality of design incorporating equality of access in all development proposals and seeks to ensure that new built development is sensitive to its surrounding environment.

Policy REG1(29) specifically allocates and protects the factory site for employment development falling within B1, B2 and B8 uses. The proposed development is wholly within the extent of the allocated employment site.

In the determination of planning applications, regard should also be given to the requirements of National Planning Policy which are not duplicated within the Local Development Plan.

The following Welsh Government Planning Policy will be relevant to the determination of any future planning application on this site:

Planning Policy Wales (PPW) 10 (December 2018)

TAN 5: Nature Conservation and Planning

TAN 11: Noise

TAN 12: Design

TAN 18: Transport

TAN 23: Economic Development

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

More specifically to this scheme, paragraph 5.4.4 states *Wherever possible, planning authorities should encourage and support developments which generate economic prosperity and regeneration.*

In terms of Active Travel, Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys such as to and from a workplace. The Act requires local authorities to produce Integrated Network Maps, identifying the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities.

Section 3 of the Wellbeing of Future Generations (Wales) Act 2015 imposes a duty on public bodies to carry out sustainable development in accordance with sustainable development principles to act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs (Section 5).

The well-being goals identified in the Act are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsible Wales

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development. By protecting the long terms prospects of the Paper Mills facility and its workforce, the proposed development will contribute to a more cohesive community and the factory already incorporates measures which contribute to global responsibilities in relation to climate change.

APPRAISAL

The application is referred to Committee due to the scale and nature of the development.

The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015.

It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land and protecting natural resources and the historic environment.

A well-functioning planning system is fundamental for sustainable development and achieving sustainable places (Paragraph 1.2 of Planning Policy Wales - Edition 10 – December 2018 refers).

Up-to-date Local Development Plans (LDPs) are a fundamental part of a plan-led planning system and set the context for rational and consistent decision making in line with national policies. Planning applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers).

The Well-being of Future Generations (Wales) Act 2015 places a duty on public bodies (including Welsh Ministers) to carry out sustainable development and it is accepted that a plan-led approach is the most effective way to secure sustainable development through the planning system.

The application site lies within the countryside but is specifically allocated and protected for employment uses under Policy REG(29) of the LDP.

Policy SP2 of the Bridgend Local Development Plan and the suite of Supplementary Planning Guidance provide a robust framework for assessing the details of this application.

All development is required to contribute to creating high quality attractive sustainable places, which enhance the community in which they are located. The Policy establishes fifteen criteria against which development proposals will be assessed. As the principle of the development has been established it is considered that criteria 2), 3), 4), 6), 8), 9), 10), 11), 12), 13) and 15) are relevant to this specific proposal and are addressed below.

2) Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character and 3) Being of an appropriate scale, size and prominence

A Design and Access Statement and a Landscape Visual Impact Assessment were included with the submission.

At a national level, the proposed development falls within National Character Area 37 – South Wales Valleys. The landscape of the South Wales Valleys combines the wilder and often inclement upland setting with the heavily industrialised valleys. Active mines and industry are now generally an image of the past however, the legacy remains extensively apparent today and together with the steep topography of the valley sides has a defining influence on landscape character.

More locally, whilst there are no statutory landscape designations in the vicinity of the factory site, the non-statutory Special Landscape Area SLA3 (Western Uplands) is intervisible with, and very close to, the development site (see fig. 10 below).



Fig. 10 - Extent of SLA3 (Western Uplands) under Policy ENV3

SLA3 is characterised by an agricultural landscape between Maesteg and Aberkenfig rising up to 200m AOD. It has a historically and culturally important landscape and comprises a series of north-eastern facing slopes dominated by rough grazing. It includes plantations and small woodlands that contribute to the overall character and quality of the area.

Policy ENV3(3) of the LDP advises that the settings of SLAs will be protected with consideration of the views from those areas.

The paper mill site occupies a less elevated position (80 - 90m AOD) at the mouth of the Nant Gwyn valley. Currently the paper mill is relatively well hidden due to tree screening along the A4063 and as a result of a dip in the topography of the land, the main prominent features are a vent stack and steam plumes. It is, however, highly visible from the elevated vantage points around.

More specifically to the site, the Landscape Character Assessment for Bridgend County Borough which was designed to provide a sound evidence base in assessing the impact of development on the character and sensitivity of different landscapes in the County Borough, illustrates that the development site and its surroundings form part of three different Landscape Character Areas.

- Landscape Character Area 1: Llangynwyd Rolling Uplands and Forestry;
- Landscape Character Area 2: Llynfi Valley Floor and Lower Slopes; and
- Landscape Character Area 4: Bettws Settled Farmland.

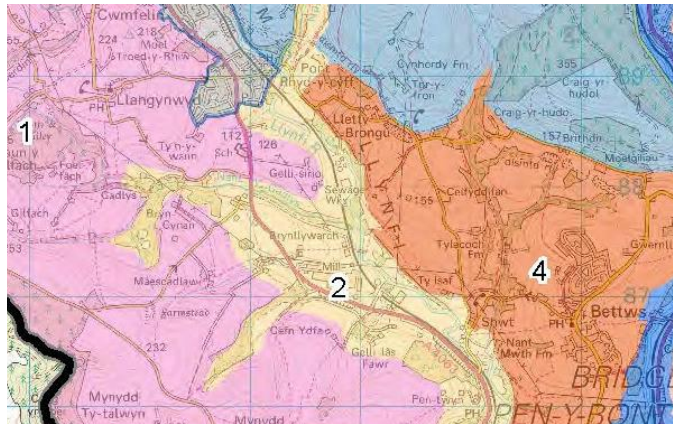


Fig. 11 – Landscape Character Areas

The assessment of the significance of the proposal’s effects on the three landscape character areas range between negligible/low to moderate and Officers agree with this assessment due to the location and industrial context of the site.

The eleven individual selected viewpoints in the submitted LVIA illustrate typical views of the proposed project that will be available to viewers/user groups from the sensitive sites within the study area. They also cover a variety of distances to illustrate the range of visual change that will occur when the project is in place.

Due to the concentration of the new buildings around the existing buildings and within the context of the factory and its boundaries especially when viewed against the backdrop of natural ridges and plateaus, the majority of the development will not have a significant visual impact from mid to long-range distances. The LVIA suggests that with 9 out of the 11 viewpoints, the effect of the proposed development is anticipated to range between “slight” and “moderate to high” with the majority (6) being assessed as moderate.

However, mainly due to their proximity to the proposed 42m high High Bay Storage building and the private domestic nature of these properties, the viewpoints from the residential properties to the north west (Brynsiriol Farm and Brynlywarch Fach) and to the north east (Brynlywarch Fawr) of the site have been rightly assessed as being highly sensitive.

Owing to the topography of the land around the site, the existing factory (apart from the stack) is not easily visible from these properties however, the proposed storage building would be noticeable behind the gradual ridge which is too small to effectively screen the new building. It would be highly prominent especially as the new High Bay Storage building would be a skyline feature with daily, prolonged and sustained views from the residential properties (see below).



Fig. 12 - Proposed View from Brynsiriol/Brynlywarch Fach



Fig. 13 - Proposed View from Brynllwarch Fawr

The occupier of Brynsiriol Farm has objected to the development on several grounds, including the impact of the high bay storage building on their views and its significant visual impact when viewed from their property.

Unfortunately, the height of the storage building is unavoidable due to the proximity of bedrock to the surface and the lack of an alternative space within the factory confines. In addition, the proximity of the High Voltage Transmission Overhead Line and Towers precludes a lower building with a larger span as the National Grid do not allow buildings under their infrastructure.

The high bay storage building will be the final phase of the development and it is noted that only a small number of residents would be directly affected by the new development compared to the wider economic benefits of the scheme.

In terms of the outlook from these properties, the following illustrations indicate that the south facing windows of these properties will not directly face the high bay storage building thereby slightly mitigating its impact on their outlook from within their houses.



Fig. 14 - South Elevation of Brynllwarch Fawr (overlooking eastern part of Factory)



**Fig. 15 - South Elevation of the bungalow at Brynsiriol Farm
(lounge window to south overlooking Brynllwarch Fach and dining room/kitchen windows to east overlooking farmland – High Bay Store location indicated by red star)**

Having regard to the above and the proposed mitigation measures put forward to reduce the landscape and visual impact of the building on the adjoining occupiers and the wider landscape (including utilising similar materials and non-reflective colours, hooded and directed lighting, tree retention and protection, temporary storage of topsoil to screen construction works, agreed site access points, maintenance of site compound and reseeding and planting within the Development Site), it is considered that the impact of the building on the residential amenities of the neighbouring occupiers and landscape areas are acceptable in planning terms.

Therefore, on balance, the visual appearance, design and scale of development is acceptable in this location.

4) Using land efficiently by: (i) being of a density which maximises the development potential of the land whilst respecting that of the surrounding development; and (ii) having a preference for development on previously developed land over greenfield land

As referred to above, the factory site is constrained by the A4063 to the south and west, the train line and the River Llynfi to the east and overhead lines to the north.

The development is wholly within the allocated and protected employment site and is set around the existing factory that effectively contains the potential sprawl and spread of the development.

The retention and enhancement of the majority of the natural boundary features along with the topography of the site compared to surrounding more elevated land will ensure that the majority of the development will be seen as an organic expansion of the site and can be deemed to be a sensitive addition.

The only exception to this will be the more prominent 42m high storage building to the north of site although its scale is comparable to existing landscape features such as the High Voltage Transmission Overhead Line and pylons and the stack within the site.

However, the high bay storage building cannot be re-sited to an alternative location within the site and its design and scale are hampered by the restrictions imposed on development adjoining the overhead line infrastructure. Therefore, the development is considered to be acceptable and justified in terms of its efficient use of land, its functionality in keeping with the wider employment site and its minimal impact on the landscape character of the surrounding area.

6) Having good walking, cycling, public transport and road connections within and outside the site to ensure efficient access

The submitted layout and the impact of the development on the surrounding highway network has been thoroughly examined by the Transportation and Engineering Section.

The application is supported by a Transportation Assessment (TA), a Travel Plan and an initial Stage 1 Safety Audit.

The expansion of the site is reliant on a second access to the south east corner of the site in order to separate the paper production and distribution elements of the business. The second access is the subject of a separate application although it has been considered in parallel with the impact of the expanded business.

For the construction phase (63 months), a number of abnormal load deliveries will be required to route to the site at various stages of the construction phase to deliver large scale construction kit including the new paper machine (Neptune).

Full routing agreements and delivery timeframes will be agreed with the Council's Highway Authority as soon as the full details for the abnormal loads are identified.

In terms of parking provision, in the event of lorries arriving too early for shipping or in case all of the docking stations are occupied, they will wait in the truck parking area in front of the repositioned Gate House. Nineteen parking spaces for HGVs will be provided at the main (western) entrance into the factory on the site of the current staff parking area.

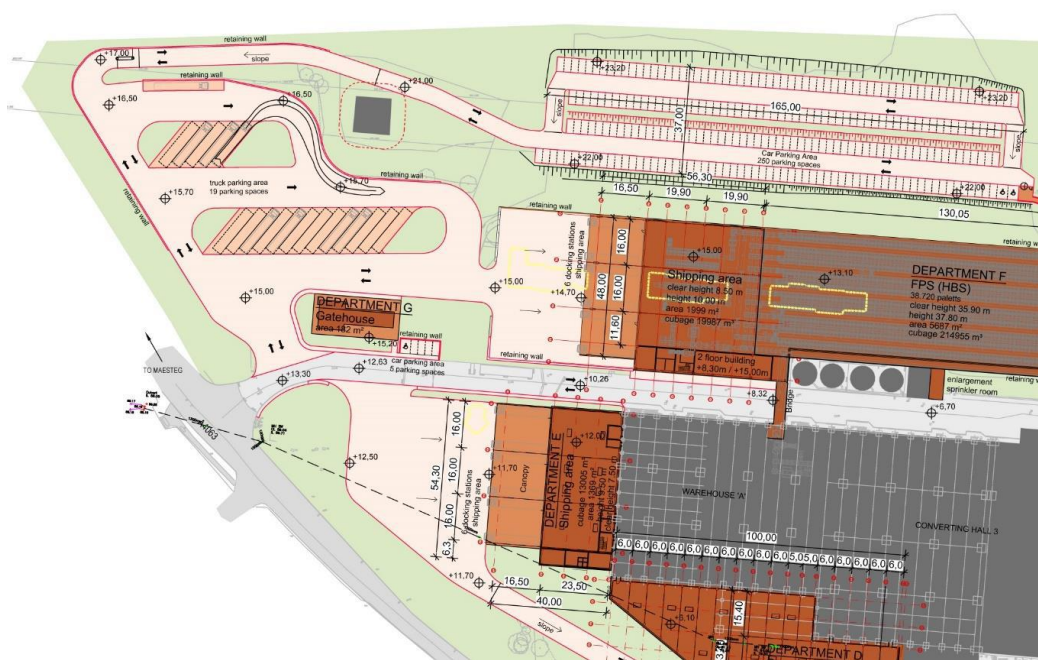


Fig. 16 – Main Entrance, Gatehouse and Parking Areas

The development will provide a total of 250 parking spaces for staff and visitor parking, including 8 bays for disabled users in line with the Council's Parking Standards.

The new car park will be sited to the north of the High Bay storage area under the Overhead lines and employees will access the site via a covered footpath.

The parking scheme also comprises 15 Sheffield style cycle parking loop stands (30 spaces in total, covered and secure) on site.

In order to facilitate the proposed expansion, a new vehicular access is proposed to the south eastern corner of the site primarily for the pulp delivery and paper production part of the operation. As already mentioned in the report, this access is the subject of a separate application and will be the subject of an agreement with the Highway Authority for the works to the adopted highway, new traffic lights, holding lane and changes to the speed limits on this stretch of road.

The second access will effectively become the 'goods in' raw materials entrance whilst the existing northern access will become the main 'goods out' and staff entrance.

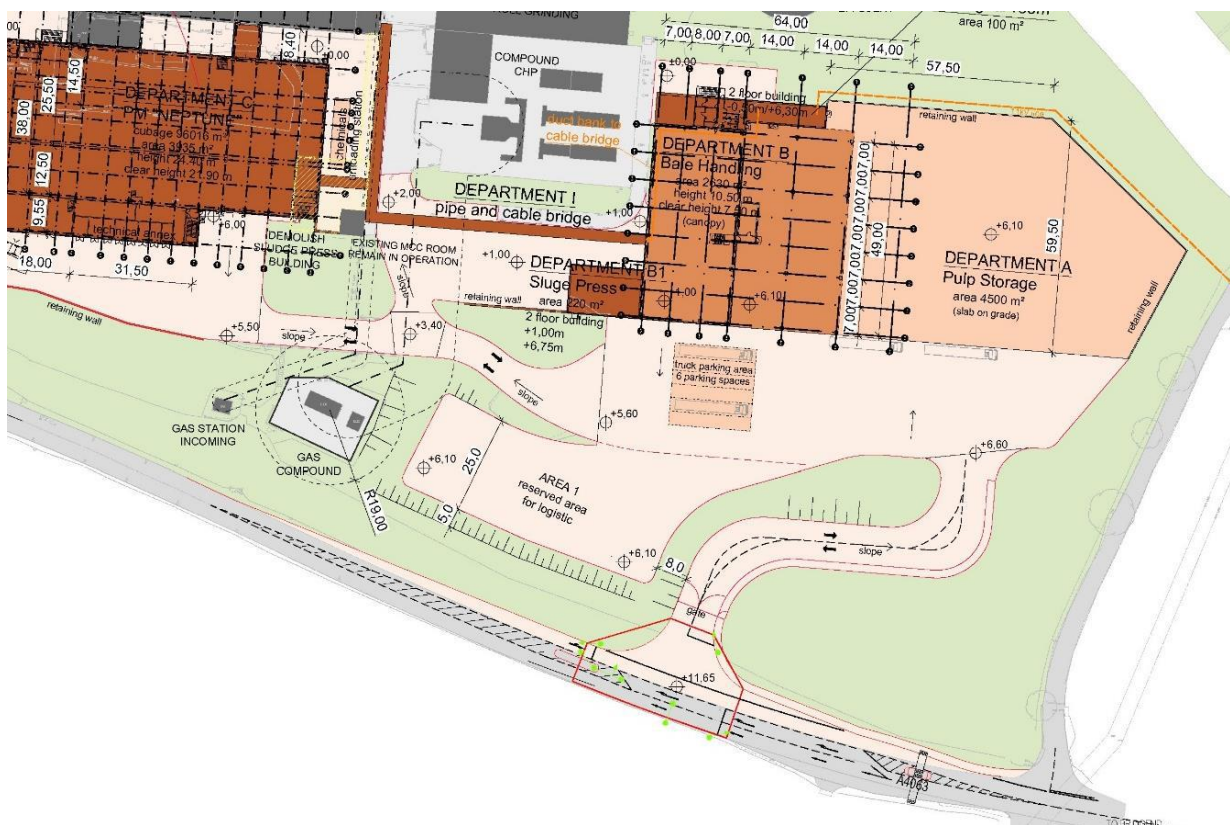


Fig. 17 – Second Access – Paper Manufacturing

An examination of the comments and feedback received during the PAC process and the more recent observations from local residents, Ward Members and the Local Assembly Member indicate that there is some concern that the expansion of the operations of WEPA will result in a significant increase in HGV traffic along the A4063 corridor. In addition, concerns have been raised with regards the impact on the network at Tondy and the village of Coytrahen.

The submitted transport assessment seeks to quantify the additional number of vehicular movements that the expansion will generate over and above what is currently generated as part of the site's existing operations.

Currently, the site generates 90 HGV and staff movements per day, and the proposed expansion of the site is expected, when working at full capacity, to increase the HGV and staff movements to 138 per day. This will result in 48 new movements on the network per day. When broken down further and spread over a 12 hour delivery period this equates to 4 new movements per hour. As 1 movement consists of 2 trips, then breaking this down further, the development will create 8 new trips an hour - 4 in a northerly direction and 4 in a southerly direction which equates to 1 new vehicle on the local network every 7.5 minutes.

The existing vehicular flows along the A4063 corridor are approximately 750 movements per hour during the day increasing to some 1,200 movements per hour during the am and pm peak hours. It can therefore be demonstrated that the development traffic will equate to a 1% increase (decreasing to 0.6% during peak hours) which is not considered to be material.

It is considered that this increase would not materially affect the operation of the network and will not materially reduce highway network capacity to a point where highway safety will be compromised on the A4063.

However, notwithstanding the calculations, it is understood that the amount of traffic may not be divided equally over a 12 hour period and certain movements may take place in clusters depending on the processes undertaken at the factory at any given time.

To mitigate the risk of all of the traffic for the day arriving on site within a short period of time, a condition for a Delivery Management Plan has been requested which seeks further details on the Transwide haulier booking system that WEPA use. In addition, the DMP requests detail on how WEPA will minimise HGV traffic during the peak network hours.

In addition to the above, the submitted Transport Assessment has been audited by Capita Redstart, an independent third party transport consultancy and they conclude that *based on the size of the development and the details provided the proposal is generally acceptable in traffic and transportation terms*. However, the audit did highlight a number of issues with the Transport Assessment, some of which are material to this application including the requirement for a Transport Implementation Strategy and that funding should be sought to improve sustainable modes of transport to access the site.

The applicant's transport consultant has resolved the majority of these issues.

It is considered that whilst the additional HGV movements will not result in an increase that is detrimental to the capacity of the local network, the intensification of traffic through Tondu and the village of Coytrahen needs to be considered and mitigated to remove the perceived barriers to walking and cycling for short journeys.

The Local Planning Authority (LPA) is aware of the proposed junction improvements for the Tondu Junction as a result of the housing development by Llanmoor Homes, which will see an increase in walking and cycling facilities in Tondu and therefore, any contributions towards the implementation of highway and pedestrian safety measures, secured as part of this proposal, will be focussed on Coytrahen.

It is noted from various representations that a pedestrian crossing is considered to be necessary in the village to allow safe passage across the A4063 especially during peak traffic hours however, the Transportation Development Officers advise that whilst the traffic generated from this proposal through the village of Coytrahen will increase, it would not be increased to such a level as to justify the construction of a pedestrian crossing.

Notwithstanding this, it is considered appropriate and commensurate with the level of increase in HGV movements to request a financial contribution from the developer for £20,000 for the implementation of a traffic warning and calming scheme on the A4063 through Coytrahen. Notwithstanding this advice, should the contribution be match funded in some way, the provision of a crossing would achieve these aims. As such some flexibility in the wording of the agreement is appropriate.

The above S106 contribution would then address the applicant's requirement to cover the outstanding points from the Transport Assessment audit and meet the requirements of TAN18 and PPW 10 in relation to mitigating the impact of the development on the local highway network.

A Travel Plan (TP) and a Transport Implementation Strategy have been prepared for staff to meet the requirements of the Active Travel Act 2013 and the measures are intended to reduce a reliance on single occupancy private car travel by encouraging staff to walk, cycle and use public transport.

A travel plan co-ordinator will be appointed by WEPA at an early stage to ensure that the TP is adopted from the outset. The replacement car park will include two Electric Charging Vehicle spaces and two passive ECV spaces (for future conversion). The Travel Plan will be launched in Autumn 2021 and further travel surveys will be undertaken in years one, three and five in order to monitor the Travel Plan and see how successful it has been in inducing a modal shift.

Whilst the developer has provided details of soft measures on site as part of a Transportation Implementation Strategy, no details of improvements to the infrastructure or linkages to the site are proposed. In addition, the applicant has not fully addressed the significant local support for improved walking and cycling infrastructure to help staff and visitors access the site from Tondy and Llangynwyd.

The Highway Authority has a level of knowledge of the issues surrounding the provision of dedicated walking and cycling routes along the A4063. Initially, it was considered that the developer could provide a walking and cycling route along the site frontage but that proposal posed a number of challenges. Any new route here would have been an isolated section of active travel route which would do little to promote and encourage active travel by staff and local residents and would not meet the aims of the Act.

Therefore, most benefit would be gained by seeking a contribution towards providing an active travel route along the A4063 through the provision of a financial contribution of £60,000 towards a full dedicated and segregated walking and cycling route feasibility study alongside the A4063. This contribution could then be match funded with additional grant funding from the Welsh Government to study the remainder of the A4063 corridor within next year's bid process.

Whilst a separate application is before the Local Planning Authority for a second access at the south eastern corner of the site, the potential exists for the expansion of the main factory site to proceed without the secondary access being consented and/or

implemented. In that eventuality, it is considered that a reduced speed limit along the A4063 will be required as all vehicles associated with the expansion would then use the existing access. Therefore, the applicant will be required to provide a scheme of signage associated with a speed reduction order and provide a Section 106 contribution in the sum of £8000 to progress the legal orders. However, should the secondary access application be positively determined and constructed this additional element will not be necessary and the £8000 will be refunded.

In addition to the above, it is noted that the applicant has indicated within the Transport Assessment that it is proposed to reconfigure the existing junction. This would create a new right hand holding lane for turning vehicles into the proposal site. It is considered that this proposal is unacceptable in its current form and in the absence of a safety audit, does not form part of this planning application.

In conclusion, subject to conditions, there are no objections to the proposal from a Highway safety perspective, particularly as the number of vehicles using the existing site will only increase by 48 trucks per day. By securing contributions towards Active Travel initiatives and traffic calming measures around the village of Coytrahen most affected by the development, it is considered that the local highway network can successfully accommodate the expansion of the business.

8) Avoiding or minimising noise, air, soil and water pollution and 9) Incorporating methods to ensure the site is free from contamination (including invasive species)

In terms of the potential **noise impact** of the development, the Noise Assessment Report demonstrates good design by selecting the quietest cost-effective plant available; by containing noise within buildings wherever possible; by optimising plant layout to minimise noise emissions; and by using sound barriers to reduce noise transmission, where possible. The EIA for the Scheme has had regard to noise and vibration factors in design terms, incorporating a number of measures to avoid or mitigate adverse effects.

The conclusions of the Noise Impact Assessment are that all residual effects from the Development would be insignificant, traffic impacts and construction plant emissions are not expected to be significant and the impacts on noise sensitive receptors will be sufficiently mitigated.

The Shared Regulatory Services Officer has noted that Section 4.3 of the submitted Noise Assessment Report states the assumptions made in predicting the operational noise levels of the expanded business. Clarification was sought relating to the “bin dragging” as part of the pulp storage/bale handling extension and the use of an electric clamp truck, one diesel clamp truck for unloading and one baler within Department B during daytime hours.

The applicant has clarified that the bin store will be moved to the western (internal) side of the new Department B (Bale Handling) building and whilst only one Paper Machine is in operation at the moment (where bins are emptied once per day), after the completion of the project two Paper Machines will operate and two bins will need to be emptied once a day. There will be some occasions when the two bins will need to be emptied twice per day (e.g. after weekends, bank holiday or Christmas holidays). The loading/unloading activities of the bin would take place between 7am and 7pm, depending on the production needs to avoid any interruption in the production process.

It has also been clarified that a forklift and clamp truck will be used within the pulp yard (Dept A). The paper machines are in operation during the daytime and the night-time, 24 hours a day 7 days a week. The baler in Dept B will also be in operation during both the daytime and night-time and a diesel clamp truck will be used to unload the paper/pulp however, this operation will take place between 7am and 11pm.

The SRS Officer has examined this additional information alongside the Environmental Statement, Noise Assessment and Outline Construction and Environmental Management Plan.

In terms of proposed construction hours, it is noted that Shared Regulatory Services only allow works that are audible at the boundary of any residential premises Monday-Friday, 08.00-18.00 hours Saturdays 08.00-13.00 hours. The Noise Assessment Report demonstrates that the construction works will be audible at the closest residential premises and, as such, the CEMP should be revised to the hours specified by SRS.

However, following negotiations between the SRS Officer and the applicant, it has been agreed that construction activities that are not audible at the boundary of a residential area could still be allowed. Therefore, the hours of operation will include the caveat that 'only works that are inaudible at the boundary of any noise sensitive receptor shall be undertaken between 07.00- 08.00 Monday- Friday and between 13.00- 16.00 hours on Saturdays' and that deliveries will take place only between the permitted hours of 08.00-18.00 hours Monday-Friday and 08.00-13.00 hours Saturdays. The CEMP should therefore be amended accordingly and this will be controlled via condition.

It is considered that the noise assessment has utilised the correct methodology. The predicted operational noise levels are based on certain assumptions specified in Section 4.3 of the Report with respect to the type of plant and number of movements during the day/night and the sound insulation properties of the proposed buildings and restrictions on certain activities at night such as no bin dragging.

It is important that information be provided at the detailed design stage to demonstrate that the assumptions used in the Report remain valid and conditions be attached to restrict the noisier activities from occurring at night as specified in Section 4.3 of the Noise Assessment.

Mitigation measures (including a 6m high acoustic barrier) are also proposed to reduce the noise to an acceptable level at the nearest receptor, Brynsiriol Farm. A number of conditions are recommended by the SRS Officer to control the noise impact of this development and these are attached to the recommendation.

The factory site currently holds a permit under the Environmental Permitting Regulations, permit number: EP3738NG. NRW advise the applicant that a variation to this existing permit would be required for the proposed expansion. They also advise that the applicant should contact the Industry Regulation Team within NRW at the earliest opportunity to discuss this matter further.

With regard to **air quality**, in accordance with EPUK and IAQM guidance and based on the projected figures of generated HGV movements from the current baseline, an Air Quality Assessment is not strictly required in support of this application.

However, an Air Quality Assessment (AQA) has been undertaken in this instance to ascertain the likely air quality impacts associated with the proposed development through its construction and operational phases.

For the construction phase of the proposed development, as depicted by Table 5-3, a low risk has been identified with respect to dust soiling and human health. It is therefore considered essential that a suitable Construction Environmental Management Plan outlining a detailed Dust Management Plan with appropriate measures be submitted to and approved by the Local Planning Authority (LPA) prior to the development proceeding. Therefore, a condition is attached to the recommendation.

In terms of **ground contamination**, a Site Investigation Report was provided with the application. The information included an assessment of the risk to human health and the environment from contamination and ground gas.

In specific relation to contamination, the Report indicates that there are no significant chemical contaminants, although asbestos containing materials have been identified within the soils that could pose a risk to human health during the construction phase and to future site users.

In relation to ground gas, elevated carbon dioxide levels have been identified which identify the ground gas regime as 'Characteristic Situation 2' and basic ground gas protection measures are requested in relation to this. Appropriate mitigation and remediation measures to deal with the risks from ground gas and asbestos containing materials have been included in Section 10 of the report. The completion of these measures will be validated and submitted for approval to the local authority as a detailed remediation validation report, in line with current guidance.

Should there be any importation of soils to develop the landscaped areas of the development or any site won material or materials imported as part of the construction of the development, it should be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Consequently, the Shared Regulation Services (Contaminated Land) Officer requests the inclusion of conditions to ensure the use of suitable materials.

NRW have also reviewed the information submitted including an addendum letter from the agent submitted on behalf of the applicant.

The River Llynfi is adjacent to the site and the river gravels and cobbles underlay the site and therefore, there could be some hydraulic continuity between the site and the river. NRW acknowledge and welcome the proposal to undertake further investigations on the site and the need to undertake groundwater monitoring to establish the current quality. Further to the submission of additional information during the course of the application, NRW have agreed that there does not appear to be a risk to controlled waters.

In terms of **invasive species**, the Countryside Manager welcomes the inclusion of the Invasive Non Native Species Management Plan and Eradication Specification. The plan and specification adequately set out the treatment process and monitoring post treatment of the invasive species at the site however, it should be specified how long the post treatment monitoring period will be. In addition, confirmation of the point at which it can be determined that further treatment is no longer required should also be

provided. These outstanding matters will be the subject of a condition.

This document also makes no reference to working practices such as wash down areas of vehicles and equipment that would be need to be considered as contaminated material will be moved around the site. On receipt of this information and subject to it being approved by the Local Planning Authority, I recommend that the Invasive Non Native Species Management Plan and Eradication Specification be included within the conditions of approval as well.

Parts of the site are within a **Coal Mining Development High Risk Area** (underlain by recorded and likely unrecorded, coal mining workings at shallow depth with five mine entries (adits) within the site). After an initial objection from the Coal Authority (CA), the applicant provided additional commentary and clarification on the proposals and advised the CA that the development will be constructed in three phases and provided a Project Layout Plan to identify these areas.

The additional information advises that all of the coal mining related features are located to the northwest of the site only. The buildings for Phase 1 of the expansion (Dept A: Pulp Storage, Dept B: Bale Handling, Dept C: New Paper Machine Building) are located in the southeast corner of the site and are not located within a Development High Risk Area, are not underlain by recorded coal mine workings and are not considered to be at risk from shallow unrecorded workings. There are also no known mine entries (adits) located in this part of the site.

The locations of the identified coal mining related features in the north western corner of the site and the nature of the proposed remedial mitigation measures, specific to the north western corner of the site only, will be disruptive to the current site operations. As coal mining investigations and remedial mitigation measures will not be required for Project Phase 1, a phased approach to the development and the discharge of associated conditions is proposed. This approach will then allow the proposed development works in the south eastern corner of the site (Project Phase 1) to be carried out without having to first undertake the additional extensive and intrusive mitigation measures to address the coal mining related features in the north western parts of the site. These can then be carried out at a later stage prior to the commencement of Phases 2 and 3 of the proposed development.

The CA agree with the phased approach however, prior to works commencing on Phases 2 and 3 of the development the CA expect intrusive investigations and necessary remedial works to be carried out on site. These should be designed by a competent person and should ensure that they are adequate to properly assess the ground conditions on the site in order to establish the exact situation in respect of coal mining legacy and the potential risks posed to the development by past coal mining activity.

The nature and extent of the intrusive site investigations should be agreed with the Permitting Section of the Coal Authority as part of the permissions process. The findings of the intrusive site investigations should inform any remedial measures which may be required and therefore, the Coal Authority has recommended the imposition of conditions which will be attached to the recommendation.

10) Safeguarding and enhancing biodiversity and green infrastructure

This requirement reflects Section 40 of the Natural Environment and Rural Communities Act 2006 states that 'every public authority must, in exercising its function, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. This "duty to conserve biodiversity" has been replaced by a "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 which came into force on 21 March, 2016.

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions."

Section 6(2) goes on to state that "In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 requires Local Planning Authorities to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether "the three tests" have been met, prior to determining the application. The three tests that must be satisfied are:

- (1) That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment".
- (2) That there is "no satisfactory alternative".
- (3) That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range".

There are no statutory or non-statutory designated sites immediately on or within 2km of the site. Consequently, there will be no direct or indirect effects on any such sites resulting from the proposed development however, the site is close to three sites of importance for nature conservation (SINC) (Cwm Nant Gwyn to the South-West, Cwm Cefnydfa to the South-East and Llwyn y Brian to the North).

A large portion of the scrub woodland within the site will require clearance to facilitate construction works. The proposed ecological enhancement of retained areas of woodland within the wider site and the creation of alternative high-value ecological features in an adjacent off-site receptor site will ensure that the overall ecological value of the site is maintained.

The semi-natural broadleaved woodland along the A4063 is of local ecological value due to its extensive nature and likely value for nesting birds. The majority of this area will be retained and supplemented to provide a natural buffer between the road and the site and to improve connectivity.

One of the bungalows to the northern part of the site supported day roosts of individual Common Pipistrelle, Soprano Pipistrelle and Myotis bats. In addition, it was recorded that a single Brown Long-eared bat was roosting within the building while approximately 200 droppings suggestive of this species were also recorded within the loft void. The number of droppings recorded within the void indicate that the bungalow may have previously comprised a maternity roost for Brown Long-eared bats.

To offset any impacts, the Ecological Assessment provides a series of recommended mitigation measures and ecological enhancements on site. These include new landscaping proposals incorporating native species and species of wildlife value; new bat roosts and bird boxes installed on new and existing buildings and trees to provide enhanced nesting and roosting opportunities.

A European Protected Species Licence is required for the demolition of the bungalow and an alternative bat house will be erected in close proximity to these bungalows (see Fig. 18 below).

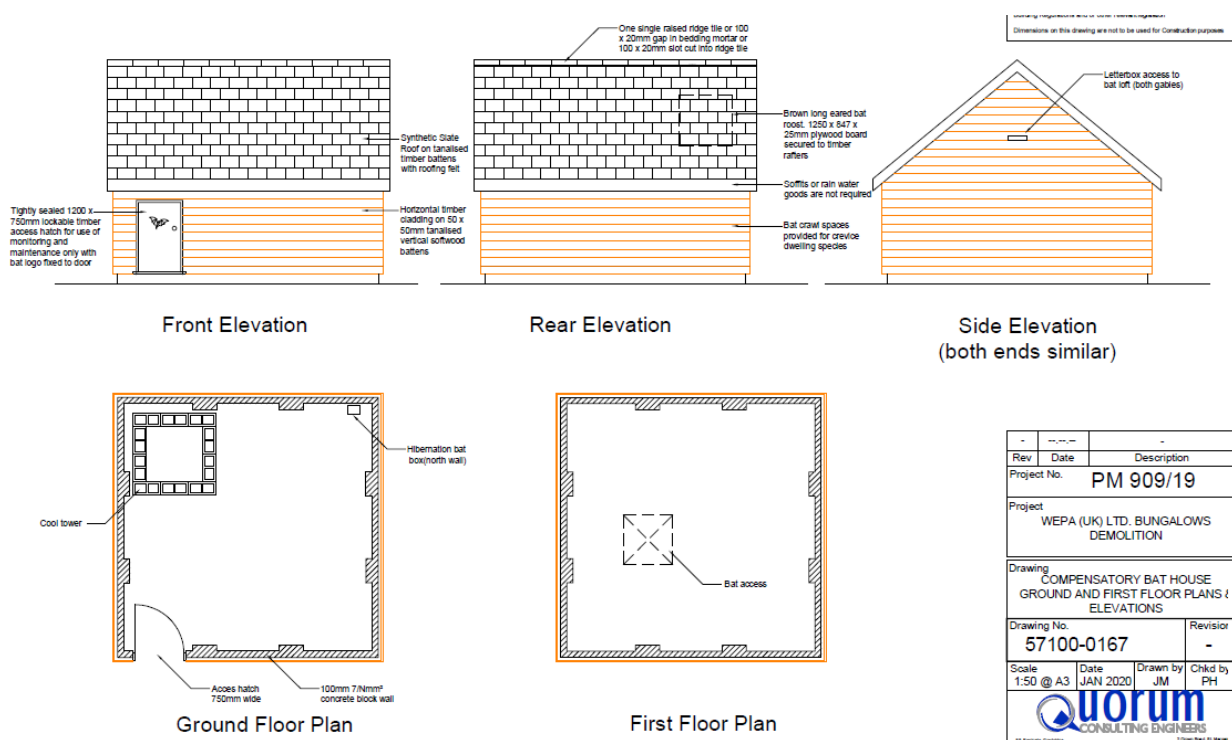


Fig. 18 – Bat House

The submitted surveys and reports have been assessed by NRW and the Council's Countryside Manager.

Their previous observations concerning the expansion of this site have been included in the supporting outline Construction Environmental Management Plan (CEMP) and Mitigation and Enhancement Report accompanying this application.

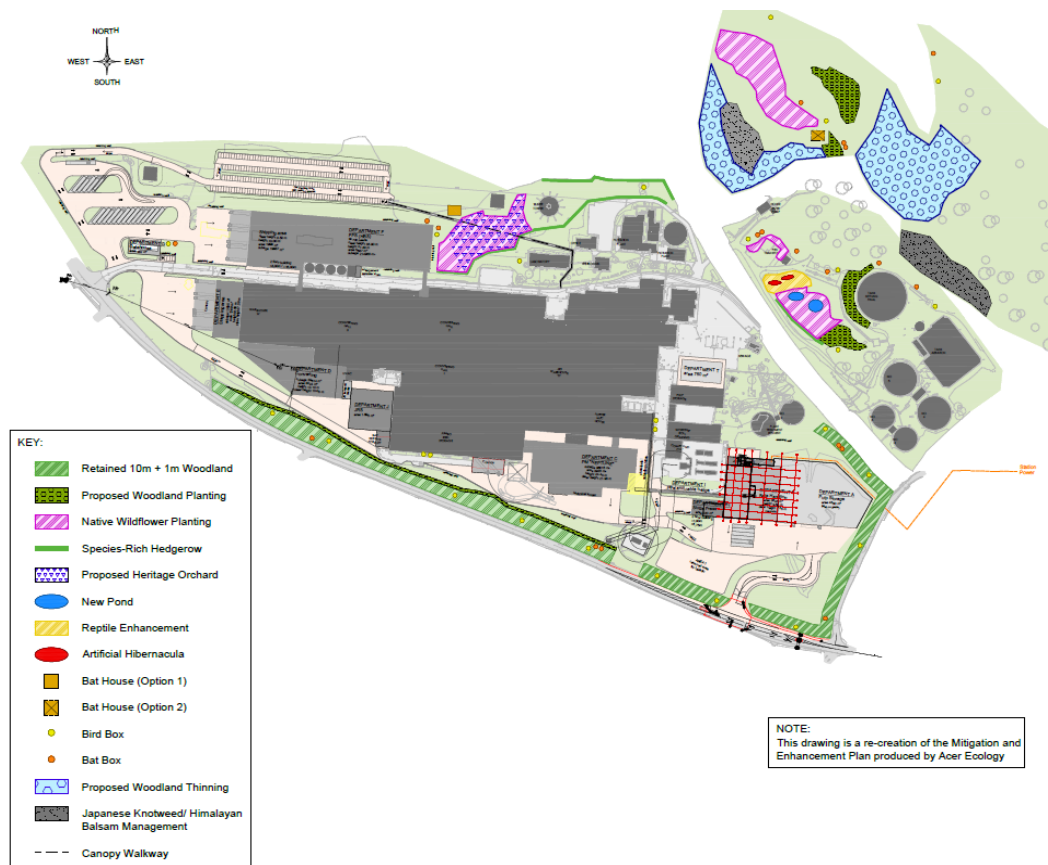


Fig. 19 - Proposed Ecological Mitigation and Enhancement Plan

NRW welcomes the report produced by Acer Ecology (Ecological Mitigation and Enhancement report) and have no adverse comments. The mitigation is appropriate for the species of bats and the types of bat use being mitigated for. Therefore, they do not object to the proposal but request an informative be attached to any planning permission relating to the EPS Licensing process.

In Section 9.7.23 of the Environmental Statement, reference is made to ecological site induction and a toolbox talk and whilst these measures are welcomed to mitigate any seen or unseen ecological issues, there are various ecological matters to be addressed as part of this application. Therefore, it is recommended that the applicant retains the services of their ecological consultant in an “ecological clerk of works” capacity.

For the construction phase, the information provided includes an appropriate level of detail and is well reasoned however, NRW have requested that method statements for managing pollution be agreed with NRW ahead of construction start, to be reviewed where necessary, and earthworks/site preparation should be done in a phased and sensitive manner ensuring that only the essential areas of the site are stripped at any one time (rather than all at once).

NRW also requests that sediment control measures are installed to manage run off from earthworks which should be installed before or as the works are undertaken not afterwards. The operator has a responsibility to maintain these appropriately through the life of the construction phase and afterwards until the development poses no further pollution risk. Appropriate stocks of sediment control textiles should be retained on site at all times to react to emerging issues. Finally, self-contained wheelwash systems should be utilised to prevent pollution of the surface water systems on the serving road networks.

Due to the significant nature of this development and the emphasis on the contractor to act responsibly throughout the construction, the applicant should arrange a pre-commencement meeting with NRW's Environment Team to discuss pollution management and to establish a good working relationship between the relevant parties.

11) Ensuring equality of access by all

Developments must conform to the provisions of the Equality Act 2010 and the site has been designed to make it accessible for all those who might use the site in the future with connecting links to the factory.

12) Ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected

The proposal involves the expansion of an existing operation and the impact of the development on neighbouring residential properties by way of noise pollution and visual impact has been addressed above.

In terms of the impact of the proposed lighting scheme on neighbouring occupiers, the levels have been designed to comply with BSEN12464-2 – Light and Lighting – Lighting of outdoor works places and ILP guidance notes for Obtrusive lighting to nearby properties.

The proposed development will not generate excessive levels of sky glow, light spill or glare and therefore the development will not significantly affect the existing surrounding area or sensitive receptors.

The lighting installed at the development site both during construction and operational phases, will accord with current best practice and design guidance to ensure that the residual effects on sensitive receptors will be within acceptable levels.

Except when occasionally required to comply with security and worker safety requirements, night-time lighting will be hooded to direct illumination downward and inward toward the areas to be illuminated in order to minimize light spillage and glare, backscatter to the night-time sky and visibility of lighting to motorists on the A4063 and the adjacent residential areas.

13) Incorporating appropriate arrangements for the disposal of foul sewage, waste and water

The proposed development is not located within a flood risk zone, is not located within 20m of a watercourse and does not propose to increase flood risk elsewhere. The applicant has prepared a Flood Risk Assessment Report which advises that a proportion of the existing site is located within Flood Risk Zone B. The NRW pre-application consultation response states "We are satisfied that the proposed development is outside the current flood risk area."

The application form states foul water will be disposed via the existing sewage treatment plant. Dwr Cymru Welsh Water has confirmed that the application does not propose to connect to the public sewer and therefore Dwr Cymru Welsh Water has no further comments. However, should circumstances change and a connection to the public sewerage system/public sewage treatment works is preferred they must be re-consulted on this application.

The Description of Project and Process (57100-0214) states: "The current effluent treatment system installed in 1991 has the capacity and capability to serve the new paper mills in addition to the current paper mills. A large part of the total amount of water needed for the tissue making process will be made available through intensive wastewater treatment, thus significantly reducing the total amount of fresh water taken from the River Llynfi. The plant uses the biological oxygen demand (BOD) process, which remains the best available technology. For the biological process, the wastewater has to be conditioned i.e. additional nutrition like nitrogen and phosphor has to be added to the water coming from the production plant. Any excess water will be discharged to the River Llynfi via the existing effluent treatment plant."

The Council's Land Drainage Section has advised that the applicant shall provide details of the existing treatment plant that confirms it has sufficient capacity to treat the additional flows and shall obtain approval from NRW regarding the increased discharge rate to the River Llynfi from the existing unit and provide a registration document from NRW.

Surface water will be disposed via SuDS and an existing watercourse. The applicant has provided a Proposed SUDs features plan and a separate SuDS application has been submitted to the SuDS Approving Body. Surface water from the proposed development will be disposed of via the existing surface water culvert.

15) Appropriately contributing towards local, physical, social and community infrastructure which is affected by the development

To offset the potential impacts of the development, the applicant will need to enter into a Section 106 Agreement in conformity with Policy SP14 Infrastructure.

In terms of highway related planning obligations/requirements, the Council is seeking a Section 106 agreement to:

- Make a financial contribution of £8,000 towards the provision of Traffic Regulation Orders for speed reduction around the existing access if the second access is not progressed;
- Make a financial contribution of £60,000 (to be paid within 12 months from the date of consent) towards a feasibility assessment of an Active Travel route through the Llynfi Valley; and,
- Make a financial contribution of £20,000 to fund gateway traffic calming measures at Coytrahen.

CONCLUSION

Section 38(6) of the 2004 Act requires that if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Factors to be taken into account in making planning decisions (material considerations) must be planning matters, that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

In this case it is considered that the information submitted in support of the EIA development is material to the determination of the application and has been taken into account during the consideration of the proposal.

On balance and having regard to the above weighing up of all material considerations relevant to this scheme, in pure planning terms it is considered that the proposed expansion of the factory is acceptable in this specific location due to the allocated and protected nature of the wider site for employment purposes and in regard to its potential impacts on surrounding residents by way of visual impact, noise, air quality and lighting, any impact on the character and appearance of the site and surrounding countryside, its potential impact on biodiversity in and around the site and its potential impact on the highway network and drainage in and around the site.

More specifically and having particular regard to the objections received from the occupiers of the residential property that will be most affected by the development, it is considered that whilst the 42m warehouse will be very prominent when viewed from their property and the amount of noise and lighting emanating from the expanded site is bound to increase from current levels, on balance, the measures and restrictions to be employed on the site will sufficiently mitigate that impact to an acceptable level. In addition, the limited additional impact on one or two properties has to be weighed up against the overall economic benefit to the wider County Borough through the safeguarding of existing jobs and the creation of much needed employment opportunities in the area.

The application is therefore recommended for approval subject to a Section 106 Legal Agreement, conditions and informative notes.

RECOMMENDATION

A) The applicant enters into a Section 106 Agreement to provide financial contributions as follows:

- a sum of £8,000 to fund legal traffic orders;
- a sum of £60,000 (to be paid within 12 months from the date of consent) towards a feasibility assessment of an Active Travel route through the Llynfi Valley;
- a sum of £20,000 to fund gateway traffic calming measures at Coytrahen.

B) The Group Manager – Planning and Development Services be given delegated powers to issue a decision notice granting consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement, as follows:

1. The development shall be carried out in accordance with the following approved plans:
 - 57100-0161 Location Plan
 - 51100-0100 Site Development Plan
 - 51100-0102 Site Development Plan Project Phases
 - 57100-0153 Proposed South Elevation 1 of 2
 - 57100-0154 Proposed South Elevation 2 of 2
 - 57100-0155 Proposed West Elevation
 - 57100-0156 Proposed East Elevation 1 of 2
 - 57100-0157 Proposed East Elevation 2 of 2
 - 57100-162 B Proposed SuDS Features
 - 57100-0166 Landscaping Plan Including Ecological Mitigation and Enhancement
 - 57100-0167 Compensatory Bat House
 - 53100-8001 Site Development Plan Illumination Plan
 - 53100-8002 Site Mobilisation Plan Illumination Plan
 - 51102-1001 A+B Pulp Storage, Bale Handling Ground Views
 - 51102-1002 A+B Pulp Storage, Bale Handling Cross Sections
 - 51102-1003 A+B Pulp Storage, Bale Handling Elevations

51103-1001 C – Paper Machine “Neptune” Basement, Cross Sections
51103-1002 C – Paper Machine “Neptune” Ground Views
51103-1003 C – Paper Machine “Neptune” Elevations
51104-1001 D – Converting Ground Views
51104-1002 D – Converting Cross Sections
51104-1003 D – Converting Elevations
51105-1001 E – Shipping Area Ground Views, Cross Sections
51105-1002 E – Shipping Area Elevations
51105-1002 E – Shipping Area Elevations
51106-1001 F – High Bay Storage Ground Views
51106-1002 F – High Bay Storage Cross Sections
51106-1003 F – High Bay Storage Elevations
51106-1005 Acoustic Barrier Floor Plan and Section
51107-1001 G-Gate House Ground Views, Cross Sections
51107-1002 G-Gate House Elevations
51109-1001 J-JRS Ground Views, Cross Sections
51109-1002 J-JRS Elevations
51109-1002 J-JRS Elevations

Recommendations and Mitigation Measures included within:

Air Quality Impact Assessment
Arboricultural Report
Water Environment Impact Assessment
Noise Impact Assessment Report
Coal Mining Risk Assessment Report
Ecological Mitigation and Enhancement Report and Plan
Habitats Regulation Assessment
Ecological Appraisal
Invasive Non Native Species Management Plan and Eradication Specification
Delivery Management Plan
Revised Travel Plan (Received 13 May 2020)
Flood Risk Assessment Report
Site Investigation Report
Transport Assessment
Stage 1 Road Safety Audit
Outline Construction Environmental Management Plan Report

All received on 6 February 2020 unless otherwise stated.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development.

2. Notwithstanding the plans and reports as hereby approved, a revised Native Species Management Plan and Eradication Specification (including the post treatment monitoring period length, the point at which further treatment is no longer required and the proposals for vehicle wash down areas as contaminated material is moved around the site) shall be submitted to the Local Planning Authority within three months of the date of consent. The development shall thereafter be carried out in accordance with the details as approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

3. Notwithstanding the submitted details, within 3 months of the date of consent an updated Construction Environmental Management Plan, which refers to the

construction hours as agreed with the Shared Regulatory Services Officer, shall be submitted to the Local Planning Authority. All construction and deliveries shall thereafter be undertaken in accordance with the document as approved in writing by the Local Planning Authority.

Reason: To preserve the residential amenities of neighbouring properties.

4. Prior to the beneficial use of the site, details of a lighting scheme shall be submitted to and agreed with the Local Planning Authority. The scheme shall include the following information:
- a plan showing the location, height and orientation of the lights, as well as the form and type of lights to be erected and at which locations
 - lighting levels within the development site to demonstrate that the areas within the site are not overly illuminated and do not exceed the levels that are recommended to comply with BSEN12464 2 – Light and Lighting – Lighting of outdoor works places i.e. of 50 average lux for hard standing areas and 20 lux for areas for slow moving traffic,
 - predicted levels in lux at the closest residential receptors following final choice of design, location and height of lighting columns to demonstrate that the levels do not exceed the ILP requirements for obtrusive lighting in E2 – Rural areas
 - the operational hours and,
 - the specific mitigation measures to reduce any identified light spillage beyond the site boundary, to ensure that there will be no upward light spillage and to ensure there is no direct glare from any optics into any residential properties (e.g. baffles and screening and specify which lights are to have baffles)

Upon approval in writing, the details shall be implemented as agreed and thereafter the development shall be operated in accordance with the approved details and retained as such in perpetuity.

Reason: To protect biodiversity and to preserve the amenities of the countryside and adjoining occupiers.

5. Prior to their use on site, a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to protect the visual amenities of the area.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the site or the completion of the development whichever is the sooner and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To preserve the amenities of the countryside and in the interests of biodiversity within and around the site.

7. A Landscape Management Plan including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial use of the site. The

Landscape Management Plan shall be carried out as approved.

Reason: To preserve the amenities of the countryside and in the interests of biodiversity within and around the site.

8. No development apart from site clearance and preparation shall take place until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development relates appropriately to the topography of the site and the surrounding area.

9. The submitted remediation scheme must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with DEFRA and the Environment Agency's 'Model procedures for the Management of Land Contamination, CLR 11' (September 2004) and the WLGA/WG/NRW guidance document 'Land Contamination: A guide for Developers' (2017), unless the Local Planning Authority agrees to any variation.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works within the immediate vicinity of the suspected contamination (and potentially affected by it as determined and confirmed in writing by a suitably qualified competent person with relevant experience of investigating contaminated sites) must stop and no further development shall take place in that area unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.

Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

11. Any topsoil [natural or manufactured] or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority..

Reason: To ensure that the safety of future occupiers is not prejudiced.

12. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

13. Any site won material including soils, aggregates and recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

14. Within 3 months of the date of this consent a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with including future maintenance requirements, shall be submitted to the Local Planning Authority. The scheme as approved in writing by the Local Planning Authority shall be implemented prior to beneficial use and retained in perpetuity.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.

15. Prior to the commencement of development on Phases 2 and 3 of the development, intrusive coal mining resource site investigations shall be carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to and approved in writing by the Local Planning Authority. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure a satisfactory form of development.

16. Where the findings of the intrusive coal mining resource site investigations (required by condition 15 above) identify that the coal mining legacy on the site poses a risk to surface stability, no development shall commence in that particular phase until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to and approved in writing by the Local Planning Authority. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: To ensure a satisfactory form of development.

17. Following implementation and completion of the approved remediation scheme for each phase (required by condition 16 above) and prior to the first beneficial use of that part of the development, a verification report shall be submitted to and approved in writing by the Local Planning Authority to confirm completion of the remediation scheme in accordance with approved details.

Reason: To ensure a satisfactory form of development.

18. No development apart from site clearance and preparation shall take place until a detailed scheme has been submitted to and agreed with the Local Planning Authority to demonstrate that the sound insulation values used in the noise modelling predictions within Section 4.3 of the Noise Environmental Impact Assessment 57100_0219_Noise Assessment for the following enclosures and buildings will be achieved:

- The Department B baler will be fully enclosed. The Department B baler enclosure shall provide a sound insulation value R_w of at least 40dB(A)
- All elements of the walls and roof of Department C shall provide sound insulation value R_w of at least 50dB(A)
- The walls and roof of Department F shall provide a sound insulation value R_w of at least 40dB(A)

The agreed scheme shall be implemented in full and the sound insulation values of the enclosure and buildings referred to above shall be retained for the lifetime of the development.

Reason: To protect the residential amenities of neighbouring properties.

19. All plant, equipment and conveyors shall be operated in accordance with section 4.3 of the Noise Environmental Impact Assessment 57100_0219_Noise Assessment i.e.:
- 'Bin dragging' as part of the pulp storage/bale handling extension shall only take place during daytime hours between 07.00 and 19.00 hours
 - A maximum of one electric clamp truck, one diesel clamp truck for unloading and one baler shall operate within Department B at any one time during the hours of 07.00 and 23.00 hours
 - A maximum of one electric clamp truck and one baler shall operate within Department B at any one time between the hours of 23.00 and 07.00 hours.
 - A maximum of one forklift shall operate within the Department F warehouse building.
 - A maximum of one forklift shall operate within the Department F shipping building.
 - A maximum of three conveyors shall be located externally within the canopied area of Department B and shall be screened by a 10m high steel sheet (or an

alternative agreed barrier) on the northern and southern boundaries of the canopied area.

Reason: To ensure a satisfactory form of development and to preserve the residential amenities of neighbouring properties.

20. Prior to the development being brought into beneficial use, the following mitigation measures shall be implemented in full in accordance with section 5.2 of the Noise Environmental Impact Assessment 57100_0219_Noise Assessment :
- A 6m high acoustic barrier shall be installed to provide screening between the proposed Department F and Brynsiriol Farm (Receptor NSR02 in the noise report) as shown on the 'Acoustic barrier floor plan and section' Plan No: 51106-1005. The barrier shall be continuous in length with no gaps and shall be rot proof. The design details of the barrier shall be submitted to and agreed with the Local Planning Authority prior to its installation to include the type of barrier, its mass and the attenuation that it will provide. The acoustic barrier shall be maintained and retained for the lifetime of the development.
 - Only 'Finished Goods' and 'Pallets' HGV movements shall occur between the hours of 23.00 and 07.00 hours. There shall be a reduction of 50% in peak hour HGV movements (as shown within the 'Hourly for Model' column in Table 2-12 of the Noise Environmental Impact Assessment 57100_0219_Noise Assessment) between the hours of 23.00 and 07.00 hours
 - Between 23.00 and 07.00 hours external loading shall comprise of no more than one vehicle at a time, i.e. although more than one vehicle may be parked for loading, external noise sources used for the loading of multiple vehicles must not operate concurrently.

Reason: To preserve the residential amenities of neighbouring properties.

21. All mobile plant and equipment (e.g. forklifts etc.) which operate wholly within the development site which have reversing alarms shall be fitted with white noise reversing alarms as opposed to tonal alarms.

Reason: To preserve the residential amenities of neighbouring properties.

22. The tissue machinery shall be installed and operated in accordance with the control measures specified in Chapter 7, paragraphs 7.5.36 -7.5.39 of the Environmental Statement submitted as part of the application and shall not exceed the vibration levels specified in paragraphs 7.5.36-7.5.39.

Reason: For the avoidance of doubt.

23. The rating noise level arising from the development (including the application of any tonal penalty) when assessed in accordance with BS4142:2014+A1:2019 in free field conditions at any residential premises existing at the time of approval of planning permission for this development shall not exceed the noise levels shown below:

Noise Receptor Location	Noise Rating Level	
	Day time (07.00-23.00 hours) LAeq 1hour	Night Time (23.00-07.0 hours) LAeq 15mins
NS1- Brynllwarch Farm	33dB	31dB
NS2- Brynsiriol Farm	37dB	27dB
NS3- Cefn Ydfa Farm	36dB	33dB
NS4- Ty Isaf	36dB	31dB

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

24. Within 3 months of the development becoming fully operational, a noise assessment shall be undertaken in accordance with BS4142 and a noise report shall be submitted to and agreed with the Local Planning Authority demonstrating by means of direct measurement or, where this is not possible, a combination of measurement and calculation, that the rating levels when all plant and machinery is operational does not exceed the noise limits specified in condition 23. Should the report conclude that these limits are being exceeded, it shall include a scheme of mitigation required to reduce the noise levels to comply with condition 23. Any mitigation works must be carried out in full within a timescale to be agreed with the Local Planning Authority.

Reason: To ensure a satisfactory form of development.

25. Within 3 months of the date of consent, a scheme to minimise dust emissions arising from construction activities on site shall be submitted to the Local Planning Authority. The scheme shall include details of dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the scheme as approved in writing by the Local Planning Authority with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.

Reason: To assess air quality and agree any mitigation measures that may be required to safeguard the amenity of nearby residents in the area.

26. Notwithstanding the submitted plans this consent does not extend to the proposed existing priority junction reconfiguration.

Reason: For the avoidance of doubt as to the extent of permission hereby granted.

27. Within 3 months of the date of this consent a scheme for a Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The Plan should demonstrate how traffic generated by the proposed development will avoid, where possible, HGV movements during the AM and PM peak network hours and shall be subject to monitoring and periodic review. Traffic movements to/from the site shall be carried out in accordance with the Delivery Management Plan upon commencement of beneficial use of the development and retained as such.

Reason: In the interests of highway safety.

28. Notwithstanding the submitted Travel Plan, the measures outlined in the Transportation Implementation Schedule shall be implemented within 6 months of the beneficial use of the development. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the developer and submitted to the Local Planning Authority.

Reason: In the interests of promoting sustainable modes of transport to and from the school.

29. The parking area as hereby approved shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter in perpetuity.

Reason: To ensure a satisfactory form of development and in the interests of highway safety.

30. The cycle parking area and installation of stands shall be completed in accordance with the approved layout prior to the development being brought into beneficial use and retained thereafter in perpetuity.

Reason: To ensure a satisfactory form of development.

31. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

Dwr Cymru Welsh Water have confirmed that the applicant may need to apply to Dwr Cymru Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry

Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under section 163 of the Highways Act 1980.

The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:

- i. obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
- ii. indemnify the County Borough Council against any and all claims arising from such works;
- iii. give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend CF31 4WB. Telephone No. (01656) 642541.

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not

necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:

- i. determining the extent and effects of such constraints;
- ii. ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site:-
 - Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to Section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed;
- iii. the safe development and secure occupancy of the site rests with the developer.

Proposals for areas of possible land instability should take due account of the physical and chemical constraints and may include action on land reclamation or other remedial action to enable beneficial use of unstable land.

The Local Planning Authority has determined the application on the basis of the information available to it but this does not mean that the land can be considered free from contamination.

No surface water is allowed to discharge to the public highway.

No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.

In order to satisfy the drainage condition (17) the following supplementary information is required:

- Provide an agreement in principle from NRW regarding the additional effluent discharge to the River Llynfi;
- Provide NRW registration document for the package treatment plant;
- The applicant shall submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).

Based on the characteristics of the site, it is considered that a suitable foul and surface water scheme can be provided on the site without detriment to surrounding areas and this will be secured via a suitably worded condition.

Network Rail Advisory Notes

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

DRAINAGE

All surface water drainage should be directed away from Network Rail's land. Soakaways are not acceptable where the following apply:

- a) Where excavations which could undermine Network Rail's structural support zone or adversely affect the bearing capacity of the ground
- b) Where there is any risk of accidents or other acts leading to potential pollution of Network Rail's property/infrastructure
- c) Where the works could adversely affect the water table in the vicinity of Network Rail's structures or earthworks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

ACCESS POINTS

Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction. In order to mitigate the risks detailed above, the Developer should contact the Network Rail's Asset Protection Wales Team well in advance of mobilising on site or commencing any works. The initial point of contact is assetprotectionwales@networkrail.co.uk . The department will provide all necessary Engineering support subject to a Basic Asset Protection Agreement.

FENCING

Because of the nature of the proposed developments we consider that there will be an increased risk of trespass onto the railway. The Developer must provide a suitable trespass proof fence adjacent to Network Rail's boundary (minimum approx. 1.8m high) and make provision for its future maintenance and renewal. Network Rail's existing fencing/wall must not be removed or damaged.

ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land or structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then they must seek approval from Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.

GROUND LEVELS

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

PILING

Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

EXCAVATIONS/EARTHWORKS

All excavations/earthworks carried out in the vicinity of Network Rail's property/ structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING

The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES

The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

NOISE

The potential for any noise/vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned such that in the event of failure it will not fall on to Network Rail land.

HEAPING, DUST AND LITTER

It should be noted that because of the nature of the proposals we would not want

to see materials piled near the boundary. Items to be heaped on site should be kept away from the boundary an equal distance as the pile is high to avoid the risk of toppling and damaging or breaching our boundary. We also have concerns over the potential for dust clouds and rubbish created from the processing at the site affecting the railway signal sighting. Therefore, adequate measures for preventing dust and rubbish blowing onto Network Rail property are to be in operation.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting. Following occupation of the development, if within three months Network Rail or a Train Operating Company has identified that lighting from the development is interfering with driver's vision, signal sighting, alteration/mitigation will be required to remove the conflict at the applicant's expense.

Natural Resources Wales advise that in addition to planning permission, it is the applicant's responsibility to ensure that they secure all other permits/consents/licences relevant to their development. Please refer to the NRW website for further details.

Deep borehole drainage for surface waters is not permitted.

A European protected species (EPS) Licence is required for this development.

Planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/permits-and-permissions/protected-species-licensing/european-protected-species-licensing/information-on-european-protected-species-licensing/?lang=en> .

Development should not be commenced until a licence has been granted by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

We advise recipients of planning consent who are unsure about the need for a licence to submit a licence application to us.

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

- a. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- b. There is no satisfactory alternative and
- c. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Where appropriate, the new drainage systems should be fitted with pollution control valves/penstocks. This will help the operator manage any pollution incidents during the operational life of the site.

Any surface water discharge from car parks or service areas should be served with an appropriate grade of hydrocarbon interceptor.

Construction plant shall, wherever possible, be fitted with white noise reversing alarms as opposed to tonal alarms.

It is recommended that the applicant retains the services of their ecological consultant in an “ecological clerk of works” capacity as part of their team of environmental specialists identified in Section 4.2.3 of the outline CEMP.

JONATHAN PARSONS
GROUP MANAGER PLANNING AND DEVELOPMENT SERVICES

Background Papers

None