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Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr  
Bridgend County Borough Council

Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB



*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 / 643694 / 643513  
Gofynnwch am / Ask for: Democratic Services

Ein cyf / Our ref:  
Eich cyf / Your ref:

**Dyddiad/Date:** Friday, 7 November 2025

Dear Councillor,

**DEVELOPMENT CONTROL COMMITTEE**

A meeting of the Development Control Committee will be held Hybrid in the Council Chamber - Civic Offices, Angel Street, Bridgend, CF31 4WB / remotely via Microsoft Teams on **Thursday, 13 November 2025 at 10:00**.

**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 Reports below.

3 Site Visits

To confirm a date of Wednesday 17/12/2025 for proposed site inspections arising at the meeting, or identified in advance of the next Committee meeting by the Chairperson.

**By receiving this Agenda Pack electronically you will save the Authority approx. £00.00 in printing costs**

4	<u>Approval of Minutes</u>	5 - 12
	To receive for approval the minutes of the 02/10/2025	
5	<u>Public Speakers</u>	
	To advise Members of the names of the public speakers listed to speak at today's meeting (if any).	
6	<u>Amendment Sheet</u>	
	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.	
7	<u>Development Control Committee Guidance</u>	13 - 16
8	<u>P/25/417/FUL - HMP Parc, Heol Hopcyn John, Coity, CF35 6AP</u>	17 - 64
9	<u>P/24/31/FUL - Land south of the Angel Inn off Heol Las Mawdlam CF33 4PG</u>	65 - 98
10	<u>Appeals</u>	99 - 118
11	<u>Training Log</u>	119 - 120
12	<u>Urgent Items</u>	
	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.	

**Note: This will be a Hybrid meeting and Members and Officers will be attending in the Council Chamber, Civic Offices, Angel Street Bridgend / Remotely via Microsoft Teams. The meeting will be recorded for subsequent transmission via the Council's internet site which will be available as soon as practicable after the meeting. If you would like to view this meeting live, please contact [cabinet\\_committee@bridgend.gov.uk](mailto:cabinet_committee@bridgend.gov.uk) or tel. 01656 643148 / 643694 / 643513 / 643159.**

Yours faithfully

**K Watson**

Chief Officer, Legal and Regulatory Services, HR and Corporate Policy

Councillors:

A R Berrow

RJ Collins

C L C Davies

RM Granville

H Griffiths

S J Griffiths  
GC Haines  
D T Harrison  
M L Hughes  
D M Hughes  
M R John  
W J Kendall  
J Llewellyn-Hopkins  
J E Pratt  
Vacancy  
A Wathan  
I Williams  
R Williams

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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025**

**MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL COMMITTEE HELD HYBRID IN THE COUNCIL CHAMBER - CIVIC OFFICES, ANGEL STREET, BRIDGEND, CF31 4WB ON THURSDAY, 2 OCTOBER 2025 AT 10:00**

**Present**

Councillor RM Granville – Chairperson

A R Berrow  
D T Harrison

S Easterbrook  
M L Hughes

S J Griffiths  
D M Hughes

GC Haines  
M R John

**Present Virtually**

RJ Collins  
R Williams

W J Kendall

J E Pratt

A Wathan

**Officers:**

Rhodri Davies  
Gillian Dawson  
Dion Douglas  
Craig Flower  
Steven Jenkins  
Robert Morgan  
Jack Dangerfield  
Jonathan Parsons  
Michael Pitman  
Adam Provoost  
Oscar Roberts  
Philip Thomas  
Leigh Tuck

Development & Building Control Manager  
Senior Lawyer  
Principal Planning Officer  
Minor Applications Team Leader  
Development Control Team Leader  
Principal Officer Highways Development Control  
Senior Strategic Planning Policy Officer  
Group Manager - Planning & Development Services  
Technical Support Officer – Democratic Services  
Strategic Planning Policy Team Leader  
Business Administrative Apprentice - Democratic Services  
Principal Planning Officer  
Senior Development Control Officer

# DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025

## 165. Apologies for Absence

Decision Made	Cllr Heather Griffiths Cllr Johanna Llewellyn- Hopkins
Date Decision Made	02 October 2025

## 166. Declarations of Interest

Decision Made	Cllr Della Hughes declared a Prejudicial Interest in agenda item 10 and left the meeting before this item. Cllr Alan Wathan declared a personal interest in agenda item 8 as a member of Bridgend Town Council Cllr Richard Collins declared a personal interest in agenda item 8 as a member of Maesteg Town Council
Date Decision Made	02 October 2025

## 167. Site Visits

Decision Made	<u>RESOLVED:</u> That a date of Wednesday 12 November 2025 be agreed for any site inspections arising at the meeting or identified in advance of the next Committee by the Chairperson.
Date Decision Made	02 October 2025

## 168. Approval of Minutes

Decision Made	<u>RESOLVED:</u> That the minutes of a meeting of the Development Control Committee dated 10 July 2025, be approved as a true and accurate record.
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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025**

Date Decision Made	02 October 2025
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**169. Public Speakers**

Decision Made	The following public speaker had registered to speak at today's meeting:-  Planning application P/25/43/FUL and P/25/41/FUL - Kathryn Jones – Statement read out by Legal Officer
Date Decision Made	02 October 2025

**170. Amendment Sheet**

Decision Made	<u>RESOLVED:</u> That 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. This allows for Committee to consider any necessary modifications to the Committee Report, so as to take account of any late representations and revisions that require to be accommodated.
Date Decision Made	02 October 2025

**171. Development Control Committee Guidance**

Decision Made	<u>RESOLVED:</u> That Committee noted the Development Control Committee Guidance as shown in the report of the Corporate Director – Communities.
Date Decision Made	02 October 2025

# DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025

## 172. P/25/247/HYB - Former Ford Engine Plant, Waterton Industrial Estate, Bridgend, CF31 3PJ

Decision Made	<p><u>RESOLVED:</u></p> <p>(i) That the Committee formally expressed its preference for all future reserved matters applications linked to this outline consent to be brought before the Development Control Committee for determination.</p> <p>(ii) That the hybrid application be approved, subject to the conditions and amendments detailed in the officer's report and amendment sheet.</p> <p><b>Proposal:</b></p> <p>Hybrid planning Application seeking: outline planning permission for the development of a data centre campus (Use Class B8) including site preparation, new buildings and electrical substations and the accesses, infrastructure, spaces, facilities, landscaping, surface water drainage features and other works that will be needed to construct and serve the campus; and full planning permission for the first data centre and all associated works (EIA Development)</p>
Date Decision Made	02 October 2025

## 173. P/25/43/FUL - Land at Cynhordy 1.6km east of Maesteg and 2km west of Pont-y-Rhyl

Decision Made	<p><u>RESOLVED:</u></p> <p>That the above application be granted, subject to the conditions contained in the report of the Corporate Director - Communities and an additional condition requiring an archaeological watching brief during groundworks.</p> <p><b>Proposal:</b></p> <p>The installation of a 90m high anemometer mast for a temporary period of up to three years.</p>
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# DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025

Date Decision Made	02 October 2025
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## 174. P/25/41/FUL - Land at Pwll Yr Iwrch (1.7km to east of Maesteg and 3km west of Blaengarw) Maesteg

Decision Made	<p><u>RESOLVED:</u> That the above application be granted, subject to the conditions contained in the report of the Corporate Director – Communities.</p> <p><b>Proposal:</b> The installation of a 90m high anemometer mast for a temporary period of up to three years</p>
Date Decision Made	02 October 2025

## 175. P/25/306/FUL - 18 Oak Tree Drive, Newton, Porthcawl, CF36 5BQ

Decision Made	<p><u>RESOLVED:</u> That the above application be granted, subject to the conditions contained in the officer's report and the agreed removal of condition 3 relating to an obscurely glazed window.</p> <p><b>Proposal:</b> Two storey side extension, hip to gable to rear single storey extension roof and new front porch.</p>
Date Decision Made	02 October 2025

## 176. Appeals

Decision Made	<p><u>RESOLVED:</u> (1) That the appeals received since the last meeting of the Committee as shown in the report of the Corporate Director – Communities, be noted.</p>
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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025**

	<p>(2) That the Inspector appointed by the Welsh Ministers to determine the following appeals has directed that they be DISMISSED:-</p> <p>Appeal No – 2038 - Subject of Appeal - Single Storey Rear and Side Extension, Rear Dormer With 2 X Juliet Balconies, Alterations to Roof Ridge and Porch (Part Retrospective): 103 Heol Las North Cornelly</p>
Date Decision Made	02 October 2025

**177. Draft Outdoor Recreation Facilities Supplementary Planning Guidance**

Decision Made	<p>The Senior Strategic Planning Policy Officer presented a report which:</p> <ul style="list-style-type: none"> <li>• Informed Development Control Committee of the outcome of the public consultation exercise on the draft Outdoor Recreation Facilities Supplementary Planning Guidance (<b>SPG</b>) document.</li> <li>• Informed the Development Control Committee of the intention to present the Outdoor Recreation Facilities SPG (Appendix 1), subject to minor amendments, following approval to do so by Cabinet, to Council to seek its adoption in order to support the Outdoor Recreation Facilities Policies within the adopted Replacement Local Development Plan (RLDP, March 2024).</li> </ul> <p>Following a 6 week consultation, 2 changes were incorporated into the new SPG document.</p> <ul style="list-style-type: none"> <li>• <i>Insertion of a reference to the publication 'Including Disabled Children in Play Provision Position Statement' by the 'Play Safety Forum' under the heading 'Local Community Needs and Accessibility' within Section 7.0 Designing Outdoor Recreation Facilities of the draft SPG.</i></li> <li>• <i>Updated web-link to 'Play Wales' document, 'Creating Accessible Play Spaces toolkit' under the heading 'Design Guidance by Outdoor Recreation Facility Typology' within Section 7.0 Designing Outdoor Recreation Facilities of the draft SPG.</i></li> </ul> <p>The following points arose following the Officers presentation:</p>
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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025**

	<ul style="list-style-type: none"> <li>• A specific question about an apparent inconsistency in <b>Table 2</b> of the guidance, regarding the requirement for a "Local Area for Play" for different sizes of housing developments. The officer clarified this was due to a sliding scale of provision and the table would be made clearer.</li> <li>• A comment expressing disappointment at the low number of public responses (only four) to the consultation.</li> <li>• Thanks were given to the officers for producing a thorough and much-needed report.</li> </ul> <p><u>RESOLVED:</u> That the contents of the Draft Outdoor Recreation Facilities SPG be noted.</p>
Date Decision Made	02 October 2025

**178. Annual Monitoring Report**

Decision Made	<p>The Senior Strategic Planning Policy Officer presented a report on key findings of the Replacement Local Development Plan (<b>RLDP</b>) Annual Monitoring Report (<b>AMR</b>) 2025 (Appendix 1), prior to the submission of the AMR to the Welsh Government by 31 October 2025</p> <p>He advised that the AMR provided a detailed assessment of progress against the 36 monitoring indicators, covering the key policy areas of the RLDP. Key findings were set out in section 3 of the report.</p> <p><u>RESOLVED:</u> That the contents of the Annual Monitoring Report be noted.</p>
Date Decision Made	02 October 2025

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 2 OCTOBER 2025****179. Training Log**

Decision Made	<u>RESOLVED:</u> That the report of the Corporate Director – Communities advising Members of up and coming training initiatives be noted.
Date Decision Made	02 October 2025

**180. Urgent Items**

Decision Made	There were no urgent items
Date Decision Made	02 October 2025

To observe further debate that took place on the above items, please click this [link](#)

The meeting closed at 12:00

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](http://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 cannot 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	PEDW	Planning & Environment Decisions Wales
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
PINS	Planning Inspectorate		



**REFERENCE:** P/25/417/FUL

**APPLICANT:** Galliford Try Construction Limited & Ministry of Justice

**LOCATION:** HMP Parc, Heol Hopcyn John, Coity CF35 6AP

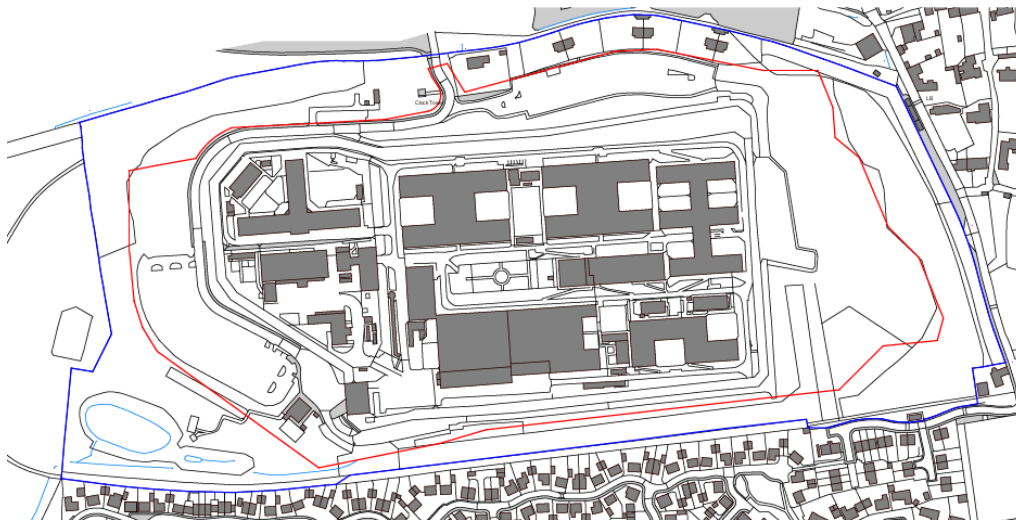
**PROPOSAL:** Demolition and redevelopment within the existing secure compound and an extension to the secure compound to the southwest and east to include a new accommodation block, a replacement kitchen/dining block, a new gym/multifaith building, a new industries/education building and new visitor/staff entrance, additional car parking and associated infrastructure

**RECEIVED:** 9 July 2025

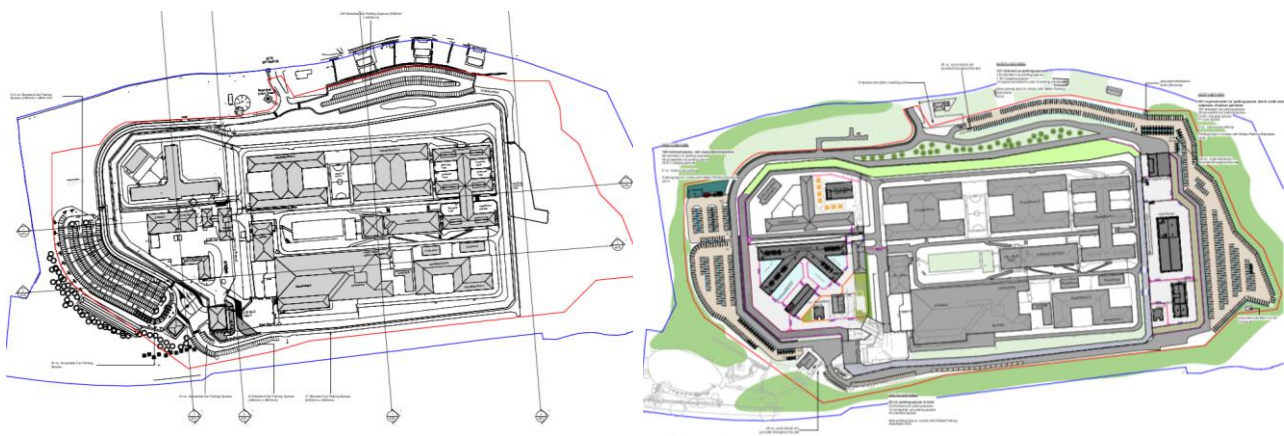
## APPLICATION/SITE DESCRIPTION

Galliford Try Construction Limited and the Ministry of Justice (**MoJ**) are seeking Full Planning Permission for the proposed expansion of the HMP Parc facility which is a Category B prison and Young Offender Institute (Use Class C2a).

The current expansion is part of a UK-wide scheme to increase capacity by developing existing prisons to house additional residents. It is expected that this proposal will future proof HMP Parc for the foreseeable future.



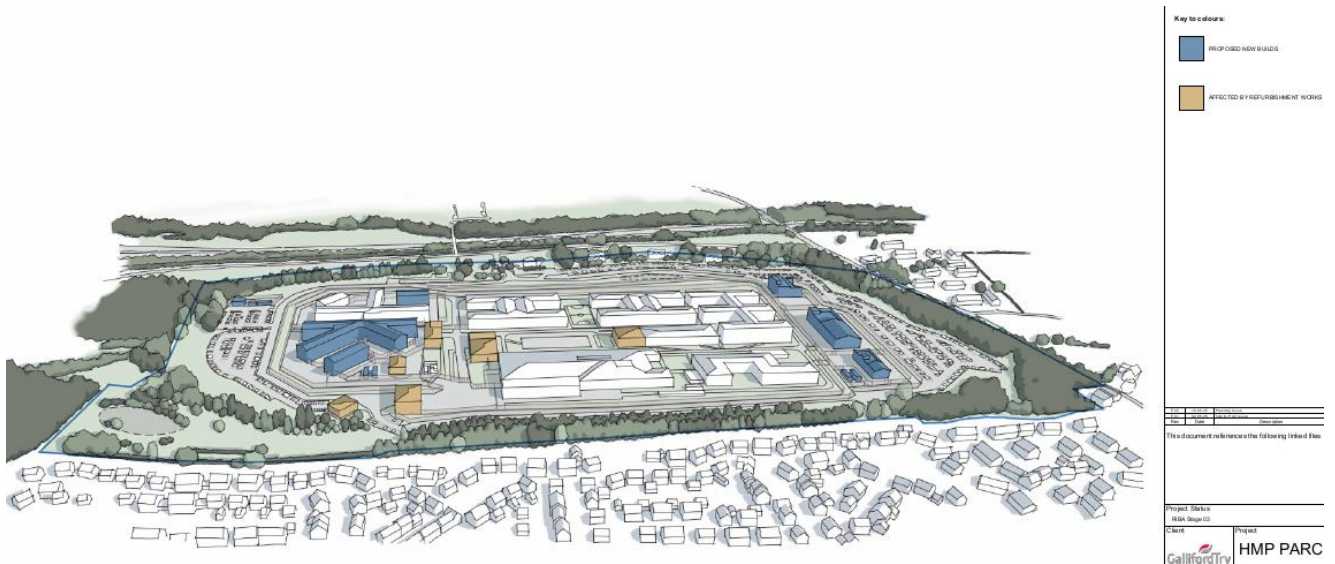
**Figure 1: Site Location Plan**



**Figure 2: Existing and Proposed Site Layouts**

The proposals comprise the:

- Erection of a K-shaped Houseblock to accommodate 345 residents to the south-west corner of the site.
- Demolition and repositioning of parts of the prison boundary wall.
- Demolition of the existing kitchen/store/multi-faith building located to the south-west of the site.
- Partial demolition of the original entry building and making good of elements affected by the works.
- Construction of a new road alongside the southern boundary of the existing north car park.
- New vehicle and staff access point located to the north-east of the site for deliveries and staff entry to the main prison estate.
- Erection of a vehicle lock/staff gate house, electric kitchen, and Facilities Management building to the east of the site.
- Provision of an additional 184 car parking spaces to the existing 628 spaces. As part of this proposal the car parking spaces will be distributed in the west (for visitors and professional visitors) and in the north and east (for staff and contracted personnel).
- Associated access, foul and surface water drainage, and hard and soft landscaping works.

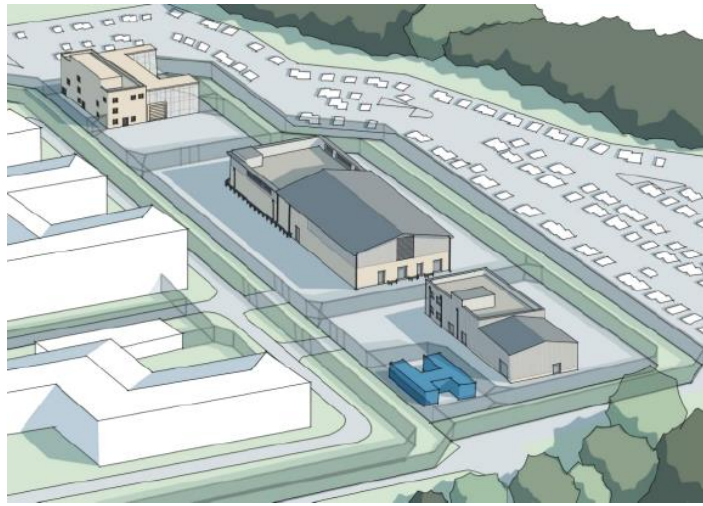


**Figure 3: 3D Proposed Layout**



**Figure 4: 3D View of Proposed K Block (and new Gym in background)**





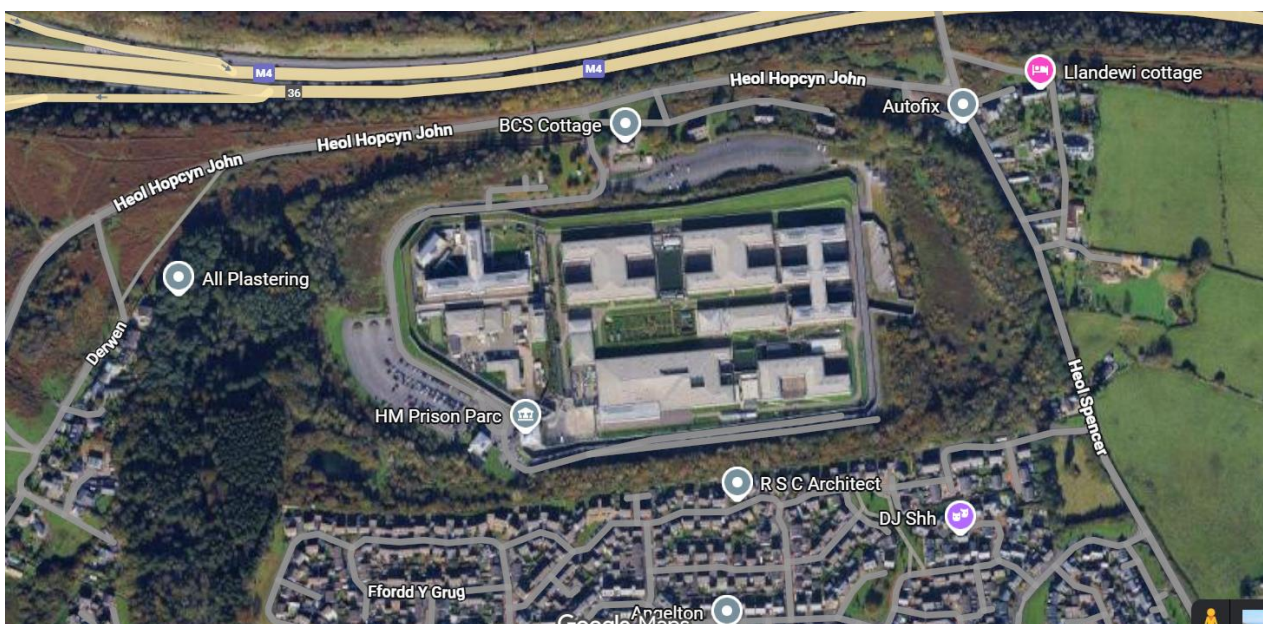
**Figure 5: 3D View of Vehicle Lock/Staff Gate House, Kitchen, and Stores**

HMP Parc currently holds 1,670 prisoners and 676 staff, equalling a total capacity of 2,346. The proposed scheme has been designed to provide an additional 345 residents (increasing the total number of prisoners on-site to 2,010), together with an increase of circa 160 staff (120 of which are expected to be core staff) taking staff numbers to 796.

A recent enquiry by the Public Accounts Committee forecasts that prison capacity will run out in early 2026. To respond to current and projected demand, the Government has outlined plans to add 14,000 new prison places by 2031. The proposed development is intended to contribute towards that target.

The total floorspace of the proposed new buildings is 18,360 sq.m.

The site is accessed from Heol Hopcyn John to the north and is generally enclosed by the M4 to the north, McArthur Glen Designer Outlet and Sainsburys to the west, Parc Derwen housing estate and the Village of Coity beyond to the south and Heol Spencer and residential properties/open countryside to the east.



**Figure 6: Aerial View of Existing Site**



***Figure 7: Alternative Aerial View of Existing Site***

More specifically, the facility lies to the east of “Derwen Wood” Site of Importance for Nature Conservation which is a broad-leaved plantation woodland habitat and “Junction 36, Heath”. It also lies to the north-west of “Coed Parc Gawr SINC” (which is dense/continuous scrub) and “Parc Farm SINC” (which is a semi-improved neutral grassland with scattered scrub”.

There are protected trees within and to the east and west of the site.

The site is not located within a Conservation Area with the nearest Conservation Area being Coity to the south-east of the prison. Whilst no listed buildings/structures are affected by the proposal, there is a Scheduled Monument to the west of the site (“Derwen Moated Site”) which consists of the remains of a moated site probably dating back to the medieval period.

No rights of way are affected by the proposals although the site lies immediately to the south of COI/52/1, COI/52A/1 and COI/61/1 public rights of way. There are bus stops to the west adjacent to Sainsburys and to the east off Heol Spencer.

The site slopes down from north to south and is not visible from the M4 to the north or from Parc Derwen to the south due to the marked difference in levels and extensive natural boundary treatments.

The whole site is identified to be within Flood Zone 1 for Rivers and Seas meaning that it is not considered to be at risk of tidal or fluvial flooding. Most of the site is in Flood Zone 1 for Surface Water and Small Watercourses, with some small areas in Flood Zones 2 and 3. The whole of the area to the east of the existing prison compound is within Flood Zone 1 for Surface Water and Small Watercourses.

The existing landscape features will be retained and enhanced where possible and as appropriate as part of the new landscaping proposals for the site. However, the development will result in the removal of some mature trees, areas of plantation woodland, scrub and semi-improved grassland. These removals consist of three specimens of individual low arboricultural quality, three full groups and the partial removal of another group.

To mitigate for these losses, habitats situated within the blue line wider ownership/control boundary to the site will be managed through a comprehensive Landscape and Ecological

Management Plan (**LEMP**). The submitted LEMP sets out the long-term design objectives and management tasks over a 10-year period and includes an initial 5-year maintenance schedule. The habitats will be monitored and the results of the monitoring will be used to inform changes to the management plan. The Plan will create a matrix of new and existing habitats and corridors through the site to encourage the establishment and movement of wildlife. This includes the introduction of native woodland, shrub, tree and hedgerow planting as well as the introduction of bat boxes, bird boxes and artificial hibernaculum and log piles.

Given the nature of the proposed development and the site, not all of these enhancements are possible within the confines of the red line Application area, therefore it is proposed that the majority will be within the land under the Applicant's control (blue line area) and is capable of being secured by condition.

The Application has been accompanied by the following supporting documents:

• Design and Access Statement
• Planning Statement
• Landscape and Ecological Management Plan (LEMP)
• Sustainable Drainage Strategy Report
• Foul Drainage Strategy Report
• Flood Consequence Assessment
• External Lighting Assessment and Strategy
• Landscape and Visual Appraisal
• Energy Statement
• Ecological Impact Assessment
• Shadow HRA: Test of Likely Significant Effects and Appropriate Assessment
• Green Infrastructure Statement
• Pre Application Consultation Report
• Technical Note: PAC Comments Feedback
• Transport Assessment
• Travel Plan
• Archaeological Desk - Based and Impact Assessment
• Arboricultural Impact Assessment & Arboricultural Method Statement
• Ground Investigation Report
• Phase 1 Geo-Environmental Desktop Study
• Baseline Noise Survey Report
• Noise Assessment

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.

The Pre-Application Consultation (**PAC**) Report (as well as a Technical Note: PAC Comments Feedback) include a summary of all representations received.

Further detailed design work resulting from the pre-Application consultation responses have brought about a minor change to the proposed ground levels to the north-east of the site which was not included in the PAC proposal. A less intrusive earth works strategy is now proposed which would result in a localised increase in proposed ground levels. Consequently, relevant changes to the Landscape Visual Appraisal and the Green Infrastructure Statement which formed part of the PAC have been made. A Landscape and

Ecological Management Plan (**LEMP**) now also forms part of this Application which seeks to demonstrate how enhancements to the landscape through the management of the prison estate can be made.

The proposed development has also been the subject of a formal Screening Opinion Request which was received by the Council on 22 April 2025 under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. It is considered that the proposed scheme would not give rise to significant environmental effects which would require EIA under Schedule 3 of the EIA Regulations and, therefore, the proposal does not constitute EIA development for the purposes of the Environmental Impact Assessment (Wales) Regulations 2017. A decision reference P/25/250/SOR was issued on 20 June 2025.

## **RELEVANT HISTORY**

The site has an extensive history. In 1886 it opened as the Second Glamorgan County Lunatic Asylum, it was renamed Parc Gwylt County Mental Hospital in the 1920s and joined the National Health Service as Parc Hospital in 1948.

After the introduction of Care in the Community in the early 1980s, the hospital went into a period of decline and closed in 1996. The hospital was subsequently demolished, and the site was redeveloped as Parc Prison in 1997. Parc Prison has undertaken some major extensions and adaptations since 1997.

<b>Application Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
<b>P/11/357/FUL</b>	Replacement Portacabin & Store	Unconditional Consent	29 June 2011
<b>P/10/789/FUL</b>	New 255 cell block, 2 storey workshop / gatehouse / visitor centre, car park & perimeter wall & sports pitch	Conditional Consent	1 January 2013
<b>P/10/473/FUL</b>	New Generator	Approved	30 July 2010
<b>P/10/261/FUL</b>	Retention Of Contractors Access Road & Vehicle Lock As A Vehicle Store	Approved	28 May 2010
<b>P/09/496/FUL</b>	Erection of new single storey workshop building	Approved	6 August 2009
<b>P/09/167/FUL</b>	External Lighting To New Car Parking And Sports/Play Areas	Approved	27 April 2009
<b>P/08/1012/FUL</b>	Erection of a new prisoner houseblock and associated external works	Conditional Consent	12 December 2008
<b>P/08/99/FUL</b>	Form Additional Staff Car Parking Adj To Service Road On South And East Sides Of Prison Boundary Walls	Conditional Consent	20 March 2008



<b>P/07/1261/FUL</b>	Extend the industries building within the prison wall boundaries	Conditional Consent	21 December 2007
<b>P/07/642/FUL</b>	Prisoner houseblock/extend existing amenities bldg/ Refurbish bldgs & C/U of 2 Parc Cottage	Conditional Consent	1 July 2008
<b>P/06/1336/FUL</b>	New link road between inner road & service yard inc. new gates in fence line to allow a one way system	Approved	4 December 2006
<b>P/06/1036/GOV</b>	Single storey prefabricated modular workshop & associated changes to fences & footpaths	Approved	28 September 2006
<b>P/03/1479/FUL</b>	Erect single storey modular building for juvenile assessment	Approved	20 January 2004
<b>P/02/498/FUL</b>	Erection of single storey modular building	Conditional Consent	22 July 2002
<b>P/01/449/FUL</b>	New single storey building providing office & storage accommodation	Conditional Consent	26 June 2001
<b>P/95/631/GOV</b>	Construction of prison (Notification of Development under Welsh Office Circ 37/84)		22 August 1995
<b>P/93/1178/GOV</b>	Notice of proposed development for the construction of a prison under Welsh Office Circular 37/84		16 December 1993

## **PUBLICITY**

The Application has been advertised on site and in the press and nearby properties directly notified. The development was initially advertised as a departure to the Replacement Local Development Plan (**RLDP**) as the facility is located beyond the settlement boundary and lies within the countryside and because the proposed expansion of the prison is not one of the listed exceptions for development in the countryside under Policy DNP1 of the RLDP.

However, following detailed consideration during the assessment of the application the departure is considered to be of a technical nature i.e. it does not impact the integrity of the wider RLDP. The nature of the proposed development is largely unique and comprises an extension to the existing secure compound to the southwest and east wholly within a long established authorised prison facility. Prior to the use of the prison the land formed part of a large hospital facility, the boundary of which now immediately adjoins the residential settlement. As such, it is considered that the that development would not impact negatively on the countryside or goes to the heart of the adopted RLDP. On this basis, it is considered that the development does not conflict with the RLDP.

Neighbours were notified of the receipt of the Application on 15 July 2025.

The period allowed for response to consultations/publicity has expired.

## **CONSULTATION RESPONSES**

### **Coity Higher Community Council:**

Requests that a Councillor speaks at the Development Control meeting.

**St. Brides Minor Community Council:**

Raises concerns as follows:

“Parc prison is bounded on three sides by residential housing. The northern boundary is common land and hence open access. There is a particular problem in that the common is unmanaged by the estate owners and consequently is deeply covered in bracken and other brush growth, which provides cover for people with criminal intent.

Whilst security inside the prison has rarely raised concern it must be acknowledged that the prisons very presence has a significant impact radiating out from it, being considerable immediately outside diminishing to minor at Bridgend County boundaries. Whilst St Brides Minor does not have a boundary with the prison it does fall within a few hundred metres. So the prison has a noticeable impact.

The things considered must therefore relate to safety of the general public, prison visitors and prison staff, they are:

1. The prison is regularly attended by police from the Bridgend Division. This takes policing away from the county.
2. Prisoners frequently require medical attention at Princess of Wales hospital. For security they have to be prioritised for their treatment. This diverts medical staff from other patients. This must be causing a strain on the system as they require more security and can often have complex medical procedures.
3. There is no bus service to the prison. Nearest bus stop is at Sainsbury's supermarket. This will prevent some people from visiting due to cost of alternatives, which will have an impact on tensions within the prison. Also prevents prison staff from using public transport.
4. There is no pedestrian crossing point between the bus stop and the prison. Anyone who tries to use the bus service has to cross four lanes of usually fast moving traffic and climb across the central barrier.
5. Part of the road which serves the prison Heol Hopkyn John is unlit.
6. Part of the pedestrian footpath east of the prison is presently unlit. The original lighting having been abandoned.
7. For the greater part Heol Hopkyn John is subject only to the national 60 mph speed restriction. Could the speed limit be reduced from the A4061 side and make that the main route for staff working at the site rather than using Heol Spencer. That would reduce traffic through Coity village and reduce traffic on Heol Spencer from the Bryncethin side and maybe reduce the number of animal casualties on the common.
8. The dual carriageway which serves the prison in the main part is gridlocked at peak times which can be as much as six hours a day.
9. There are regular staff shortages at Parc resulting in prisoners being confined to their cells frequently. Contributing to high tensions, attacks and deaths among inmates. There is also a high turnover of staff. How are the extra buildings going to be staffed if there's already a major recruitment crisis at the site?
10. For varying reasons, discharged prisoners often remain in Bridgend, but very little accommodation is provided. Meaning they have no access to the benefit system. This leads to vagrancy and further criminal acts

When completed Parc will be the largest prison by capacity in Britain and the second largest in Europe. Local people are pragmatic about the need for increased prison capacity and reasons why this site has been chosen. However the above measures must be addressed before approval is given.”



<b>Highway Authority:</b> No objection subject to conditions and a Section 106 Legal Agreement to secure off-site traffic calming measures.
<b>Shared Regulatory Services – Pollution Control:</b> No objection subject to conditions.
<b>Land Drainage:</b> No objection subject to conditions.
<b>Dwr Cymru/Welsh Water:</b> No objection subject to conditions.
<b>Destination and Countryside Management/Ecology:</b> No objection subject to conditions.
<b>Shared Regulatory Services – Environment Team – Land Quality:</b> No objection subject to conditions.
<b>Natural Resources Wales</b> No objection subject to conditions.
<b>Cadw:</b> No objection to the proposed development.

## REPRESENTATIONS RECEIVED

Cllr Martin Williams has raised concerns with the proposals:

*“Following discussions with residents and in community council meetings I would like to make the following observations regarding this planning Application.*

- Safety and disruption - Residents living adjacent to the prison are already experiencing noise from the prisoners shouting through windows. They are also experiencing concerns regarding people trying to smuggle items into the prison by drone and other means. The Applicant will have to explain how the significant expansion of the prison will not make matters much worse. They will need to demonstrate how they will improve the current situation.*
- Traffic and access to public transport. The prison is currently not served by a bus route. The nearest bus stops are at the bottom of Parc Derwen, Sainsburys and the Odeon. But there are no safe walking routes to these locations. I therefore request that a safe means of crossing the A4061 is provided by the Applicant either directly or by s106 contribution. Also, that a footpath is constructed linking the prison to the Parc Derwen pavement network. This could be achieved by constructing a pavement from the existing footpath adjacent to Heol Hopcyn John to Parc y Fferm along Heol Spencer.*
- in addition to insufficient public transport links there are still instances of traffic accessing and egressing the prison via Coity village and over the common from Bryncethin. To ensure this can no longer occur I request that a planning condition is applied so that traffic may only access the prison from the west (turning right from Heol Hopcyn John) and exit the prison by turning left only.*  
*i repeat my request that this matter is determined by DCC where I would like to speak.”*

Seven objections from neighbouring residential occupiers were received and are

summarised below:

- Removal of boundary trees leading to intervisibility/loss of privacy
- Increased noise levels
- Increased traffic levels and congestion on surrounding roads
- Increased light pollution
- Potential flooding of properties/gardens
- Proximity of car park
- Use of kitchen facility as a canteen for inmates
- Odours from the kitchen
- Lack of pest control
- Limited security measures/widespread drug infiltration issues and risk of more paraphernalia being thrown into the site/flown in by drones
- Impact on local wildlife, particularly during the construction phase
- Excessive height and scale of the new building
- Adverse impact on value of property
- Detrimental impact on the visual amenities of the area
- Lack of maintenance of trees leading to loss of light and damage to stone walls
- There are already new log cabins in place to the east of the site
- People regularly trespassing through the woods to gather near the pond at the south-west corner of the site
- The facility is regularly in the news for its poor performance and lack of staffing
- Reports of a 100% increase in riots, disorder and assaults on staff
- Additional strain on the NHS
- Primary School close to the site leading to safeguarding issues
- Insufficient resources for rehabilitating inmates posing a risk to the local community
- Frequent disruption with helicopters circulating the residential area which can be unsettling and unnerving
- Impact on protected bat house at Parc y Fferm

### **COMMENTS ON REPRESENTATIONS RECEIVED**

The majority of the concerns raised by residents align with the main considerations in the determination of the Application and are addressed in the appraisal section of the report (as well as the Officer response to concerns raised by St. Brides Minor Community Council and Cllr M. Williams below).

However, the following comments are offered in response to other matters raised:

- The kitchen facility does not include a canteen for inmates.
- The log cabins referred to are empty and are stored in this location just outside the perimeter wall.
- Any issues relating to assaults on staff, riots, disorder and trespassing through the woods at the south-west corner of the site are a matter for the Applicant to manage and control.
- The nearest school is Coety Primary in Parc Derwen which is at least 300m from the facility and will not be affected by the proposals.
- The scheme includes a new industries/education building for training and rehabilitating prisoners before they are released. The new K Block is likely to accommodate prisoners who are in the last few months of their sentence so that they can benefit from these services. It is hoped that the additional places will help boost rehabilitation and reduce reoffending, providing improved security and additional educational and training facilities to help offenders find employment upon release.

Concerns relating to loss of property value and the number of news articles about the facility are not material planning considerations.

In response to the comments raised by St. Brides Minor Community Council and Cllr M. Williams, it is acknowledged that the site lies to the north of the large residential development at Parc Derwen and the comments with regard the safety of the general public, staff and visitors are noted but can only be taken into consideration if material in land use planning terms.

Any perceived or actual diversion of resources such as Policing and Health services is not a matter that the Local Planning Authority can control and is therefore not a material planning consideration. Likewise, the LPA cannot control the MoJ's internal procedures or operations or their recruitment policy. In addition, whilst there is little the MoJ can do about the bracken/bush growth on the adjoining common land as it is out of their control, the interior and exterior of the Prison compound are routinely and regularly monitored for any illegal activities.

In terms of noise, disruption and smuggling items into the prison using drones, the Applicant has confirmed that the historic situation will be improved through measures that are already in the process of being implemented across the site. G4S are currently undertaking a site wide window replacement programme on the existing houseblocks. This programme will significantly reduce the ability for prisoners to open their windows whilst still allowing appropriate ventilation. Through this programme alone the Applicant expects that the noise levels emanating from the prison will reduce and it will also restrict the supply of drugs via drones. The proposed new K shaped accommodation block is set back from the southern boundary (and the line of existing accommodation buildings), and will also utilise the new window system. Therefore, it is considered that the existing programme of improvements that are in place and will be "rolled out" for the proposed expansion would not give rise to increased noise levels and is expected to eradicate drone activity.

In terms of where the prisoners go after being released, the Applicant has confirmed that prisoners are discharged to the area where they were residing pre-custody, so will not present themselves as a homeless person in the Bridgend area.

If they are under licence not to return to their home area due to Multi-Agency Public Protection Arrangements (**MAPPA**) restrictions, it means that they are a high-risk prisoner, so will not be released without already arranged accommodation to the area that has been approved.

Travel warrants are provided to all released prisoners to ensure that they travel back to their home region, or to their alternative accommodation, so this provides the Local Authority with the reassurance that they will not experience people leaving the prison presenting themselves for emergency accommodation (obviously unless they were residing in the County Borough prior to their custodial sentence).

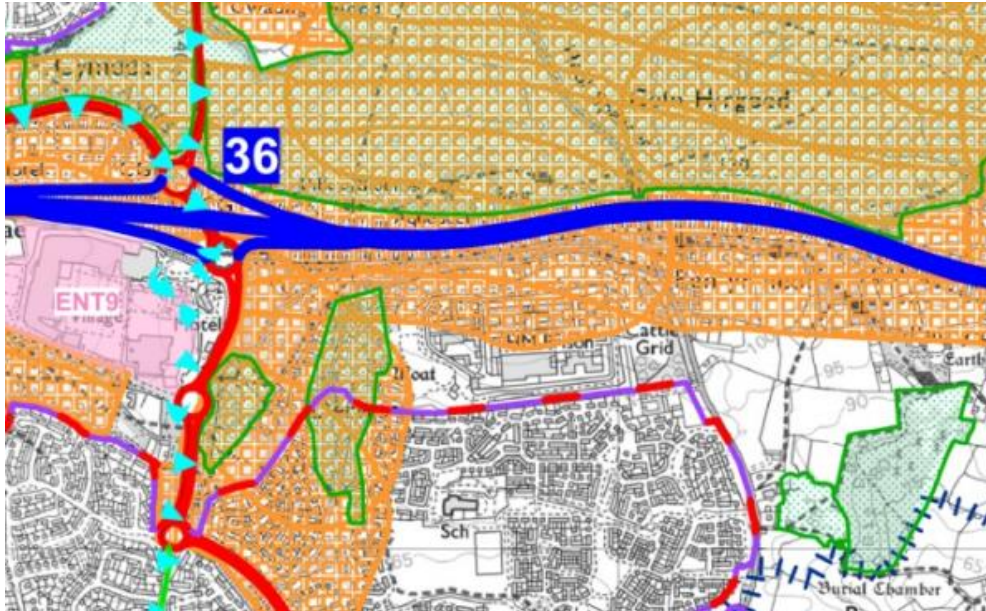
The provision of safe and sustainable means of transport is addressed in the appraisal section of this report.

In terms of staff accessing the site from the south/east via Coity and Heol Spencer, it is identified that the majority of staff are based in the valleys and along the M4 corridor (from Llanelli, Swansea and Cardiff), and will access the facility from the north and west. In addition, the majority of new staff at Parc (90% of the 160) will be operational staff on shift patterns that start and finish outside of peak congestion periods. For example, the shifts will be from 07:15 - 13:00, 12:45 - 20:30, 07:17 - 20:30 and 20:00 - 07:00. Therefore,

seeking to restrict access to HMP Parc from only the north/west would not be reasonable or enforceable due to the limited number of vehicle movements approaching from the east and the fact that is a publicly accessible adopted highway. However, there is some merit in securing traffic calming measures along Heol Hopcyn John and Heol Spencer which is addressed in the appraisal section of this report.

## POLICY CONTEXT

### Local Policy



**Figure 8: RLDP Proposals Map Extract**

The Development Plan for the area comprises the Bridgend Replacement Local Development Plan 2018-2033 which was formally adopted by the Council on 13 March 2024.

The relevant policies of the Replacement Local Development Plan (**RLDP**) and supplementary planning guidance are highlighted below:

<b>Policy SP3</b>	<b>Good Design and Sustainable Place Making</b> - All development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located.
<b>Policy SP4</b>	<b>Mitigating the Impact of Climate Change</b> – all development proposals must make a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change.
<b>Policy SP5</b>	<b>Sustainable Transport and Accessibility</b> – Development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities.
<b>Policy PLA8</b>	<b>Transportation Proposals</b> – Highway improvement works in the form of corridor or junction improvement schemes will be required to mitigate the impact of development on the highway network.
<b>Policy PLA11</b>	<b>Parking Standards</b> – All development must be served by appropriate levels of parking in accordance with the adopted SPG 17 on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles.
<b>Policy PLA12</b>	<b>Active Travel</b> - Development must maximise walking and cycling

access by prioritising the provision within the site and providing or making financial contributions towards the delivery offsite.

**Policy SP10**

**Infrastructure** – All development proposals must be supported by sufficient existing or new infrastructure. In order to mitigate likely adverse impacts and/or to integrate a development proposal with its surroundings, reasonable infrastructure provision or financial contributions to such infrastructure must be provided by developers where necessary. This will be secured by means of planning agreements/obligations where appropriate.

**Policy SP13**

**Renewable and Low Carbon Energy Development** - Renewable and low carbon development proposals which contribute to meeting national and local renewable and low carbon energy and energy efficiency targets will be permitted where: a) It can be demonstrated that there will be no unacceptable impacts on the natural and historic environment or local communities (such as noise and air pollution) and that no other unacceptable cumulative impacts will arise; b) The proposal (inclusive of its associated infrastructure) has sought to minimise the landscape and visual impact through its design and micro-siting, particularly where in close proximity to homes and tourism receptors; c) Proposals make provision for the appropriate restoration and aftercare of the land for its beneficial future re-use; d) The proposal can facilitate a connection to the grid network; e) There would not be an unacceptable impact on access and highway safety; and f) There would not be unacceptable impact on the amenity of residential properties or tourist accommodation.

**Policy ENT12**

**Development in Mineral Safeguarding Zones** - Development proposals within mineral safeguarding areas, either permanent or temporary, must demonstrate that: 1) If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource.

**Policy ENT15**

**Waste Movement in New Development** - All proposals for new built development must include provision for the proper design, location, storage and management of waste generated by the development both during construction and operation of the site.

**Policy SP17**

**Conservation and Enhancement of the Natural Environment** - The County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes. Development which will maintain and, wherever possible, enhance the natural environment of the County Borough will be favoured. Development proposals will not be permitted where they will have an adverse impact upon 1) The integrity of the County Borough's countryside; 2) The character of its landscape; 3) Its biodiversity and habitats; and 4) The quality of its natural resources including water, air and soil.

**Policy DNP1**

**Development in the Countryside** - Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development.

**Policy DNP5**

**Local and Regional Nature Conservation Sites** - Development within or adjacent to a: DNP5(1) Local Nature Reserve (LNR); DNP5(2) Site of Importance for Nature Conservation (SINC); or DNP5(3) Regionally Important Geodiversity Site (RIGS); must be compatible with the nature conservation or scientific interest of the area, whilst promoting their educational role. Developments which would have an adverse impact on these sites will not be permitted

Policy DNP6	<p>unless the benefits associated with the development can be demonstrated to outweigh the harm and/or the harm can be reduced or removed by appropriate mitigation and/or compensation measures.</p> <p><b>Biodiversity, Ecological Networks, Habitats and Species</b> - all development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.</p>
Policy DNP7	<p><b>Trees, Hedgerows and Development</b> - development that would adversely affect trees, woodlands and hedgerows of public amenity or natural/cultural heritage value, or that provide important ecosystem services, will not normally be permitted. Where trees are to be replaced a scheme for tree replacement must be agreed prior to the commencement of development, including details of planting and aftercare.</p>
Policy DNP8	<p><b>Green Infrastructure</b> - Development proposals will be required to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi-functionality of the green infrastructure network. Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required. All developments must seek to maximise, as far as practicable, the amount of green infrastructure on the site, as well as the interconnectedness of green infrastructure within and around the site to the wider green infrastructure network. Development must also maximise opportunities to achieve multi-functionality by bringing green infrastructure functions together. All major developments will be required to submit a Green Infrastructure Assessment</p>
Policy DNP9	<p><b>Natural Resource Protection and Public Health</b> - Development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity due to: 1) Air pollution; 2) Noise pollution; 3) Light pollution; 4) Water pollution; 5) Contamination (including invasive species); 6) Land instability; 7) Sustainable development of mineral resources; 8) Sustainable waste management; 9) Any other identified risk to public health or safety. Development in areas currently subject to the above will need to demonstrate mitigation measures to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level. The use of construction phase Pollution Prevention Plans are encouraged, where appropriate, to demonstrate how proposals can prevent development water run-off from causing pollution of the water environment. All proposals within HSE consultation zones must also demonstrate the acceptability and need for development. All development in flood risk areas must be supported by a Flood Consequences/Risk Assessment and incorporate any mitigation measures required to avoid or manage increased flood risk.</p>
Policy SP18	<p><b>Conservation of the Historic Environment</b> - all development</p>

proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.

The Council has also produced the following Supplementary Planning Guidance Notes (**SPG**) which are relevant to this proposal:-

**SPG07: Trees and Development**

**SPG17: Parking Standards**

**SPG19: Biodiversity and Development**

### **National Policy**

In the determination of a planning Application regard should also be given to the local requirements of National Planning Policy which are not duplicated in the Local Development Plan. The following Welsh Government Planning Policy is relevant to the determination of this planning Application:

Future Wales – the National Plan 2040

Planning Policy Wales Edition 12

Planning Policy Wales TAN 5 Nature Conservation and Planning

Planning Policy Wales TAN 11 Noise

Planning Policy Wales TAN 12 Design

Planning Policy Wales TAN 15 Development Flooding and Coastal Erosion

Planning Policy Wales TAN 18 Transport

Planning Policy Wales TAN 24 The Historic Environment

Planning Policy Wales - Edition 12 – February 2024 (**PPW**) indicates that 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. A well-functioning Planning system is fundamental for sustainable development and achieving sustainable places.

Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources

Good design can also help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process.

Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe, and sustainable links (including active travel networks) within and between developments. The planning system

has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car.
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Provision for active travel must be an essential component of development schemes and planning authorities must ensure new developments are designed and integrated with existing settlements and networks, in a way which makes active travel a practical, safe, and attractive choice. Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place. A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development.

Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.

For sites like these it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health. There may be instances where it may not be possible to develop sensitive uses on previously developed land without placing unnecessary constraints on adjacent existing businesses and activities which require that particular location. In such circumstances the agent of change principle will be a relevant consideration.

Sustainable building design principles should be integral to the design of new development. Development proposals should: mitigate the causes of climate change, by minimising carbon and other greenhouse gas emissions associated with the development's location, design, construction, use and eventual demolition; and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning Applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise



approach has been applied.

**Future Wales – the National Plan 2040** is our National development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key National priorities through the planning system, including sustaining, and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems, and improving the health and well-being of our communities. The document sets out the key challenges and opportunities, required outcomes and a spatial strategy for the four regions of Wales.

### **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

The Well-being 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 well-being goals/objectives as a result of the proposed development.

### **THE SOCIO-ECONOMIC DUTY**

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage. The duty has been considered in the assessment of this Application.

### **Welsh Office Circular 17/98: Planning for Future Prison Development (June 1998)**

This Circular, whilst it is relatively old, is still a material planning consideration. It sets out that the planning system should make provision for needed prison development and identifies prison development as infrastructure and community facilities. It provides guidance to LPAs to make suitable provision for new prison developments.

It is noted that prisons should be located close to the population centres they serve and should have good accessibility to public transport services. Locations which have good access to motorways are also considered to be advantageous. It should also be possible to connect to main services.

With regards to design, LPAs must recognise that prison proposals have specific design requirements that cannot be compromised. It is noted that prison proposals should be sensitive to their environmental setting.

The Circular notes that feelings of anxiety and apprehension in relation to the risk of any increase in crime in the immediate vicinity are not material planning considerations.

The economic benefits of prison development through the creation of new jobs are recognised. Alongside this, it is noted that prisons often provide a range of local benefits including highway, infrastructure and environmental improvements.

Finally, paragraph 8 of the Circular states: ‘.....the Secretary of State expects local planning authorities to ensure that appropriate weight is given to the public interest in providing adequate number of prison places to meet the requirements of the criminal justice system’.

The LPA has to consider whether (on balance), the exceptional public need for prison capacity outweighs local plan policies and any identified harm, including to the countryside.

## **APPRAISAL**

The Application is referred to Committee to consider the concerns and objections raised by local residents, Community Councils as well as the Local Ward Member.

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.

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).

With due regard to the above, and the specific characteristics of the site and proposals, the main issues for consideration in the assessment of this Application are the principle of the development in this location, the potential visual impact of the development in the landscape and countryside, and the potential impact of the development on the highway network, neighbouring properties, biodiversity, land drainage and ground conditions.

## **PRINCIPLE OF THE DEVELOPMENT**

The site is located outside of any settlement boundary as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (**RLDP**) adopted in 2024 and, therefore, located in the countryside where Policy DNP1 Development in the Countryside of the RLDP sets a presumption against development in the countryside, except where it is for:

- 1) Agriculture and/or forestry purposes;
- 2) The winning and working of minerals;
- 3) Appropriate rural enterprises where a countryside location is necessary for the development;
- 4) The implementation of an appropriate rural enterprise/farm diversification project;
- 5) The expansion of an existing business (subject to other relevant policies in the plan);
- 6) Land reclamation purposes;
- 7) Transportation and/or utilities infrastructure to enable implementation of LDP allocations;
- 8) Renewable energy projects;
- 9) Affordable housing to meet locally identified need in accordance with COM5;
- 10) The suitable conversion of, and limited extension to, existing structurally sound rural buildings where the development is modest in scale and clearly subordinate to the

- original structure;
- 11) The direct replacement of an existing dwelling;
  - 12) Outdoor recreational and sporting activities;
  - 13) The provision of Gypsy, Traveller and Showperson sites in accordance with COM8;
- or
- 14) Education provision where a need has been identified by the Local Education Authority.

The 10 Year Prison Capacity Strategy highlight the current capacity issues facing the prison system. HMP Parc constitutes a designated national strategic site, the proposed development will aid in addressing identified issues with capacity as it will increase the capacity of the prison by a further 345 prisoners.

Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area.

Where development is acceptable in principle in the countryside it must, in the first instance and where possible, utilise existing buildings and previously developed land. Where such an opportunity to re-use a rural building does exist, development must be in accord with DNP2.

Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development. The proposed development seeks an extension to the secure compound to the southwest and east of the existing facility, within the existing footprint of the site, to include a new accommodation block, a replacement kitchen/dining block, a new gym/multifaith building, a new industries/education building and new visitor/staff entrance, additional car parking and associated infrastructure.

Whilst the development is not specifically listed within the criterion outlined above under Policy DNP1, the site relates to an existing authorised prison and the works are wholly within the land controlled by the facility. As such, the proposed limited extension to the existing site will not negatively impact the countryside and is deemed to be acceptable. The principle of development on this site has long been established firstly by way of the large hospital and associated grounds and secondly from the development of the current prison. The impact on the countryside location would also have been a main consideration at the time of determination. Whilst the scheme was advertised as a potential departure from the recently adopted RLDP, as described above following detailed consideration it is not considered that the proposals go to the heart of the Plan and does not conflict with the policies of the wider RLDP.

Policy SP3 Good Design and Sustainable Placemaking of the RLDP requires that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

- 1) Demonstrating alignment with the principles of Good Design; and
- 2) Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

In summary, and in view of the continued operations of this important facility, the proposed development is considered compatible and acceptable in principle, according with the general principles of Policies DNP1, DNP2 and ENT12 of the Bridgend Replacement Local Development Plan 2024.

## LANDSCAPE AND VISUAL IMPACT

Planning Policy Wales (Edition 12, February 2024) states at paragraph 3.9 that: *'The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.'*

Policy SP3: Good Design and Sustainable Placemaking of the Bridgend Replacement Local Development Plan (2024) (RLDP) states all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment, by:

- 1) Demonstrating alignment with the principles of Good Design; and
- 2) Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

Planning Applications must be supported through the submission of appropriate design and technical information to demonstrate compliance with criteria a) to o) of Policy SP3, that states, amongst others, all development must:

- a) Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character; and,
- b) Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density.

Policy SP17 of the RLDP notes that where there is an adverse impact upon landscape character, proposals will not be permitted and as such, the Landscape Visual Appraisal (**LVA**) takes account of the Landscape character of the Site and surrounding area.

The proposed development is relatively modest in scale and does not seek to introduce a new use or form of development that is out of keeping with the existing facility.

The height of all the proposed buildings will be below the height of the existing gate house, with the exception of the new proposed vehicle lock/gatehouse to the north-eastern corner of the site. Although policy DNP1 seeks to ensure that extensions are subordinate to existing structures in the countryside, Circular 17/98 notes that LPAs should acknowledge that prison proposals have specific design requirements that cannot be compromised.

The submitted LVA considers that the proposed development would have limited landscape effects. The LVA notes that, during the construction phase, there would be some disruption to the landscape character of the site. However, due to the nature of the site, the effects would be localised and limited in extent. During the construction phase the effects on the site and its immediate context are assessed as moderate/minor adverse; and these effects would be for a relatively short period. The landscape effect on the wider character is assessed as *negligible* at a national scale and at a county level.

The site is located within the National Character Area (**NCA**) 36 Vale of Glamorgan, however, the proposed development will be located within the established prison complex and will be in keeping with the existing character of the area. The LVA concludes that the completed and operational development would have no discernible impact on the NCA and the effects are assessed as negligible on completion and at Year 15.

The proposed green infrastructure/landscaping scheme would enhance the woodland structure surrounding the site and the effect at Year 15 is assessed as minor

adverse/negligible.

The LVA concludes that, overall, the proposed development would have limited landscape effects and will therefore maintain the integrity of the countryside and protect its landscape quality and beauty, in compliance with policy DNP1.

In summary, the visual appearance, design and scale of the development is acceptable in this location in accordance with Policies SP3, SP17 and DNP1 of the Bridgend Replacement Local Development Plan 2024, and, on balance, raises no adverse visual amenity concerns for the landscape or surrounding countryside.

## **HIGHWAYS, ACCESS AND SUSTAINABLE TRANSPORT**

In order to support the additional 160 core members of staff that are proposed with the expansion and the expected number of additional visitors, an additional 186 parking spaces are required.

To support the construction of the new houseblock the existing car parking layout and operation of the site will be reconfigured. The existing staff car park to the west of HMP Parc will be re-modelled and extended and will now comprise the visitor car park. In total 271 visitor car parking spaces are proposed, including 38 spaces for accessible users.

The existing visitor car park to the north will also be reconfigured and extended to allow for the new delivery vehicular access and will become the new staff car park to access the prison by the new gatehouse. This is proposed to provide 543 spaces including 28 spaces for disabled users, 42 spaces with electric charging points and 41 spaces for car sharers.

It is proposed to assign 8% of spaces for disabled users, to be shared between both the staff and visitor car parks.

All standard vehicle parking spaces will be a minimum of 4.8m x 2.6m and all accessible standard spaces will be 4.8m x 3.6m in accordance with the guidance laid out in the Council's Parking Standards SPG.

In terms of electric vehicle charging points, whilst the submission states that 10% of all the car parking spaces (82 spaces) would be EV spaces, Policy 12 of Future Wales 2040 states that *"where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle charging points."* Whilst the parking provision around the site is being reconfigured/rationalised, the 10% electric charging points that will be provided for the additional spaces (186) would still equate to 19 EV spaces.

The Applicant has clarified that this project is funded from the public purse and the Applicant is unable to provide additional EV charging points over and above the minimum policy requirements at this point. It is also the case that normal parking spaces can be converted to EV charging points in the future if demand/electric car ownership increases.

There is no specific cycle parking standard for prisons within the Parking Standards SPG. Therefore, the Transport Assessment has calculated the minimum number of cycle parking spaces. It is proposed that 39 cycle parking spaces can be provided; these are to be split between the north of the site for staff and near the visitor centre for staff and visitors.

There are also 18 proposed motorcycle parking bays, 10 more than the existing situation. It is proposed to have 9 spaces in the visitor car park and 9 spaces in the staff car park. The required parking standard set out in the Parking Standards SPG is 5% of the provision for

car parking. The current allocation of motorcycle parking is 2% of the total number of car parking spaces, however, based on the results of the staff and visitor travel surveys and the modal shift targets in the Travel Plan, it is expected that 18 motorcycle parking spaces would be adequate for the current and future parking requirements at HMP Parc.

The sustainable transport options within the vicinity of the proposed site have been reviewed and indicate that the site is accessible via sustainable modes. The site is connected to the wider pedestrian network via 2m wide footways running parallel to Heol Hopcyn John. The footways provide connectivity to the nearest bus stops which are 1.5km walking distance from HMP Parc but provide regular and frequent services to Bridgend and the surrounding settlements.

There is no existing cycling-specific infrastructure within the vicinity of the site, however there are a number of proposed shared walking and cycling routes shown on the wider active travel network map which can be utilised by staff and visitors in the future. Additionally, the nearest train station is Wildmill Railway Station, a 38 minutes walk from the site, providing hourly services between Maesteg and Cheltenham Spa, via Cardiff Central.

The Travel Assessment and Travel Plan has provided commentary regarding the reintroduction of the shuttle bus from Bridgend Train Station. Discussions were undertaken with G4S to assess the frequency and the timings of the bus, however, due to varied shift patterns, it was decided that it may not be cost effective to reintroduce the shuttle bus if it needs to run all day. The staff survey suggested that most of those interested in using the shuttle bus would want to get it from Bridgend train station, although staff raised concerns regarding the cost of parking at the station. Ultimately it was concluded by the Applicant that the benefits of the shuttle bus were not significant and therefore the reintroduction of the shuttle bus does not form part of this proposed development.

The impact of the proposed development on the highway network has been classed as negligible with a small increase over peak morning and afternoon periods.

The Application and supporting Transport Assessment (**TA**) and Travel Plan (**TP**) have been carefully considered in respect of the transportation and access implications of the proposal.

Vehicular access into the site will be at the same location as the existing arrangement from Heol Hopcyn John to the north. No significant additional infrastructure is required to support the development.

The impact of the development on the surrounding road network has been considered in the submitted Transport Assessment.

The Council's Highway Officer has considered the Application and raises no in principle or significant concerns subject to conditions and a contribution towards traffic calming measures along Heol Hopcyn John and/or Heol Spencer.

The proposals include for the reconfiguration of existing on-site parking and operational areas.

The submitted TA indicates that the extension will increase inmate numbers by 345 and staff numbers by 160. The TA has been independently reviewed which raised areas which needed further clarification.

This site has a significant planning history and it is noted that, previously, S106 funding was secured for footpath works along Heol Hopcyn John. Notwithstanding this, an internal

review of the pedestrian routes to the site reveals that there are slight concerns with the routes that would need to be addressed to make it compliant with current Active Travel Act guidance. However, there are no proposals within the Application to upgrade any pedestrian routes.

The nearest (serviced) bus stops to the site are located adjacent to Sainsburys and KFC to the West of the site. Whilst these may be accessible on foot there is concern with the suitability of the route to meet current standards in respect of crossing four lanes of traffic on the A4061 adjacent to the Pen-y-Cae roundabout and also the Sainsbury's access road, service yard access and car park access.

Historically the site operators were required to serve the site with a shuttle bus to enable staff and visitors to access public transport at Bridgend Bus Station. Unfortunately, this provision was not successful or utilised for various reasons (mainly related to the contact between staff and visitors as well as between separate groups of visitors and the inconvenience compared to driving to the site) and ceased to operate.

Sustainable modes of travel (Active travel, Public transport) should be provided and encouraged for all developments. It is acknowledged that there are certain exceptions such as rural diversifications that can be considered slightly more leniently. Unfortunately, Prisons are not specifically referred to in Planning Policy Wales 12 and the relevant guidance in this case is considered to be Welsh Office Circular 17/98 published in 1998.

Notwithstanding the age of this Circular, Paragraph 10 states *"The objectives of sustainable development, and in particular the need to reduce unnecessary travel, should apply to site selection. Prisons should be located close to the centres of population they serve and there should be good accessibility to public transport services..."* As such it is considered that the site is not sufficiently or suitably served by sustainable modes of transport and, with any other development, this could attract a highway objection based on the development being at variance with the advice contained in Planning Policy Wales regarding Sustainable Transport. Effectively, it is not currently accessible by a range of different transport modes and will rely heavily on the use of private motor vehicles.

It is, however, acknowledged that Circular 17/98 advises (at para. 11) that *"... these are ideal criteria and no one site is likely to satisfy them all. For their part local planning authorities should recognise that prison proposals have specific design requirements which, for reasons of public security, cannot be compromised..."*. It is also accepted that this is an extension/remodelling of an established facility.

Given the issues in accessing the site by other modes it is inevitable that the proposal would increase vehicular movements on the surrounding highway network. The indicated staff shift patterns are such that it is considered that there should be no material impact in the Network peak hours to the detriment of highway capacity or safety – provided these are controlled via a suitable planning condition.

Notwithstanding, there is likely to be a marginal increase in movements along Heol Spencer to the prison from Coity village in the south, primarily due to the junction arrangement at the western end of Heol Hopcyn John which would necessitate drivers negotiating the entirety of the M4 Jct 36.

Whilst it is not possible or enforceable to stop staff from using this route, it is appropriate to seek a financial contribution from the developer to enhance the existing traffic calming provision along this route to dissuade drivers from using it as much as possible. This could take the form of replacement traffic cushions or the provision of a double-sided 'speed

*indication display sign* to promote adherence to the 20mph speed restriction.

Furthermore, the provision of suitable planning conditions to control staff shift and visitor times and the provision of the parking layout are required.

Having regard to the above, and subject to conditions to ensure that any impact upon the surrounding highway network is mitigated, it is considered that the development generally accords with Policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan 2024.

### **IMPACT ON NEIGHBOURING PROPERTIES/USES**

Policy SP3, of the adopted Local Development Plan states, amongst others, that all development must k) Ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

A series of technical reports have been submitted in support of the Application in respect of noise and lighting.

RLDP Policy DNP9 seeks to ensure that development proposals will not cause new or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity due to air, noise or light pollution. This is reiterated further in RLDP Policy SP3 which stresses the importance of minimising or avoiding noise and air pollution and ensuring that design is of a high quality to protect visual amenity.

There is predicted to be a low likelihood of adverse impact on nearby noise sensitive receptors during daytime and night-time hours as a result of HGV and car parking activity. The rating noise level at the worst-affected nearby sensitive receptor is identified as being 12dB below the existing sound level during the daytime and at nighttime. Therefore, no further noise mitigation measures are deemed necessary to control noise emissions from the redeveloped site.

The external plant noise limits at the nearby noise sensitive receptors (residential properties to the north, east, west and south of the site) have been set to be 5dB below the typical measured background sound level to achieve a low likelihood of adverse impact. It is noted that internal housing of plant will help reduce the noise emissions to the nearest sensitive receptors. The assessment also outlines a number of mitigation strategies that, if integrated into the detailed design of the proposed development, is predicted to result in no significant adverse impacts on existing noise sensitive receptors.

Overall, the noise emissions from the proposed development are predicted to have a low likelihood of adverse impact on the nearby noise sensitive receptors during the daytime and night-time hours. The proposed development, therefore, will not cause an unacceptable risk to local amenity and is in compliance with Policies DNP9 and SP3 of the RLDP.

The Council's Shared Regulatory Services (**SRS**) – Public Protection Officer has examined the proposals and the Noise Impact Assessment (**NIA**) undertaken by Hydrock/Stantec.

The NIA demonstrates that the car park level noise and noise from HGV deliveries will be 12dB below the existing background levels during the day and night and are therefore indicated to have a low adverse impact.

Plant noise levels are recommended to be set to 5dB below the existing background levels. However, due to the already high background levels in that area and in order to prevent background creep, Shared Regulatory Services have set the noise limits to 10dB below the



background levels which should be easily achievable.

SRS therefore has no objections to the development in terms of noise, subject to conditions.

An External Lighting Assessment and Strategy has been prepared. The new sports pitch will not be flood lit to avoid effects on nocturnal activity.

The lighting scheme has been designed where possible to avoid significant lighting impacts onto neighbouring sensitive receptors or habitats where bats forage and to avoid effects to nocturnal activity.

Natural Resources Wales (**NRW**) have also reviewed the submitted technical reports.

The appearance of the proposed buildings is governed by security requirements as recognised in Welsh Office Circular 17/98. However, the proposed buildings will in keeping with the existing buildings and the local character.

All buildings will range from single storey to a maximum of four storeys. The ridge heights and sizes of the buildings have been carefully considered so that they are in keeping with the existing building stock.

As referred to above, the Applicant has confirmed that they are currently undertaking a site wide window replacement programme on the existing houseblocks. This programme will significantly reduce the ability for prisoners to open their windows whilst ensuring appropriate ventilation. Through this programme alone, the Applicant expects that the noise levels emanating from the prison will be reduced. The proposed K shaped accommodation block is set back from the southern boundary (and the line of existing accommodation buildings) and will also utilise the new window system. Therefore, it is considered that the existing programme of improvements that are in place and will be “rolled out” for the proposed expansion would not give rise to increased noise levels or disturbance across the site.

Both the DAS and the LVA recognise that the views of the proposed development from neighbouring residential areas are screened by boundary walls and existing vegetation at the perimeter site. Overall, the landscape effect of the proposed development is assessed as *negligible*. The scale and size of the development is considered appropriate and will not negatively impact the visual amenity of neighbouring residential areas and rear gardens.

The proposed development is therefore considered in accordance with National policy and the requirements set out in RLDP SP3 as well as the design requirements set out in Policy DNP1.

Therefore, appropriate mitigation measures will be implemented and incorporated into the design of the development to minimise the visual and environmental effects on existing and future neighbouring occupiers and users as sensitive receptors. It is therefore considered that the development can comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan 2024, in respect of neighbouring amenity protection.

## **BIODIVERSITY AND TREES**

In assessing a planning Application, the Local Planning Authority must seek to maintain and enhance biodiversity, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Paragraph 6.4.4: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.” PPW12 further states that “All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Policy SP3 of the adopted Bridgend Replacement Local Development Plan (2024) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 of the RLDP states: *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

Policy DNP7 of the RLDP states: *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”.*

Policy DNP8 of the RLDP requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

Paragraph 5.9.20 of Planning Policy Wales 12 (PPW) states planning authorities should identify ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development, considering the impact on the natural and historic environment.

Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) 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 (as transposed into the Conservation of Habitats & Species Regulations 2017) requires LPAs 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"*.

The submitted Green Infrastructure Statement and the Ecological Impact Assessment advise that the site is dominated by semi-improved grassland, amenity grassland, mixed scrub and broad-leaved plantation woodland. It is noted that site provides some degree of suitable habitat for a range of protected/notable species including bats, badger, hazel dormice, reptiles, great crested newts and breeding birds.

The Green Infrastructure Statement advises that the existing landscape features will be retained and enhanced where possible and as appropriate, as part of the new landscape proposal for the site. However, the proposal will result in the removal of mature trees, areas of plantation woodland, scrub, and semi-improved grassland.

Due to the limitations inherent in the scheme and the context of the site/use, only a small proportion of the proposed landscape and ecological enhancements will be possible within the red line boundary. However, to mitigate these losses, habitats situated within the blue line wider ownership/control boundary will be managed through a comprehensive Landscape and Ecological Management Plan (**LEMP**).

The Green Infrastructure Statement, the Ecological Impact Assessment and the LEMP outline the ecological mitigation and enhancement measures that will be implemented and managed as part of the proposed scheme. These include the retention and buffering of existing trees and plantation woodlands, the introduction of native woodland, shrub, tree and hedgerow planting, alongside the installation of bird and bat boxes, creation of hibernacula, and features aimed at supporting invertebrates. Efforts will also be made to bolster botanical diversity on site through the establishment and careful management of wildflower grassland.

The External Lighting Assessment and Strategy avoids significant lighting impacts onto habitats where bats forage and avoids effects to nocturnal activity. The proposed development presents a logical extension to an existing prison within the site boundary of the existing facility and no alternative location for development is available. It is expected that unavoidable harm to biodiversity will be minimised by the mitigation measures outlined in the supporting reports.

NRW are satisfied with the conclusion of the submitted Shadow HRA which states, *"This Shadow HRA screening has identified no likely significant effects, either alone or in combination with other plans or projects, on any of the European or nationally designated sites within 10km of the proposed prison extension. Therefore, it is concluded that an Appropriate Assessment under Regulation 63 of the Habitats Regulations is not required."*

NRW are satisfied that the impacts of the estimated additional traffic journeys resulting from the proposed development should not cause significant increases in pollutants and that they will not have a significant impact on the protected features of the Special Areas of Conservations (**SAC's**).

The nearest Sites of Special Scientific Interest (**SSSI**) are Coedymwstwr Woodlands SSSI situated approximately 2.6kilometres (km) to the east, Blackmill Woodlands SSSI situated approximately 2.7km to the north and Bryn Bach, Cefn Cribwr SSSI situated approximately 3.8km to the west of the site. Due to the distance between the site and the SSSI's, NRW are satisfied that the proposed works should not have any impacts on the protected features of these identified SSSI's or those further afield.

NRW are also satisfied that there is unlikely to be significant impacts resulting from the increased daily vehicle journeys resulting from this development and thus it will not have a significant impact on the protected features within any of the SSSI's identified above.

Any indirect impacts, further downwind or downstream, should be mitigated by the DCEMP.

NRW note that the information submitted in support of the Application (Bat Survey Report), has identified that bats are unlikely to be using the Application site for roosting.

The Ecological Impact Assessment states that ground-based assessments of the buildings to be affected within the prison wall have negligible bat roosting potential and no further surveys are proposed prior to their demolition. However, paragraph 6.32 identifies that precautionary avoidance measures will be followed which will be detailed further in a Construction Environmental Management Plan (**CEMP**). NRW have requested the imposition of a DCEMP condition which will include these details.

The report does identify that bats (including lesser horseshoe and barbastelle bats) may be using habitats on site for foraging/commuting purposes. Inappropriate lighting has the potential to impact on foraging/commuting bats. NRW advise that the lighting should accord with the Institute of Lighting Professional's Bats and Artificial Lighting at Night guidance (2023).

The proposal is located adjacent to the Derwen Wood Site of Importance for Nature Conservation (**SINC**) and there is potential for the proposed works to impact on this site. The proposed works also involve impacts to trees and habitats of potential local interest within the development site.

The Council's Biodiversity Policy Manager has reviewed the documents submitted with the Application (Green Infrastructure Statement and supporting ecological documentation (EcIA, Shadow HRA and LEMP), as well as landscaping proposals and enhancement measures.

These provide a reasonable assessment of the baseline ecological conditions and propose a range of mitigation, enhancement and long-term management measures. Overall, the proposals are acceptable in principle, subject to conditions and further clarification on key points, including:

- Protection and buffering of Derwen Wood SINC
- Tree planting replacement ratio
- Clarification of certain LEMP commitments to ensure long-term delivery of biodiversity and resilience objectives.

The Council's Biodiversity Policy Manager has also reviewed NRW's response which raised no objection to the proposal subject to conditions relating to:

- A Demolition and Construction Environmental Management Plan (**DCEMP**) to prevent pollution and protect watercourses
- Groundwater and contamination controls
- Sensitive lighting design in accordance with ILP (2023) guidance for bats
- Protection of the adjacent locally designated site Derwen Wood SINC

These requirements are fully supported and should be secured through appropriately worded conditions.

In regard to the protection of Derwen Wood SINC which is adjacent to the proposed eastern and western development area, measures must be put in place to avoid both direct and indirect impacts during and after construction. The LEMP acknowledges this adjacency but lacks quantified buffer distances.

It is recommended that the Applicant:

- Maintain a minimum 15m undeveloped buffer along the SINC boundary, retained and managed as natural vegetation
- Ensure that the lighting strategy demonstrates compliance with ILP Bats and Artificial Lighting at Night (2023), ensuring light levels at the woodland edge remain below 0.5 lux and that consideration has been given to light sensitive wildlife
- Include specific measures in the DCEMP to avoid pollution, sedimentation, or dust deposition within the SINC boundary

The LEMP and DCEMP should explicitly reference the SINC as a receptor for both construction and operational safeguards.

The submitted information identifies the removal of several trees, including those subject to a Tree Preservation Order, to accommodate the prison extension and associated infrastructure.

Whilst replacement planting is proposed, the submitted information does not appear to quantify the overall loss versus replacement or demonstrate compliance with Planning Policy Wales 12, which requires a minimum 3:1 ratio of replacement planting for any tree lost to development (paragraph 6.4.25). This ratio is a key component of maintaining ecosystem resilience and canopy cover in Wales.

It is therefore recommended that the Applicant:

- Provide a quantified tree planting replacement schedule identifying:
  - Number and species of trees to be removed (including any under TPO)
  - Proposed replacement numbers, species, and planting locations
  - Confirmation that the replanting achieves at least a 3:1 ratio in accordance with PPW12
- Replacement planting should consist of native broadleaf species of local provenance, reflecting the woodland composition of Derwen Wood SINC
- Larger nursery stock or whips of mixed age should be used to establish diversity and resilience

The woodland management prescriptions within the LEMP are broadly supported particularly selective thinning and coppicing to reduce ash dieback and enhance structural diversity, the creation of log and brash piles, retention of standing deadwood and the use of native, climate-resilient planting.

However, monitoring and adaptive management commitments should be more robustly

linked to clear ecological outcomes (e.g. canopy cover retention, understorey diversity, invasive species control, ecological condition assessment for the site as a whole), particularly for the retained woodland areas and SINC buffer. The LEMP should be updated to reflect these.

In conclusion, the ecological documentation provides a strong basis for long-term biodiversity enhancement and compliance with the Environment (Wales) Act 2016, but further clarification is required on the extent of tree loss and replacement and the protection of the adjacent SINC which will be secured via conditions.

The development is compatible with the nature conservation characteristics of the area. The proposals comply with Policies DNP6 and DNP7 of the Replacement Local Development Plan, in that it will provide a net benefit for biodiversity and improved ecosystem resilience (as required by PPW12), and will maintain, protect and enhance biodiversity and ecological networks and services.

As such, the proposal complies with local and National planning policy in regard to biodiversity maintenance and enhancement, as well as the requirements of the Habitats Regulations 1994 (as amended), and Section 6 of the Environment (Wales) Act 2016.

### **LAND DRAINAGE AND FLOOD RISK**

This development is subject to Schedule 3 of the Flood and Water Management Act 2010 (as amended). The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the '*Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems*'.

A Flood Consequences Assessment (**FCA**), a Sustainable Drainage Strategy Report and a Foul Drainage Strategy Report are included with the Application.

The FCA considers that the proposed development is suitable for the location and there are no significant risks to site users from flooding.

Policy DNP9 promotes the use of SuDS to achieve betterment and aid in the reduction of surface water runoff and flood risk. A Sustainable Drainage Approval (**SAB**) Application was submitted to BCBC on 13 June 2025.

The Sustainable Drainage Strategy Report assesses potential SuDS features that may be utilised during the development. It is proposed to store the surface water run off within a geo-cellular attenuation tank and restrict the flow rates using vortex flow control devices prior to discharging into the existing balancing pond. The surface water sewers and attenuation tanks on site will be designed to store the flow during a 1 in 30-year storm event. Any surface water runoff generated from storms up to and including a 1 in 100-year + 30 % climate change event will be retained within the site boundary in non-sensitive areas.

Having regard to the above, it is considered that the development has been designed to accommodate sustainable drainage systems and will not increase the risk of flooding within or outside the site.

### **OTHER MATTERS**

#### **Ground Contamination**

The planning system should guide development to reduce the risk from natural or human-made hazards affecting the land surface or sub-surface. The aim however is not to prevent the development of such land. Key is understanding the risks associated with the

previous land use, pollution, groundwater, subsidence, mine and landfill gas emissions and rising groundwater from abandoned mines. Responsibility for determining the extent and effects of surface and subsurface hazards remains with the developer. It is for the developer to ensure that the land is suitable for the development proposed.

Made ground, an existing fuel tank and former tank locations are recorded on site. Fuel tanks are potential sources of significant contamination. The site is considered to be of a higher environmental sensitivity due the presence of the '*Principal Aquifer*' and waterbodies on site. These may pose a risk to human health and the environment.

SRS and NRW have recommended conditions that require contamination assessment and any necessary remediation as part of the consent in accordance with policy ENV7 of the Replacement Local Development Plan. These may need to be post-demolition investigations to access the site effectively.

Should there be any site won recycled material, or materials imported as part of the construction of the development, then it must 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.

The Ground Investigation Report recommends a piled foundation design for heavy loaded structures and retaining walls. These intrusive works would likely extend into the mudstone '*Principal Aquifer*' therefore a robust piling works risk assessment is required.

Having regard to the above it is considered that the development can successfully manage the effects of surface and subsurface hazards on this site.

### **Mineral Safeguarding Zone**

The site is located within a Sandstone Mineral Safeguarding Zone as defined by Policy ENT12 of the RLDP. Development proposals within mineral safeguarding zones, either permanent or temporary, will need to demonstrate that:

- 1) If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and
- 2) In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and
- 3) In the case of temporary development, it can be implemented, and the site restored within the timescale the mineral is likely to be required.

Due to the relatively permanent nature of the existing facility, it's unlikely that the mineral will be viable for future working.

### **Clean Water Supply**

DC/WW have confirmed that the water supply system in the immediate vicinity currently lacks sufficient capacity to serve the proposed development and may result in detriment to existing customers' supply.

They anticipate that a new single water connection will be required under Section 45 of the Water Industry Act 1991. In anticipation of any future re-consultation, DC/WW will rely on the Local Planning Authority to secure the delivery of any necessary reinforcement works via an appropriately worded planning condition.

## **Foul Drainage**

No objections have been offered from the drainage bodies to the development. The development proposes to continue to discharge foul flows via upgraded macerators into the Welsh Water foul sewer network at Maes Y Cadno Road.

The proposed development site is located within the catchment of a public sewerage system which drains to Penybont (Merthyr Mawr) Wastewater Treatment Works (**WwTW**).

DC/WW have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. The foul drainage will connect upstream of the existing macerators, which are to be upgraded to accommodate the increased discharge rate. The final discharge point remains the Welsh Water foul sewer in Maes Y Cadno Road.

## **Heritage**

The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning Applications, whether those remains are a Scheduled Monument or not.

Ancient monuments are protected by National and local planning policy, with overarching legislation in the Ancient Monuments and Archaeological Areas Act 1979 and the Historic Environment (Wales) Act 2016 requiring local authorities to have special regard to the desirability of preserving the historic environment and its setting.

PPW provides the planning framework for the sustainable management of the historic environment in Wales. It requires that decisions are based “on an understanding of the impact a proposal may have on the significance of an historic asset” (Paragraph 6.1.5) and requires the “consideration of the setting of an historic asset which might extend beyond [the] curtilage” of a development (Paragraph 6.1.7).

Paragraph 6.1.24 of PPW states that *“the conservation of archaeological remains and their setting is a material consideration in determining planning Applications”*.

The need to understand the value of heritage assets; assess the significance of that asset and the impacts; and the desirability of preserving the asset and its setting are reiterated in TAN 24 (Paragraphs 1.12 and 1.15). It is noted that where archaeological remains exist, the Applicant should undertake a desk based archaeological assessment which provides sufficient archaeological information and how the development proposal seeks to minimise any negative impacts (Paragraphs 4.7 and 4.8).

RLDP Policy SP18 seeks to ensure that development proposals *“protect, conserve and where appropriate preserve and enhance the significance of historic assets, including their setting”*. Paragraph 5.5.92 of the RLDP notes that development proposals must take into account heritage assets that may be directly or indirectly affected.

An Archaeological Desk Based Impact Assessment has been submitted with the Application. The Assessment considers heritage assets identified at the site and those within the wider area identified as being sensitive to change, and, where necessary, provides an assessment of impact and recommendations.

The desk-based assessment advises that of the nearby designated assets, the proposal has the potential to impact the setting of the Derwen Moated Site Scheduled Monument which is assessed to make a low contribution to its significance.



A relatively small increase in the massing of the prison will be within the Monument's setting. The proposed development is considered to have a neutral effect on the Monument's significance, largely maintaining its present setting.

Overall, the expansion of the prison site is considered to largely maintain the setting of the Derwen Moated Site Scheduled Monument to the west. Considering the baseline archaeological and historical baseline information, there is considered to be low potential for archaeological remains within the site. Any potential archaeological remains are likely to have been significantly disturbed by the construction of the historic asylum and subsequent wholesale redevelopment of the prison and are likely to be of low significance.

Given that the proposed development is likely to have a neutral effect on the Derwen Moated Site Scheduled Monument's significance and will largely maintains its present setting, it is considered that the proposed development complies with RLDP Policy SP18 and advice contained within PPW 12.

CADW have no objection to the proposed development regarding the Scheduled Monuments or registered historic parks and gardens listed in their assessment of the Application.

The designated historic assets are located inside 3km of the proposed development, but intervening topography, buildings, vegetation and the effect of distance obscure all views between them except potentially for the Derwen Moated Site which is located some way away to the west of the site boundary. Consequently, the proposed development will have no impact on the settings of these designated historic assets other than potentially the site of the Derwen Moated Scheduled Monument.

In relation to the impact on the setting of the Scheduled Monument (Derwen Moated Site), it is concluded that the expansion of the prison site will not have a damaging effect upon the Monument's setting. CADW concur with this conclusion; the proposed development will not have an unacceptably damaging effect upon the setting of any Scheduled Monument.

Therefore, the proposed development will have no impact on the significance of any designated historic assets and whilst in some instances there may be a very slight visual change in the view from the designated historic assets, this will not have any effect on the way that they are experienced, understood and appreciated. Consequently, the proposed development will not have an unacceptably damaging effect upon the settings of any of the above designated historic assets.

## **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 considered 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 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 objections raised and consultee responses and the above weighing up of all *material considerations* relevant to this scheme, it is considered that the proposed development is acceptable in this location due to the clear justification for the expansion of this established facility and in regard to its potential impacts on surrounding residents by way of noise 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; its potential impact on the highway network and drainage in and around the site; and its potential impact on historic assets.

The development therefore accords with Policies SP3, SP4, SP5, PLA8, PLA11, PLA12, SP10, SP13, ENT12, ENT15, SP17, DNP6, DNP7, DNP8, DNP9 and SP18 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015. The application has also been considered in light of advice contained within Welsh Office Circular 17/98: Planning for Future Prison Development (June 1998).

The Application is therefore recommended for approval subject to the Applicant first entering into a Section 106 Legal Agreement and conditions and informative notes.

## RECOMMENDATION

(A) That the Applicant enters into a Section 106 Agreement to:

- (i) Provide a financial contribution towards traffic mitigation measures within the vicinity of the site.

(B) The Corporate Director Communities 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.	<p>The development hereby permitted shall be begun before the expiration of five years from the date of this permission and in accordance with:</p> <p>a) the following approved plans and documents:</p> <p>786173_9559-PEV-000-XX-D-A-9000 Rev P02– Site location plan existing</p> <p>786173_9559-PEV-000-XX-D-A-0304 Rev P05 – PCS combined</p> <p>786173_9559-PEV-000-XX-D-A-0405 Rev P05 – VCS combined</p> <p>786173_9559-PEV-000-XX-D-A-1101 Rev P04 – Site demolition plan proposed</p> <p>786173_9559-PEV-000-XX-D-A-1300 Rev P05 – Site fencing strategy proposed</p> <p>786173_9559-PEV-000-XX-D-A-9001 Rev P02 – Site block plan existing</p> <p>786173_9559-PEV-000-XX-D-A-9011 Rev P02 – Site block plan existing north parking</p> <p>786173_9559-PEV-000-XX-D-A-9012 Rev P02 – Site block plan existing west and south parking</p> <p>786173_9559-PEV-000-XX-D-A-9020 Rev P03 – Site block plan proposed</p> <p>786173_9559-PEV-000-XX-D-A-9021 Rev P02 – Site block plan car park proposed west</p> <p>786173_9559-PEV-000-XX-D-A-9022 Rev P03 – Site block plan car park proposed east</p> <p>786173_9559-PEV-000-XX-D-A-9200 Rev P02 – Site section AA, BB existing</p> <p>786173_9559-PEV-000-XX-D-A-9201 Rev P02 – Site section CC, DD existing</p>
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786173\_9559-PEV-000-XX-D-A-9202 Rev P02 – Site section EE, FF existing  
 786173\_9559-PEV-000-XX-D-A-9210 Rev P03 – Site section AA, BB proposed  
 786173\_9559-PEV-000-XX-D-A-9211 Rev P03 – Site section CC, DD proposed  
 786173\_9559-PEV-000-XX-D-A-9212 Rev P03 – Site section EE, FF proposed  
 786173\_9559-PEV-000-XX-D-A-9300 Rev P02 – 3D visuals existing  
 786173\_9559-PEV-000-XX-D-A-9301 Rev P02 – 3D visuals proposed  
 786173\_9559-PEV-000-XX-D-L-0302 Rev P04 – Landscape masterplan  
 786173\_9559-PEV-000-XX-D-L-0401 Rev P02 – Landscape proposal sheet 1  
 786173\_9559-PEV-000-XX-D-L-0402 Rev P02 – Landscape proposal sheet 2  
 786173\_9559-PEV-000-XX-D-L-0403 Rev P02 – Landscape proposal sheet 3  
 786173\_9559-PEV-000-XX-D-L-0404 Rev P02 – Landscape proposal sheet 4  
 786173\_9559-PEV-000-XX-D-L-0405 Rev P02 – Landscape proposal sheet 5  
 786173\_9559-PEV-000-XX-D-L-0406 Rev P02 – Landscape proposal sheet 6  
 786173\_9559-PEV-000-XX-D-L-0407 Rev P02 – Landscape proposal sheet 7  
 786173\_9559-PEV-000-XX-D-L-0408 Rev P02 – Landscape proposal sheet 8  
 786173\_9559-PEV-000-XX-D-L-0409 Rev P02 – Landscape proposal sheet 9  
 786173\_9559-PEV-000-XX-D-L-0410 Rev P02 – Landscape proposal sheet 10  
 786173\_9559-PEV-000-XX-D-L-0411 Rev P02 – Landscape proposal sheet 11  
 786173\_9559-PEV-000-ZZ-D-C-0100 Rev P03 – Existing impermeable area plan  
 786173\_9559-PEV-000-ZZ-D-C-0101 Rev P03 – Proposed impermeable area plan  
 786173\_9559-PEV-000-ZZ-D-C-0501 Rev P03 – Proposed surface water drainage sheet 01  
 786173\_9559-PEV-000-ZZ-D-C-0502 Rev P04 – Proposed surface water drainage sheet 02  
 786173\_9559-PEV-000-ZZ-D-C-0503 Rev P04 – Proposed surface water drainage sheet 03  
 786173\_9559-PEV-000-ZZ-D-C-0504 Rev P04 – Proposed surface water drainage sheet 04  
 786173\_9559-PEV-000-ZZ-D-C-0505 Rev P04 – Proposed surface water drainage sheet 05  
 786173\_9559-PEV-000-ZZ-D-C-0506 Rev P04 – Proposed surface water drainage sheet 06  
 786173\_9559-PEV-000-ZZ-D-C-0507 Rev P03 – Proposed surface water drainage sheet 07  
 786173\_9559-PEV-000-ZZ-D-C-0508 Rev P03 – Proposed surface water drainage sheet 08  
 786173\_9559-PEV-000-ZZ-D-C-0509 Rev P03 – Proposed surface water drainage sheet 09  
 786173\_9559-PEV-000-ZZ-D-C-0510 Rev P03 – Proposed surface water drainage sheet 10  
 786173\_9559-PEV-000-ZZ-D-C-0511 Rev P03 – Proposed surface water drainage sheet 11  
 786173\_9559-PEV-000-ZZ-D-C-0512 Rev P03 – Proposed surface water drainage sheet 12  
 786173\_9559-PEV-000-ZZ-D-C-0513 Rev P03 – Proposed surface water drainage sheet 13  
 786173\_9559-PEV-000-ZZ-D-C-0526 Rev P04 – Proposed foul drainage sheet 01  
 786173\_9559-PEV-000-ZZ-D-C-0527 Rev P04 – Proposed foul drainage sheet 02  
 786173\_9559-PEV-000-ZZ-D-C-0528 Rev P04 – Proposed foul drainage sheet 03  
 786173\_9559-PEV-000-ZZ-D-C-0529 Rev P04 – Proposed foul drainage sheet 04  
 786173\_9559-PEV-000-ZZ-D-C-0530 Rev P04 – Proposed foul drainage sheet 05  
 786173\_9559-PEV-000-ZZ-D-C-0531 Rev P04 – Proposed foul drainage sheet 06  
 786173\_9559-PEV-000-ZZ-D-C-0532 Rev P03 – Proposed foul drainage sheet 07  
 786173\_9559-PEV-000-ZZ-D-C-0533 Rev P03 – Proposed foul drainage sheet 08

786173\_9559-PEV-000-ZZ-D-C-0534 Rev P03 – Proposed foul drainage sheet 09  
 786173\_9559-PEV-000-ZZ-D-C-0535 Rev P03 – Proposed foul drainage sheet 10  
 786173\_9559-PEV-000-ZZ-D-C-0545 Rev P03 – Proposed drainage diversions layout sheet 1  
 786173\_9559-PEV-000-ZZ-D-C-0546 Rev P02 – Proposed drainage diversions layout sheet 2  
 786173\_9559-PEV-000-ZZ-D-C-0700 Rev P04 – Proposed hard landscaping layout sheet 1  
 786173\_9559-PEV-000-ZZ-D-C-0701 Rev P04 – Proposed hard landscaping layout sheet 2  
 786173\_9559-PEV-000-ZZ-D-C-0702 Rev P04 – Proposed hard landscaping layout sheet 3  
 786173\_9559-PEV-000-ZZ-D-C-0703 Rev P04 – Proposed kerb layout sheet 1  
 786173\_9559-PEV-000-ZZ-D-C-0704 Rev P04 – Proposed kerb layout sheet 2  
 786173\_9559-PEV-000-ZZ-D-C-1100 Rev P04 – Proposed ground levels and contours sheet 1  
 786173\_9559-PEV-000-ZZ-D-C-1101 Rev P04 – Proposed ground levels and contours sheet 2  
 786173\_9559-PEV-000-ZZ-D-C-1102 Rev P04 – Proposed ground levels and contours sheet 3  
 786173\_9559-PEV-000-ZZ-D-C-2700 Rev P03 – Swept path analysis fire tender  
 786173\_9559-PEV-000-ZZ-D-C-2701 Rev P03 – Swept path analysis heavy goods vehicle  
 786173\_9559-PEV-000-ZZ-D-C-2702 Rev P03 – Swept path analysis electric tug  
 786173\_9559-PEV-000-ZZ-D-C-2703 Rev P03 – Swept path analysis standard design vehicle  
 786173\_9559-PEV-000-ZZ-D-C-2704 Rev P03 – Swept path analysis MEWP  
 786173\_9559-PEV-000-ZZ-D-C-2705 Rev P03 – Swept path analysis 3.5 tonne lorry  
 786173\_9559-PEV-000-ZZ-D-C-6501 Rev P03 – Drainage details sheet 1  
 786173\_9559-PEV-000-ZZ-D-C-6502 Rev P03 – Drainage details sheet 2  
 786173\_9559-PEV-000-ZZ-D-C-6503 Rev P02 – Drainage details sheet 3  
 786173\_9559-PEV-000-ZZ-D-C-6700 Rev P02 – Pavement construction details sheet 1  
 786173\_9559-PEV-000-ZZ-D-E-0609 Rev P02 – External lighting lux plot  
 786173\_9559-PEV-000-ZZ-L-C-0501 Rev P03 – Proposed surface water drainage schedule 01  
 786173\_9559-PEV-000-ZZ-L-C-0502 Rev P03 – Proposed surface water drainage schedule 02  
 786173\_9559-PEV-000-ZZ-L-C-0503 Rev P03 – Proposed surface water drainage schedule 03  
 786173\_9559-PEV-000-ZZ-L-C-0504 Rev P03 – Proposed surface water drainage schedule 04  
 786173\_9559-PEV-000-ZZ-L-C-0505 Rev P03 – Proposed surface water drainage schedule 05  
 786173\_9559-PEV-000-ZZ-L-C-0506 Rev P03 – Proposed surface water drainage schedule 06  
 786173\_9559-PEV-000-ZZ-L-C-0507 Rev P02 – Proposed surface water drainage schedule 07  
 786173\_9559-PEV-000-ZZ-L-C-0509 Rev P02 – Proposed surface water drainage schedule 09  
 786173\_9559-PEV-000-ZZ-L-C-0511 Rev P02 – Proposed surface water drainage schedule 11  
 786173\_9559-PEV-000-ZZ-L-C-0512 Rev P02 – Proposed surface water drainage schedule 12

786173\_9559-PEV-000-ZZ-L-C-0513 Rev P02 – Proposed surface water drainage schedule 13

786173\_9559-PEV-000-ZZ-L-C-0526 Rev P04 – Proposed foul drainage schedule 1

786173\_9559-PEV-000-ZZ-L-C-0527 Rev P04 – Proposed foul drainage schedule 2

786173\_9559-PEV-000-ZZ-L-C-0528 Rev P04 – Proposed foul drainage schedule 3

786173\_9559-PEV-000-ZZ-L-C-0529 Rev P04 – Proposed foul drainage schedule 4

786173\_9559-PEV-000-ZZ-L-C-0530 Rev P04 – Proposed foul drainage schedule 5

786173\_9559-PEV-000-ZZ-L-C-0531 Rev P04 – Proposed foul drainage schedule 6

786173\_9559-PEV-000-ZZ-L-C-0532 Rev P03 – Proposed foul drainage schedule 7

786173\_9559-PEV-000-ZZ-L-C-0533 Rev P03 – Proposed foul drainage schedule 8

786173\_9559-PEV-000-ZZ-L-C-0534 Rev P03 – Proposed foul drainage schedule 9

786173\_9559-PEV-000-ZZ-L-C-0535 Rev P03 – Proposed foul drainage schedule 10

786173\_9559-PEV-101-00-D-A-9001 Rev P02 – Planning L00 (ground)

786173\_9559-PEV-101-01-D-A-9002 Rev P02 – Planning L01 (first)

786173\_9559-PEV-101-02-D-A-9003 Rev P02 – Planning L02 (second)

786173\_9559-PEV-101-03-D-A-9004 Rev P02 – Planning L03 (plant)

786173\_9559-PEV-101-R3-D-A-9005 Rev P02 – Planning L03 (roof)

786173\_9559-PEV-101-XX-D-A-9100 Rev P02 – GEA plans (gross external area plans)

786173\_9559-PEV-101-XX-D-A-9101 Rev P03 – GIA plans (gross internal area plans)

786173\_9559-PEV-101-ZZ-D-A-9010 Rev P04 – Elevations ext planning colour

786173\_9559-PEV-101-ZZ-D-A-9011 Rev P03 – Elevations ext planning no colour

786173\_9559-PEV-102-00-D-A-9001 Rev P02 – Planning L00 (ground)

786173\_9559-PEV-102-01-D-A-9002 Rev P02 – Planning L01 (first)

786173\_9559-PEV-102-02-D-A-9003 Rev P02 – Planning L02 (second)

786173\_9559-PEV-102-03-D-A-9004 Rev P02 – Planning L03 (plant)

786173\_9559-PEV-102-R3-D-A-9005 Rev P02 – Planning LR3 (roof)

786173\_9559-PEV-102-XX-D-A-9010 Rev P03 – Elevations ext planning colour received on 4/8/25

786173\_9559-PEV-102-XX-D-A-9011 Rev P03 – Elevations ext planning no colour

786173\_9559-PEV-102-ZZ-D-A-9100 Rev P04 – GEA plans gross external area

786173\_9559-PEV-102-ZZ-D-A-9101 Rev P04 – GIA plans gross internal area

786173\_9559-PEV-103-00-D-A-9000 Rev P02 – GA level 00 (ground floor) proposed

786173\_9559-PEV-103-01-D-A-9001 Rev P02 – GA level 01 (first floor) proposed

786173\_9559-PEV-103-02-D-A-9002 Rev P02 – GA level 02 (second floor) proposed

786173\_9559-PEV-103-03-D-A-9003 Rev P02 – GA level 03 (third floor) proposed

786173\_9559-PEV-103-R3-D-A-9004 Rev P02 – GA level R3 (roof) proposed

786173\_9559-PEV-103-ZZ-D-A-9010 Rev P03 – Elevations ext proposed

786173\_9559-PEV-103-ZZ-D-A-9011 Rev P03 – Elevations ext proposed sheet 2

786173\_9559-PEV-103-ZZ-D-A-9100 Rev P04 – GEA plans proposed

786173\_9559-PEV-103-ZZ-D-A-9101 Rev P03 – GIA plans proposed

	<p>786173_9559-PEV-104-00-D-A-9000 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-104-01-D-A-9001 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-104-R1-D-A-9002 Rev P02 – Planning LR1 (roof)</p> <p>786173_9559-PEV-104-XX-D-A-9100 Rev P03 – GEA plans gross external area</p> <p>786173_9559-PEV-104-XX-D-A-9101 Rev P03 – GIA plans gross internal area</p> <p>786173_9559-PEV-104-ZZ-D-A-9010 Rev P03 – Ext planning colour</p> <p>786173_9559-PEV-104-ZZ-D-A-9011 Rev P03 – Ext planning no colour</p> <p>786173_9559-PEV-105-00-D-A-9000 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-105-01-D-A-9001 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-105-M1-D-A-9002 Rev P02 – Planning LM1 (mezzanine)</p> <p>786173_9559-PEV-105-R1-D-A-9003 Rev P02 – Planning LR1 (roof)</p> <p>786173_9559-PEV-105-XX-D-A-9100 Rev P03 – GEA plans gross external area</p> <p>786173_9559-PEV-105-XX-D-A-9101 Rev P03 – GIA plans gross internal area</p> <p>786173_9559-PEV-105-ZZ-D-A-9010 Rev P03 – Elevations ext planning colour</p> <p>786173_9559-PEV-105-ZZ-D-A-9011 Rev P03 – Elevations ext planning no colour</p> <p>786173_9559-PEV-106-00-D-A-9001 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-106-01-D-A-9002 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-106-02-D-A-9003 Rev P02 – Planning L02 (second)</p> <p>786173_9559-PEV-106-R2-D-A-9004 Rev P02 – Planning LR2 (roof)</p> <p>786173_9559-PEV-106-ZZ-D-A-9011 Rev P01 – Elevations ext planning no colour</p> <p>786173_9559-PEV-106-ZZ-D-A-9100 Rev P03 – GEA plans (gross external area plans)</p> <p>786173_9559-PEV-106-ZZ-D-A-9101 Rev P03 – GIA plans (gross internal area plans)</p> <p>786173_9559-FED-000-XX-D-X-0020 Rev P01 – Tree survey plan</p> <p>786173_9559-FED-000-XX-D-X-0021 Rev P01 – Tree retention plan</p> <p>786173_9559-FED-000-XX-D-X-0022 Rev P01 – Tree protection plan</p> <p>786173_9559-PEV-106-ZZ-D-A-9010 Rev P02 – Elevations ext planning colour</p> <p>Landscape and Ecological Management Plan (LEMP)</p> <p>Sustainable Drainage Strategy Report</p> <p>Foul Drainage Strategy Report</p> <p>Flood Consequence Assessment</p> <p>External Lighting Assessment and Strategy</p> <p>Landscape and Visual Appraisal</p> <p>Energy Statement</p> <p>Ecological Impact Assessment</p> <p>Shadow HRA: Test of Likely Significant Effects and Appropriate Assessment</p> <p>Green Infrastructure Statement</p> <p>Transport Assessment</p> <p>Travel Plan</p> <p>Archaeological Desk - Based and Impact Assessment</p> <p>Arboricultural Impact Assessment &amp; Arboricultural Method Statement</p> <p>Ground Investigation Report</p> <p>Phase 1 Geo-Environmental Desktop Study</p> <p>Baseline Noise Survey Report</p> <p>Noise Assessment</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
2.	<p>Before commencing any development at the site, you must do the following: -</p> <p>a) Notify the Local Planning Authority in writing that you intend to commence</p>

	<p>development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and</p> <p>b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.</p> <p>Reason: To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.</p>
3.	<p>No buildings on the Application site shall be brought into beneficial use until such time as reinforcement works to the local water supply network, at which the development shall connect, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this has been issued to the Local Planning Authority.</p> <p>Reason: To ensure the development is served by a suitable potable water supply.</p>
4.	<p>No development shall commence on site (apart from demolition) until 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, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.</p> <p>Reason: to ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.</p>
5.	<p>No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.</p> <p>Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment</p>
6.	<p>Notwithstanding the submitted documents, an updated staff travel plan shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented within 6 months of the beneficial use of the development. Such a plan shall contain staff shift changeover times, targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the facility. The plan shall be subject to periodic review and monitoring with the first review to be undertaken after 6 months of the use commencing and monitoring, with annual reports prepared by the operator and submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>

7.	<p>Notwithstanding the submitted documents, an updated visitor travel plan shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented within 6 months of the beneficial use of the development. Such a plan shall contain visitation times, targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the facility. The plan shall be subject to periodic review and monitoring with the first review to be undertaken after 6 months of the use commencing and monitoring, with annual reports prepared by the operator and submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>
8.	<p>The proposed parking areas 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 shall be retained for parking purposes in perpetuity.</p> <p>Reason: In the interests of highway safety and to ensure a satisfactory form of development.</p>
9.	<p>No development shall commence on site until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for the phasing of the site construction including</p> <ul style="list-style-type: none"> <li>i. The routing of construction traffic to/from the site</li> <li>ii. The timing of construction traffic to/from the site to avoid highway network peak hours</li> <li>iii. the parking of vehicles of site operatives and visitors</li> <li>iv. loading and unloading of plant and materials</li> <li>v. storage of plant and materials used in constructing the development</li> <li>vi. wheel washing facilities</li> <li>vii. the provision of temporary traffic and pedestrian management at and in the vicinity of the site construction access</li> </ul> <p>Reason: In the interests of highway safety and neighbouring amenity</p>
10.	<p>The combined noise rating level from fixed plant and equipment at the development when measured in free field conditions (or where this is not possible a combination of measurement and calculation) in accordance with BS 4142: 2014+A1:2019 (or any British Standard amending or superseding that standard) at any residential premises shall not exceed the noise limits in Table 1</p> <p><b>Table 1 Noise Limits</b></p>



	<table><tr><th>Noise Sensitive Receptors (NSR)</th><th>Rating Level, dB <del>L<sub>Ar,Tr</sub></del> Daytime operations (07.00-23.00 hours)</th><th>Rating Level, dB <del>L<sub>Ar,Tr</sub></del> <u>Night time operations (23.00-07.00 hours)</u></th></tr><tr><td>Any residential premises</td><td>39dB LAeq,1 hour</td><td>33dB LAeq,15mins</td></tr></table> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>	Noise Sensitive Receptors (NSR)	Rating Level, dB <del>L<sub>Ar,Tr</sub></del> Daytime operations (07.00-23.00 hours)	Rating Level, dB <del>L<sub>Ar,Tr</sub></del> <u>Night time operations (23.00-07.00 hours)</u>	Any residential premises	39dB LAeq,1 hour	33dB LAeq,15mins
Noise Sensitive Receptors (NSR)	Rating Level, dB <del>L<sub>Ar,Tr</sub></del> Daytime operations (07.00-23.00 hours)	Rating Level, dB <del>L<sub>Ar,Tr</sub></del> <u>Night time operations (23.00-07.00 hours)</u>					
Any residential premises	39dB LAeq,1 hour	33dB LAeq,15mins					
11.	<p>Prior to the installation of any fixed plant, a scheme detailing the noise levels from all plant to be operated at the development site and any necessary mitigation shall be submitted to and agreed with the Local Planning Authority demonstrating that the rating levels specified in Table 1 of condition 10 will be achieved when assessed in accordance with BS 4142:2014+A1:2019 in free field conditions at any residential premises. The scheme shall include a noise assessment by an appropriately qualified noise consultant to demonstrate compliance with this condition. The plant and any necessary mitigation shall be installed in accordance with the agreed scheme prior to it being brought into beneficial use and shall be retained for as long as the development continues.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>						
12.	<p>Prior to commencement of the development, a construction environmental management plan (CEMP) shall be submitted to and agreed with the Local Planning Authority. The agreed CEMP shall be adhered to throughout the demolition and construction periods.</p> <p>The CEMP shall include the following:</p> <ul style="list-style-type: none"><li>• A scheme of mitigation for minimising construction noise</li><li>• Approximate timescales of each operational phase</li><li>• Operational hours</li><li>• A scheme of noise and vibration monitoring for any operations that are indicated to give rise to excessive noise/vibration undertaken at locations to be agreed with by Shared Regulatory Services</li><li>• A scheme for implementing effective liaison with the local residents and Local Authority</li><li>• Measures to control the emission of dust and dirt during construction</li></ul> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>						
13.	<p>No development or phase of development, including demolition or site clearance, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The DCEMP shall include:</p>						

	<ul style="list-style-type: none"> <li>• Demolition and Construction methods: details of materials, how waste generated will be managed.</li> <li>• General Site Management: details of the demolition and construction programme including timetable, details of site clearance; details of site demolition and construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.</li> <li>• Species Management: species and habitats protection, avoidance and mitigation measures.</li> <li>• Measures to monitor and control the emission of dust and dirt during any material removal and construction.</li> <li>• Soil Management: details of topsoil strip, storage and amelioration for re-use.</li> <li>• DCEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.</li> <li>• Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management.</li> <li>• Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.</li> <li>• Details of the persons and bodies responsible for activities associated with the DCEMP and emergency contact details.</li> <li>• Bat precautionary avoidance measures.</li> <li>• Specific measures to avoid pollution, sedimentation, or dust deposition within the SINC boundary.</li> </ul> <p>The DCEMP shall be prepared with specific reference to the Derwen Wood SINC.</p> <p>The DCEMP shall be implemented as approved during the demolition, site preparation and construction phases of the development.</p> <p>Reason: To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during demolition and construction.</p>
14.	<p>Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), prior to the commencement of development (apart from demolition) an updated LEMP shall be submitted to and agreed by the Local Planning Authority to include:</p> <ul style="list-style-type: none"> <li>• a minimum 15m undeveloped buffer along the SINC boundary, retained and managed as natural vegetation,</li> <li>• a lighting strategy that demonstrates compliance with ILP Bats and Artificial Lighting at Night (2023), ensuring light levels at the woodland edge remain below 0.5 lux with consideration being given to light sensitive wildlife, and,</li> <li>• monitoring and adaptive management commitments robustly linked to clear ecological outcomes (e.g., canopy cover retention, understorey diversity, invasive species control, ecological condition assessment for the site as a whole), particularly for the retained woodland areas and SINC buffer.</li> </ul> <p>The LEMP shall be implemented as approved during the construction and operational phases of the development.</p>

	Reason: To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during construction and operation.
15.	<p>Notwithstanding the submitted Tree Survey Plan, Tree Retention Plan and Tree Protection Plan, prior to the commencement of development (apart from demolition) the following information shall be submitted to and agreed in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> <li>• A quantified tree planting replacement schedule identifying: <ul style="list-style-type: none"> <li>- Number and species of trees to be removed (including any under TPO)</li> <li>- Proposed replacement numbers, species, and planting locations</li> <li>- Confirmation that the replanting achieves at least a 3:1 ratio in accordance with PPW12</li> </ul> </li> <li>• Replacement planting should consist of native broadleaf species of local provenance, reflecting the woodland composition of Derwen Wood SINC</li> <li>• Larger nursery stock or whips of mixed age should be used to establish diversity and resilience.</li> </ul> <p>The agreed scheme shall be implemented as approved during the site preparation and construction phases of the development.</p> <p>Reason: To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during construction.</p>
16.	<p>Prior to the commencement of the development, except demolition, an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:</p> <p>(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;</p> <p>(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;</p> <p>(iii) an assessment of the potential risks to:</p> <ul style="list-style-type: none"> <li>- human health,</li> <li>- groundwaters and surface waters</li> <li>- adjoining land,</li> <li>- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,</li> <li>- ecological systems,</li> <li>- archaeological sites and ancient monuments; and</li> <li>- any other receptors identified at (i)</li> </ul> <p>(iv) an appraisal of remedial options, and justification for the preferred remedial</p>

	<p>option(s).</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.</p> <p>* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.</p> <p>Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.</p>
17.	<p>Prior to the commencement of the development, except demolition, a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.</p> <p>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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
18.	<p>The remediation scheme approved by condition 17 must be fully undertaken in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.</p> <p>On the completion of the measures identified in the approved remediation scheme and prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority, 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.</p> <p>All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance</p>

	<p>document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.</p> <p>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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
19.	<p>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 must stop, and no further development shall take place 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.</p> <p>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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
20.	<p>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.</p> <p>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 LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
21.	<p>Any site won material including soils, aggregates, 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.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
22.	No development shall commence until details of piling or any other foundation

	<p>designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.</p> <p>Reason: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.</p>
23.	<p><b>* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *</b></p> <p><b>DWR CYMRU/WELSH WATER</b></p> <p>As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB Application process and will provide comments to any SuDS proposals by response to SAB consultation.</p> <p>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 <a href="http://www.dwrcymru.com">www.dwrcymru.com</a>.</p> <p>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 (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the Applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p> <p>If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru / Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.</p> <p>In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the Applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that</p>

the Applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB Application process and will provide comments to any SuDS proposals by response to SAB consultation.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at [developer.services@dwrcymru.com](mailto:developer.services@dwrcymru.com)

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.

#### **HIGHWAY AUTHORITY**

1. 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. Telephone No. (01656) 642541.

2. In respect of the above condition for a travel plan the Applicant is advised to consider the Travel Plan Guide for Developers at the following internet address:

<http://www.bridgend.gov.uk/web/groups/public/documents/manuals/050232.pdf>

#### **SHARED REGULATORY SERVICES – ENVIRONMENT TEAM**

##### **CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE**

The contamination assessments and the effects 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

	<p>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;</p> <ul style="list-style-type: none"> <li>- Unprocessed / unsorted demolition wastes.</li> <li>- Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.</li> <li>- 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; and</li> </ul> <p>(iii) the safe development and secure occupancy of the site rests with the developer.</p> <p>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.</p> <p>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.</p> <p><b>NATURAL RESOURCES WALES</b></p> <p>All works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.</p>
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**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None



**REFERENCE:** P/24/31/FUL

**APPLICANT:** Mr P Brain c/o Plan R Ltd, 39 Merthyr Mawr Road, Bridgend, CF31 3NN

**LOCATION:** Land south of the Angel Inn off Heol Las Mawdlam CF33 4PG

**PROPOSAL:** Erection of one detached dwelling including access and parking

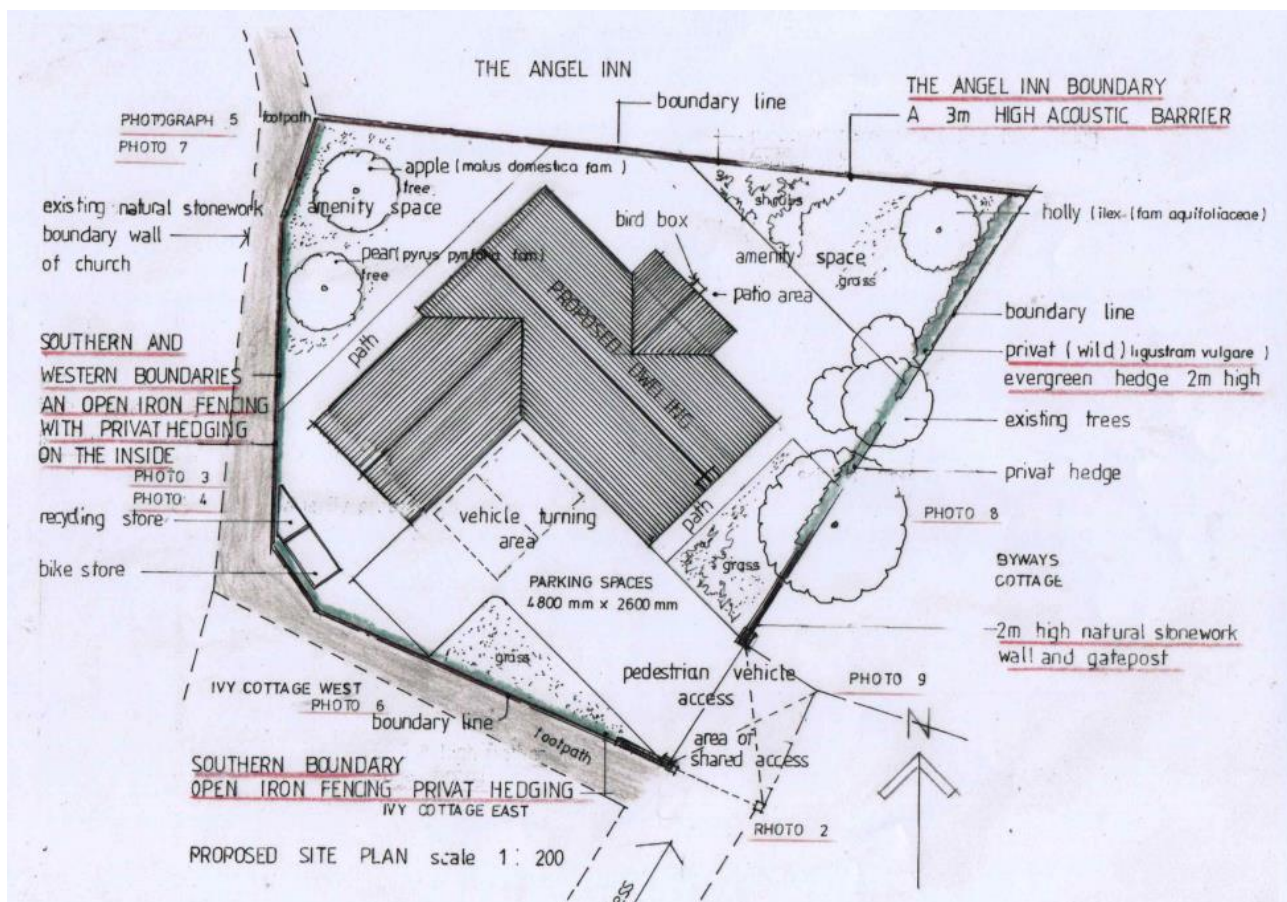
**RECEIVED:** 16 January 2024

## DESCRIPTION OF PROPOSED DEVELOPMENT

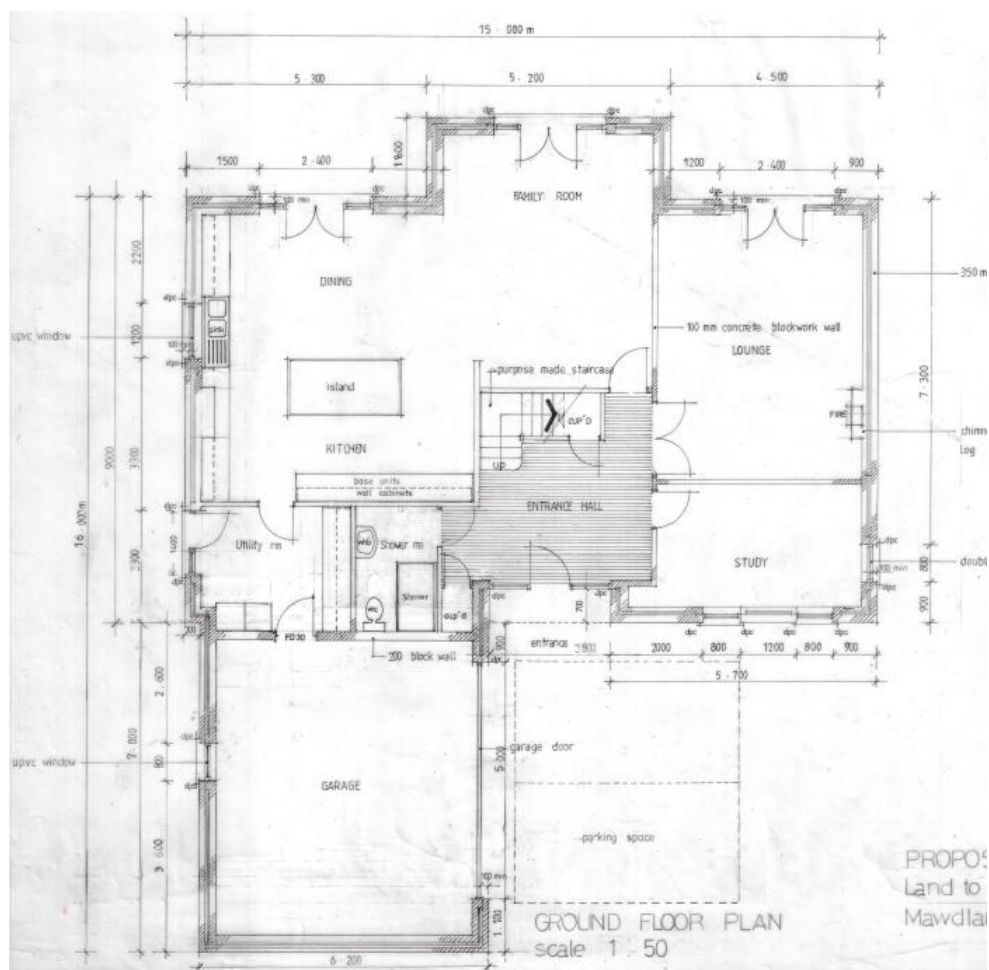
Planning permission is sought to develop a single detached dwelling, including access and parking on a vacant plot located to the rear of the Angel Inn, Mawdlam. The plot is described as a former garden and paddock located within the historically significant village.

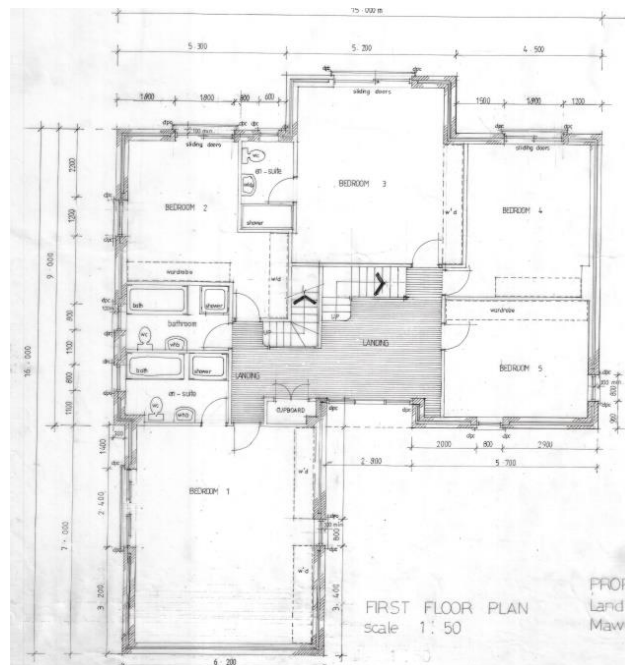
The proposed five-bedroom dwelling would be set centrally within the Application site and would contain a double garage. Parking for two vehicles would be provided forward of the garage on the driveway area. Existing established trees would be retained and the site finished in both hard and soft landscaping. A bike and recycling store are indicated at the southwestern corner of the plot.

The property would be enclosed on the two boundaries which adjoin the public right of way with new open iron fencing with privet hedging on the inside. The northern boundary with the Angel Inn would require a 3m high acoustic barrier. The remaining eastern boundary would comprise a 2m high privet hedge with a stonework wall and gateposts and the entrance to the site.

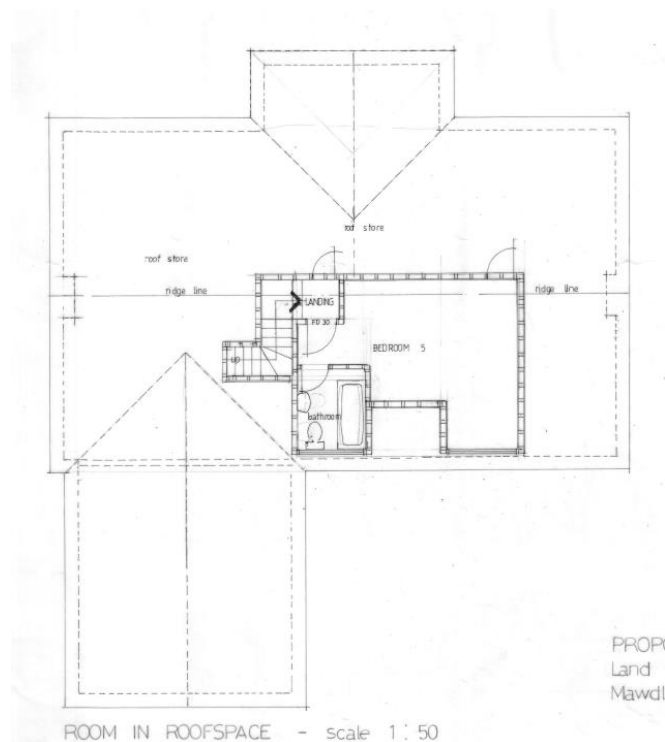


**PROPOSED SITE PLAN**





**PROPOSED FIRST FLOOR**



**PROPOSED LOFT SPACE**

The dwelling would be of a traditional design comprising a gable ended L shaped building with pitched roof which would be finished in slate. The walls would be a combination of natural local stonework, smooth render finish and vertical timber cladding proposed for the garage wing.

The site is accessed via an existing single width, unadopted private access lane. The lane does not fall within land controlled by the Applicant and ownership is unclear. Accordingly, the agent has served a Certificate D, Certificate of Ownership with the Planning Application. This required public notice of the proposal to be advertised in the Glamorgan Gazette. Public notice was given on 14/12/2023.

The Application was accompanied by the following supporting documents:

- Planning Statement,



- Assessment of Heritage Impact (9<sup>th</sup> November 2023),
- Preliminary Ecological Appraisal (20<sup>th</sup> April 2024)
- Noise Impact Assessment (10<sup>th</sup> April 2025),
- Green Infrastructure Statement (19<sup>th</sup> April 2024).

## **SITE DESCRIPTION**

The Application site is located within the village of Mawdlam. The site comprises a vacant parcel of land which is relatively flat and is covered in shrubbery and other overgrown vegetation.

The site is accessed via an existing single width, unadopted private access lane with an entrance point off Heol Las which lies approximately 35 metres to the south of the Application site. The private access lane currently serves four properties which are positioned to the east and south of the Application site.

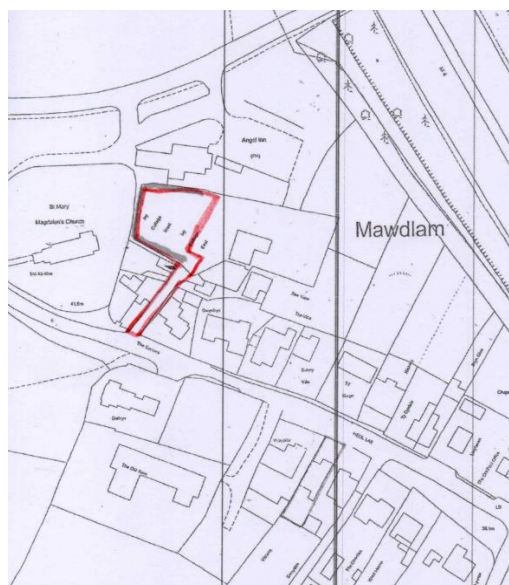
The site is bordered to the west by the Grade II\* Listed Church known as the Church of St Mary Magdalen and to the north by The Angel Inn public house. The Listed Church stands within a raised curvilinear churchyard on a high prominence above the former site of Kenfig and is Listed as a 13th Century building of substantially medieval fabric with an unusual early porch and a remarkable front. Within the churchyard, is a Grade II Listed tomb described as being of a very unusual and inspired design. In addition, the site lies within a Site of Archaeological Significance known as 'Kenfig Mawdlam'.

The Planning Statement states that the Application site sits some 1.8m below the level of the church yard.

Public Right of Way COR/15/1 known as Footpath 15 Cornelly, runs adjacent to the western and southern boundaries of the Application site and southwards along the single width access lane.

The site lies within an established residential area where a mix of house types are located, including bungalows, semi-detached and detached dwellings of varying design and appearance. There is no uniformity within the street scene and therefore no defined character. However, the historical buildings do provide a context to the site.

The site is not located within a defined Conservation Area or within an area identified as being subject to flood risk on the Natural Resources Wales – Flood Map for Planning.



**LOCATION PLAN**



**AERIAL PHOTOGRAPH TAKEN FROM THE GREEN INFRASTRUCTURE STATEMENT**



**VIEW OF SHARED LANE FROM HEOL LAS**





**VIEW FROM SITE ACCESS WITH ANGEL INN TO THE REAR**



**VIEW OF SITE FROM CHURCH YARD**





**EXISTING TREES ON EASTERN BOUNDARY OF PLOT WITH THE OLD POST OFFICE**



**PUBLIC RIGHT OF WAY**





**PHOTOS OF SITE TAKEN 17/04/2019**

## RELEVANT HISTORY

P/96/273/OUT	Erection of detached bungalow and garage (outline application)	Conditional Consent	30/04/1996
P/98/985/FUL	Proposed detached bungalow	Conditional Consent	23/02/1999
P/00/804/FUL	Erection of single storey dwelling	Conditional Consent	28/11/2000
P/19/195/FUL	One new dwelling	Refused	12/08/2019

P/19/195/FUL for a two-storey detached dwelling was refused for the following reasons:

1. The proposed dwelling will result in the intensification of the existing sub-standard private access lane off Heol Las, creating increased traffic hazards to the detriment of highway and pedestrian safety and contrary to Policies SP2 and PLA11 of the Bridgend Local Development Plan (2013).
2. The private access lane which provides access to the site off Heol Las is not considered suitable to serve as the principal means of vehicular or pedestrian access, to the detriment of highway and pedestrian safety and contrary to Policies SP2 and PLA11 of the Bridgend Local Development Plan (2013).
3. Insufficient information in respect of the means of surface water drainage has been submitted to enable the implications of the proposal to be properly evaluated by the Local Planning Authority, contrary to Policy SP2 of the Bridgend Local Development Plan (2013).

## PUBLICITY

Neighbours have been notified of the receipt of the Application. The period allowed for response to consultations/publicity initially expired on 04/06/2024.



Following a site visit, Council Officers requested a Noise Assessment to determine the impact of the kitchen ventilation and odour extraction equipment operated on the adjoining Angel Inn on the proposed development. The further information was received, and the Application was then re-consulted on in April 2025.

Council Officers then provided the Applicant with feedback on the design and finish of the dwelling and its proposed boundary treatment. Amended plans were also requested that confirmed the requirement for an acoustic screen along the boundary with the Angel Inn. These details were then re-consulted on with an expiry date of 23/10/2025.

## **CONSULTATION RESPONSES**

**Cornelly Community Council** – No comments received.

**Land Drainage** – Advisory comments, and a condition forwarded.

**Highways** – No objection subject to the imposition of conditions on access and junction improvements and on-site parking provision.

**Ecology** – No comments received.

**Dwr Cymru/Welsh Water** – Advisory comments, and a condition provided

**Shared Regulatory Services - Environmental Health** – No objections subject to the imposition of conditions to mitigate noise effects

**Shared Regulatory Services - Land Quality** – Unforeseen contaminated land conditions recommended and advisories.

**Heneb** – Recommend a condition for a programme of archaeological work taking the form of an archaeological watch brief during the groundworks required for the development.

**Rights of Way Team** – No objection subject to the imposition of a condition to protect and maintain the PROW

**Conservation** - No objection subject to the imposition of conditions

## **REPRESENTATIONS RECEIVED**

Six objections were initially received from nearby residents, two of which came from the same address. Representations raised the following concerns:

- The development of an unsympathetic form and appearance
- The dwelling is out of character with surrounding development
- The loss of daylight to *Seaview*
- The loss of a coastal view from *Seaview*
- The private access lane is narrow, and an additional house would result in congestion
- The private lane is damaged following works to *Seaview* and this needs to be repaired
- Proposed construction works would result in further damage to the lane
- Additional traffic would make the lane unsafe
- Poor visibility at the junction of the lane and *Heol Las*. Excessive speeds on *Heol Las* make this access unsafe
- *Ivy Cottage* has been converted into an Airbnb and this has resulted in increased

parking on Heol Las

- The loss of views of the church
- Surface water issues on the lane need to be addressed
- Impacts on water supply/pressure and possible sewer capacity
- Proposal would add to existing on-street parking pressures
- Upper level windows would overlook *Ivy Cottage*, *Seaview* and *The Corners*
- Yellow lines on Heol Las would restrict parking for residents and visitors
- The lane is used by pedestrians to access the public right of way. Any additional traffic on the lane would be a safety issue for users
- Infrastructure under the lane is damaged and this needs to be repaired
- Further traffic on the lane may damage Byways Cottage.
- The proposed dwelling would overlook the adjoining church yard
- A request made that the Council consult with the church over the proposal
- Impact of the development on the church yard wall
- The high number of vehicle movements on Heol Las and resultant impact on highway safety

Following re-consultation on the amended scheme, three further objections were received. Two representations came from occupiers who had previously objected to the proposal. One objection was received from a representative of St Mary Magdalene Church.

Concerns raised included:

- Extra traffic passing through a small village which is now congested
- Proposed access point is dangerous and additional traffic would cause a safety issue for road users and pedestrians
- A lack of pedestrian footways through the village
- Possible non-residential use of proposed dwelling
- Maudlam now at a point of having too many houses and vehicles
- The Application property has no legal right of way over adjoining land
- The property will need to be accessed via an unadopted lane.
- There are already 5 dwellings accessed off the lane which is the maximum allowed off an unadopted lane under current legislation.
- An additional dwelling would result in gridlock on the private lane
- Two of the residential properties have no other access to the highway than via the lane
- Four of the five properties are occupied by disabled residents that need uninterrupted access to their homes
- Has a survey of the graveyard taken place, especially along the Eastern Wall?
- An active household or business would be an intrusion for family members visiting graves
- Impact of the development on the structural integrity of the churchyard wall
- Who would bear the costs of repairing the wall
- Impact of the dwelling on views from the east window of the church
- Increase in traffic and loss of highway parking due to proposed parking restrictions
- Possible commercial use of property and increased traffic and noise pollution

## **COMMENTS ON REPRESENTATIONS RECEIVED**

Factors to be taken into account in making planning decisions must be material planning matters; that is, they must be relevant to the proposed development and use of land in the public interest. The objections raised which are considered to be material to the determination of the planning Application are considered in the Appraisal section of this report.

Planning Permission has been sought for the development of a residential dwellinghouse. Any proposals for a change of use of a dwelling to holiday accommodation or possible commercial use would require a further Planning Application.

Two neighbours have raised concerns over the possible impact of the two-storey house on views of the church and coastline. However, it should be noted that issues such as the loss of a view are not a material planning consideration.

The current condition and suitability of the private lane for vehicle access to the property will be considered in the Appraisal section of this report. If the water and sewer services running under the private lane are damaged due to previous construction works, then the residents should contact Dwr Cymru/Welsh Water to report this.

Some disruption and inconvenience is likely to result from building works, however, given the scale and nature of the works it is considered that no significant harm should result. Building works are controlled by separate legislation, including control over noise and other sources of pollution. The Applicant has indicated an intention to surface the 32m length of lane in a suitable metalled surface which will overcome some of the concerns raised by residents.

The developer will need to ensure that construction and any site works do not adversely impact on the church yard wall or graves. The proposed dwelling is setback from the adjoining property and separated by the public right of way. The proposed boundary enclosures would be of a lightweight nature requiring only minor excavation and foundations.

The site is accessed via an existing single width, unadopted private access lane. It is advised that the lane does not fall within land controlled by the Applicant and ownership is unclear. Accordingly, the agent has served a Certificate D, Certificate of Ownership with the Planning Application. This required public notice of the proposal to be advertised in the Glamorgan Gazette. Public notice was given on 14/12/2023.

It should be noted that the Applicant will need to secure the agreement of the owner of the 'area of shared access' at the front of the site in order to obtain legal rights to access the building plot. This is a civil matter to be arranged and completed by the Applicant and not a material planning consideration.

Despite the concerns raised by a number of objectors, the scheme does not propose parking restrictions on Heol Las. Accordingly, the development would not result in the loss of on-street parking and residents, visitors and churchgoers will be able to continue to park as they do currently on the public highway.

The material planning matters raised by the objectors are addressed below in the Appraisal section of this report.

## **PLANNING POLICY**

### **National Planning Policy and Guidance**

National planning guidance in the form of Future Wales – the National Plan 2040 (February 2021) and Planning Policy Wales (Edition 12, February 2024) (**PPW**) are of relevance to the determination of this application.

Paragraph 1.30 of PPW confirms that... *'Development management is the positive and proactive approach to shaping, considering, determining and delivering development proposals through the process of deciding planning applications.'*

*“All development decisions...should seek to contribute towards the making of sustainable places and improved well-being.” (Paragraph 2.2 of PPW refers) Para 2.3 states “The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.”*

At Para 2.7, it states *“Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people.”*

PPW states at paragraphs 2.22 and 2.23 that the Planning system should *“ensure that a post-Covid world has people’s well-being at its heart and that Planners play a pivotal role...in shaping our society for the future, prioritising placemaking, decarbonisation and well-being.”*

#### **Technical Advice Notes:**

The Welsh Government has provided additional guidance in the form of Technical Advice Notes. The following are of relevance:

- Technical Advice Note 5 – Nature Conservation and Planning (2009)
- Technical Advice Note 12 - Design (2016)
- Technical Advice Note 18 – Transport (2007).
- Technical Advice Note 24 – The Historic Environment (2007)

#### **Well-being of Future Generations (Wales) Act 2015**

The Well-being 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 comprising 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.

#### **The Socio-Economic Duty**

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to force on 31 March 2021, has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

#### **Local Policies**

The Development Plan for the area comprises of the Bridgend Local Development Plan 2018-2033 (RLDP) which was formally adopted by the Council in March 2024 and within which the following policies are of relevance:

### **Strategic Policy**

- Policy SP1: Regeneration and Sustainable Growth Strategy
- Policy SP3: Good Design and Sustainable Placemaking
- Policy SP4: Mitigating the Impact of Climate Change
- Policy SP5: Sustainable Transport and Accessibility
- Policy SP17: Conservation and Enhancement of the Natural Environment
- Policy SP18: Conservation of the Historic Environment

### **Topic Based Policy**

- Policy SF1: Settlement Hierarchy and Urban Management
- Policy PLA9: Development Affecting Public Rights of Way
- Policy PLA11: Parking Standards
- Policy PLA12: Active Travel
- Policy DNP6: Biodiversity, Ecological Networks, Habitats and Species
- Policy DNP7: Trees, Hedgerows and Development
- Policy DNP8: Green Infrastructure.
- Policy DNP9: Natural Resource Protection and Public Health

### **Supplementary Planning Guidance**

- SPG02 - Householder Development
- SPG08 – Residential Development
- SPG17 - Parking Standards
- SPG19 - Biodiversity

### **APPRAISAL**

This Application is referred to the Development Control Committee to consider the concerns raised by neighbouring occupiers.

Having regard to the above, the main issues to consider in this Application relate to the principal of development, its visual impact including effects on historic assets, impact on the amenities of neighbouring residents, effects of the development on an area of archaeological interest, and effects on land drainage, land quality, biodiversity, highway/pedestrian access and safety.

### **Principle of Development**

The site is located within the Local Settlement of South Cornelly, Maudlam and Kenfig as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Bridgend Replacement Local Development Plan (RLDP) adopted in 2024. Policy SF1 states that development will be permitted within settlement boundaries at a scale commensurate with the role and function of the settlement.

Policy SP3 Good Design and Sustainable Place Making of the RLDP states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having full regard to the natural, historic and built environment.

Policy SP6 Sustainable Housing Strategy of the RLDP supports windfall residential development at appropriate sites within the settlement, focussing on the re-use of previously developed land.

The vacant site would constitute a small windfall site under Policy SP6 and could contribute towards delivery of the overall housing requirement. The site is not allocated for a specific use. Therefore, residential development would be acceptable in principle subject to compliance with other RLDP policies.

### **Visual Effects Including Impact on Listed Assets**

Policy SP3 of the Replacement Local Development Plan (RLDP) highlights all development should contribute to creating high quality, attractive, sustainable places by, amongst others:

- Demonstrating alignment with the principles of Good Design
- Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character;

Policy SP18 of the RLDP notes that the County Borough contains a rich and diverse built heritage and historic environment. Development proposals must protect, conserve and where appropriate promote or enhance the significance of the assets including their setting. The policy states that there is a general presumption in favour of the preservation or enhancement of assets and their setting.

The RLDP seeks to ensure that the character of historic buildings and structures are safeguarded and conserved. Change must be managed so that their special historic, architectural, or archaeological interest and settings are preserved.

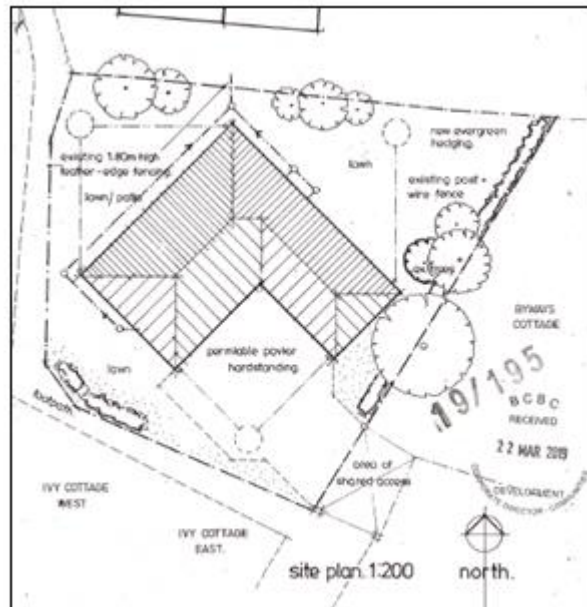
The Application was supported by an Assessment of Heritage Impact which provides a useful history of Maudlam and its heritage assets which include the Church of St Mary Magdalen, the Angel Inn and the Former Post Office. The Assessment concludes that the development would have a low impact on the church and its churchyard and no impact on identified values of the Angel Inn or Former Post Office

The proposal is located to the east of the Grade II\* Listed Church of St Mary Magdalen (Listed Church) and to the north by The Angel Inn public house. The Listed Church stands within a raised curvilinear church ground and cemetery which is some 1.8m above the height of the Application site. The church yard itself is retained by a stone wall which runs the length of the western boundary of the site. It should be noted that the land between the limestone wall and property itself is the unformed public right of way.

The close proximity of the Application site to the Grade II\* Listed St Mary Magdalen Church and the impact on the setting of the Listed Building are therefore a material consideration in the determination of this Application.

The proposed site forms one of a small cluster of residential dwellings of differing ages, forms and styles located at the northwestern end of Maudlam.

The site has been the subject of previous Planning applications and consent has been granted on three separate occasions for single storey dwellings. In 2019 consent (P/19/195/FUL) was sought for a similar two-storey proposal, however, this was refused on access and land drainage grounds.



### **P/19/195/FUL**

The Officers Report on the 2019 Application provides some relevant commentary on the assessed visual impact of the earlier development and noted:

*'The proposed dwelling provides for a detached, two storey property which is considered to be appropriate in terms of its size and scale, in accord with Policy SP2. Whilst large, the surrounding residential area varies in terms of its character as the dwelling types vary in size, scale and appearance. The dwelling is not considered to be so excessive in size and scale to warrant a refusal on such grounds. It is therefore considered to be complimentary to the surrounding residential area as it does not detract from its character or appearance or introduce an incongruous addition that would be visually detrimental to the surrounding area.'*

*The property is positioned appropriately within the Application site itself, positioned within the centre of the proposed residential plot facing the south east. This provides for sufficient private amenity space to the north, south and west of the property and for off-street car parking spaces at the front. It is therefore considered to be acceptable in terms of its layout and position within the proposed residential plot.*

*The materials proposed, namely facing brick and render with a concrete tiled roof are considered to be appropriate. Materials such as the proposed are found within the immediate vicinity of the Application site and will therefore not detract from the appearance of the area.*

*The proposed development is considered to be compliant with the guidance contained within SPG02 and Policy SP2 and is acceptable in terms of design.'*

In terms of the current Application, the Council's Conservation Officer reviewed the initial proposals for the development and advised; *'Whilst there is an opportunity for a new dwelling on this site which will form a cul-de-sac or enclave and given the historic sensitivity of the setting, any new structure will need to respond to this context and the setting of St Magdalen's Church, Graveyard and boundary wall. Additionally, the existing dwellings are modest in scale and the impact of any new structure will have an impact on them. This will be both visual and physical.'*

The Conservation Officer initially raised some concerns with the height, form, design and

materials proposed for the dwelling. In response the Applicant has reduced the overall height of the building by 1m and introduced changes to the size and design of the roof dormers and other fenestration. The plans were amended to provide door and window reveals to create shadowing and to better align the new build property with the surrounding historic fabric. Roof tile specifications were confirmed and the garage door finish was altered from horizontal to vertical. Further changes were made to the proposed boundary enclosures removing the timber feather board fence along the ROW boundary and its replacement with open iron fencing with hedging behind. This was considered to better respond to the settling of the Listed Church and its limestone wall.

Subject to these changes, the Conservation Officer advised that the proposal could be supported for approval.

The proposed development would be sited centrally within the plot, oriented in a manner to reduce overlooking of adjoining sites, particularly the rear elevation of Angel Inn. The dwelling would reflect a traditional design with finishes and materials which are considered appropriate with its context.

While the dwelling would represent a change to the current view from the churchyard and Listed Church, the design and proportions of the development are in keeping with other properties within the area, and due to the lower ground level of the Application site, when compared to the Listed Church there will be little change to the current view. The property and its first floor and roofs are considered to fit into the general architectural form and appearance of other properties within this view.

It is considered that given the planning history on this site, that the proposed dwelling would be appropriate within its context and would fit sympathetically into the small cluster of residential properties.

The Council's Conservation Officer has advised *'if the church are concerned with the condition of the wall and possible damage, they should organise a survey of it themselves, prior to any work commencing on the adjacent site. All churches and chapels are meant to undertake a quinquennial (five-yearly) review of structures and grounds, although this doesn't always happen and if they have done so, they should have a reasonable idea of the condition of the wall. Also, any vibration or digging for foundations can cause significant damage to adjacent structures and I think either an archaeological watching brief should be on site during excavations and footings being built or the church themselves appoint an appropriate person to monitor the condition of the wall during initial construction. Any damage to the wall caused by the work on the site, should be paid for by the site owner and a schedule of works approved by the Local Planning Authority.'*

The dwelling will not be highly visible from the public highway or from the Listed Church or churchyard and therefore, the proposed development is considered to be sympathetic to the character of the adjoining Listed Church which does not detrimentally impact its visual appearance or its setting. In addition, there are limited views from any public areas where the dwelling will be visible within the setting of the Listed Building. As such, the proposal is considered to be acceptable in terms of its location, height, size, scale, design and materials in accord with criterion (b) of Policy SP3 and Policy SP18 of the Replacement Local Development Plan (2024).

### **Archaeological Considerations**

The site is located within a Site of Archaeological Significance known as 'Kenfig Mawdlam'.



Heneb, The Trust for Welsh Archaeology (formerly Glamorgan Gwent Archaeology) were consulted and have advised:

*'We have commented on Application for P/19/195/FUL in our letter dated 10th May 2019, and our understanding of the archaeological resource remaining unchanged.'*

*Information in the Historic Environment Record shows that the Application area is adjacent to St Mary Magdalene's Church, a Grade II\* Listed Building of 13th century origin, and Mawdlam Churchyard. The churchyard is largely curvilinear, both now and on the tithe map of 1847. Circular churchyards are believed to be early in date and it is possible for earlier burials to be located beyond the churchyard's current boundary wall. The Application area is also located in Merthyr Mawr, Kenfig and Margam Burrows Registered Historic Landscape (HLW (MGI) 1), specifically the Kenfig and Mawdlam Character Area (HLCA007), as defined within the Register of Landscapes of Outstanding Historic Interest in Wales.*

*An archaeological watching brief was undertaken at the site in 2001 during shallow topsoil stripping of the area, in which Post-medieval pottery was found. The watching brief concluded that as the works were only for the topsoil stripping and not the excavation of foundation trenches that it was "...not possible to establish at this stage that there are no significant buried remains on the site."*

*The proposed Application is for the construction of a new dwelling and given the location of the site and the results of previous archaeological investigations, there is potential for the possibility of human burials, medieval and Post-medieval remains and features to be encountered during the proposed development.*

*Therefore, in order to mitigate the impact of the development on the archaeological resource we recommend that a condition, for a programme of archaeological work, taking the form of an archaeological watching brief during the groundworks required for the development, should be attached to any consent granted.*

*We envisage that this programme of work would take the form of a watching brief during the groundworks required for the development, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any burials or human remains, as well as the provision of sufficient time and resources to ensure that any other archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.*

*To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014*

*No development shall take place until the Applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the Applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.*

*Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.*

*We also recommend that a note should be attached to the planning consent explaining that:*

*The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member Looking for an archaeologist? | Chartered Institute for Archaeologists.'*

Subject to the imposition of a condition requiring the preparation, submission and approval of a watching brief, the proposal is considered to accord to Policy SP18 of the RLDP.

### **Residential Amenity**

Planning Policy Wales (Edition 12, February 2024) states at paragraph 2.7 that “placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people”.

Criterion (k) of Policy SP3 of the Local Development Plan (2024) seeks to ensure that ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected and in addition, seeks to ensure that an appropriate level of amenity is afforded to future occupiers of a development.

#### Overbearing and overshadowing impact

In terms of overbearing and overshadowing impact, Supplementary Planning Guidance 02: Householder Development (SPG02) provides relevant guidance for new residential development. Note 1 states that *No extension should unreasonably dominate the outlook of an adjoining property*. Further to this, Note 2 states “*No extension should unreasonably overshadow adjoining property.*” Daylight protection zones have been developed which provide guidance on acceptable levels of development in order to minimise the loss of daylight and sunlight to neighbouring habitable rooms.

The proposed dwelling has been oriented and designed to ensure that the amenity of surrounding properties is not unduly compromised by the proposed development. The dwelling would be sited approximately 6m from its eastern boundary with the *Former Post Office* and would be located approximately 7 to 11m from its southern boundary with *Ivy Cottage* and the adjoining *Byways Cottage*. The proposal has not been sited parallel to its property boundaries with only corners approaching neighbouring properties. In the location proposed, it is considered that the development would not have any unacceptable effects in terms of being dominant or overbearing and would have no overshadowing impacts on residential neighbours.

#### Overlooking/loss of privacy

In terms of overlooking and loss of privacy, SPG02 refers at Note 6 to privacy and states that “*extensions and outbuildings should respect the privacy of neighbouring houses.*”

SPG02 recommends a setback of 10.5m from upper-level habitable room windows to the boundaries of adjoining residential properties.

The dwelling will contain first floor and roof dormer windows which would look out over adjoining sites. However, the building design and window placement seeks to minimise this impact on adjoining residential properties. Northwest and northeast facing windows would overlook portions of the neighbouring churchyard and the rear servicing areas of the Angel Inn. As such these windows would have no unacceptable impact on privacy.

The first floor southwest facing windows would be located in excess of the recommended 10.5m separation distance from the boundaries with *Ivy Cottage* and *Byways Cottage* and

accordingly would result in no harmful impact on privacy. A single first floor southeast facing bedroom window would be located approximately 7.5m from the common boundary with the Former Post Office. While this is less than the 10.5m setback recommended in SPG02, the area immediately beyond the boundary is developed and utilised as the driveway access to the site. As such, it is considered that the reduced window setback would not result in any unacceptable loss of amenity for neighbouring occupiers.

As such, the privacy of the adjoining residential properties will be respected.

#### Residential Amenity Occupiers

Note 8 of SPG02 states that any extension should leave an adequate garden area for private use around the house.

The proposed dwelling would be sited centrally within the plot providing amenity and garden areas around the property. It is considered that the addition of a single dwelling in the centre of the site is appropriate and that sufficient private amenity space would be provided for the occupants of a five-bedroom property. Furthermore, this would generally reflect the residential density and amenity space provision seen in the surrounding area.

As the Application site is located immediately adjoining the Angel Inn with its kitchen ventilation and extraction plant abutting the Application site, noise effects were initially raised as an issue. These effects were considered to have a possible adverse impact on the amenity of future residents of the property. The Applicant then provided a Noise Impact Assessment (NIA) based on the results of an on-site noise survey. A number of noise control measures were recommended in order to mitigate the noise effects of the existing kitchen plant at the Angel Inn including construction materials and methods for the proposed dwelling and the provision of an acoustic screen along the common boundary with the public house.

The Council's Environmental Health Officer has reviewed the NIA and has raised no concerns with its findings and recommendations.

Accordingly, it is considered that the proposal complies with criterion (k) of Policy SP3 of the Replacement Local Development Plan (2024) and guidance contained within Supplementary Planning Guidance Note 02 Householder Development which relates specifically to residential amenity.

#### **Biodiversity**

In assessing a planning application, the Local Planning 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, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 6.4.4: *"It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals."* PPE12 further goes on to state that *"All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission."*

Technical Advice Note 5: Nature Conservation and Planning states that: *"Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and*

*development of land can pose threats to the conservation of natural features and wildlife.”*

Policy SP3 of the Replacement Local Development Plan (2024) requires development to safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Particular importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

Policy DNP7 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*. Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network.

The Application was accompanied by a Preliminary Ecological Appraisal (**PEA**). The survey found: *‘that the site consists of a variety of different small habitats, with the main two present being poor semi-improved grassland and tall ruderal vegetation. The site as a whole is comprised of a limited number of common species with little intrinsic conservation value. A number of non-native species – likely to be garden escapes from adjacent properties – had also colonised the site. These include Cherry laurel, Holly hocks and Spanish bluebells.’*

The PEA also went on to note: *‘The line of trees on the eastern boundary provides the most significant potential connectivity with the adjacent garden habitats, which connect in turn with the treelined verges of the nearby M4 motorway to the east. It is recommended that the trees and the open aspect is retained and enhanced as part of the development. This could retain and enhance what little connectivity exists at present, benefitting nesting birds and small mammals, including hedgehog. Fence boundaries in any new development should include gaps on the lower edge to provide access points for hedgehog.’*

*The habitat type combined with the very limited extent and connectivity suggest that protected species are highly unlikely to be present. However, due to suitable habitat associated with the nearby Kenfig National Nature Reserve, and potential roosting opportunities within St Mary Church to the west of the survey site, there is potential for the survey site to be near bat commuting routes and provide opportunistic foraging opportunity. It is therefore recommended that new roosting provision is incorporated into the new development in the form of incorporated bat boxes or similar, high up on the east and / or west-facing gable ends.’*

The Green Infrastructure Statement submitted with the Application noted: *‘The existing habitats and green infrastructure within the site boundary comprise the poor semi-improved grassland and bramble scrub making up the majority of the site, a section of hedgerow in poor condition and a number of trees along the boundary.’*

*The existing trees have been assessed by Treescene Arboreal Consultants. They include:*

- 1 x Italian Alder (*Alnus cordata*)

- 5 x Wild Cherry (*Prunus avium*)
- Group of young Sycamore (*Acer pseudoplatanus*)

*Following the assessment by Treescene, one of the cherry trees has been deemed to be in poor physiological condition and is recommended for removal. All of the other existing trees will be retained as part of the development.*

*It is proposed to enhance the green infrastructure within the site boundary by improving the hedgerow along the western boundary, planting new native-species. It is proposed to enhance the green infrastructure within the site boundary by improving the hedgerow along the western boundary, planting new native-species.'*

In this case the proposed site is located within a defined settlement and the proposal is located within a property with limited biodiversity value. Subject to retention of the identified trees, provision of new hedgerow planting and bat boxes, bee bricks and bird nesting boxes within the design of the new dwelling, the measures would be considered sufficient to enhance biodiversity at the site. Conditions can be imposed to ensure this is implemented. As such the proposal is acceptable in terms of biodiversity.

On balance the proposed development is considered to be compliant with Policy SP3 DNP6, 7 and 8 of the Replacement Local Development Plan (2024) and is therefore acceptable in terms of biodiversity.

### **Highway Safety**

Policy SP5: Sustainable Transport and Accessibility of the RLDP states that new development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to local services. Development must be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks. Active travel is to be encouraged and reliance on private car use should be reduced.

Policy PLA11 of the RLDP stipulates that all development must be served by appropriate levels of parking in accordance with the adopted SPG on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles.

Note 9 of SPG02 states that “*off-street parking should be available to meet the County Borough Council’s guidelines for a dwelling of the size after extension*” and stipulates that the parking requirement for houses equates to 1 space per bedroom up to a maximum of 3 spaces. Each space must be 4.8m x 2.6m to accommodate a car parking space unless it is within a garage. Supplementary Planning Guidance Note 17 Parking Standards (SPG17) stipulates that “*garages may only be counted as parking spaces if they have clear internal dimensions, as suggested by Manual for Streets, for a single garage of 6m x 3m*”.

The 5-bedroom property would be provided with parking for two vehicles within an integral garage and parking for a further two vehicles on the driveway area in front of the house. Access to the property would be via the existing single width unadopted private access lane and a short section of ‘*shared access*’ at the front of the plot which appears to form part of the *Former Post Office* property.

The Council’s Highways Officer has provided the following observations on the proposed development:

*‘It should be noted that this Application has been subject to a pre planning Application and continued dialogue with the highway authority to reach a point in which a residential*

scheme would be acceptable, in highway terms, at this location. The Applicant has sought to address the concerns and objections raised by the Highway Authority for the previously refused planning consent in 2019 (P/19/195/FUL refers). In addition, the speed limit changes to 20mph across Wales have revised the vision splays required as part of the 2019 Application and are now achievable as part of this application.

The issues which have been addressed relate to the access lane and the ability to improve the surface of the lane and remove the vegetation which restricts the width of the lane. The Applicant has provided a survey of the lane which shows that from boundary to boundary the access the lane measures 3.7m at its widest point and 3.4m at its narrowest point. The Association of Chief Fire Officers has clarified that 'a 3.7 m carriageway (kerb to kerb) is required for operating space at the scene of a fire. Simply to reach a fire, the access route could be reduced to 2.75 m over short distances, provided the pump appliance can get to within 45 m of dwelling entrances.' The distance from the highway to the dwelling is 32m therefore in an emergency situation a fire appliance could reach the property from the highway and would not need to use the lane, however the widths measure evidence that emergency services could reach the dwelling using the lane if needed.

However, it should be noted that the measurements provided by the Applicant can only be achieved with the surface of the lane being in good condition and resurfaced. The Applicant has now included the length of the lane within the Application and served the relevant notices on the landowner and as such the Highway Authority must accept that the intention to resurface the lane is agreed by the developer. We note some concerns with regards to the ownership of the lane, however this is a private matter between the developer and the owner. As the improvements to the lane are fundamental to the acceptability of this Application then I have requested a 'Grampian style' planning condition to ensure the lane is improved before any works commence on site.

In addition to the above and improve visibility splays the Highway Authority request a scheme of lining to push forward the give way line at the junction of the lane and Heol Las. This will ensure that the visibility splays are improved and meet standards for the speed of Heol Las. In addition, we have added a condition which seeks to ensure that the public right of way access point adjacent to the site access has the required visibility splay for pedestrians.

Finally, it is noted that the parking provision for the proposed dwelling accords with the adopted parking standards SPG17 and is considered acceptable.

As a result of the above the Highway Authority offers 'No Objection subject to the following conditions:

1. No development shall commence whatsoever until a scheme detailing the resurfacing of the access lane from the site access to the adopted highway (Heol Las), revised location of the give way lines at the junction of Heol Las and installation pedestrians in the highway signage on Heol Las, has been submitted to and agreed by the Local Planning Authority. The agreed scheme shall be implemented before any works commence on the site including any works relating to ground clearance or demolition. The agreed resurfacing and give way lining shall be retained in perpetuity.  
Reason: In the interests of highway and pedestrian safety.
2. The parking area shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained for the purpose of parking in perpetuity.  
Reason: In the interests of highway safety.

3. No development shall take place, including any works of demolition/site clearance, until a Construction Traffic Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The timing of HGV construction traffic to/from the site in order to avoid the AM and PM peak traffic for residents using Heol Las and the access lane.
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - wheel washing facilities
  - measures to control the emission of dust and dirt during construction
- Reason: In the interests of highway safety.

4. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at the access from the site to the lane/public footpath and the junction of the lane with Heol Las, at any time.
- Reason: In the interests of highway safety.

Following the re-consultation of the proposal, a number of further representations were received which raised additional transportation concerns, particularly around the use and acceptability of the shared access lane. The Council's Highways Officer has provided clarification of the issues raised:

- There are already 5 dwellings off the lane which is the maximum number allowed off an unadopted lane under current legislation.

*'There is no specific national legislation which restricts the number of dwellings which can be accessed from a private drive/lane. Each Local Authority has its own guidance, which takes in many factors such as location, house type, availability of parking within each dwelling and most importantly how pedestrians access the dwellings as some examples of factors the HA consider.'*

*In Bridgend we have no written policy regarding private drives and there has been historic guidance from the Highway Authority to the LPA that any more than five dwellings would be the point at which further analysis and consideration is required. I note that the objector has indicated that the private lane is already serving five dwellings, however it is considered that the primary pedestrian access for Ivy Cottage and Byways Cottage have an entrance gate located on Heol Las and therefore residents do not have to walk along the lane to access those two dwellings. Therefore, the lane is considered as serving three dwellings by pedestrians and therefore the proposed new dwelling does not increase the number of dwellings to beyond five and is considered acceptable in this instance. In addition, the proposal is seeking to improve the access lane which in turn creates a positive and useable walking route. The resurfacing of the lane will remove the current barriers to walking by existing residents on a poorly and very uneven surfaced lane. This aligns with current national planning policy in promoting walking and cycling through the Active Travel Act.'*

- To bring the lane up to highway standard to allow the council to adopt it and thus allowing more properties would cause total gridlock for all 5 of the current properties as each has access via the lane.

*'The lane will not be adopted by the Highway Authority and will remain a private access lane in private ownership and maintained privately. The planning condition requirement to*

*improve and resurface the lane is a private matter between the Applicant and the owners of the lane. I have also requested in my original observations that development of the proposed new dwelling cannot take place or even started until the lane has been resurfaced. This will ensure that negotiations with the current lane owners and the Applicant of this Application are agreed before work to the proposed dwelling can take place and that all matters relating to the improvement of the lane, including timing of the works and maintaining continued access are agreed by all users of the access lane.*

*As a result of the above the original observations provided in August remain.'*

As such, and subject to appropriate conditions, the proposed development is considered to be compliant with the Note 9 of SPG02 and Policies SP3, SP5 and PLA11 of the Replacement Local Development Plan (2024) and is acceptable from a highway and pedestrian safety perspective.

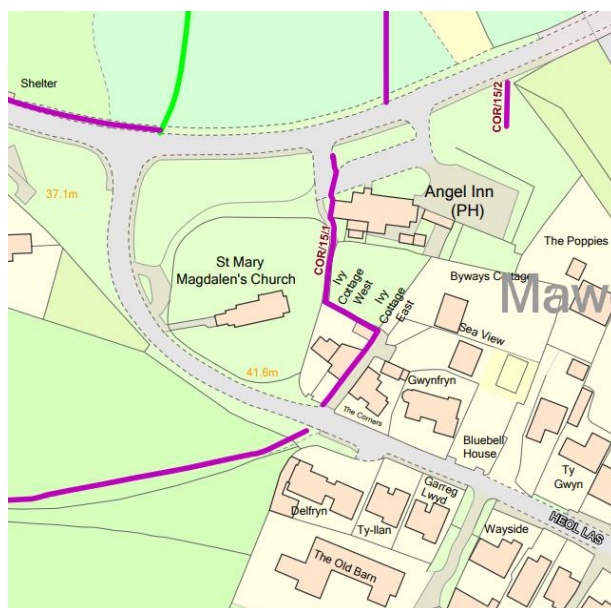
### **Pedestrian Right of Way**

Policy PLA9: Development Affecting Public Rights of Way of the RLDP stipulates that development must link with and seek to minimise impacts on PRow and any predicted adverse impacts on the character, safety, enjoyment and convenient use of PRow must be mitigated.

Policy PLA12: Active Travel of the RLDP states that new development must maximise walking and cycling access by prioritizing their provision within the site. Measures including the improvement of existing Public Rights of Way and signage are to be encouraged.

The Council's Rights of Way and Land Access Officer has advised:

*'Having consulted the Definitive Map and Statement of Public Rights of Way I must advise that the Public Right of Way (PRow) Footpath 15 Cornelly crosses the redline boundary of the Application site. The approximate alignment of the footpath as it is currently shown on the Definitive Map is shown coloured purple on the location plan, a copy of which is attached herewith.*



*I note that the approximate position of the Public Right of Way is acknowledged in the plans submitted and the Application declares that the proposals do not require any diversions or extinguishments of the public right of Way. Having considered the various plans submitted with the Application it appears that the right of way is not affected by the*



*actual development i.e. the construction of one detached dwelling. Therefore, I can confirm that the Rights of Way Section would not object to planning Application P24/31/FUL.*

*The Applicant should be advised, however, that the grant of planning consent does not entitle the developer to obstruct the Public Right of Way. Therefore in the interests of public amenity and to ensure the protection of the Public Right of Way, prior to commencement of development a Public Rights of Way Method Statement should be submitted to and approved in writing by the Rights of Way Manager which demonstrates how the public right of way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the public right of way is not damaged by the construction. The development shall be carried out in accordance with the approved method statement.*

*Although the Rights of Way Manager does not like to see public rights of way temporarily closed, he does understand that it may be necessary from time to time to temporarily close a route to allow for the implementation of planning permission. However, as an alternative the contractor may wish to employ a banksman, along with suitable signage, to allow the safe passage of machinery to and from the site which may not require a temporary closure.'*

Accordingly, and subject to the imposition of a suitable condition, the proposal is considered to be compliant with Policies PLA9 and PLA12 of the Replacement Local Development Plan (2024).

### **Land Drainage**

Policy DNP9 Natural Resource Protection and Public Health of the RLDP states that development will only be permitted where it can be demonstrated that it will not cause any new or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity due to 4) Water pollution and the protection of water resources.

The explanation for Policy DNP9 notes that the Council is committed to implementing sustainable approaches to surface water drainage and expects development to incorporate SuDS wherever possible. SuDS mimic natural drainage to improve rainwater infiltration to soil and ground and can be implemented at all scales of development. They may include: green roofs; rainwater harvesting systems; soakaways/infiltration systems; permeable surfaces; rain gardens; detention basins and swales. SuDS can improve a development by creating habitats that enhance biodiversity as well as providing potential amenity and recreational benefits.

The Council's Land Drainage Officer has advised:

*'The Application form states that the proposed development is not located within a flood risk zone, not within 20m of a watercourse nor proposes to increase flood risk elsewhere. A review of the OS database notes the development is not located within a flood risk zone, nor within 20 m of a watercourse.*

*The Application form doesn't state how foul water will be disposed. No foul drainage layout has been provided. The Applicant shall contact DCWW to discuss a proposed connection to the public sewer.*

*The Application form states surface water will be disposed via Sustainable Drainage System. However, no surface water drainage layout has been provided. Please note that infiltration systems must not be situated within 5 m of buildings or boundaries. Infiltration systems must be designed in accordance with BRE-Digest 365 and a minimum of three infiltration tests for each trial hole must be provided.*

*The site is located near an area highly likely to form limestone cavities, therefore any proposal to utilise an infiltration system in this location will be objected to unless a detailed geotechnical report confirming that limestone cavities will not be formed by surface water disposal from the development. It is recommended the Application investigates a connection to proposals to dispose surface water to the main sewer, should infiltration not be viable.*

*Given this development appears to be erecting a new dwelling which is over 100m<sup>2</sup>, a SAB Application is required.*

*From 7 January 2019, new developments greater than 100m<sup>2</sup> of construction area require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before construction work begins. The Applicant shall contact the Bridgend County Borough Council SAB officer at [SAB@bridgend.gov.uk](mailto:SAB@bridgend.gov.uk) and submit a sustainable drainage Application form to the BCBC SAB...*

*I would request that the following condition be attached to any consent which you are minded to grant.*

*No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.*

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

*To satisfy the above condition, the Applicant must:*

- Provide foul and surface water drainage layouts;*
- Provide agreement in principle from DCWW for foul water (and surface water, if required) disposal to public sewer;*
- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100yr + 30% CC;*
- Submit a sustainable drainage Application form to the BCBC SAB ([SAB@bridgend.gov.uk](mailto:SAB@bridgend.gov.uk)).*

*And (if an infiltration system is proposed)*

*No development shall commence on site until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.*

#### *Advisory Note*

*In order to satisfy the drainage, condition the following supplementary information is required:*

- Provide proposed SUDS surface water drainage layout (including location of proposed soakaway, (if required);*
- Provide discharge calculations for both Surface and foul water;*

- *Provide the location of rainwater treatment plant and raingardens;*
- *Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE-digest 365;*
- *Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;*
- *Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;*
- *Provide a timetable for its implementation; and*
- *Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.*

The mapping database advises that there is a public sewer located within the highway. Dwr Cymru/Welsh Water have been consulted and have indicated that they have no objections to the proposed development subject to no surface water of land drainage connecting to the public sewerage network.

While it is acknowledged that the site is located near an area likely to form limestone cavities, any surface water system relying on an infiltration system will require a detailed geotechnical report confirming that limestone cavities will not be formed by surface water disposal. As an alternative, the Applicant should consider disposing surface water via an alternative means if the geotechnical report does not recommend use of an infiltration system.

Subject to suitable surface water drainage provision, the proposed development is considered compliant with Policy DNP9 of the Replacement Local Development Plan (2024).

### **Land Quality**

Policy SP3 Good Design and Sustainable Placemaking of the RLDP requires that all development must: h) Incorporate methods to ensure the site is free from contamination (including invasive species).

The Shared Regulatory Services (Environment Team) have reviewed the Application and note that contamination is not known at this site, however the potential for this cannot be ruled out. Accordingly, an '*unforeseen contamination*' condition is recommended.

It is also advised that should there be any importation of soils to develop the garden/landscaped areas of the development, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction 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.

Shared Regulatory Services requests the inclusion of conditions and an informative statement in accordance with CIEH best practice and to ensure that the safety of future occupiers is not prejudiced in accordance with Policy SP3 of the RLDP.

Subject to the inclusion of the recommended conditions and advisories, the proposal is considered to be compliant with Policy SP3 of the RLDP.

### **CONCLUSION**

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in

determining a planning Application the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2013)

On balance, it is considered that the proposal is an acceptable development of this residential property, and it would not adversely impact on the character or appearance of the area or setting of listed assets or the amenity of adjoining occupants. Furthermore, the development will result in a betterment of the existing unadopted private access lane and associated drainage along with highway safety improvements. Accordingly, the proposed development is considered to be in accordance with Policies SP1, SP3, SP4, SP5, SP17, SP18, SF1 PLA9, PLA11, PLA12, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015.

### **RECOMMENDATION**

(R02) That permission be GRANTED subject to the following condition(s):-

1. The development shall be carried out in accordance with the following approved plans and documents:

#### **DRAWINGS:**

REDLINED OS LOCATION PLAN

DRAWING NO 23 FB 02 - REDLINED PROPOSED SITE

PROPOSED SITE PLAN - (RECEIVED BY COUNCIL ON 09/10/2025)

DRAWING NO 23 PB M 06 - ELEVATIONS

DRAWING NO 23 PB M 03 - GROUND FLOOR PLAN

DRAWING NO 23 PB M 04 - FIRST FLOOR PLAN

DRAWING NO 23 PB N 05 - ROOM IN ROOFSPACE

TREE CONSTRAINTS PLAN

#### **DOCUMENTS:**

TREE SURVEY - TREESCENE (13/02/2024)

GREEN INFRASTRUCTURE STATEMENT - SPECTRUM ECOLOGY (19/04/2024)

PRELIMINARY ECOLOGICAL APPRAISAL - SPECTRUM ECOLOGY (20/04/2024)

NOISE IMPACT ASSESSMENT - ACOUSTIC CONSULTANTS LTD (10/04/2025)

ASSESSMENT OF HERITAGE IMPACT - MARLOES CONSERVATION LTD  
(09/11/2023)

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

2. The windows and ventilation strategy shall be in accordance with tables 9 and 10 of the acoustic report by Acoustic Consultants Ltd entitled 'Residential Development, Heol Las Bridgend, CF33 4PG' Reference: 11072/CP/JA dated 28/03/25. Prior to installation of the windows and trickle vents, their details shall be submitted to the Local Planning Authority to demonstrate compliance with this condition.

Reason: To ensure that the proposed building control measures adequately mitigate noise effects in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

3. Prior to the commencement of development, a scheme detailing an acoustic barrier along the whole northern boundary of the development site (adjacent to the Angel Inn Public House) shall be submitted to and approved in writing by the Local Planning Authority. The barrier shall have a minimum mass density of 10kg/m<sup>2</sup> mass per unit area and be imperforate, rot proof and vermin proof. The details shall include a location plan showing the exact position of the barrier, construction details and details confirming that the barrier has a minimum mass density of at least e.g. 10kg/m<sup>2</sup>. Prior to the first beneficial use of the dwelling, the acoustic barrier shall be implemented as agreed and the barrier shall be maintained and retained in perpetuity thereafter.

Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

4. Notwithstanding the details submitted, no development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details and retained as such thereafter.

Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area in accordance with Policies SP3 and SP18 of the Bridgend Replacement Local Development Plan (2024).

5. Notwithstanding the submitted plans prior to the occupation of the dwelling hereby approved a scheme indicating the positions, height, design, materials planting specification and type of boundary treatment to be erected to all boundaries shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed, as approved, prior the first beneficial use is of the dwelling and retained as such thereafter.

Reason: In the interest of visual and residential amenity and to ensure the development complies with Policies SP3 and SP18 of the Bridgend Replacement Local Development Plan (2024).

6. No development shall commence whatsoever until a scheme detailing the resurfacing and drainage of the access lane from the site access to the adopted highway (Heol Las), revised location of the give way lines at the junction of Heol Las and installation pedestrians in the highway signage on Heol Las, has been submitted to and agreed by the Local Planning Authority. The agreed scheme shall be implemented before any works commence on the site including any works relating to ground clearance or demolition. The agreed resurfacing and give way lining shall be retained in perpetuity.

Reason: In the interests of highway and pedestrian safety in accordance with Policy SP5 of the Bridgend Replacement Local Development Plan (2024).

7. The parking area shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and retained for the purpose of parking in perpetuity.

Reason: In the interests of highway safety in accordance with Policy SP5 of the Bridgend Replacement Local Development Plan (2024).

8. No development shall take place, including any works of demolition/site clearance, until a Construction Traffic Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- The timing of HGV construction traffic to/from the site in order to avoid the AM and PM peak traffic for residents using Heol Las and the access lane.
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - wheel washing facilities
  - measures to control the emission of dust and dirt during construction

Reason: In the interests of highway and pedestrian safety in accordance with Policy SP5 of the Bridgend Replacement Local Development Plan (2024).

9. No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at the access from the site to the lane/public footpath and the junction of the lane with Heol Las, at any time.

Reason: In the interests of highway and pedestrian safety in accordance with Policy SP5 of the Bridgend Replacement Local Development Plan (2024).

10. The scheme of landscaping and biodiversity enhancement outlined in the GREEN INFRASTRUCTURE STATEMENT - SPECTRUM ECOLOGY (19/04/2024) and PRELIMINARY ECOLOGICAL APPRAISAL - SPECTRUM ECOLOGY (20/04/2024) shall be carried out prior to the development hereby permitted being brought into beneficial use and retained as such thereafter. Should any plants die, become diseased or damaged within 5 years of the implementation of the landscaping proposals, they shall be replaced by plants of similar size and species unless otherwise agreed in writing by the Local Planning Authority.

Reason To safeguard the character and appearance of the area and enhance biodiversity in accordance with Policy SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024) and Chapter 6 of Planning Policy Wales and Policy 9 of Future Wales (Edition 12)

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), there shall be no extension or external alteration to any building forming part of the development hereby permitted without the prior grant of planning permission in that behalf.

Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that Order with or without modification), no doors, windows or dormer windows (other than those expressly authorised by this permission) shall be constructed without the prior grant of planning permission in that behalf.

Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, residential amenity and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

13. Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no buildings shall be erected other than those expressly authorised by this permission and identified on the approved drawings.

Reason: In order to safeguard the amenities of the location by enabling the Local Planning Authority to consider whether planning permission should be granted for garages or outbuildings having regard to the particular layout and design of the development, and to accord with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

14. 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 must stop, and no further development shall take place 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 in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

15. 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 LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

16. 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 LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with Policy SP3 of the Bridgend Replacement Local Development Plan (2024).

17. Prior to commencement of any development on the site a Public Rights of Way Method Statement should be submitted to and approved in writing by the Local Planning Authority which demonstrates how the public right of way will remain open, accessible and unobstructed during construction together with a schedule of the measures which will be employed to ensure that the public right of way is not damaged by the construction. The development shall be carried out in accordance with the approved method statement.

Reason: To prioritize the provision of active travel facilities in accordance with Policy PLA12 of the Bridgend Replacement Local Development Plan (2024).

18. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

19. Where an infiltration system to manage surface water drainage is proposed, a detailed geotechnical report confirming that limestone cavities will not be formed by surface water disposal from the development shall be submitted to the Local Planning Authority. Where this is confirmed, no development shall commence on the site until as suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: In order to suitably manage surface water drainage in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

20. No development shall commence on site until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: In order to suitably manage surface water drainage in accordance with Policy DNP9 of the Bridgend Replacement Local Development Plan (2024).

21. No development shall take place on the site until the consent holder, or their agents or successors in title, has secured agreement for a written scheme of historic environment investigation and mitigation for the Application site and the adjoining Listed church, its church yard and stone walls which has been submitted by the consent holder and approved by the Local Planning Authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the approved scheme.



Reason: To identify and record any features of historic or archaeological interest discovered during the works, in order to avoid or mitigate the impact of the development works on the archaeological resource or Listed asset in accordance with Policy SP18 of the Bridgend Replacement Local Development Plan (2024).

22. Notwithstanding the submitted plans No development shall take place, nor any demolition works or site clearance, until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of trees shown to be retained on Tree constraints plan. The approved development shall be carried out in accordance with the agreed detail during any clearance, demolition and throughout the course of the development.

Reason: To ensure all existing trees are protected throughout the construction of the development, in the interest of visual amenity, and to ensure the development complies with Policy SP3 and DNP7 of the Bridgend Replacement Local Development Plan (2024)

23. \* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a) CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

The contamination assessments and the effects 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; and

(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.

b) DWR CYMRU/WELSH WATER ADVISORIES

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](http://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 (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the Applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

#### c) LAND DRAINAGE ADVISORIES

In order to satisfy the drainage conditions the following supplementary information is required:

- Provide proposed SUDS surface water drainage layout (including location of proposed soakaway, (if required));
- Provide discharge calculations for both Surface and foul water;
- Provide the location of rainwater treatment plant and raingardens;
- Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE-digest 365;
- Provide a plan showing locations of trial holes and at least 3 separate tests at each trial hole location;
- Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system;
- Provide a timetable for its implementation; and
- Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Provide foul and surface water drainage layouts;
- Provide agreement in principle from DCWW for foul water (and surface water, if required) disposal to public sewer;
- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100yr + 30% CC;
- Submit a sustainable drainage Application form to the BCBC SAB ([SAB@bridgend.gov.uk](mailto:SAB@bridgend.gov.uk)).

#### d) ARCHAEOLOGICAL ADVISORIES

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), CIfA regulations, standards and guidance | Chartered Institute for Archaeologists and it is recommended that it is carried out either by a CIfA Registered Organisation or a MCIfA level accredited Member Looking for an archaeologist? | Chartered Institute for Archaeologists.'

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**  
None

## Appeals

**The following appeals have been received since my last report to Committee:**

<b>APPEAL NO.</b>	2033
<b>APPLICATION NO</b>	P/24/92/FUL
<b>APPELLANT</b>	S & B THOMAS
<b>SUBJECT OF APPEAL</b>	INCLUSION OF LAND INTO CURTILAGE WITH RETAINING WALLS AND TERRACE (RETROSPECTIVE): HEDDFAN FEDERATION LANE PONTYCYMMER
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

**The application was approved with conditions of which the appellant is appealing condition 2 which stated:**

Notwithstanding condition 1, within 3 months of the date of this approval, the existing boundary enclosures around the lower terraced area shall be removed and replaced with new 1.8m high metal hoop top panel fencing, to be finished in black. Temporary plastic leaf trellis screening can be affixed to the inside of this fence to protect the privacy of occupiers. The temporary plastic leaf trellis can remain in place and shall be removed once the privet hedging established on the inside of the fence reaches a height of 1.8m.

Reason To safeguard the character and appearance of the area in accordance with Policy SP3 of the Bridgend Local Development Plan (2018-2033).

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<b>APPEAL NO.</b>	2038
<b>APPLICATION NO</b>	P/24/1/OUT
<b>APPELLANT</b>	MR P EVANS
<b>SUBJECT OF APPEAL</b>	OUTLINE PLANNING APPLICATION FOR ONE BLOCK OF 2 BEDROOM APARTMENTS (WITH APPROVAL FOR ACCESS) AND HIGHWAY IMPROVEMENT WORKS: PARCEL A LAND NORTH OF UNDERHILL COTTAGES TONDU ROAD BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

**The application was refused for the following reasons:**

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1. The proposed development, by reason of its scale, siting and design, would constitute an undesirable intrusion of built development into an area of considerable landscape value to the detriment of the visual amenities of the area and constitute an inappropriate overdevelopment of the site with the plot being too restricted to accommodate the number of residential units of the scale parameters identified in the application submission consistent with generally accepted standards of space about new residential development contrary to Policy SP3 of the Bridgend Local Development Plan, 2024 and advice contained within Planning Policy Wales (Edition 12, February 2024).

2. The proposed development is at variance with the advice contained in Planning Policy Wales (Edition 12, February 2024) regarding Sustainable Transport in that it is not accessible by a range of different transport modes and will rely on the use of private motor vehicles (para. 4.1.10 refers).
3. The proposed development will generate on-street parking on the Classified Route A4063 to the detriment of highway safety contrary to the provisions of PLA11 and SP5 of the Bridgend Local Development Plan, 2024.
4. A satisfactory layby arrangement cannot be provided to serve visitor and delivery / service vehicles generated by the proposed development to the detriment of highway safety along the adjoining A4063 (Tondy Road) contrary to the provisions of Policy SP5 of the Bridgend Local Development Plan, 2024.
5. The proposed development would generate additional vehicular 'U' turn movements to or from the public highway, creating further traffic hazards to the detriment of highway safety, contrary to the provisions of Policy SP5 of the Bridgend Local Development Plan, 2024.
6. The proposed development, by reason of the requirement to fell a number of protected trees, would adversely affect the amenity of the area and biodiversity characteristics of the site and the identified Site of Importance for Nature Conservation (SINC) known as Cefn Glass Wood (Graig-y-Casnewydd), contrary to the provisions of Policies DNP5, DNP6, DNP7 and DNP8 of the Bridgend Local Development Plan (2024) and guidance contained within Planning Policy Wales (Edition 12, 2024) and Supplementary Planning Guidance 19 (Biodiversity and Development).

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<b>APPEAL NO.</b>	2035
<b>APPLICATION NO</b>	P/24/530/FUL
<b>APPELLANT</b>	MR W FRANCIS
<b>SUBJECT OF APPEAL</b>	Demolition of existing dormer bungalow and replacement with two storey dwelling and associated works: 11 West Road Porthcawl
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

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**The application was refused for the following reasons:**

1. The proposed replacement dwelling, by reason of its design, form, scale and materials, represents an incongruous and unsympathetic form of development which is out of keeping with, and harmful to, the established character and appearance of the prevailing built up residential area contrary to Policy SP3 of the Local Development Plan (2024), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales 12 (Feb. 2024).
2. The proposed replacement dwelling, by reason of its siting, design, extent and scale would have an adverse impact on the residential amenities of adjoining neighbours by way of an overbearing and overshadowing impact, contrary to Policy SP3 of the Local Development Plan (2024), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales 12 (Feb. 2024).

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<b>APPEAL NO.</b>	2036
<b>APPLICATION NO</b>	P/25/26/FUL
<b>APPELLANT</b>	P J MORGAN MANAGEMENT LTD

<b>SUBJECT OF APPEAL</b>	RE-SUBMISSION & RETROSPECTIVE PLANNING PERMISSION FOR EXTERNAL FIRE ESCAPE STAIRCASE AND LANDING (INCORPORATING 1.8M HIGH OPAQUE POLYCARBONATE INFILL), TO PROVIDE RESIDENTIAL ACCESS TO REAR SHARED GARDEN: TENBY VILLA18 COYCHURCH ROAD BRIDGEND
<b>PROCEDURE</b>	WRITTEN REPRESENTATIONS
<b>DECISION LEVEL</b>	DELEGATED OFFICER

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**The application was refused for the following reasons:**

1. The balcony and staircase, by reason of their siting and scale, have an overbearing and dominating impact on the neighbouring property at 20 Coychurch Road, resulting in a significant and unreasonable loss of residential amenity contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained in Supplementary Planning Guidance 2: Householder Development and Planning Policy Wales (Edition 12, February 2024).
  2. The balcony and staircase, by reason of their siting, height and scale, constitute an unneighbourly and harmful form of development that is detrimental to the existing levels of residential amenity and privacy currently enjoyed by the occupiers of 16, 18 (ground floor flat) and 20 Coychurch Road, contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained in Supplementary Planning Guidance 2: Householder Development and Planning Policy Wales (Edition 12, February 2024).
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<b>APPEAL NO.</b>	2037
<b>APPLICATION NO</b>	P/24/645/FUL
<b>APPELLANT</b>	MR H PRICE & FAMILY
<b>SUBJECT OF APPEAL</b>	RETENTION OF EXISTING HARD STANDING AREA AND FENCING, THE PROVISION OF 2 STATIC RESIDENTIAL GYPSY CARAVANS & 2 TOURING CARAVANS, 2 UTILITY/DAY ROOMS, CAR PARKING, BOUNDARY FENCING, ECOLOGICAL ENHANCEMENTS WHICH INCLUDE THE REMOVAL OF SOME AREAS OF HARDSTANDING WITH PLANTING AREAS, AND THE INSTALLATION OF A PRIVATE TREATMENT PLANT (REVISED INFORMATION INCLUDING AMENDED SITE PLAN, DRAINAGE & SEWERAGE DETAILS, & A TRANSPORT STATEMENT): ROSE MEADOW YARD CROFT TOP FARM LALESTON
<b>PROCEDURE</b>	HEARING
<b>DECISION LEVEL</b>	DELEGATED OFFICER

**The application was refused for the following reasons:**

1. The access lacks adequate visibility to the serve the proposed development and the intensification of the access on the brow of a hill would create traffic hazards to the detriment of highway safety contrary to policy SP3 of the Bridgend Local Development Plan (2024) and advice contained within Planning Policy Wales (Edition 12, 2024)
2. The proposed development will generate additional vehicular turning movements to or from the public highway, creating further traffic hazards to the detriment of highway safety. contrary to policy SP3 of the Bridgend Local Development Plan (2024) and advice contained within Planning Policy Wales (Edition 12, 2024)
3. The proposed development is at variance with the advice contained in Planning Policy Wales 12, Future Wales and Wellbeing of Future Generations act regarding Sustainable Transport in that it is in a remote location that is not safely accessible by a range of different transport modes and will rely on the use of private motor vehicles (para. 4.1.10 refers). contrary to policy SP3 and SP5 of the Bridgend Local Development Plan (2024) and advice contained within Planning Policy Wales (Edition 12, 2024).
4. The proposal, by reason of its siting, layout, design and scale, represents an inappropriate and unjustified form of development which will have an adverse effect upon the character and appearance of this countryside location, contrary to policies COM8, DNP1 and SP3 of the Bridgend Local Development Plan (2024) and advice contained within Planning Policy Wales (Edition 12, 2024) TAN12-Design and Welsh Government Circular 005/2018 Planning for Gypsy and Traveller Caravan Sites (June 2018).

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<b>APPEAL NO.</b>	2040
<b>APPLICATION NO</b>	P/25/57/FUL
<b>APPELLANT</b>	MR D JONES
<b>SUBJECT OF APPEAL</b>	RETROSPECTIVE CONSENT FOR A GARDEN SHED TO BE USED FOR STORAGE OF GARDEN ITEMS AND BICYCLES: 18 GARN ROAD MAESTEG
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER

**The application was refused for the following reasons:**

1. The development, by reason of its siting, size and scale, represents an excessive, incongruous and overly prominent form of development, projecting forward of the principal elevation of the dwelling, that would have a detrimental impact on the established character and appearance of the streetscene in this residential area, contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Supplementary Planning Guidance Note 02 Householder Development, Technical Advice Note 12 Design (2016) and Planning Policy Wales 12 (Feb. 2024).
2. The development, by reason of its siting, scale, height and proximity to the boundary with 19 Garn Road would represent an unneighbourly form of development having an unreasonably dominant, overbearing and overshadowing impact on this property, to the detriment of the residential amenities currently enjoyed by the occupiers of this property. The proposal is therefore contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Supplementary Planning Guidance Note 02 Householder Development, Technical Advice Note 12 Design (2016) and Planning Policy Wales 12 (Feb. 2024).

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**The following appeals have been decided since my last report to Committee:**

<b>APPEAL NO.</b>	2032
<b>APPLICATION NO</b>	P/24/274/FUL
<b>APPELLANT</b>	K FERNANDEZ
<b>SUBJECT OF APPEAL</b>	ERECTION OF BOUNDARY FENCE: 11 KINGFISHER CLOSE BRACKLA
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER
<b>DECISION</b>	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE ALLOWED SUBJECT TO CONDITIONS.

The Appeal decision is attached as **APPENDIX A.**

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<b>APPEAL NO.</b>	2038
<b>APPLICATION NO</b>	P/24/631/FUL
<b>APPELLANT</b>	MR W J FLEMING
<b>SUBJECT OF APPEAL</b>	SINGLE STOREY REAR AND SIDE EXTENSION, REAR DORMER WITH 2 X JULIET BALCONIES, ALTERATIONS TO ROOF RIDGE AND PORCH (PART RETROSPECTIVE): 103 HEOL LAS NORTH CORNELLY
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER
<b>DECISION</b>	THE INSPECTOR APPOINTED BY THE WELSH MINISTERS TO DETERMINE THIS APPEAL DIRECTED THAT THE APPEAL BE PART ALLOWED/PART DISMISSED

The Appeal decision is attached as **APPENDIX B.**

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Attached as **Appendices C and D** are the latest appeals statistics from PEDW (Planning and Environment Decisions Wales) by Local Planning Authority (LPA).

**RECOMMENDATION**

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers** (see application reference number)



## Appeal Decision

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by Zoe Baxter BSc, MSc, MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 30/09/2025

Appeal reference: CAS-04249-J9D5K3

Site address: 11 Clos Glas Y Dorlan, Brackla, Bridgend CF31 2NY

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Ms Karen Fernandez against the decision of Bridgend County Borough Council.
  - The application Ref P/24/274/FUL, dated 30 May 2024, was refused by notice dated 13 March 2025.
  - The development proposed is erection of boundary fence.
  - A site visit was made on 3 September 2025.
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### Decision

1. The appeal is allowed and planning permission is granted for erection of boundary fence at 11 Clos Glas Y Dorlan, Brackla, Bridgend CF31 2NY, in accordance with the terms of the application, Ref P/24/274/FUL, dated 30 May 2024, subject to the conditions set out in the schedule to this decision letter.

### Procedural Matters

2. The description of development is taken from the Council's Decision Notice as this most concisely describes the development.
3. It is evident from the submissions and my site visit that a new fence is already in place. However, I note that this differs from the proposed plans which show the fence and a trellis on top in a revised location (Plan D). As such, I have determined the appeal on the basis of the latest submitted plans, as per the Council's decision.

### Main Issues

4. The main issues are the effect of the proposed development on:
  - the character and appearance of the area;
  - the safety and convenience of pedestrians; and
  - biodiversity interests.

### Reasons

#### *Character and appearance*

5. The appeal site comprises a residential dwelling and associated rear garden which backs onto the highway, Coychurch Road to the south and public footpath to the west. The development involves new fencing to the rear boundary and part of the western boundary.



6. Policy SP3 of Bridgend Local Development Plan (LDP) requires development to have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character and be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density. Note 7 of Supplementary Planning Guidance (SPG) 02 – Householder Development advises boundary fences should respect the residential amenity of neighbours and the character of the dwelling and its context.
7. The proposed fence would be of similar colour, style and design as the previous fence at the site, albeit set closer to the highway beyond the existing tree coverage situated along the southern boundary of the appeal site. As such, the proposed fence would be noticeable when viewed from the highway compared to the previous fence and that at neighbouring properties which are largely screened by the existing treeline and vegetation during summer months. However, I observed during my site visit that further along Coychurch Road to the east, a boundary fence with lower fir trees and decorative chippings to the front are clearly evident from the highway. In addition, to the southeast of the site on Coychurch Road, just beyond the access for Long Acre, there is a long stretch of close boarded fence directly adjacent to the pavement. As such, although not immediately adjacent to the site, close boarded fencing does feature in the surrounding area and is clearly visible at various points when travelling along the highway near to the site and therefore contributes to the context in which the development would be viewed.
8. The proposed plan (Plan D) shows that the new fence would be set back from the pavement between 0.85m and 1.5m. The Council dispute that the proposed vegetation within the appellant's garden and overhanging the fence would provide mitigation sufficient for the identified harm or would represent an unacceptable change in the locality. I acknowledge that, during the summer months in particular, there would be a change in appearance from Coychurch Road compared to the original fence at the site. However, the photographic evidence presented by the appellant shows the significant change in visibility of the boundary fences of properties in Clos Glas Y Dorlan outside of the summer months and following cutback and maintenance of the vegetation adjacent to the footway. As such, taking account of the context described above and the varying views in different seasons, the proposed boundary fence would not be an overtly dominant or incongruous feature of the streetscene.
9. I conclude that the proposed development would not be harmful to the character and appearance of the area and would therefore comply with the relevant criteria of Policy SP3 of the LDP and the aims of the SPG.

#### *Safety and convenience of pedestrians*

10. Policy SP3 of the LDP requires development to maximise opportunities for active travel and minimise opportunities for crime to be generated or increased. LDP Policy SP5 is not supportive of development proposals which have a negative impact on the safe and efficient operation of the transport network and Policy PLA9 requires any adverse impacts on the character, safety, enjoyment and convenient use of a public right of way must be mitigated.
11. An existing pedestrian footway runs from Clos Glas Y Dorlan in the north between residential dwellings to Coychurch Road to the south with close boarded fencing on both sides resulting in limited natural surveillance on the path. The Council refer to the provision of a visibility splay at junctions of pedestrian footways to help reduce collisions and consider the extended fence would increase the opportunity for crime and fear of crime. No specific distance identified in planning policy or guidance is cited by the Council for visibility splays to footways. Given that the footway junction with Coychurch

Road is visible the entire length of the footpath and a barrier is in place between the footpath and highway, I consider that pedestrians would be approaching the junction with caution. Similarly, due to the footway's length and fairly straight orientation it is possible to see the opposite end of the path from each direction which helps to reduce the potential for crime and fear of crime. Furthermore, the proposal would result in a slight reduction in the length of the boundary fence to the east of the footway compared to the situation observed on site and therefore reduces any risk to pedestrian safety, such that no unacceptable harm would occur.

12. Based on the foregoing, I am satisfied that the proposed fence would not reduce visibility or create an area of concealment to an extent which would result in harm to the safety or convenience of pedestrians. I therefore find that the proposal complies with the relevant criteria of LDP Policies SP3, SP5 and PLA9.

#### *Biodiversity interests*

13. Policy 9 of Future Wales states in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit) must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment. A Green Infrastructure Statement (GIS) as sought by Planning Policy Wales (Edition 12) (PPW) has been provided.
14. The Council raise concern over the fence causing a break in the green border adjoining the highway. I acknowledge that the proposed fence would be situated within the area which previously compromised a band of vegetation between the gardens of properties in Clos Glas Y Dorlan and the highway. PPW notes that a GIS will be proportionate to the scale and nature of the development proposed and in the case of minor development this will be a short description and should not be an onerous requirement for applicants. The submitted statement confirms that the existing trees would be retained and additional trees would be planted in the southeastern corner of the site adjacent to the new fence.
15. As such, the proposal would not result in the loss of any trees and the trees would continue to be a green infrastructure asset and provide connectivity, particularly for nesting birds and bats alongside the additional proposed trees. The appellant also highlights the benefits associated with relocating the fence to remove the opportunity for the area between the trees and footway to be used for rubbish and dumping of building and garden waste to the detriment of biodiversity. Furthermore, during my visit I observed regrowth of vegetation adjacent to the highway. As such, I am satisfied that the proposed fence would not unacceptably harm the local eco system and the proposed tree planting in the submitted statement suitably demonstrates the potential for securing biodiversity enhancement at the site as part of the development. Further details could be secured via a condition.
16. Based on the evidence before me I am satisfied that the proposal would secure the maintenance and enhancement of biodiversity to secure a net gain as required by Policy 9 of Future Wales. In addition, it would comply with the relevant requirements of LDP Policies SP3, SP4, SP17, DNP6, DNP7 and DNP8 in regard to safeguarding and enhancing biodiversity and maintaining and where possible, enhancing the natural environment. It would also accord with the aims of Chapter 6 of PPW.

#### **Other Matters**

17. The Council raise no concerns regarding the impact of the proposed development on the living conditions of neighbouring occupiers and I find no reason to disagree.

18. Notwithstanding the submitted GIS, a condition is imposed requiring submission of a biodiversity enhancement scheme to include details, locations and timescale for implementation of the measures set out within the submitted GIS.

## Conclusion

19. For the reasons given above and having regard to all matters raised, I conclude that the appeal should be allowed.
20. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*Z. Baxter*

INSPECTOR

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## SCHEDULE OF CONDITIONS

- 1) The development shall begin not later than five years from the date of this decision.
- Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
- 2) The development shall be carried out in accordance with the following approved plans and documents:
- Location plan – Land Registry Title Plan (received at Bridgend County Borough Council on 30.05.2024);
  - Plan showing fence D, including dimensions for the setback of the fence from the back edge of the footway on Coychurch Road (received at Bridgend County Borough Council on 14.10.2024);
  - Elevation drawing of the proposed side fence (received at Bridgend County Borough Council on 25.11.2024);
  - Elevation drawing of the proposed back fence (received at Bridgend County Borough Council on 25.11.2024); and
  - Green Infrastructure Statement ref. KF P24272FUL.

Reason: To ensure the development is carried out in accordance with the approved plans and documents submitted with the application.

- 3) No development shall take place until a scheme for biodiversity enhancement on the site (excluding any area designated as highway land) has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining and enhancing biodiversity, in accordance with Future Wales Policy 9 and Policies SP3, SP4, SP17, DNP6, DNP7 and DNP8 of the Bridgend County Borough Local Development Plan 2018 – 2033 (2024).



## Appeal Decision

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by Zoe Baxter BSc, MSc, MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 25/09/2025

Appeal reference: CAS-04433-L7Q8Y2

Site address: 103 Heol Las, North Cornelly, Bridgend, CF33 4DN

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- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr W J Fleming against the decision of Bridgend County Borough Council.
  - The application Ref P/24/631/FUL, dated 18 January 2025, was refused by notice dated 29 May 2025.
  - The development is single storey rear and side extension, rear dormer with 2 x Juliet balconies, alterations to roof ridge and porch (part retrospective)
  - A site visit was made on 3 September 2025.
- 

### Decision

1. The appeal is dismissed in so far as it relates to alterations to the porch. The appeal is allowed in so far as it relates to a single storey rear and side extension, rear dormer with 2 x Juliet balconies and alterations to roof ridge and planning permission is granted for a single storey rear and side extension, rear dormer with 2 x Juliet balconies and alterations to roof ridge at 103 Heol Las, North Cornelly, Bridgend CF33 4DN, in accordance with the terms of the application, Ref P/24/631/FUL, dated 18 January 2025 subject to the conditions set out in the schedule to this decision letter.

### Procedural Matters

2. The description of development is taken from the Council's Decision Notice and the appeal form as this most concisely describes the development.
3. Planning permission was previously granted in April 2019 for single storey extensions to rear and side elevations, a loft conversion with dormer and new pitched roof over porch under reference. P/19/8/FUL. The appellant contends that changes occurred to the permitted scheme during the construction period resulting in the submission of the scheme before me. As the development has been largely completed retrospective planning permission is therefore sought. For the avoidance of doubt, my decision is based on the information given on the submitted plans and as set out in the description of development.

### Main Issue

4. The main issue is the effect of the development on the character and appearance of the dwelling and surrounding area.

## Reasons

5. The appeal site comprises a detached dwelling fronting Heol Las within a predominantly residential area. Adjacent properties are of similar style and design being single storey detached dwellings, whilst the wider area contains a mix of property types including two storey terraced and semi-detached dwellings.
6. Policy SP3 of the Bridgend Local Development Plan (LDP) requires development to, amongst other matters, have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character. The Supplementary Planning Guidance (SPG) Note 02 Householder Development advises that the form, materials, and details of extensions and alterations should match or harmonise with those of the existing house.
7. Dealing firstly with the proposed porch, the submitted plans indicate this is the same footprint as that previously approved at the site under planning permission reference. P/19/8/FUL. However, the design now proposed comprises a higher front facing gable roof adjoining with the existing front facing gable at the property. Although the submitted plans show that the ridge height of the porch is slightly lower than the adjacent front gable, it is significantly higher than the original porch's flat roof and the approved porch. The scale and design of the porch competes with rather than harmonises or complements the existing front gable and dominates the front elevation of the property. It is clearly visible from the streetscene of both Heol Las and Heol Llan where it appears as an obtrusive and conflicting structure. I disagree with the appellant's claim that the porch is consistent with that at neighbouring property 105 Heol Las, which has a single front facing gable in proportion with the main dwelling. Whereas the porch at the appeal site unbalances the host dwelling.
8. The proposed stone cladding would exacerbate its prominence and obtrusiveness within the streetscene. Whilst I note the appellant suggests alternative materials could be considered to tie in with the host dwelling and surrounding properties and is willing to accept a condition in this regard. I am not satisfied that a change in material would alleviate the harm associated with the scale and form of the roof of the porch and its relationship with the host dwelling which conflicts with the requirements of LDP Policy SP3 and the objectives of the SPG.
9. Turning to the increase in ridge height of the main roof and the rear dormer roof, both alterations have been carried out and were observed on my site visit. I note the advice within the SPG in regard to changes to a roof usually being prominent and concur that the increase in ridge height through the installation of the additional course of slate and thick ridge tile is visible from the streetscene. However, when observed from Heol Las the ridge height of the dwelling does not appear noticeably greater than that at neighbouring properties and therefore does not result in significant detriment to the scale or form of the appeal property. The minimal increase in height and extent of change from the permitted plans do not unduly disrupt the similar roof form and design observed at neighbouring properties 101 and 105 Heol Las. Therefore, it does not have a harmful effect on the character or appearance of the property or the surrounding area.
10. The Council does not allege harm in relation to effects associated with the rear and side extensions and alterations including two Juliet balconies, rooflights and different finishing materials. I have no reason to find otherwise and consider that these aspects of the appeal scheme along with the slight increase in ridge height of the main roof and dormer extension roof accord with the objective of Policy SP3 of the LDP for development to be appropriate to its local context. Nonetheless, for the reasons given above I conclude that the alterations to the porch harm the character and appearance of the area, contrary to LDP Policy SP3 and the aims of the SPG.

## Other Matters

11. The development involves an increased ridge height and fenestration changes to rear first floor windows along with other external alterations from the previously permitted scheme. I have considered the concerns raised by third parties in relation to the impact of the increased ridge height and new Juliet balcony on their living conditions. Whilst the minor increase in ridge height can be observed at the site, the difference from the permitted scheme does not result in harm by way of loss of light or overbearance to the neighbouring occupiers. The rear dormer extension now comprises two Juliet balconies to the rear elevation. However, the balconies do not project forward and I observed during my visit that the railings as shown on the submitted plans have been installed removing the opportunity to exit the dormer extension onto the rear flat roof extension. As such, I am satisfied that the introduction of a second Juliet balcony does not result in an unacceptable loss of privacy for neighbouring occupiers.
12. Loss of car parking has also been raised by third parties. However, the Council do not raise concern and as the submitted plans show no changes to the parking arrangements I find no reason to disagree.
13. Furthermore, concerns have been raised by a number of third parties in relation to how the enforcement investigations were carried out and the way the planning application was determined by the Council. However, these are not matters that are material to my consideration of this appeal. Accordingly, I have given these issues no weight in my decision.

## Conditions

14. Given that the development has commenced, the standard time limit condition is not necessary. A condition listing the approved plans in so far as they relate to the single storey rear and side extension, rear dormer with 2 x Juliet balconies and alterations to roof ridge is necessary, as is a condition requiring installation of a bird box to provide biodiversity enhancement at the site in line with Policy 9 of Future Wales.

## Conclusion

15. I have found that the alterations to the rear and side extensions and rear dormer with 2 x Juliet balconies are acceptable in terms of the effect on the character and appearance of the area. I have also concluded that the increase in ridge height of the main dwelling and rear dormer extension does not have an unduly harmful effect on the character or appearance of the property or the surrounding area. However, the alterations to the porch design result in an obtrusive structure which dominates the front elevation of the host dwelling to the detriment of the character and appearance of the property and streetscene. As the porch alterations are clearly severable from the other elements of the scheme, I have issued a split decision.
16. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be allowed in part and dismissed in part, as set out in the formal decision.
17. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives.

*Z Baxter*

INSPECTOR

## SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Site Location Plan;
- Proposed Ground Floor Plan (drawing no. 3 of 6);
- Proposed First Floor Plan (drawing no. 4 of 6); and
- Proposed Elevations 'As built' (drawing no. 5 of 6).

insofar as those plans relate to the single storey rear and side extension, rear dormer with 2 x Juliet balconies and alterations to the main roof ridge.

Reason: To ensure the development accords with the approved plans submitted with the application.

- 2) Within 2 months from the date of this permission, an artificial nesting site for birds shall be erected at the site to the following specifications, and retained as such thereafter;

Nest Box Specifications for House Sparrow Terrace:

- Wooden (or woodcrete) nest box with 3 sub-divisions to support 3 nesting pairs to be placed under the eaves of buildings or a suitable location within the garden
- Entrance holes: 32mm diameter
- Dimensions: H310 x W370 x D185mm

Reason: In the interest of biodiversity and to mitigate any loss of bird nesting/foraging habitats under the Habitats Regulations (amended 2012) and to accord with Policy SP2 of the adopted Bridgend Local Development Plan.

Planning Appeals **Only** (including householder and minor commercial) arising from an application for planning permission April 2024 - March 2025

### Decisions (number)

LPA	Allowed	Dismissed	Total
Anglesey	6	10	16
BBNP	1	4	5
Blaenau Gwent	1	4	5
Bridgend	3	12	15
Caerphilly	12	19	31
Cardiff	9	31	40
Carmarthen	4	25	29
Ceredigion	2	9	11
Conwy	4	11	15
Denbigh	2		2
Flint	4	12	16
Gwynedd	3	6	9
Merthyr Tydfil	1	6	7
Monmouth	3	7	10
Newport	8	16	24
NPT	1	5	6
PCNP	1	9	10
Pembroke	5	6	11
Powys	2	6	8
RCT	8	11	19
SNP	0	8	8
Swansea	12	44	56
Torfaen	1	13	14
Vale of Glam	3	26	29
Wrexham	2	15	17
Grand Total	98	315	413

### Decisions (percentage)

LPA	Allowed	Dismissed
Anglesey	37.50	62.50
BBNP	20.00	80.00
Blaenau Gwent	20.00	80.00
Bridgend	20.00	80.00
Caerphilly	38.71	61.29
Cardiff	22.50	77.50
Carmarthen	13.79	86.21
Ceredigion	18.18	81.82
Conwy	26.67	73.33
Denbigh	100.00	0.00
Flint	25.00	75.00
Gwynedd	33.33	66.67
Merthyr Tydfil	14.29	85.71
Monmouth	30.00	70.00
Newport	33.33	66.67
NPT	16.67	83.33
PCNP	10.00	90.00
Pembroke	45.45	54.55
Powys	25.00	75.00
RCT	42.11	57.89
SNP	0.00	100.00
Swansea	21.43	78.57
Torfaen	7.14	92.86
Vale of Glam	10.34	89.66
Wrexham	11.76	88.24
Grand Total	23.73	76.27



# Appeals by LPA (Planning, LBC, LDC, Adverts & s106) April 2024 - March 2025

## Decisions (number)

LPA	Allowed	Dismissed	Total
Anglesey	6	10	16
BBNP	1	4	5
Blaenau Gwent	1	4	5
Bridgend	3	12	15
Caerphilly	12	20	32
Cardiff	9	35	44
Carmarthen	6	29	35
Ceredigion	2	11	13
Conwy	4	11	15
Denbigh	2		2
Flint	5	12	17
Gwynedd	3	6	9
Merthyr Tydfil	1	7	8
Monmouth	3	8	11
Newport	9	16	25
NPT	2	5	7
PCNP	3	9	12
Pembroke	6	6	12
Powys	2	7	9
RCT	8	11	19
SNP	1	10	11
Swansea	13	47	60
Torfaen	1	13	14
Vale of Glam	3	27	30
Wrexham	2	15	17
Grand Total	108	335	443

## Decisions (percentage)

LPA	Allowed	Dismissed
Anglesey	37.50	62.50
BBNP	20.00	80.00
Blaenau Gwent	20.00	80.00
Bridgend	20.00	80.00
Caerphilly	37.50	62.50
Cardiff	20.45	79.55
Carmarthen	17.14	82.86
Ceredigion	15.38	84.62
Conwy	26.67	73.33
Denbigh	100.00	0.00
Flint	29.41	70.59
Gwynedd	33.33	66.67
Merthyr Tydfil	12.50	87.50
Monmouth	27.27	72.73
Newport	36.00	64.00
NPT	28.57	71.43
PCNP	25.00	75.00
Pembroke	50.00	50.00
Powys	22.22	77.78
RCT	42.11	57.89
SNP	9.09	90.91
Swansea	21.67	78.33
Torfaen	7.14	92.86
Vale of Glam	10.00	90.00
Wrexham	11.76	88.24
Grand Total	24.38	75.62

**Enforcement (s174, s39 (LBC))**

**Decisions (number)**

LPA	Notice Upheld	Varied & Upheld	Planning Permission Granted	Quashed on Legal Ggounds	Split Decision	Total
Anglesey		2				2
BBNP						0
Blaenau Gwent	5	3				8
Bridgend	1	4	1			6
Caerphilly		3				3
Cardiff	3		1	1	1	6
Carmarthen	6	6		2	1	15
Ceredigion						0
Conwy						0
Denbigh						0
Flint						0
Gwynedd						0
Merthyr Tydfil	1					1
Monmouth		1				1
Newport	5	2	1			8
NPT	1	2				3
PCNP	1		1			2
Pembroke	3	3				6
Powys	1	1				2
RCT		1				1
SNP		2				2
Swansea	6	3	3			12
Torfaen	1					1
Vale of Glam	1	1				2
Wrexham	2					2
Grand Total	37	34	7	3	2	83

**& Maintenance of Land)**

**Decisions (percentage)**

LPA	Notice Upheld	Varied & Upheld	Planning Permission Granted	Quashed on Legal Grounds	Split Decision	Total
Anglesey	0.00	100.00	0.00	0.00	0.00	100.00
BBNP						
Blaenau Gwent	62.50	37.50	0.00	0.00	0.00	37.50
Bridgend	16.67	66.67	16.67	0.00	0.00	66.67
Caerphilly	0.00	100.00	0.00	0.00	0.00	100.00
Cardiff	50.00	0.00	16.67	16.67	16.67	0.00
Carmarthen	40.00	40.00	0.00	13.33	6.67	40.00
Ceredigion						
Conwy						
Denbigh						
Flint						
Gwynedd						
Merthyr Tydfil	100.00	0.00	0.00	0.00	0.00	0.00
Monmouth	0.00	100.00	0.00	0.00	0.00	100.00
Newport	62.50	25.00	12.50	0.00	0.00	25.00
NPT	33.33	66.67	0.00	0.00	0.00	66.67
PCNP	50.00	0.00	50.00	0.00	0.00	0.00
Pembroke	50.00	50.00	0.00	0.00	0.00	50.00
Powys	50.00	50.00	0.00	0.00	0.00	50.00
RCT	0.00	100.00	0.00	0.00	0.00	100.00
SNP	0.00	100.00	0.00	0.00	0.00	100.00
Swansea	50.00	25.00	25.00	0.00	0.00	25.00
Torfaen	100.00	0.00	0.00	0.00	0.00	0.00
Vale of Glam	50.00	50.00	0.00	0.00	0.00	50.00
Wrexham	100.00	0.00	0.00	0.00	0.00	0.00
Grand Total	44.58	40.96	8.43	3.61	2.41	40.96

Planning Appeals <b>Only</b> (including householder and minor commercial) arising from an application for planning permission April 2024 - March 2025						
Decisions (number)				Decisions (percentage)		
LPA	Allowed	Dismissed	Total	LPA	Allowed	Dismissed
Anglesey	0	5	5	Anglesey	0.00	100.00
BBNP	0	1	1	BBNP	0.00	100.00
Blaenau Gwent	0	3	3	Blaenau Gwent	0.00	100.00
Bridgend	2	10	12	Bridgend	16.67	83.33
Caerphilly	3	10	13	Caerphilly	23.08	76.92
Cardiff	2	7	9	Cardiff	22.22	77.78
Carmarthen	2	12	14	Carmarthen	14.29	85.71
Ceredigion	4	9	13	Ceredigion	30.77	69.23
Conwy	2	7	9	Conwy	22.22	77.78
Denbigh	0	2	2	Denbigh	0.00	100.00
Flint	4	6	10	Flint	40.00	60.00
Gwynedd	3	4	7	Gwynedd	42.86	57.14
Merthyr Tydfil	2		2	Merthyr Tydfil	100.00	0.00
Monmouth	1	5	6	Monmouth	16.67	83.33
Newport	2	10	12	Newport	16.67	83.33
NPT	1	3	4	NPT	25.00	75.00
PCNP	0	5	5	PCNP	0.00	100.00
Pembroke	1	3	4	Pembroke	25.00	75.00
Powys	1	5	6	Powys	16.67	83.33
RCT	3	7	10	RCT	30.00	70.00
SNP	2	1	3	SNP	66.67	33.33
Swansea	9	12	21	Swansea	42.86	57.14
Torfaen	1	5	6	Torfaen	16.67	83.33
Vale of Glam	6	11	17	Vale of Glam	35.29	64.71
Wrexham	0	4	4	Wrexham	0.00	100.00
Grand Total	51	147	198	Grand Total	25.76	74.24

Appeals by LPA (Planning, LBC, LDC, Adverts & s106) April 2024 - March 2025

Decisions (number)				Decisions (percentage)		
LPA	Allowed	Dismissed	Total	LPA	Allowed	Dismissed
Anglesey	0	5	5	Anglesey	0.00	100.00
BBNP	0	1	1	BBNP	0.00	100.00
Blaenau Gwent	0	3	3	Blaenau Gwent	0.00	100.00
Bridgend	2	10	12	Bridgend	16.67	83.33
Caerphilly	3	10	13	Caerphilly	23.08	76.92
Cardiff	2	7	9	Cardiff	22.22	77.78
Carmarthen	2	13	15	Carmarthen	13.33	86.67
Ceredigion	5	13	18	Ceredigion	27.78	72.22
Conwy	2	7	9	Conwy	22.22	77.78
Denbigh	1	3	4	Denbigh	25.00	75.00
Flint	6	7	13	Flint	46.15	53.85
Gwynedd	3	4	7	Gwynedd	42.86	57.14
Merthyr Tydfil	2		2	Merthyr Tydfil	100.00	0.00
Monmouth	1	6	7	Monmouth	14.29	85.71
Newport	2	11	13	Newport	15.38	84.62
NPT	1	4	5	NPT	20.00	80.00
PCNP	0	5	5	PCNP	0.00	100.00
Pembroke	1	4	5	Pembroke	20.00	80.00
Powys	1	6	7	Powys	14.29	85.71
RCT	3	7	10	RCT	30.00	70.00
SNP	2	2	4	SNP	50.00	50.00
Swansea	9	12	21	Swansea	42.86	57.14
Torfaen	2	5	7	Torfaen	28.57	71.43
Vale of Glam	6	14	20	Vale of Glam	30.00	70.00
Wrexham	0	5	5	Wrexham	0.00	100.00
Grand Total	56	164	220	Grand Total	25.45	74.55

Enforcement (s174, s39 (LBC) & Maintenance of Land)													
Decisions (number)							Decisions (percentage)						
LPA	Notice Upheld	Varied & Upheld	Planning Permissi on Granted	Quashed on Legal Grounds	Split Decision	Total	LPA	Notice Upheld	Varied & Upheld	Planning Permissi on Granted	Quashed on Legal Ggrounds	Split Decision	Total
Anglesey					1	1	Anglesey	0.00	0.00	0.00	0.00	100.00	0.00
BBNP						0	BBNP						
Blaenau Gwent						0	Blaenau Gwent						
Bridgend	2				1	3	Bridgend	66.67	0.00	0.00	0.00	33.33	0.00
Caerphilly	6		1			7	Caerphilly	85.71	0.00	14.29	0.00	0.00	0.00
Cardiff	5	1				6	Cardiff	83.33	16.67	0.00	0.00	0.00	16.67
Carmarthen	5	1	1	1		8	Carmarthe	62.50	12.50	12.50	12.50	0.00	12.50
Ceredigion			1			1	Ceredigio	0.00	0.00	100.00	0.00	0.00	0.00
Conwy						0	Conwy						
Denbigh		1				1	Denbigh	0.00	100.00	0.00	0.00	0.00	100.00
Flint		1	2			3	Flint	0.00	33.33	66.67	0.00	0.00	33.33
Gwynedd	1					1	Gwynedd	100.00	0.00	0.00	0.00	0.00	0.00
Merthyr Tydfil						0	Merthyr Tydfil						
Monmouth	4					4	Monmout	100.00	0.00	0.00	0.00	0.00	0.00
Newport	1	1	1			3	Newport	33.33	33.33	33.33	0.00	0.00	33.33
NPT						0	NPT						
PCNP	3					3	PCNP	100.00	0.00	0.00	0.00	0.00	0.00
Pembroke	4	1				5	Pembroke	80.00	20.00	0.00	0.00	0.00	20.00
Powys	2					2	Powys	100.00	0.00	0.00	0.00	0.00	0.00
RCT		2				2	RCT	0.00	100.00	0.00	0.00	0.00	100.00
SNP		1				1	SNP	0.00	100.00	0.00	0.00	0.00	100.00
Swansea	2					2	Swansea	100.00	0.00	0.00	0.00	0.00	0.00
Torfaen			1			1	Torfaen	0.00	0.00	100.00	0.00	0.00	0.00
Vale of Glam	1					1	Vale of Gl	100.00	0.00	0.00	0.00	0.00	0.00
Wrexham		2		1		3	Wrexham	0.00	66.67	0.00	33.33	0.00	66.67
Grand Total	36	11	7	2	2	58	Grand Tot	62.07	18.97	12.07	3.45	3.45	18.97

**TRAINING LOG**

*All training sessions will be held in the Council Chamber but can also be accessed remotely via Microsoft Teams.*

<b><u>Subject</u></b>	<b><u>Date</u></b>
Training refresher session and updates	12 November 2025 at 2.00pm
Tree Policy - Green infrastructure	To be arranged.

(Members are reminded that the Planning Code of Practice, at paragraph 3.4, advises that you should attend a minimum of 75% of the training arranged).

**Recommendation:**

That the report of the Corporate Director Communities be noted.

**JANINE NIGHTINGALE**  
**CORPORATE DIRECTOR COMMUNITIES**

**BACKGROUND PAPERS**  
None



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