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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:** Thursday, 11 December 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, 18 December 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 04/02/2025 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. £1.40 in printing costs**

4	<u>Approval of Minutes</u>	5 - 12
	To receive for approval the minutes of the 13/11/2025	
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/23/771/FUL - Land off Princess Way Northern Roundabout North of Cae Cenydd, Brackla CF31 2ES</u>	17 - 62
9	<u>Appeals</u>	63 - 68
10	<u>Training Log</u>	69 - 70
11	<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, 13 NOVEMBER 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, 13 NOVEMBER 2025 AT 10:00**

**Present**

Councillor RM Granville – Chairperson

RJ Collins  
A Wathan

GC Haines  
R Williams

M L Hughes

M R John

**Present Virtually**

H Griffiths  
W J Kendall

S J Griffiths  
J Llewellyn-Hopkins

D T Harrison  
J E Pratt

D M Hughes  
I Williams

**Officers:**

Jonathan Parsons  
Rhodri Davies  
Gillian Dawson  
Robert Morgan  
Dion Douglas  
Leigh Tuck  
Moiria Lucas  
Rachel Keepins  
Nimi Chandrasena  
Oscar Roberts

Group Manager - Planning & Development Services  
Development & Building Control Manager  
Legal Officer  
Principal Officer Highways Development Control  
Principal Planning Officer  
Principal Officer Highways Development Control  
Senior Conservation & Design Officer  
Democratic Services Manager  
Democratic Services Officer  
Temporary Democratic Services Officer – Committees

**181. Apologies for Absence**

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

# **DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025**

Decision Made	Apologies for absence were received from Cllr A Berrow.
Date Decision Made	13 November 2025

## **182. Declarations of Interest**

Decision Made	<p>The following declarations of interest were made:-</p> <p>Cllr A Wathan – Personal interest in Agenda Item 8 – As a member of Coity Higher Community Council that takes no part in planning matters, and as a ward member.</p> <p>Cllr M John – Personal interest in Agenda Item 8 – As a member of St Brides Minor Community Council that takes no part in planning matters.</p> <p>Cllr I Williams – Personal Interest – As several of the speakers are known to him.</p>
Date Decision Made	13 November 2025

## **183. Site Visits**

Decision Made	<p><u>RESOLVED:</u></p> <p>That a date of Wednesday 17 December 2025 be agreed for any site inspections arising at the meeting or identified in advance of the next Committee by the Chairperson.</p>
Date Decision Made	13 November 2025

## **184. Approval of Minutes**

Decision Made	<p><u>RESOLVED:</u></p> <p>That the minutes of a meeting of the Development Control Committee dated 2 October 2025, be approved as a true and accurate record.</p>
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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025**

Date Decision Made	13 November 2025

**185. Public Speakers**

Decision Made	<p>The following public speakers had registered to speak at today's meeting:-</p> <p>Planning application P/24/806/FUL – Councillors Amanda Williams and M Williams, Local Ward Members; Councillor P Robinson, Councillor B Tiltman, Town and Community Council Members; B Karrie, Objector; M Meek, Applicant's Agent.</p>
Date Decision Made	13 November 2025

**186. Amendment Sheet**

Decision Made	<p><u>RESOLVED:</u></p> <p>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.</p>
Date Decision Made	13 November 2025

**187. Development Control Committee Guidance**

Decision Made	<p><u>RESOLVED:</u></p> <p>That Committee noted the Development Control Committee Guidance as shown in the report of the Corporate Director – Communities.</p>
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# DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025

Date Decision Made	13 November 2025
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## 188. P/25/417/FUL - HMP Parc, Heol Hopcyn John, Coity, CF35 6AP

Decision Made	<p><u>RESOLVED:</u></p> <p>(A) That the Applicant enter into a Section 106 Agreement to:</p> <p>(i) Provide a financial contribution towards traffic mitigation measures within the vicinity of the site.</p> <p>(B) That 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, subject to the conditions contained in the report of the Corporate Director – Communities.</p> <p>Subject to the following amended conditions to those illustrated in the report:</p> <p>19. 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 <b>in the vicinity of any discoveries of unknown contamination</b> must stop, and no further development shall take place <b>within those specific quarantined areas</b> 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</p>
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	<p>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> <p>20. 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 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 <b>and the scheme of investigation shall be available for review if requested by the Local Planning Authority.</b> 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> <p>21. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme in advance of the reuse of site won materials. <b>The sampling scheme shall be available for review if requested by the Local Planning Authority.</b> Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p>
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**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025**

	<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> <p>22. No foundation designs that use penetrative methods can commence on site until sufficient details to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The foundation designs shall be implemented in accordance with the approved details.</p> <p>Reason: 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>
Date Decision Made	13 November 2025

**189. P/24/31/FUL - Land south of the Angel Inn off Heol Las Mawdlam CF33**  
**4PG**

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>Proposal:</p> <p>Erection of one detached dwelling including access and parking.</p>
Date Decision Made	13 November 2025

**190. Appeals**

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025**

Decision Made	<u>RESOLVED:</u> <ol style="list-style-type: none"> <li>(1) That the appeals received since the last meeting of the Committee as shown in the report of the Corporate Director – Communities, be noted.</li> <li>(2) That the Inspector appointed by the Welsh Ministers to determine the following appeals has directed that they be ALLOWED subject to conditions:- <ol style="list-style-type: none"> <li>(i) Appeal No. – 2032 - Subject of Appeal – Erection of Boundary Fence: 11 Kingfisher Close Brackla.</li> </ol> </li> <li>(3) That the Inspector appointed by the Welsh Ministers to determine the following appeals has directed that they be PART ALLOWED/PART DISMISSED:- <ol style="list-style-type: none"> <li>(ii) 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.</li> </ol> </li> </ol>
Date Decision Made	13 November 2025

**191. Training Log**

Decision Made	<u>RESOLVED:</u> <p>That the report of the Corporate Director – Communities advising Members of up and coming training initiatives, be noted.</p>
Date Decision Made	13 November 2025

**192. Urgent Items**

Decision Made	There were no urgent items.
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This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

**DEVELOPMENT CONTROL COMMITTEE - THURSDAY, 13 NOVEMBER 2025**

Date Decision Made	13 November 2025

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

The meeting closed at 11:52.

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/23/771/FUL

**APPLICANT:** Aldi Stores Limited c/o Avison Young, One Kingsway, Cardiff, CF10 3AN

**LOCATION:** Land off Princess Way northern roundabout North of Cae Cenydd Brackla CF31 2ES

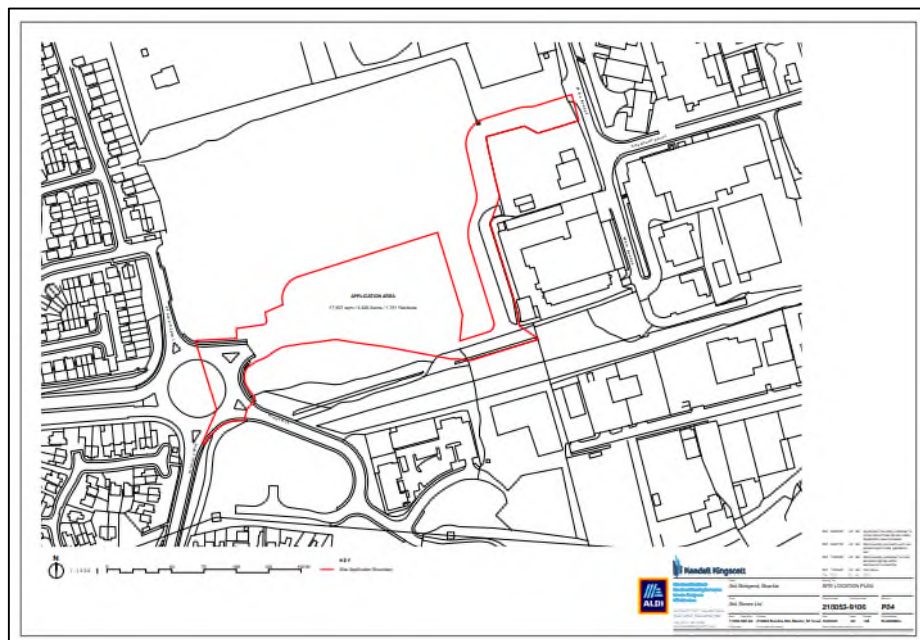
**PROPOSAL:** Foodstore together with associated access, car parking, new Active Travel Route, drainage, landscaping, and other associated site works

**RECEIVED:** 22 December 2023

## APPLICATION SITE/DESCRIPTION OF DEVELOPMENT

Aldi Stores Limited have submitted through their consultants a detailed Application to develop a foodstore with access, car parking, drainage, landscaping and other associated site works on land off Princess Way, Brackla.

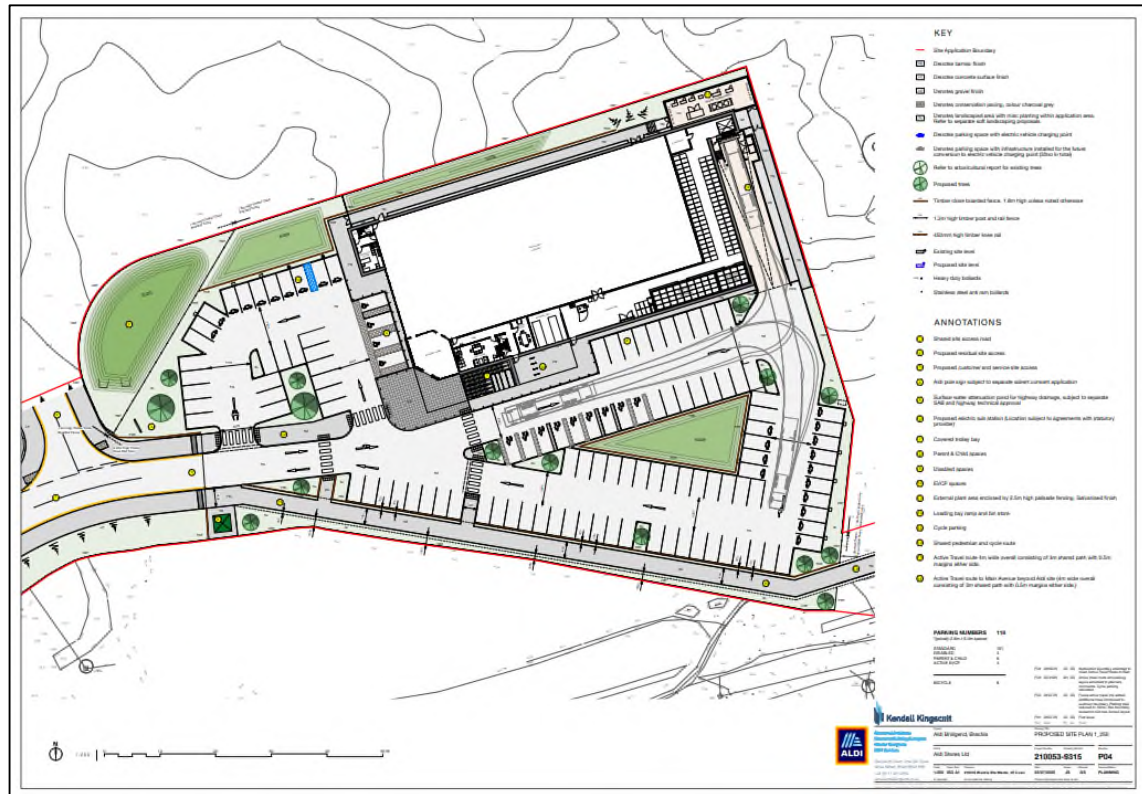
The site extends to some 1.75 hectares and comprises previously developed brownfield land which, like the rest of the surrounding area, was historically used as a Royal Ordnance Factory for munitions which was cleared in the 1970s and 1980s. It is free from structures or buildings and has sat vacant for many years. There is a gradual fall in ground level from the south to the north. It is accessed via a purpose-built access arm constructed from the 5-arm Princess Way/ Ridgeway roundabout which in turn is accessed from the A4061 which is known as the Bridgend Northern Distributor Road to the west. To the immediate west of the site is a large residential estate accessed off Ffordd Cadfan, which is a relatively new development which extends south beyond the 5-arm Princess Way/ Ridgeway roundabout. To the immediate north and east is vacant previously developed (brownfield), land owned by Bridgend County Borough Council which is earmarked for the development of a new school. Beyond this vacant land to the north and east, there are industrial and commercial uses forming part of Litchard and Brackla Industrial Estates. Further north lies Parc Derwen, a new residential neighbourhood. To the east of the site, along Main Avenue, is a Self-Storage facility and Executive Coach travel depot which back onto the vacant site.



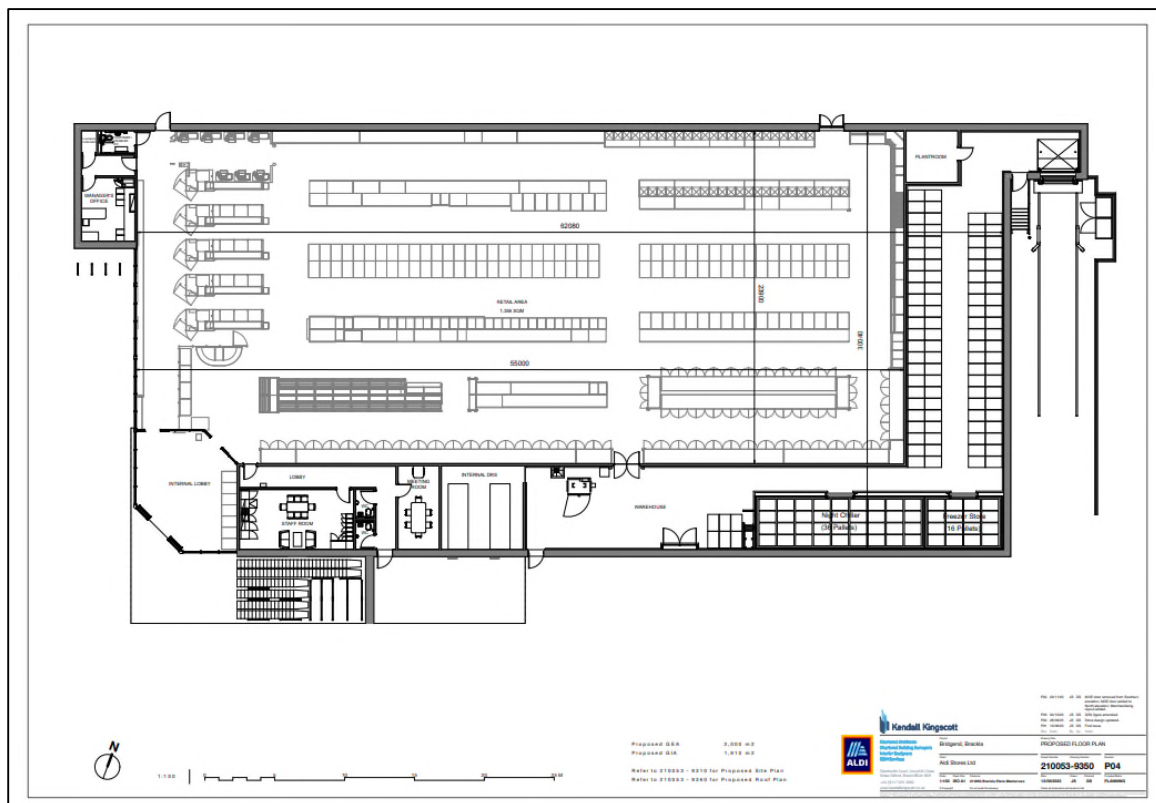
*Figure 1 Site Location Plan*

The proposed foodstore will have a gross external area of 2,000 sq. m., a proposed gross internal area of 1,910 sq. m., and a net retail sales area of 1,356 sq. m. It is proposed that 80% (1,085 sq. m.) of the net sales area of the proposed foodstore will sell convenience goods, with

the remaining 20% (271 sq. m.) selling comparison goods. This is illustrated on the proposed site plan and floor plan – See **Figures 2 and 3 below:**



**Figure 2 Proposed Site Layout**



**Figure 3 Proposed Floor Plan**

There will be a new shared vehicular site access constructed from the roundabout on Princess Way which will serve the proposed new foodstore and the future development of the remaining land to the north which is owned by the Council. The foodstore will be served by 118 no.

customer car parking spaces, including 4 no. disabled parking bays; 9 no. parent and child parking bays; 4 no. active electric vehicle charging point (EVCP) bays and 4 no. external Sheffield cycle stands (i.e., 8 no. cycle spaces).

The proposed foodstore will be located along the site's northern boundary, orientated with active frontages to the south side and entrances facing into the centre, whilst the service area and delivery bay is located to the site's eastern boundary. The plant and service yard are tucked into the north-east corner, allowing the key customer facing elevations to front the site. Soft landscaping has been integrated throughout, with an emphasis on the western and southern boundaries. As stated above, the vehicular and servicing access will be extended from the existing roundabout access and will provide both vehicular and pedestrian links. The lower, northern edge of site will include surface water attenuation features, affording a margin to the adjacent developable land.

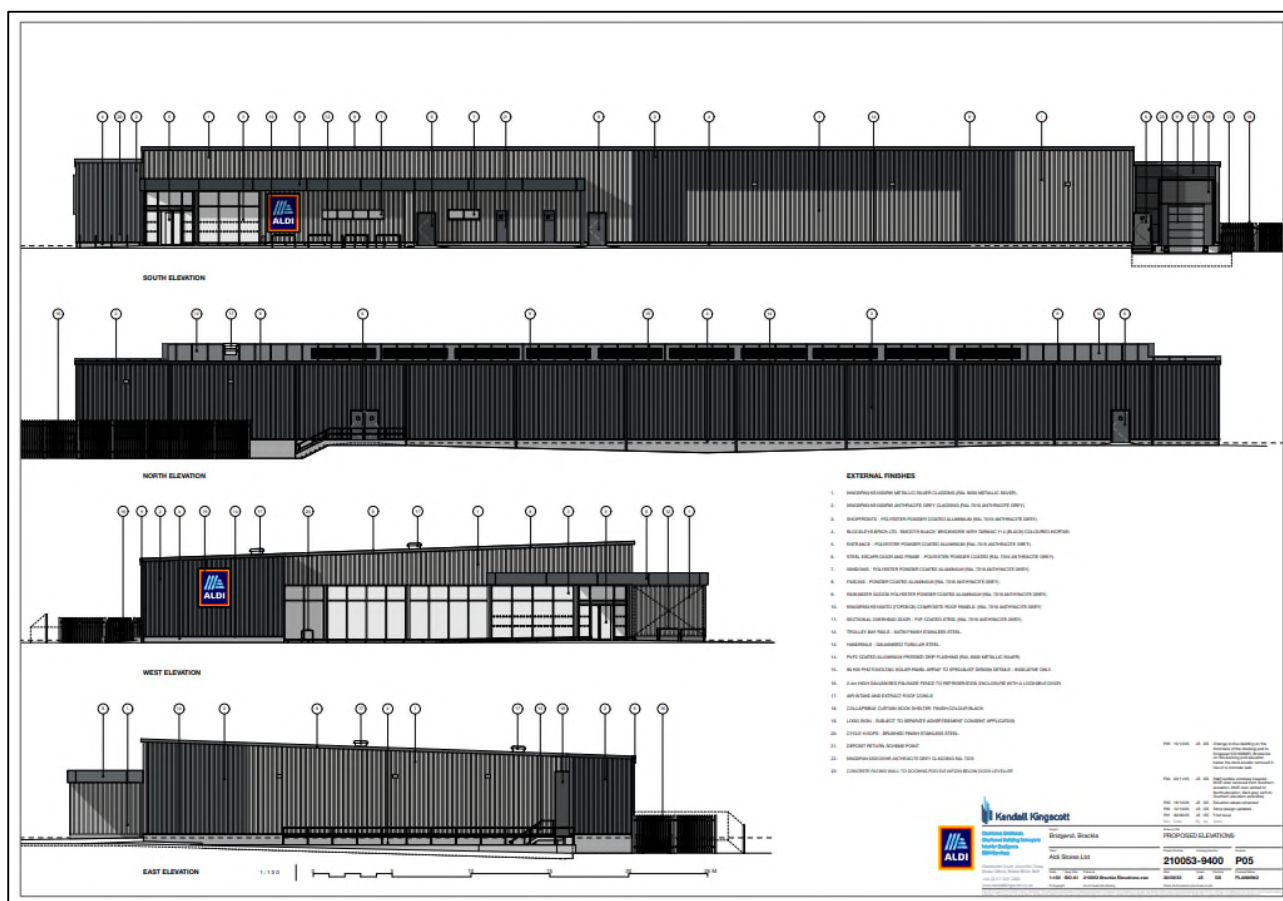
The glazed shopfront will face the public car park and wraps round the corner to the entrance, creating an active frontage to the most visible part of the site. The retail area and store entrance are emphasised by a cantilevered modern canopy. The external refrigeration plant will sit in the northern corner of the site, close to the warehouse for access to the chiller/freezer and will be screened by a 2.5-metre-high palisade fence and shielded by planting and close boarded fencing.

The Design and Access Statement confirms that the layout has been designed with multiple deterrent factors to prevent crime and discourage any antisocial behaviour within the site and its environs. The private service area to the rear of the building along the north-east boundary will be covered by CCTV mounted to the building. An external lighting scheme has been submitted which will provide a uniform level across the site. Boundary treatments have been designed to strike a balance between maintaining an open site and providing adequate security.

The architectural design of the foodstore is that of a single storey contemporary building which in the words of the designer, *"delivers a desirable level of natural light and wide aisles to create an enjoyable shopping experience."* The height of the building has been designed to limit the visual impact when viewed from the neighbouring residential properties and local businesses, sitting approximately 5.5m above finished floor level. There will be a full height glazed curtain wall to the western end of the store. This glazing wraps around the south-west facing facade of the building, forming the store entrance in the most prominent corner where it is easily accessible and most visible to pedestrians and drivers alike. The shop front and store entrance are then further expressed by the proposal of a modern cantilevered canopy, which continues along the southern elevation. The finished floor datum has been set close to the existing ground level. This approach will provide level access within the site and acceptable gradients to the car park.

The Design and Access Statement notes there is no particular vernacular or material which is dominant in this suburb area of Bridgend town. The nearest houses are a mixture of brick or render, and the industrial and retail units are covered with predominantly metal cladding. The proposed store consists of a brick plinth with corrugated metal cladding above, accentuated with an aluminium clad canopy. The store entrance will be on the south-west corner of the building, identified by full height glazing, which will wrap around the corner to the shop front looking towards the west of the developable site. The glazed elements of the building are to be constructed in full height polyester powder coated aluminium curtain walling system, in RAL colour 7016 (anthracite). The cantilevered canopy will be finished in a pressed metal to create a modern look and will be polyester powder coated in RAL colour 7016 (anthracite). The roof and fascia will also be finished with the RAL colour 7016 (anthracite).

Extracts of the elevation drawings are re-produced below as **Figure 4:**

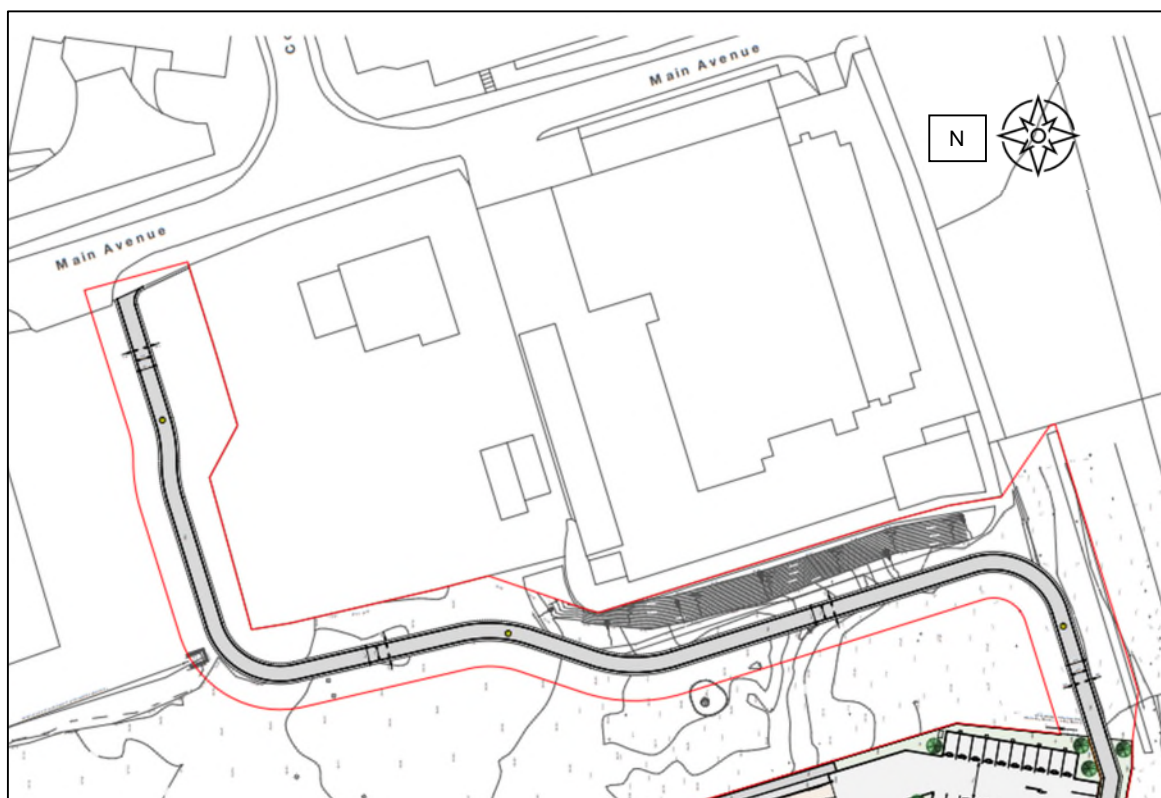


Inclusive access is the key to the site layout and design of the store. The main site entrance is directly off the existing unnamed roundabout just off the Rotary International Way, and can be accessed by vehicles, cyclists and pedestrians alike. There are pedestrian crossings across the car park to bring visitors safely to the store entrance. The car park areas will have a maximum fall of approximately 1 in 40. This gradient will be both suitable for trolley use and wheelchair users alike. 4 no. clearly marked disabled parking bays with 1200mm access zones are provided within the site proposals next to the store entrance. 9 no. parent and child bays will also be provided close to the entrance, along with cycle stands.

Revised plans submitted in October 2025, incorporated a new Active Travel Route that will connect the pedestrian/cycling infrastructure on the Princess Way/Ridgeway roundabout to Main Avenue on Brackla Industrial Estate. The 3m wide route in a 4m corridor will run west to east along the southern boundary of the car park of the new store before passing into undeveloped land between the development site and business premises on Brackla Industrial Estate, in a northerly direction, before turning east for a distance of 73m before its connection with the existing footway network on Main Avenue. Part of this corridor is on land held by the Education Department of the Council.

The appropriate certificate has been submitted and notice served. The plan showing the eastern section of the Active Travel route is reproduced below as **Figure 5**:





**Figure 5 – Proposed Active Travel Route**

The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended 2016) requires all Applicants proposing ‘major’ development to consult landowners adjacent to the Application site and key stakeholders prior to submitting the planning Application, and to demonstrate how consultation responses received have been considered and managed. In line with the above, Pre-Application consultation was carried out between 5<sup>th</sup> September and 3<sup>rd</sup> October 2023. The comments that were made as part of the Statutory Pre-Application Consultation Process have been considered by the Applicant and addressed by the Applicant within the PAC Report. It is considered the Applicant has complied with the PAC requirements as set out in The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended 2016).

On submission, the Application was screened with reference to Schedules 2 and 3 of the Environmental Impact Assessment (Wales) Regulations 2017. It was concluded that the proposed development would by itself, or in combination with any other development/project, be unlikely to have any significant environmental effects

The Application has been accompanied by the following supporting documents:

Planning and Retail Statement by Avison Young and Aldi (December 2023 – updated May 2024)
Pre-Application Consultation Report by Avison Young and Aldi (December 2023)
Design & Access Statement by Kendall Kingscott Architects (November 2023)
Retail Addendum – Update to Retail Impact Assessment – April 2024
Flood Consequence Assessment and Drainage Strategy by Craddys (Amended) received on 10/10/2025
Transport Assessment by Entran Ltd (November 2023) and Addendum October 2025
Staff Travel Plan by Entran Ltd (December 2023)
Noise Assessment by Sharps Redmore (February 2023)
Air Quality Assessment by Entran Ltd (August 2023)
Store Waste Management Plan by Aldi (August 2023)
Ecological Impact Assessment by Tyler Grange (October 2025)

Green Infrastructure Statement by Tyler Grange (October 2025)
Arboricultural Impact Assessment by Tyler Grange (October 2025)
Archaeological Impact Assessment by Foundations Heritage (September 2023)
Energy Statement by Sol Environment Ltd (November 2023) updated October 2025

## RELEVANT HISTORY

<b>P/97/44/RES</b>	Ground Modelling Earthworks in Preparation for Approved Development for Business Park.	Conditional Consent on 25/02/1997
<b>P/97/932/FUL</b>	Proposal: 7.3 Metre Single Carriageway Road with Footway/ Cycleway And 5-Arm Roundabout.	Conditional Consent on 23/12/1997
<b>P/98/51/FUL</b>	Dual Carriageway Road with Footway/Cycleway & 5 Arm Roundabout Amendment To P/97/932/RES.	Conditional Consent on 24/02/1998
<b>P/98/786/FUL</b>	New Access Road Link from Brackla Link Roundabout to Development Land at Brackla.	Conditional Consent on 20/04/1999
<b>P/99/464/RLX</b>	New Access Road Link Amendment to Condition 5 On App No.98/786 Re: Visibility on Site Boundary etc.	Conditional Consent on 06/07/1999
<b>P/99/990/RLX</b>	Renewal of Outline Planning Permission for Business Park (P88/706/OUT)	Conditional Consent on 13/01/2000
<b>P/02/1312/RLX</b>	Extension of Time for Submission of Reserved Matters for Business Park (88/706) (99/990/RLX).	Conditional Consent on 06/02/2003.
<b>P/02/1330/FUL</b>	Retail Foodstore & Service Yard, Car Parking ATM Plant/Equipment & Petrol Filling Station.	Refused on 1/2/2005.
<b>P/02/408/FUL</b>	Retail Foodstore with Petrol Filling Station and Ancillary Features	Refused on 01/02/2005
<b>Adjacent Sites:</b>		
<b>P/07/1420/FUL</b>	Proposed Warehousing and Offices	Conditional Consent on 18/02/2008
<b>P/12/890/RLX</b>	Relax Condition of 07/1420 to Extend Time to Submit Details for Warehouse & Offices for Further 5 Years	Conditional Consent on 23/01/2013
<b>P/14/464/OUT</b>	Outline Application for Up To 220 Dwellings	Conditional Consent on 09/03/2016
<b>P/16/717/NMA</b>	Non-material amendment to P/14/464/OUT to vary condition 29 to read 'Properties alongside the northern and eastern boundaries (which border the industrial estate and vacant land) shall not exceed 3 storeys in height'	Conditional Consent on 23/01/2017
<b>P/16/420/RES</b>	Reserved matters for 220 dwellings with associated. vehicular & pedestrian accesses and parking	Conditional Consent on 06/03/2017.
<b>P/19/26/RES</b>	Reserved matters relating to P/14/464/OUT with amended layout and some amended house types plus landscaping and engineering details.	Conditional Consent on 22/05/2019
<b>P/22/348/FUL</b>	Residential development of 53no. affordable dwellings with landscaping, access and associated	No decision yet

**PUBLICITY**

The Application has been advertised on site and in the press.

Neighbours have been notified of the receipt of the Application.

The period allowed for response to consultations/publicity expired on 11<sup>th</sup> November 2025

**CONSULTATION RESPONSES****CONSULTEE**

**Brackla Community Council**

**COMMENTS**

Brackla Community Council would comment as follows:

*We fully support this Application and the benefit that it should bring to those residents/shoppers living within its catchment area and especially the additional jobs that will be created.*

*Whilst we have some concerns over the increased traffic flows that this store will bring to this location, especially with the pending relocation of Ysgol Gymraeg Bro Ogwr school and potential 'Ridgeway Development'. Hopefully this will be mitigated with selective and varied timing of use by its users.*

*We understand from the documents submitted that delivery times for the store are likely to be mitigated by Aldi wherever possible to avoid school drop off/pick up periods which we welcome.*

*The large car park at the store may if permitted ease traffic flows associated with child drop-offs at the new Welsh Medium School based on current plans.*

*Although the project comes under the Coity Higher Community Council its traffic impact will largely be on Brackla residents and therefore should there be any Section 106 funding forthcoming, we would welcome this being split 50/50 or at least spent to the benefit of both Community Council residents.*

*If access is feasible from the Industrial estate as is planned for buses linked to the new Welsh Medium School, this would be a huge benefit.*

**Cllr John Spanswick**

*While I support this land for development as a retail store, I am disappointed at the lack of sustainable travel and public transport at this location. I am not aware of any nearby bus services that could be used by staff working at the store or for customers. Therefore, perhaps there should be a Section 106 agreement put in place whereby the developer could contribute to the provision of a bus route nearer to the store as there is a bus stop just over 150 metres away.*

**Coity Higher Community Council**

No comments received.

**Principal Officer  
Highways  
Development  
Control**

No objection subject to conditions.

**Land Drainage  
Section**

No objection subject to conditions.

<b>SRS (Noise)</b>	No objection subject to conditions.
<b>SRS (Environment)</b>	No objection subject to conditions.
<b>Natural Resources Wales</b>	We have concerns with the Application as proposed. However, we are satisfied that these concerns can be overcome by the planning authority attaching the recommended conditions to any planning permission granted.
<b>Dwr Cymru Welsh Water</b>	No objections subject to conditions.
<b>Director of Education</b>	We do not have any objections to the planning Application. The Education, Early Years and Young People Directorate welcomes the inclusion of the proposed active travel link from the industrial estate, which will provide a valuable connection and help promote sustainable travel within the area.
<b>Town Centre Manager</b>	No objection or observations to make.
<b>Glamorgan Gwent Archaeological Trust</b>	No objection subject to conditions.
<b>South Wales Police</b>	<p>Observations have been provided in respect of (i). Perimeter security; (ii). Vehicle access; (iii). CCTV; (iv). Signage; (v). Lighting; (vi). Landscaping; (vii). Vehicle parking areas; (viii). Bicycle stores; (ix). Bin stores; (x). Building shell security; (xi). Drainpipes; (xii). Intruder alarm systems; (xiii). Access control; (xiv). Door security and (xv). Window security.</p> <p>South Wales Police have considered this Application and do not object to it but would ask that their recommendations are taken into considerations.</p>

## REPRESENTATIONS RECEIVED

**Four letters of objection** have received from residents that live close to the development – Cae Cenydd. The following is a summary of the objections received:

- Properties are elevated and would overlook the development – proposed fencing would not mitigate the impact – loss of privacy - soundproof fencing must be installed.
- The early and late opening hours would bring noise and light pollution to an otherwise quiet neighbourhood
- Significant increase in traffic will be generated by the development, particularly on the roundabout at the entrance to the development – this will also provide access to the school planned for the area - the proposed development would increase the level of traffic off the roundabout joining Rotary International Way to Ridgeway, Princess Way and entering Cae Cenydd tenfold - residents are concerned about the traffic into our homes and queuing during busy periods such as Christmas to get into our homes
- Loss of space for the children to play - the building of another supermarket will take away further nature, greenery and a natural space for the children to play and explore.



- There is already a problem with antisocial and dangerous driving around the northern roundabout joining Rotary International Way to Ridgeway and along Princess Way. The proposed development would encourage antisocial car related behaviour with the introduction of a car park.
- The increase in footfall on the street would also bring more wear and tear to the area. Residents of Ffordd Cadfan and Cae Cenydd pay a service charge for the landscaping and maintenance. The property management company have confirmed that we would be liable for any additional costs incurred for the damage and extra wear on the green spaces, the road surface, etc.
- There is a frequently used right of way/footpath that leads from the roundabout to the Industrial estate. The proposed development looks like it would remove this right of way.
- How will the deliveries be arranged; this will cause noise disturbance at night if lorries are coming are going. Traffic increase and risk for children who play in this area by large lorries. Early morning deliveries will create a disturbance to residents
- Is there is a proven need argument for a further retail supermarket - negative impact on the town centre.
- Devaluation of property with outlook dominated by supermarket rather than green space
- Devastating to the natural environment of this area - biodiversity impacts and potential loss of habitat

The **Governing Board of Ysgol Gymraeg Bro Ogwr** have expressed concerns regarding access, parking, safety during delivery and school run times and the almost complete lack of the mention of the school build in the documentation, which may lead responses to be biased in favour of a proposal without having all of the facts at hand.

**Sixty-five letters of support** have been received from residents of Coity, Brackla, Cefn Glas, Bryntirion and wider parts of the County Borough and beyond. Emailed communications with the following standard comments were received:

*I support this Application because the jobs that will be created will really benefit the community. Up to 50 jobs will really help, not to mention the wider jobs created.*

*I also support this Application because over 83% of respondents supported the Application and there is a clear desire among the community for the store to be approved.*

*I support this Application because only expensive corner shops serve Coity Higher currently, an Aldi will provide low-cost, high-quality products and create competition for the other shops, driving prices down for shoppers.*

*I also support this Application because as brownfield land the site has a history of development and is perfectly suited for redevelopment. I'd rather see the site on an industrial estate than an out-of-town field.*

*I, and many other local people, support this proposal because it will change Coity Higher for the better and Bridgend as a whole. I hope the council can support this planning Application*

Individual letters of support were received again offering support for a low-cost supermarket, with good active travel provision, where impacts on nature have been carefully assessed. Those that supported the development highlighted potential areas of improvement namely the design of the existing roundabout serving the development and a need to improve visibility for pedestrians. It was also suggested that traffic calming measures could be introduced on the

roads serving the site.

A Planning Consultant acting on behalf of a well-known retail company has submitted a letter of objection which is reproduced below:

*“Aldi’s Application is accompanied by a Planning & Retail Statement (PRS), which has been prepared for them by Avison Young. They have adopted the same study area as the Bridgend Retail Study Update 2021, which is split into 8 separate zones, and utilised the household survey results (undertaken in 2019) also from the 2021 Retail Study Update, to identify existing shopping patterns. Where they have deviated away from the figures in the retail study is in respect of the estimates of population and per capita spending on convenience goods in each zone. They have sourced both population projections for each zone and the estimated per capita spend in 2021 from Experian’s Location Analyst database (their UK 2022 dataset): the spending has then been projected forward using the forecast growth rates in Experian’s ‘Retail Planner Briefing Note 20’ (published in February 2023), with appropriate deductions to remove non-store spending (such as mail order or internet shopping), also taken from ‘Retail Planner Briefing Note 20’.”*

The Planning Consultant has submitted tables taken from Aldi’s submission - these are the estimates of population; per capita spend including non-store spending; per capita spend excluding non-store spending and the resulting total available spending. The consultant has submitted the same tables but compiled them by using the same data sources as Avison Young. Their comments continue as follows:

*“The first error we have highlighted is in respect of the growth in per capita spend at 2025: in Table 2b in TABLE A it can be seen that the growth rate assumed at 2025 is 0%, however the rates included in Figure 1a in Experian’s ‘Retail Planner Briefing Note 20’ (which is the source used by Avison Young) is 0.1% pa for 2025-2029. The assumption of a zero growth 2024-2025 is therefore an error. The above mistake actually has the result of slightly increasing the per capita spend at their design year of 2026, but we have brought it to your attention in the interests of fairness.*

*However, a second more significant error is apparent in their identified total available spending in Table 2d. This relates to the calculated spend at each year in Zone 8, where the calculation is manifestly wrong. As an example, the population in Zone 8 at 2026 is 16,263 (their Table 2a) and the per capita spend is given as £2,156, which multiplied together would give an available spend of £35.06m in Zone 8 in 2026. However, as can be seen in TABLE A, their Table 2d shows an available spend of £63.20m for Zone 8 in 2026. The miscalculation occurs at each year for Zone 8. The amount of available convenience expenditure, and hence the turnover of existing stores, is therefore incorrect and over-stated. Avison Young calculate the total available spend within the study area at 2026 to be £609.84m, however as detailed in our TABLE B, correcting the per capita growth rate at 2025 and the multiplication error for total spend in Zone 8, the total available expenditure across the study area is actually £582.98m in 2026. Aldi’s PRS has therefore overestimated the amount of available spending at their design year by nearly £27m. A reduction in the amount of available spending means that the turnover of some of the existing stores will also have been overestimated, and this can be seen by comparing Avison Young’s Table 5 (convenience turnovers at 2026) and our TABLE C – the total turnover of stores in Zone 1 was said to be £192.0m in 2026, whereas our corrected table shows a total of £186.87m.*

*Given the above, we suggest that you should place limited weight on the quantitative assessment in Aldi’s PRS and request they provide an amended set of tables. At the same time, they could also incorporate the more up to date Experian base data that has recently been released (this is their Location Analyst UK 2023 data set and ‘Retail Planner Briefing Note 21’).*

*In addition to the error in their need/impact assessment, I note that the Application documents on your public file show that no green infrastructure statement has been submitted. Policy SP2*

*in your Local Development Plan says that all development should, inter alia, safeguard and enhance biodiversity and green infrastructure, while Policy ENV5 says that green infrastructure will be provided through the protection and enhancement of existing natural assets. Paragraph 6.2.12 of Planning Policy Wales (PPW) is also clear in saying that a green infrastructure statement must be submitted with all planning Applications, while paragraph 6.4.16 also says that all development must deliver a net benefit for biodiversity. These policy requirements mean that the Application site's existing biodiversity value, and what its value will be post-development, must be provided in the Application if you are to effectively discharge your obligation under s6 of the Environment (Wales) Act 2016 (i.e. the requirement for public authorities to seek to maintain and enhance biodiversity in the exercise of their functions). Some limited information on existing species and habitats is provided in the submitted Ecological Impact Assessment, but we believe a more detailed analysis of the biodiversity impact and whether a net benefit will result should be required, in addition to a green infrastructure statement.*

*We trust that you will give due consideration to all of the above and ask the Applicant to revisit their need and impact assessments and provide more detail on green infrastructure and what level of biodiversity gain will be provided. Without these deficiencies being adequately addressed it would not be appropriate for you to determine the Application unless your decision were to be a refusal."*

A Planning Consultant acting on behalf of another well-known retail company has submitted a letter of objection which is also reproduced in full below:

#### *"Adoption of the Replacement Local Development Plan*

*Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that a determination be made in accordance with the development plan unless material considerations indicate otherwise. This is recognised by the Applicant's agent at paragraph 5.2 of their Planning and Retail Statement (PRS). However, they go on to acknowledge the Bridgend Local Development Plan (adopted 2013) as the relevant adopted 'development plan'. This is no longer correct. The Bridgend Replacement Local Development Plan (RLDP) was adopted in March 2024, replacing the policies of its predecessor, and now constituting the 'development plan' for the purposes of Section 38(6). Indeed, the Applicant's agent recognises this at paragraph 5.10 of the PRS. For this reason, the Applicant's assessment of the proposed development against the policies of the development plan, and thus its conclusion that the proposed development would accord with the development plan, cannot be relied upon and should be re-examined in full in light of the adopted RLDP.*

#### *Conflict with employment allocation under the adopted Local Development Plan*

*The assessment of the principle of development against relevant policies relating to employment land should be set aside. Much of the Applicant's prior assessment relied upon the site's inclusion within the former North-East Brackla Regeneration Area under the previous Policy PLA3(2), for a mix of uses including some retail development (as discussed at paragraph 6.6 of the Applicant's PRS). This designation has not been carried forward into the RLDP, leaving an employment designation being the only designation washing over the site on the adopted policies map. The previous Regeneration Area designation no longer holds any relevance to development proposals on the site and should not be afforded any weight in the consideration of the acceptability of the land use of this proposal. There is no comparable policy contained within the RLDP. Policy SP2 sets out "brownfield and under-utilised sites" on which a number of allocations are made for "mixed use (leisure, retail and residential) strategic sites". If the RLDP intended to permit the Application site for non-employment uses such as retail, it presumably would have been included in this list; it is not. The absence of any allocation or designation other than those relating to employment makes clear the intentions of the RLDP and the interpretation of planning policy relevant to the principle of development on this site. Policy SP11 of the RLDP sets out the Borough's up-to-date strategy pertaining to employment land, with a clear focus on promoting economic growth through the allocation and retention of employment land. Policy ENT1 identifies employment allocations, and Policy ENT2 sets out a list of employment sites to be protected. The Application site falls under both an employment allocation (ENT1(3)) and a*

protective designation (ENT2(1)), as shown on the adopted Policies Map. Policy ENT1 sets out a number of employment allocations and clearly directs development proposals towards the land uses that will be acceptable within each allocation. For the Brackla Industrial Estate (ENT1(3), as noted on the Policies Map) the only uses specified are B1, B2 and B8. The proposed development would not fall within any of these three uses and would therefore, be contrary to Policy ENT1. This up-to-date allocation is of substantial importance when considering any development on this site, and a decision that departs from this could have significant consequences for the plan's underlying purpose. Allocations are the primary mechanism by which the plan-led system can deliver sustainable development, by using the most up-to-date evidence to identify the most appropriate sites to meet particular needs. These allocated sites are then identified within the Local Plan as the most suitable and appropriate locations for development to come forward. This same approach has been undertaken by the Council regarding the ENT1(3) allocation, and the deliberate inclusion of the site within this area. For a developer to ignore what the Local Plan has deemed as the most important and appropriate sites for such allocations would be to undermine the significance of the plan-led system.

Policy ENT2 concerns the protection of particular identified employment sites, of which the Brackla Industrial Estate is one (ENT2(1)); again, the Application site has been included within the boundary of this designation. Policy ENT2 states that its purpose is to "protect the employment function of existing business and employment sites" and sets three circumstances where development will be permitted within its designated areas. Neither the first nor third criteria are met, given that the proposed use falls outside of Class B and would not be a waste management facility. Criterion (b) states that development will be permitted where "in appropriate locations, it provides an ancillary facility or service that supports the primary employment use". The Policy's reasoned justification provides further insight into what such ancillary facilities could constitute, with examples being given such as "a small shop or trade counter", "snack bars", "cafés" etc. This is followed by the following criteria:

- Is of an appropriate nature and scale to serve just the employment area and is not likely to generate unrelated trips by car
- Will not cause any adverse impacts on the overall function of the employment area and neighbouring commercial and residential properties
- Will not be detrimental in terms of highway congestion or safety; and
- Will not impact upon the vitality or viability of designated Centres.

The proposed development would evidently not meet the definition of 'appropriate ancillary facilities' under Policy ENT2 criterion (b), owing to its scale, purpose and 126-space car park. For this reason, the proposed development would also be contrary to Policy ENT2 and its underlying protective employment designation ENT2(1).

Policy ENT3 provides further criteria that must be met in order for changes of use to non-B class uses to be permitted. No evidence is provided with the Application to demonstrate that the requirements of this policy have been met relating to the possibility of the site being used for employment uses, marketing evidence relating to employment uses, or the necessity of an allocated employment site being used to accommodate the proposed development. Thus, the proposed development would conflict with Policies ENT1, ENT2 and ENT3 by virtue of its non-compliant land use against the recently adopted RLDP.

#### Inappropriate reliance on dated household survey information

The Applicant's agent (Avison Young) has not commissioned an up-to-date household survey of shopping behaviour that would have helped determine a more accurate position on shopping patterns and expenditure, as set out in the Technical Advice Note 4 (TAN 4) in determining retail impacts. Instead, the Applicant's submitted retail impact assessment relies on the household survey results included in the Bridgend Retail Study, which was informed by a 2019 household survey to provide an "estimate of retail turnover for centres" (paragraph 5.7 of the Retail Impact Assessment). However, retailing is a dynamic industry. There have been significant recent changes in the nature of shopping patterns, post lockdown, particularly in the convenience

goods sector and longer term continuing and substantial growth in online retailing. And different store formats e.g., “convenience stores” have responded to the desire to shop more frequently. Similarly, reliance on the Bridgend Retail Study means that deficiencies are naturally carried forward to the Applicant's agent's PRS. This includes the exclusion of the Morrisons Daily and Co-op located within the Brackla Local Service Centre as part of the Retail Capacity tables. Both stores are located within the 5-minute catchment area included in Appendix 1 of the Planning and Retail Statement. However, neither of these stores were included in the retail impact tables.

We note that the outdated nature of the household survey data has not been assessed by the officers. Without up-to-date evidence of current shopping patterns, which includes all of all foodstores in the catchment, it is not possible to come to a robust conclusion on the efficacy of the limited retail assessment provided. This is particularly relevant as accurate expenditure figures are a key determinant in the establishing quantitative need, as set out within Planning Policy Wales and TAN4. That should in itself be a ground to resist the grant of planning permission.

### Conclusions

Section 38(6) requires that “determination must be made in accordance with the plan unless material considerations indicate otherwise”. Numerous development plan conflicts have been noted relating to the principle of development for the use of the site as a foodstore, in particular, its employment allocation and related protective designation. Such are the severity of these conflicts that the proposed development would not accord with the development plan as a whole. We note it would be wholly inappropriate to approve something that is contrary to the objectives of the RLDP, particularly given that the Development Plan was only adopted in March of this year. Given that the proposal would demonstrably not accord with the development plan as a whole, it should be refused unless material considerations indicate otherwise. There are no such material considerations identified by the Applicant that would support departure from the clear direction provided by the development plan. Planning permission should therefore be refused.”

## **COMMENTS ON REPRESENTATIONS RECEIVED**

### Letters of Objection from Residents:

Concerns about impact on the living conditions of residents with regard to privacy, noise and traffic will be addressed in the appraisal sections of this report as will the impact on biodiversity.

Several responses from residents commented that children play, and people walk their dogs on the subject site, and that green spaces should be preserved. The site is in fact a brownfield, previously developed site and is privately owned. The Definitive Map for Bridgend as well as the Council's Definitive Map Modification Order Register, have been checked and there are no existing public rights of way or claimed rights of way affecting the site at this moment in time. There were also concerns that residents would lose their view of this green space from nearby houses. However, in planning terms, there is no right to a view. Furthermore, devaluation of property is not a planning consideration.

### Letters from Retail Planning Consultants acting on behalf of other Retail Operators:

In response to criticism about accuracy of the data that has informed the retail appraisals and the planning statement addressing the Policies of the former plan rather than the Plan adopted in 2024 (**RLDP**), agent working on behalf of the developer submitted a revised Planning and Retail Statement.

As part of the objections submitted by other retailers dealing with the technical data that informed Aldi's Planning & Retail Statement, the Planning Department commissioned an external Retail Planning Consultant to review the submitted evidence but also to comment on the objections and the weight that should be afforded to the issues raised. This will be considered further in the initial sections of the Appraisal below that deals with the principle of the development and compliance with Policy.

It should be noted that a Green Infrastructure Statement has now been submitted with the

Application.

## **RELEVANT POLICIES**

### **Local Policies**

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033 (Local Development Plan) **(RLDP)** which was formally adopted by the Council on 13 March 2024 and within which the following policies are of relevance:

Policy SF1	Settlement Hierarchy and Urban Management
Policy SP3	Good Design and Sustainable Placemaking
Policy SP4	Mitigating the Impact of Climate Change
Policy SP5	Sustainable Transport and Accessibility
Policy PLA11	Parking Standards
Policy SP10	Infrastructure
Policy SP11	Employment Land Strategy
Policy ENT1	Employment Allocations
Policy ENT2	Protection of Employment Sites
Policy SP12	Retailing, commercial and service centres
Policy ENT9	Retail Development outside of Retail and Commercial Centres
Policy ENT15	Waste Movement in New Development
Policy SP17	Conservation and Enhancement of the Natural Environment
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
Policy SP18	Conservation of the Historic Environment

### Supplementary Planning Guidance

SPG 04 Retail and Commercial Development

SPG 17 Parking Standards

SPG 19 Biodiversity and Development

### National Policies

In the determination of a planning application regard should also be given to the 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 4 Retail and Commercial Development

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

Active Travel Act Guidance July 2021

## **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. It is considered that there would be no significant or unacceptable impacts upon the achievement of well-being goals/objectives because 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 and whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

### **APPRAISAL**

This Application is referred to the Development Control Committee for determination in view of the objections received from local residents but also those submitted on behalf of other retailers.

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 proposal, the main issues for consideration in the assessment of this Application relate to the following:

- Whether the principle of developing this site for retail purposes is acceptable having regard to the sites allocation for employment uses in the Bridgend Replacement Local Development Plan (2024) (**RLDP**) and the National and local policy objective to promote retail development in established retail centres
- The availability of active travel provision to serve the development, the effects on the surrounding highway network and whether the proposed access, parking and turning facilities are acceptable.
- The acceptability of the design/layout of the development on the living conditions of the occupiers of the nearest residential properties and to what extent could any impacts be mitigated through planning controls
- The acceptability of the design/layout of the development on the character and appearance of the area and to what extent could any impacts be mitigated through planning controls
- Whether the proposed development will result in any significant loss of habitats or populations of species and whether the scheme will provide a net benefit for biodiversity.
- Whether site drainage requirements or ground conditions will affect the development of the site
- Whether the development would have any impact on any archaeological remains.

**Whether the principle of developing this site for retail purposes is acceptable having regard to the sites allocation for employment uses in the Bridgend Replacement Local Development Plan (2024) and the National and local policy objective to promote retail**

### **development in established retail centres**

The site is located within the primary key settlement of Bridgend as defined by Policy SF1: Settlement Hierarchy and Urban Management of the adopted RLDP. The site is also located in the Bridgend Sustainable Growth Area as defined by Policy SP1: Regeneration and Sustainable Growth Strategy, which is a key area where regeneration and sustainable development will be focused.

Policy SP11 sets the framework to enable a balanced level of employment land to accommodate the new jobs identified through the RLDP's Regeneration and Sustainable Growth Strategy. This framework seeks to ensure a range and mix of employment sites are available throughout the County Borough to accommodate further job creation and help combat out-commuting without frustrating housing supply.

The site forms part of Brackla Industrial Estate, which is specifically allocated for new employment uses (B1, B2 and B8) by Policy ENT1(3). ENT1 supports SP11 by allocating a broad portfolio of new employment sites for development and ENT1(3) forms part of the RLDP's new employment land supply in this respect.

This proposal is for retail development rather than employment development. While the site is not a retail allocation within the RLDP, Policy ENT3 provides the basis to determine proposals for non-B uses on allocated employment sites. Policy ENT3 states that the change of use of allocated industrial and commercial land and premises (including vacant land on employment sites) from Use Classes B1, B2 and B8 to residential uses will not be permitted. The change of use from Classes B1, B2 and B8 to other uses will be supported subject to a range of criteria, which will be considered below:

#### 1) There are no suitable sites available with reference to the retail hierarchy detailed within SP12 and other policies in the adopted Plan

The Applicant has considered the extent of the catchment area likely to be served by the proposal, including areas within and on the edge of existing centres. Furthermore, the Applicant has sequentially identified eight sites within that catchment area to consider whether any of these sites are both available and suitable for the development proposed (**Sequential Assessment**). The Applicant's Sequential Assessment concludes that there are no sequentially preferable sites within the town centre or in edge-of-centre locations elsewhere within the primary catchment area. This Sequential Assessment has been subject to independent review three times by the Council's retail consultant, Emery Planning who also agrees that the respective sites are not suitable and/or available for retail development. This criterion has therefore been met.

#### 2) A building on an allocated employment site is required to accommodate the use

As indicated in the Planning and Retail Statement submitted in support of the Application, the scale and form of retail development requires a discount foodstore of 2,000m<sup>2</sup> gross external area, alongside requisite customer car parking, vehicular access roads, a servicing area, and associated hard and soft landscaping. Given the lack of suitable alternative sites as demonstrated in respect of Criterion 1, a building on this allocated employment site is required to accommodate the use.

#### 3) The property or site has been vacant for a period of at least 12 months and has been marketed throughout that time at a fair market value for the area and the condition of the property or site

The site is currently undeveloped and has been vacant for a period of at least 12 months. However, the Applicant has confirmed the site has not recently been marketed formally, referring to the fact that the Application was submitted in December 2023, before Policy ENT 3 was adopted in March 2024. The Applicant has therefore been unable to provide marketing evidence in the form of sales particulars in order to satisfy this criterion.

A Commercial Property Market Review has been submitted which details the site's history and a RICS Registered Valuer's opinion of the supply and availability of commercial property and



employment land across the County Borough. The Review states that the land was purchased from Welsh Government on 11th March 2013, having been marketed at that time by commercial property agents Lambert Smith Hampton. While evidence of this marketing has not been provided, the Review states, *“we understand from both the commercial land agent and the landowner that the only interest shown in the site was from a housebuilder. Subsequent to this we believe that the site has remained vacant and in its current condition”* (para 3.4-5). The Review then ultimately concludes, the demand for employment development land in this location is considered to be low due to likely marginal commercial development values, while preferring other development options within Bridgend.

While the Applicant has not demonstrated full compliance with this criterion, a prior attempt to market this site has taken place. Moreover, it is acknowledged that the proposed use is an employment generating use (albeit retail jobs rather than office/industrial jobs). The proposed development would not therefore prejudice the use of the land for employment purposes and, on balance is acceptable.

4) The proposed new development will have no unacceptable impact on neighbouring existing occupiers or allocated uses and 5) The site is accessible by a choice of means of transport other than the car and promotes use of Active Travel opportunities.

Criterion 4 and 5 will be considered in more detail in the following sections of this report where it will be demonstrated that subject to conditions, the development will be in compliance.

Policy SP12: Retailing, Commercial and Service Centres states that new retail, commercial, leisure, education, health, community, public service facilities and appropriate employment developments (B1) should be focussed according to the Retail and Commercial Hierarchy. Supporting paragraph 5.4.42 states that SP12 *“seeks to protect the established retail hierarchy of the area by focussing development in these centres and by only permitting out-of-centre retail development where a need and sequential test has been undertaken, in accordance with national policy”*. This is fundamental to protect the vitality, viability and attractiveness of retail centres. The proposed site is located outside of a retail or commercial centre. Guidance on Applications of this nature is provided in Planning Policy Wales Edition 12, which prescribes three tests in planning for new retail development. Technical Advice Note 4: Retail and Commercial Development provides further guidance in applying the **Tests of Retail Need** (Section 6), the **Sequential Test** (Section 7) and the **Retail Impact Test** (Section 8).

In terms of the **Tests of Retail Need**, Planning Policy Wales states, *“evidence should demonstrate whether retail provision is adequate or not, by assessing if there is further expenditure capacity in a catchment area (quantitative need) or if there is a lack of retail quality, range of goods or accessibility (qualitative need)”* (para 4.3.13).

In terms of the **Sequential Test**, Planning Policy Wales emphasises the ‘town centre first’ policy in locating new retail development, emphasising, *“developers should demonstrate that all potential retail and commercial centre options, and then edge of centre options, have been thoroughly assessed using the sequential approach before out of centre sites are considered”* (para 4.3.19).

In terms of the **Retail Impact Test**, Planning Policy Wales states,

*“All retail planning Applications or retail site allocations of 2,500 sq. metres or more gross floorspace that are proposed on the edge of or outside designated retail and commercial centres should, once a need has been established, be supported by a retail impact assessment. For smaller retail planning Applications or site allocations, planning authorities will need to determine whether an assessment is necessary, for example when a smaller proposal may have a significant impact on a centre”* (paras 4.3.26-27).

While the proposed development is below 2,500m<sup>2</sup> or more gross floorspace, the Applicant has prepared a Planning and Retail Statement (2023), updated in the form of a Retail Addendum,

2024), to justify the development in accordance with the above retail policy tests, which will be considered below:

### **Retail Need Test: Quantitative Need**

Consultant's acting on behalf of another retailer have recommended that the Council give limited weight to the quantitative assessment submitted by Aldi's on the basis that predicted capital spend has been exaggerated with the consequence being that the turnover in the stores was overstated.

The Applicant's Planning and Retail Statement (2023) originally calculated, *"the total difference between survey derived performance compared with expected company average turnovers is +£69.36m"* (para 7.30). It was therefore concluded there was significant *"quantitative capacity within the catchment area to accommodate further floorspace"* and convenience choice (para. 7.31). In addition, the Applicant's Retail Addendum (2024), which included amended tables to address the concern from a rivals consultant, concludes *"there is clear quantitative need for more choice within the Bridgend area, with the findings of the household survey identifying overtrading of approximately £58m. The proposal would assist to address this need. Whilst this scale of overtrading has reduced a small degree from the previous tables, the overall conclusions continue to remain very clear"* (para 3.48).

These findings have been independently verified by Emery Planning on behalf of the Council. In their first advice letter, Emery Planning concurred that *"there is more than enough quantitative need for convenience goods to accommodate a foodstore which performs better than average"*. After re-assessing the Applicant's later Retail Addendum (2024), Emery Planning also found little impact on the previous principal findings in this respect and maintain the same conclusions. Officers of the Planning Department can offer no evidence to dispute these findings.

### **Retail Need Test: Qualitative Need**

The Applicant has provided several reasons to justify why there is a qualitative need for the proposed foodstore. Firstly, reference is made to the former mixed-use allocation at this location and the need for convenience provision is partly justified on that basis. However, this site now exclusively forms part of an employment allocation as part of the RLDP's employment land supply and the former mixed-use allocation is no longer extant. Nevertheless, some of the Applicant's supporting statements still apply in respect of the wider RLDP Strategy, including regeneration of brownfield land, the creation of circa 40-50 jobs (albeit 'A' space jobs rather than the 'B' space jobs originally planned for this location), and reduction in travel distances through more local convenience retail provision.

Secondly, the Applicant has referenced the proposed development would divert trade from more distant locations, enhance co-location of facilities and provide a local store that individuals could walk and cycle to, thereby creating an opportunity to reduce car journeys. In practice, a significant proportion of individuals are still likely to use the private car when undertaking regular weekly shopping at a foodstore, although it is noted that the Application does propose provision of EV charging bays. Nevertheless, this proposal could result in reduced journey times for such weekly shopping activities and also enhance opportunities for local 'top up shopping' via walking and cycling. The proposed provision of the new Active Travel link and cycle parking facilities will provide a choice of transport options other than the private car, in line with the requirements of Policy PLA12.

Thirdly, the Applicant contends the proposal will assist in the alleviation of overtrading, address local quality and quantity deficiencies and alleviate lack of convenience goods provision in a disadvantaged area. While the RLDP's supporting evidence base did not necessitate a specific retail allocation at this location or in the local vicinity, the Applicant has analysed more recent data to identify significant overtrading within the catchment area. Officers do not contest the Applicant's approach or findings with regard to these points.

In summary, the Applicant's Planning and Retail Statement (2023) states:

*“It is apparent that there is a clear qualitative need too, with the proposals meeting a number of the criteria set out in PPW linked to improving access to convenience provision in a disadvantaged area, alleviating significant levels of overtrading and helping to reduce car journeys at a location which is highly accessible for the local community” (para 7.34).*

These points have been independently and comprehensively considered by Emery Planning who do not fundamentally dispute the Applicant’s findings and state that, *“on balance, in our view, there is a qualitative need for the Application proposals”*. Notwithstanding the concerns raised on behalf of other retailers, there is no compelling evidence before the Council to suggest that the conclusions of the Applicant and the Council’s independent consultant should be set aside on the qualitative need for the development.

### **Sequential Test**

The Applicant’s Planning and Retail Statement (2023) encompasses eight sites within the catchment area and concludes, *“there are no sequentially preferable development sites within or on the edge of any of the centres within the catchment area, which could realistically accommodate the scale and form of development for which planning permission is sought – even when demonstrating significant flexibility in terms of developable area”* (para 8.30). The independent review conducted by Emery Planning agrees that the Applicant has appropriately demonstrated flexibility on issues such as format and scale when considering whether sequentially preferable sites are suitable for the development proposed. In addition, an independent assessment of the sites within the catchment area has also been undertaken by our consultants, with their advice letter concluding, *“we are in agreement that the above sites (identified in the Sequential Assessment) are not suitable and / or available for the development proposed. As such, in our opinion, the sequential test is passed”* (p. 6). Officers concur with these findings and offer no objections in this respect.

### **Retail Impact Test**

The proposal includes 1,085m<sup>2</sup> of convenience floorspace with 271m<sup>2</sup> for comparison sales. The Applicant’s retail impact assessment has focussed only on the convenience element given the small scale of non-food floorspace. This approach is proportionate given that this proposal is considerably below the 2,500m<sup>2</sup> threshold set out in National policy.

The Applicant has considered the Masterplan for Bridgend Town Centre, and, focussing on the short to medium term projects therein, considers that the proposal will not have any impact on committed or planned investment in Bridgend Town Centre.

A Consultant acting on behalf of another retailer notes the absence of an up-to-date household survey of shopping behaviour and the reliance on the Bridgend Retail Study that informed the Policies of the RLDP 2024.

The Applicant’s Planning and Retail Statement (2023) indicates that *“the broad majority of the scheme’s turnover will be diverted from the largest, closest and most popular ‘main’ food shopping destinations. There would also logically be a disproportionate effect on surrounding Aldi foodstores – which the catchment population are already known to use”* (para 9.35). The Applicant’s Retail Impact Assessment Update (2024) does not fundamentally alter these conclusions. Again, this has been subject to independent review by Emery Planning, who are in broad agreement with the Applicant’s trade diversionary figures and conclude *“whilst the proposed scheme will inevitably divert some retail trade from foodstores within Bridgend, and other centres, these stores are all trading particularly strongly and will not be materially affected by the Application proposals”* (Advice Note 1, p.9). Emery Planning maintain the view that the Application proposals will not lead to a significant adverse impact on Bridgend Town Centre and Aberkenfig District Centre.

Overall, it is considered that this proposal will inevitably have an impact on trading within Bridgend Town Centre and other centres. However, given the demonstrated level of overtrading,

it is not considered that the level of cumulative diversion identified would have a significant convenience impact on the town centre or other surrounding locations in a manner that would adversely affect their long-term vitality or viability. On balance the principle of this development is accepted on the basis that there are no suitable sites available with reference to the retail hierarchy to accommodate the development. Although the required marketing of the site does not fully meet the Policy requirements, the demand for employment development in this location is low and the development will generate employment.

On the evidence before the Council there is a Quantitative and Qualitative need for the development with its operation not prejudicing other retailers trading in the locale and offering a convenient store and helping to reduce car journeys at a location which is highly accessible for the local community

On balance, the principle of developing this site for retail purposes is accepted.

**The availability of active travel provision to serve the development, the effects on the surrounding highway network and whether the proposed access, parking and turning facilities are acceptable**

A key objective of Planning Policy Wales – Edition 12 is to ensure that new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities. This will be achieved through integrating development with sustainable transport infrastructure and designing schemes in a way which maximises provision and use of sustainable forms of travel, including prioritising these modes over the private car. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity and realising the goals of the Well-being of Future Generations (Wales) Act 2015.

Policies SP3 and SP5 of the Bridgend County Borough Local Development Plan require development to be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to services and community facilities. Development will also need to be designed to provide safe and efficient access to the transport network, which includes the active travel, public transport and street networks. Measures to mitigate the impact of development on the road network should also be considered. If alternative uses are to be considered on land allocated for employment, it is a criterion of Policy ENT3 that the site is accessible by a choice of means of transport other than the car and promotes use of Active Travel opportunities.

Residents have offered objections on the basis that the development will generate a significant increase in traffic on the local road network and in particular the roundabout at the entrance to the development. This could in their view, affect residents accessing their own properties.

The Transport Assessment (TA) submitted with the Application considers the traffic and transportation issues associated with the development with reference to Delivery and Servicing Sustainable Travel by all Modes, trip generation, distribution and assignment, Highway Impact and Parking accumulations. It concludes that the development is not expected to lead to any localised material off-site highways issues on the adjacent transportation network. The impact has been fairly and reasonably addressed and there should be no reason for highways related objections to the proposed development. The TA, it is claimed, has identified that the best possible accessibility is provided by non-car means of travel to the site, in support of the Active Travel Wales Act and helping meet the aspirations of BCBC and WG.

Proposed discount foodstore trip generation rates have been obtained from latest TRICS surveys to form a reasonable and robust estimate of the expected development traffic. Development trips have been assigned to the local highway network in the assessment using information from the Retail Impact Assessment and a population/distance gravity model. The expected traffic from the committed development adjacent to the site has also been included

into the assessment. A capacity assessment has been undertaken of the local highway junctions testing, for the weekday and Saturday peak periods. The existing junctions in the study areas are all expected to remain within capacity in both the opening year 2024, and future year 2029 scenarios, with and without the ALDI development and the committed primary school. The proposed development would not lead to any significant nor severe impact on the junctions of the local highway network, which would remain within capacities for both the opening and future year horizon.

Adequate car parking is proposed, commensurate with the needs and expected operation of the development proposal, to avoid not only overspill onto local roads but also to avoid over-provision for the private car. The proposed car park can accommodate the expected parking and movements at the busiest times during the week to avoid overspill parking highway impact onto local roads.

Accident data has been examined on the local highways and the addition of the modest amount of development traffic is considered unlikely to introduce or lead to any new material road safety issues. Servicing would be consistent with Aldi's tried and tested approach and, with local policy in mind, the site access will be designed to provide safe and efficient access for turning of service vehicles and will tie into the identified highway access improvements. Tracking has been undertaken to confirm access by an articulated HGV to and from the servicing area in a forward gear.

Officers of the Council's Highway Development Control Section have reviewed the Transport Assessment and noted the identified multimodal travel demand of the site. The likely weekly travel demand of circa 4,420 pedestrians, 234 cycles and 756 bus users is not insignificant; however, the Applicant originally advised that no improvements to the cycle network were feasible. The adjacent parcel to the North is owned by BCBC with Education being the holding department. Negotiations between the prospective developer and the landowner have identified the line of an East - West Active travel link that could be delivered as part of the development. It will link the Princess Way roundabout, where the site gains access to Main Avenue, Brackla Ind Est, and will enable the store to sustainably serve customers residing to the East (adjacent Wyndham Close and Church Acre), employees on the Brackla Industrial Estate and any employees of the store residing in that direction. The planning Application incorporates a corridor where a route could be constructed and whilst the alignment will require adjustment, the principle of the route is established and a condition could be imposed should Members be minded to grant planning permission to secure its construction before the store is open for trading. After consideration, the Applicant has indicated a willingness to offer the route for adoption (under the highways act). To ensure the route is available in perpetuity, under the control of the Highway Authority and incorporated as part of the Integrated network map, the Highway Officer is recommending that a Section 106 agreement be signed that will require dedication to the Council of the section of the proposed active travel route and the associated land that is controlled by Aldi. Whilst the remaining parts of the route will be delivered by the Applicant company, under licence and on Council land, the developer will not be able to offer the whole of the completed route for adoption. In the circumstances, any adoption of the route will be considered in the future and it is not a matter that needs to be addressed as part of this Application. Agent's acting on behalf of Aldi maintain that such an agreement is not necessary as the Active Travel Route will be subject to a legal contract in the form of a Section 38 / 278 under the Highways Act 1980 to formalise its adoption by the local highways authority, and that planning conditions can be imposed to secure its provision prior to the store's opening and maintenance of the route in perpetuity.

Alternative options for active travel connections to the South of the site, to join with existing provision on Princess Way (adjacent to Chorleywood Close / Gwaun Coed), have been part of the discussions with the Applicant company. Officers acknowledge that this route currently exists for pedestrians and its upgrade to a shared cycle route would not bring as much benefit to this development as the east-west travel route discussed above. Furthermore, this Southbound route can be delivered later as it does not require land held by the Applicant as it is already

highway land.

Regarding Public Transport, officers note that the site is a significant walking distance from the nearest bus service approx. 1.2km (service 65 at Parc Derwen), which is more than the 500m maximum walking distance given in '*CHIT Buses in Urban Environments*'. Accordingly, it is not considered to be well connected to public transport. Diverting the existing service 64 (Bridgend – Talbot Green), to the bus stops on Princess Way, adjacent to Maes Dewi Pritchard and Badgers Mead, has been considered but it is estimated that such a change would cost £90,000 for a three-year period. Existing footpath/cycle connections to nearby housing developments have also been reviewed and, whilst links to Parc Derwen are already established, the route is not illuminated during hours of darkness. Customers of the proposed store which may emanate from Litchard and Park Derwen would use the existing un-lit route and there would be safety benefits to illuminating the route but at a cost of £30,000. The Highway Authority is however mindful of the ability to use the alternative routes through Joslin Road, Joslin Close and Ffordd Cadfan during the hours of darkness and, as such, this request could be considered unreasonable.

The Applicant company has considered the request for financial contributions to off-site works set out above but has indicated that the viability of the development will not allow any further contributions; the estimated cost of the east-west travel route being in excess of £400,000. Any additional requests would be inappropriate and likely to render the site delivery unviable.

In respect of vehicular movements, it is acknowledged by officers of the Highway Development Control Section that the transport assessment (**TA**), is comprehensive and includes accurate trip generation, traffic modelling and junction capacity analysis. It indicates that the vehicular trips associated with the proposed Aldi discount food-store in Brackla, Bridgend, will not detrimentally affect the local highway network and that viewpoint is not challenged. In the modelling of this aspect the Applicant has included a potential school on an adjacent site as committed development and the TA is therefore considered robust. Accordingly, no offsite highway improvements are considered necessary required to cater for the projected vehicular traffic.

The proposed access road from the adjacent maintained highway roundabout is shown in plan only and the gradient, width and radii are not given. There may also be need for embankments and culverts which are similarly not shown. Accordingly, the access cannot be fully assessed for suitability although the alignment does appear to be broadly satisfactory. It is considered that any necessary minor re-alignment / reprofiling can be accommodated within the Application site boundary. Suitable planning conditions will therefore be imposed.

The plans propose 4 cycle stands. SPG requirements are for 1 short stay stand per 500m<sup>2</sup> and a further 1 long stay stand per 500m<sup>2</sup>. This equates to 4 short stay stands and 4 long stay stands. Further the site plan shows 118 car parking spaces have been proposed. The store Gross Floor Area (GFA) is 2,000m<sup>2</sup> which is on the cusp of a different parking requirement. With the site located in a Zone 5 area the maximum parking quantum given by SPG 17 is technically 100 spaces. However, a retail store with a GFA of just over 2,000m<sup>2</sup> attracts a higher parking quantum (1 per 14m<sup>2</sup>) and an additional 1 square metre would result in the store attracting a much higher maximum of 143 spaces. Accordingly, whilst the site is overprovided by 18 spaces and therefore contrary to the SPG given that a marginally larger store would require a significantly higher parking number, it is unlikely that an objection could be sustained at a planning appeal in the event the Application was refused on this basis. The quantum of parking is accepted on the particular circumstances of this Application and does not set a precedent to accept excessive levels of parking for similar developments. In terms of space allocation, it is noted that the layout currently provides in excess of 10% as EV spaces and under 6% as disabled; accordingly, the scheme will need to be amended but this can be achieved via condition.

Overall, through the submission of amended plans, this development will deliver active travel

provision that will benefit not only the users of the store but also the wider community. Further off-site provision has been explored with the Applicant along with improvements to existing footpath/cycle network and public transport, but the cost of such improvements would, in their opinion, make the development unviable. Policy SP10 (Infrastructure) confirms that all development proposals must be supported by sufficient existing or new infrastructure, 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. Any such deficiencies must be addressed, where reasonable, by those undertaking the development through planning obligations (via a S106 legal agreement). In the view of the Applicant the 'necessary' provision will be delivered as part of the development with the new Active Travel route at an estimated cost of £400,000. Based on the available evidence the level of obligation being secured is considered to be reasonable and proportionate to the development. Other improvements may be secured through other developments in the area.

Subject to conditions, the proposed access, parking and turning facilities are acceptable.

In summary, the development complies with the requirements of Policies SP3 and SP5 of the Bridgend County Borough Local Development Plan.

**The acceptability of the development on the living conditions of the occupiers of the nearest residential properties and to what extent could any impacts be mitigated through planning controls**

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. Planning Applications must be supported through the submission of appropriate design and technical information to demonstrate that a development has a design of the highest quality possible, appropriate to the local context whilst respecting and enhancing local distinctiveness and landscape character; minimises opportunities for crime to be generated or increased, whilst promoting community safety in accordance with *Secured by Design* principles and avoiding noise, air, and soil and water pollution, in the interests of protecting the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

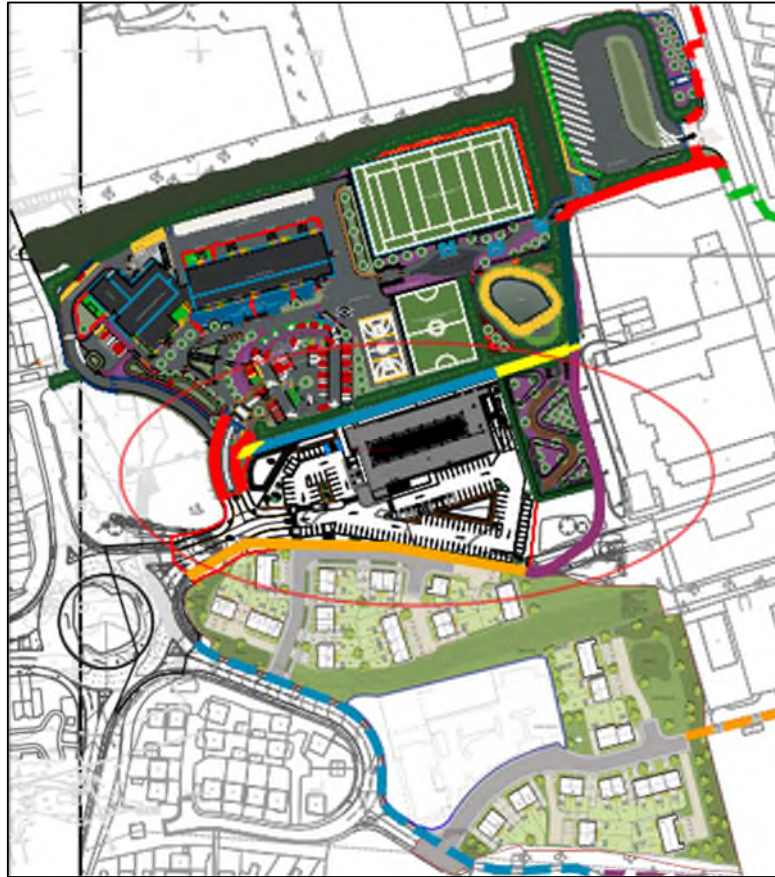
For clarity, the nearest residential properties to the site lie to the west on Ffordd Cadfan which is an estate of over 200 properties developed in the last 10 years and on Cae Cenydd, a cluster of 14 detached properties built on elevated land with some of the properties overlooking the roundabout access to the new development. Measured from an Ordnance Base Map, the properties are some 64-80m from the site access and between 120 and 160m to the foodstore building. Given the distances involved, no part of the development will overshadow or be overbearing to the occupiers of existing properties.

Areas of undeveloped land adjoin the Application site to the north, south and east. As referenced in the planning history section of this report, the Council are processing an Application for an affordable housing development which immediately adjoins the southern boundary of the store. Although submitted in 2023, the Application remains undetermined, awaiting the submission of evidence to justify the provision of housing on land allocated for employment purposes. Whilst it remains uncertain as to whether a consent will be issued for the development, some consideration must be given to the impacts given that an application is before the Council. Similarly, the land to the north of the site is part of the wider allocation for employment, (ENT1 (3) refers), but has been acquired by the Council to facilitate a new school development. No scheme has been submitted but design work is well advanced, and it is expected that an application will be submitted in the new year. In such circumstances, little weight can be afforded to impacts on the proposed school development although there has been some dialogue between the respective developers, and the Education Department have no objection to the latest drawings.

**Figure 6** below is a composite plan that shows the retail development and its relationship to the



adjoining sites, including the existing areas of housing. This is for information purposes only and is based on indicative positions of the proposed housing and school development which could be the subject of change:



**Figure 6 - Composite Plan showing the relationship of the Aldi Foodstore to the existing and proposed land uses**

From the above Figure 6, Members should be able to better understand the relationship of the new foodstore (centre of the site), to the existing housing to the south and west, (black and white map background). The coloured areas are the school site to the north and proposed housing to the south of the site.

Existing residents, in their objections, have suggested that the development will affect living conditions through additional lighting, noise, (servicing, deliveries, additional traffic etc), a loss of privacy, and encouraging antisocial behaviour around the access and site car park.

Although this undeveloped land has provided some informal recreation, it has been allocated for development over a number of years and in various iterations of the Local Authority's development plans. Notwithstanding the land's development potential, it is appropriate to consider the impact of this scheme on the living conditions of existing residents which will principally be the noise from the additional traffic (customers, delivery and servicing vehicles) and lighting.

The submitted noise assessment has considered the following:

- Noise from fixed mechanical services plant
- Noise from servicing activity
- Noise from car parking activity

The noise survey has considered the closest existing residential properties to the west (Ffordd Cadfan) and south (Cae Cenydd) but, in accordance with advice offered by colleagues in SRS, has assessed the impact on the proposed housing to the south. The report concludes that the



*“Aldi development could proceed without the likelihood of noise from subsequent operations giving rise to significant adverse impact on the basis of the following operating hours: Trading: 0700 to 2300 hours and Deliveries: 0700 to 2300 hours”.* The survey report also recommends control to noise from fixed plant and equipment.

SRS note that the predicted noise levels are compared against background levels of 50dB LA90 daytime and 45dBA at night at the exiting residential receptors, (Cae Cenydd), whilst at Ffordd Cadfan, the typical background noise levels are 40 dB daytime and 30 dB at night. The noise survey was based on sample measurements at the monitoring locations over a 13-hour period. However, a noise survey has also been undertaken at the proposed residential site to the south by a different acoustic consultancy which show that typical background LA90 levels are lower at Cae Cenydd during the day, with the representative LA90 being 37dBA day and 31dBA at night.

Colleagues in SRS have compared the predicted noise levels in the respective reports and recommend that a 1.8m high acoustic barrier is provided along the southern and eastern boundary to mitigate the noise from the car park and deliveries. The boundary treatment drawing submitted with the Application indicates a 1.8m close boarded timber fence on these respective boundaries but that will need to be upgraded to include acoustic properties. The Applicant's agent has expressed a reluctance to provide this form of noise mitigation on the basis that the Application for the proposed residential development is still under consideration and has not been approved. It is however considered a reasonable upgrade that would benefit not only the occupiers of existing properties on Cae Cenydd but also any future development.

Inevitably, the development will result in some noise and disturbance compared to the current situation but, given the site's allocation for employment uses and the noise mitigation that can be secured through the consent, the adverse impacts can be avoided and the living conditions of existing residents can be reasonably safeguarded in this regard. If the decision of the Committee is to grant planning permission for the foodstore, it may be necessary to review the relationship of the proposed housing to this development site as part of the outstanding Application, P/23/348/FUL. Noise is less of a consideration in terms of the development of a school on land to the north.

The Design and Access statement suggests that external lighting is part of the multiple deterrents to prevent crime and discourage any antisocial behaviour within the site and its environs. LED lighting is proposed throughout the site. Outside trading hours when restocking is taking place, lighting levels are dropped by two thirds. Lights are turned off when the store is unoccupied except for security lighting. All external lighting will be designed in accordance with guidance set out by the Institute of Lighting Engineers, to reduce the detrimental effects of night-time light pollution. Based on this information, there is no evidence to suggest that light pollution will be a significant factor. A condition will however be imposed that will require any complaints of light spillage to be investigated and mitigation provided if it is established that a nuisance exists. This will address the Council's Policies and guidelines.

Recognising that air quality could be affected during the construction and operational phases of the proposed development, an Air Quality Assessment has accompanied the Application. It concludes that for the development, limited releases of dust and particulate matter are likely to be generated from on-site activities. However, through good site practice and the implementation of suitable mitigation measures, the impact of dust and particulate matter releases may be effectively mitigated, and the resultant impacts are negligible. The impact of the traffic associated with the operation of the foodstore is also considered to be negligible. A review of baseline air quality monitoring data indicates that NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations in the vicinity of the Site are likely to be well below the relevant air quality objectives. Based on the report, impacts on air quality will not pose a constraint to this Development, either during construction or once operational.

Promoting community safety in accordance with *Secured by Design* principles is a requirement of Policy SP3 and, indeed, Local Authorities are under a legal obligation to consider the need to

prevent and reduce crime and disorder in all decisions they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. As indicated above, the store layout has been designed with multiple deterrent factors to prevent crime and discourage any antisocial behaviour within the site. The private service area to the rear of the building along the north-east boundary will be covered by CCTV mounted to the building. An external lighting scheme will provide a uniform level of lighting across the site. Boundary treatments have also been designed to strike a balance between maintaining an open site and providing adequate security. To address concerns about the active travel provision for this site, a new route will be created in the alignment shown in **Figure 5** of this report. It will immediately adjoin the car park at the southern side of the site and will then pass through undeveloped land between the site and the rear of existing businesses on Main Avenue on Brackla Industrial Estate. Vegetation on an existing embankment will separate the illuminated route from the rear boundaries of the businesses and, should the school land be developed in the future, the route will be enclosed. Overall, the design and position of the route should not compromise the security of the businesses and undermine the site's allocation for employment uses.

Based on the plans and technical submissions, it is considered that the development will minimise opportunities for crime to be generated or increased, whilst promoting community safety in accordance with *Secured by Design* principles. Furthermore, subject to conditions, the development will not create adverse impacts in terms of noise and air pollution and will offer sufficient protection to the viability and amenity of neighbouring uses, (existing and proposed).

**The acceptability of the design/layout of the development on the character and appearance of the area and to what extent could any impacts be mitigated through planning controls**

The architectural design of the food store is that of a single storey contemporary building on a brownfield site. The context for the development is predominantly commercial, lying adjacent to and within the allocation for employment uses, (Brackla and Litchard Industrial Estate), although the introduction of areas of new housing to the south and west in recent years has added a constraint to the development of this site. The designer suggests there is no particular vernacular or material which is dominant in this suburb area of Bridgend town but has offered a standard store design with dark metal cladding and glazing that draws more reference to the buildings on the industrial estate. The building will achieve a reduction in CO<sub>2</sub> emissions compared to Building Regulation compliant developments, through the incorporation of the principles of the Energy Hierarchy and the combination of passive measures, including building fabric design improvements and the utilisation of zero and low carbon technologies. Whilst this is all welcomed, the building will have a dark, heavy industrial feel, with the only relief being offered by sections of glazing that wraps around the corner of the building. There are examples online where Aldi have responded to context in a slightly more positive way, with the use of materials that add visual interest whilst '*giving a nod to*' the vernacular of a given area. In terms of local vernacular, render and stone, (pennant sandstone and certain limestones), are generally regarded as the most appropriate finishes. A condition will be imposed requiring a revised scheme of elevational treatment that will hopefully introduce a wider palette of finishes. This should ensure that the development achieves the high standard required by local planning policy.

**Whether the proposed development will result in any significant loss of habitats or populations of species and whether the scheme will provide a net benefit for biodiversity**

In assessing a planning application, the Local Planning Authority must seek to maintain and enhance biodiversity in the exercise of its 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 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.*”

Policies SP3 & DNP8 of the adopted Bridgend Replacement Local Development Plan (2024), requires development to safeguard and enhance biodiversity and integrate multi-functional green infrastructure networks. All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through the planning submission. 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. 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 DNP 6 refers).

Objections regarding the devastation of the natural environment and the loss of habitat have been offered.

The submitted Arboricultural Impact Assessment identifies the partial removal of a group of Alder trees close to the site entrance. Their loss is unavoidable but their quality is low. Compensatory tree planting will be provided on the site. All other trees on site (a limited number), will be protected during the construction stage, in accordance with a detailed Arboricultural Method Statement (AMS) to be secured by planning condition should consent be granted.

The submitted Ecological Impact Assessment (**EcIA**) describes the site as an area of land that has become vegetated with rough grassland, dense scrub and scattered immature trees. A parcel of broadleaved woodland occurs approximately 150m to the south but beyond the site boundaries. The EIA has been informed by detailed data search of biological records; and an Extended' Habitat Survey including a reptile survey.

The EcIA acknowledges that the development will result in the complete loss of habitats of “*negligible ecological importance on the site.*” The site has limited potential to support protected and notable species specifically foraging bats, nesting/foraging birds, badger, hedgehog and common toad. Accordingly, no further surveys were undertaken for these species. There is however suitable habitat on the site for reptiles and the presence of mitigation fencing could indicate historical ecology work for reptiles. Reptile surveys were undertaken in April 2023 and found small populations of slow worm and common lizard on -site of local ecological importance

The scheme will however seek to increase biodiversity and enhance opportunities for wildlife post development in line with relevant policy, achieved through new landscape and tree planting which will comprise a mix of native species and those of known wildlife importance that will seek to provide a net gain in biodiversity post – development. Prior to commencement of works on - site, these reptiles will need to be relocated/translocated. A separate reptile mitigation plan will be agreed as part of a planning condition. Precautionary measures will also be followed to protect breeding birds, common toad, badger and hedgehog during the enabling and construction phases. These measures will be implemented and controlled via a Construction and Environmental Management Plan (**CEMP**). Habitat creation and enhancement, including tree and shrub planting, new native hedgerow and creation of Sustainable Urban Drainage Systems ( SuDS ) with marginal vegetation, will ensure the proposals on site contribute towards providing gains for biodiversity and opportunities for protected and priority species . Pollution prevention measures will be implemented to protect the watercourse.

Through the agreement of a Reptile Mitigation Strategy and Landscape and Ecological Management Plan (**LEMP**), a mitigation and enhancement strategy to maximise the biodiversity potential of the created habitats can be delivered. In the opinion of the Applicant's ecological consultant this would ensure that the development is in conformity with relevant national policy and legislation.

Natural Resources Wales in their consultation response noted the presence of common reptiles on site but have deferred to the Council's Ecologist who has offered no adverse comments to the development proposal and has been in discussions with the developers regarding the identification of a site for the translocation of the reptiles. A location has been agreed and will be detailed within the Reptile Mitigation Strategy.

Overall, subject to the proper discharge of the recommended conditions, the development will mitigate its impact on habitat and species; will provide an alternative location for the translocation of reptiles and will create new habitats on site that will provide a net biodiversity gain in compliance with national and local planning policies.

### **Whether site drainage requirements or ground conditions will affect the development of the site**

As the Application was submitted prior to 31st March 2025, the advice set out in TAN 15 2004 remains applicable to the assessment of the scheme. The site lies outside any Flood Zone and being a retail development falls within the "*Less vulnerable development*" category.

Further advice at paragraph 8.2 in TAN 15 2004 states that "*Built development ... tends to increase the surface area of impermeable ground, thus reducing percolation and increasing rapid surface run-off.*" ... "*SuDs can perform an important role in managing run-off from a site and should be implemented, wherever they will be effective, in all new development proposals, irrespective of the zone in which they are located.*"

Criteria g), l) and m) of Policy SP3 require that development must avoid or minimise soil and water pollution, incorporate appropriate arrangements for the disposal of foul sewage, waste and water, and respond to the climate emergency by protecting and increasing the resilience of both ecosystems and communities to address the inevitable effects of climate change.

Policy SP4 point 7) requires development proposals to address the causes and effects of climate change through [among other means] "*...avoiding development that increases the risk of flood, including through the deployment of sustainable urban drainage systems where relevant.*"

Consultants acting on behalf of Aldi have produced a Flood Consequences Statement and Drainage Strategy confirming that all surface water drainage for the proposed ALDI site, access road and active travel route will be developed and approved under SAB Applications separate to the planning process. Generally, it is anticipated that surface water generated within the ALDI plot will discharge from the site at a restricted rate to the watercourse approximately 40m to the west. The system will be designed to have enough storage capacity to prevent flooding for all storm durations up to and including the 1 in 30-year return period event, plus a 40% increase in rainfall intensity as allowance for climate change. Any surface water flooding will be retained on the site during these storm events, via ponding on the car park and lorry ramp. Any ponding will not affect the proposed building or access/egress routes.

The surface water drainage system for the ALDI site will only serve the ALDI property, therefore will not be offered for adoption to the SAB. The design of the private drainage will be developed in accordance with the requisite standards, including current Building Regulations Approved Document Part H. Run-off from the access road will similarly discharge to the watercourse at a restricted rate, with the detailed design and SAB Application. It is anticipated that any precipitation falling on the active travel route will be allowed to infiltrate directly to the ground

It is proposed to discharge the foul water from the proposed development to the existing DCWW

foul sewerage network in the land to the north. The connection to the foul drainage will be subject to a Section 106 direct connection agreement with Dŵr Cymru Welsh Water. Further discussion with DCWW is required to confirm the final arrangements.

Dwr Cymru Welsh Water and the Council's Land Drainage Team have considered the drainage strategy and have no objections subject to conditions and the recommended advisory notes.

The site is crossed by a trunk / distribution main with the approximate position(s) being marked on the public watermain record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the proposed site plan, it appears the proposed development would be situated outside the protection zone of the public trunk / distribution measured 3.6 metres either side of the centreline and therefore acceptable in principle. Notwithstanding this, given the protection zone is located within the site boundary, it is still recommended that the developer contact DCWW to carry out a survey to verify the location of the asset and establish the relationship to the proposed development.

In terms of ground conditions, 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.

Natural Resources Wales and the Shared Regulatory Services (**SRS**) Environment Team note that the site has been identified as formerly in commercial/military use. Activities associated with this use may have caused the land to become contaminated and may give rise to potential risks to human health and the environment for the proposed end use. The inclusion of conditions requiring contamination assessment and any necessary remediation will be imposed.

#### **Whether the development would have any impact on any archaeological remains**

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. The site is located within an Archaeologically Sensitive Area and Conservation Area of Coity as defined by Policy SP18(3) Conservation of the Historic Environment of the RLDP.

Policy SP18 states that development proposals must protect, conserve, and, where appropriate, preserve and enhance the significance of historic assets, including their settings. Development proposals will only be permitted if they preserve or enhance the character of the area.

Heneb (formerly known as 'Glamorgan Gwent Archaeological Trust'), in their response to the Application and submitted archaeological impact assessment, confirmed that, *'Information in the Historic Environment Record indicates that the Application area is located in an area of archaeological potential. Accordingly, following pre-Application consultation, an archaeological impact assessment has been carried out by Foundations Heritage (report no. 1576, dated September 2023). The report indicates that 'despite the clear indications of deep disturbance, it is possible that islands of ground where no deep excavation took place do survive within the site. If further buried heritage assets do survive within these hypothetical areas, they would most likely be deep-cut features of low or moderate significance, depending on their nature and ability to contribute to regional or national research frameworks. The presence of heritage assets of high significance cannot, however, be entirely ruled out, but is considered extraordinarily unlikely.'* Furthermore, despite a negative evaluation trench excavated in 2013, it is possible that below-ground remnants of the Royal Ordnance Factory persist.

*Overall, there is the potential for encountering archaeological material during the course of the*

*proposed works, although we note the disturbed nature of the ground. As a result, we do not consider pre-determination evaluation appropriate in this particular case. Rather it is our recommendation that a condition requiring the Applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your members. This is consistent with previous recommendations in the area.*

*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 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.'*

## **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, adopted in March 2024. 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.

The principle of developing this site for retail purposes is acceptable notwithstanding the site's allocation for employment uses in the Bridgend Replacement Local Development Plan (2024). Furthermore, the impact of the development on established retail centres is not so significant as to warrant a refusal of planning permission. Through negotiation, the scheme will now deliver an active travel link that will improve connections to and from the site whilst providing wider benefits to the community. Subject to conditions, the proposed access, parking and turning facilities are acceptable and the impacts on the living conditions of the occupiers of the nearest residential properties can be protected. Impacts on the sites biodiversity are limited and the requirements of Policy including for a net biodiversity gain will be secured through the translocation of existing species and the delivery of new habitats.

Matters relating to ground conditions, site drainage and the protection of any archaeological remains can also be secured by conditions.

The development therefore accords with Policies SP3, SP4, SP5, PLA11, SP10, SP11, ENT1, ENT2, SP12, ENT9, 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.

**RECOMMENDATION:** That permission be **GRANTED** subject to the following conditions:

1.	Subject to the requirements of other conditions attached to this permission the
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	<p>development shall be carried out in accordance with the following list of approved plans and in accordance with the recommendations and measures contained within the following approved supporting documents:</p> <p>Plans &amp; Drawings</p> <ul style="list-style-type: none"> <li>• Site Location Plan (Drawing Ref. 210053-9100 Rev P04)</li> <li>• Existing Site Plan (Drawing Ref. 210053-9200 Rev P06)</li> <li>• Existing Site Sections (Drawing Ref. 210053-9250 Rev P03)</li> <li>• Proposed Site Plan @ Scale of 1:500 (Drawing Ref. 210053-9305 Rev P03)</li> <li>• Proposed Site Plan @ Scale of 1:250 (Drawing Ref. 210053-9315 Rev P04)</li> <li>• Proposed Hard Landscaping (Drawing Ref. 210053-9325 Rev P02)</li> <li>• Proposed Boundary Treatment (Drawing Ref. 210053-9335 Rev P02)</li> <li>• Proposed Floor Plan (Drawing Ref. 210053-9350 Rev P04)</li> <li>• Proposed Roof Plan (Drawing Ref. 210053-9360 Rev P02)</li> <li>• Proposed Elevations (Drawing Ref. 210053-9400 Rev P05)</li> <li>• Proposed Building Sections (Drawing Ref. 210053-9410 Rev P04)</li> <li>• Proposed Site Sections (Drawing Ref. 210053-9450 Rev P06)</li> <li>• Proposed Building Materials (Drawing Ref. 210053-9910 Rev P02)</li> <li>• Hard Landscaping Materials (Drawing Ref. 210053-9920 Rev P01)</li> <li>• Proposed Street Furniture (Drawing Ref. 210053-9930 Rev P01)</li> <li>• Proposed Boundary Treatment (Drawing Ref. 210053-9940 Rev P02)</li> <li>• Soft Landscaping Proposals Plan (Drawing Ref. 15331/P02 Rev D)</li> <li>• Proposed Eastern Active Travel Route @ Scale of 1:250 (Drawing Ref. 210053-9340 Rev P01)</li> <li>• External Lighting Plan for Store (Drawing Ref. P151-431-C), and</li> <li>• External Lighting Plan for Active Tavel Route (Drawing Ref. P151-431-C),</li> </ul> <p>Documents:</p> <ul style="list-style-type: none"> <li>• Design &amp; Access Statement (Document Reference: 2100053-9800 Version P6, November 2023)</li> <li>• Environmental Noise Assessment (Document Reference: R1(final)-28.2.23-Aldi Brackla Bridgend 2321691-KJM)</li> <li>• Flood Consequences Statement and Drainage Strategy (Document Reference: 11382w0002c, October 2025)</li> <li>• Ecological Impact Assessment (Document Reference:15331_R01b_RW_CW)</li> <li>• Arboricultural Impact Assessment (Document Reference:15331_R02b_MBWS_LB)</li> <li>• Energy Statement (Document Reference: SOL_23_S048_AL-CA Rev 3)</li> <li>• Air Quality Assessment (Document Reference: E3530)</li> <li>• Archaeological Impact Assessment (Document Reference: 1576)</li> <li>• Store Waste Management Plan (Document Reference: 210053-9850-P01), prepared by Kendall Kingscott Ltd, August 2023</li> <li>• Travel Plan</li> <li>• Green Infrastructure Statement (Document: 15331_R03a_CS)</li> </ul> <p>Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the Application.</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 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</p>

	<p>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>Notwithstanding the plans and documents agreed in condition 1 of this consent, no works shall commence on the construction of the building on site 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 has 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.</p> <p>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 Policy SP3 of the Bridgend Replacement Local Development Plan (2024)</p>
4.	<p>Notwithstanding the plans and documents agreed in condition 1 of this consent, no development shall commence on site until a scheme for the provision of a 3m pedestrian/cycle route in a 4m corridor linking the site access roundabout to Main Avenue, Brackla Ind Est has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall incorporate a scheme of illumination and be supported by Pedestrian and cycle Audits. The route shall be completed in permanent materials in accordance with the approved scheme prior to the store being brought into beneficial use and retained thereafter in perpetuity.</p> <p>Reason: In the interests of promoting active travel, sustainable transport and highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024).</p>
5.	<p>Notwithstanding the plans and documents agreed in condition 1 of this consent, no development shall commence in respect of the access road until a scheme of horizontal and vertical alignment details together with localised widening on bends, street lighting, traffic signing and road markings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be supported by a Stage 2 Road safety Audit and shall be implemented as agreed in permanent materials before the development is brought into beneficial use.</p> <p>Reason: In the interests of highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024).</p>
6.	<p>No development shall take place, including any works of site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the site clearance/ construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. The timing and routeing of HGV construction traffic to/from the site</li> <li>ii. the parking of vehicles of site operatives and visitors</li> </ul>



	<ul style="list-style-type: none"> <li>iii. loading and unloading of plant and materials</li> <li>iv. storage of plant and materials used in constructing the development</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. the provision of temporary traffic and pedestrian management at the Princess Way roundabout and Main Avenue, Brackla Ind Est</li> </ul> <p>Reason: In the interests of highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024).</p>
7.	<p>Notwithstanding the submitted drawings, no development shall commence until a scheme for the provision of a maximum of 118 off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area 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 promoting active travel, sustainable transport and highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024).</p>
8.	<p>Notwithstanding the submitted drawings, no development shall commence until a scheme for the provision of 4 long stay cycle parking stands (8 cycle spaces) and 4 short stay cycle parking stands (8 cycle spaces) has been submitted to and approved in writing by the Local Planning Authority. The stands shall be implemented before the development is brought into beneficial use and retained as such thereafter.</p> <p>Reason: In the interests of promoting active travel, sustainable transport and highway safety and to ensure the development is compliant with Policies SP3 and SP5 of the Bridgend Replacement Local Development Plan (2024).</p>
9.	<p>Prior to the development being brought into beneficial use, a 1.8 m acoustic barrier shall be installed along the southern boundary (between the car park area and proposed residential receptors) and along the eastern boundary. The barrier shall have a minimum mass density of 10kg/m<sup>2</sup> per unit area and be imperforate with have no gaps. The construction and design details of the barrier shall be submitted to and agreed with the Local Planning Authority prior to it being installed. The barrier shall be implemented as agreed and shall be maintained and retained for as long as the development remains in existence.</p> <p>Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
10.	<p>No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition, are submitted to and approved in writing by the local planning authority. The rating level of the sound emitted from the site shall not exceed 37dBA between 0700 and 2300 hours, and 31dBA at all other times. The sound levels shall be determined by measurement or calculation at the nearest noise sensitive premises (identified within the Sharps Redmore noise report, reference 2321691, dated 28.2.23). The measurements and assessment shall be made according to BS 4142:2014+A1:2019. The details submitted to the Local Planning Authority shall include a noise report demonstrating that this rating level will be achieved.</p> <p>Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects</p>

	in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024)
11.	<p>Within 21 days of receipt of a written request from the Local Planning Authority (LPA), following a complaint to the LPA relating to noise emissions arising from the operation of the fixed plant and machinery serving the development, the site operator shall provide a written protocol for the assessment of the noise levels to the Local Planning Authority for approval. The written protocol shall be produced by an independent acoustic consultant. Within 2 months of the protocol being approved, the noise assessment shall be undertaken in accordance with the agreed protocol and shall be submitted to the Local Planning Authority unless written consent is granted to any variation. The assessment shall include all data collected for the purposes of undertaking the compliance measurements and analysis. The assessment shall propose further noise mitigation measures and any additional mitigation required as a result of the above shall be installed on site within 1 month of the date of submission of the report unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>
12.	<p>Deliveries to the approved foodstore shall be restricted to between the hours of 07.00-23.00 hours</p> <p>Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024)</p>
13.	<p>Trading hours of the approved foodstore shall be restricted to 07.00-22.00 hours.</p> <p>Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024)</p>
14.	<p>Trolleys should be of the 'coin operated type' (to deter customers from abandoning their shopping trolleys).</p> <p>Reason: To ensure that the proposed acoustic screen adequately mitigates noise effects in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024)</p>
15.	<p>Prior to the installation of lighting on the site, full details of a lighting monitoring scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting monitoring scheme shall include:</p> <ul style="list-style-type: none"> <li>• Measures to monitor light spillage once the development is in operation,</li> <li>• Detail of consistent/accurate method to record light levels in proximity to sensitive features</li> <li>• Details of remedial measures and additional monitoring should light levels not be within the required levels</li> </ul> <p>The lighting monitoring scheme shall be implemented as agreed.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation in accordance with Policies SP3, SP17 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
16.	Should the Local Planning Authority make such a request in writing, a post-operation

	<p>survey shall be undertaken and submitted to the Local Planning Authority within one month of such request being made to demonstrate that the lighting does not exceed the approved specifications. If the survey demonstrates that it does not meet the approved specifications, any remedial action necessary to achieve such approved levels shall be undertaken within one month of such request being made in writing by the Local Planning Authority.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation in accordance with Policies SP3, SP17 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
17.	<p>No development shall commence on site until a Reptile Translocation &amp; Mitigation Method Statement has been submitted to and agreed in writing by the Local Planning Authority. The statement will clearly outline how the reptiles on site will be conserved, protected and translocated. The recommendations in the statement should be informed by the Ecological Impact Assessment by Tyler Grange (October 2025) and shall be implemented before any construction works commence on site.</p> <p>Reason: To protect biodiversity in accordance with Policies SP3, SP17 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
18.	<p>No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:2012</p> <ul style="list-style-type: none"> <li>(i) An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.</li> <li>(ii) A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically. The development shall be carried out in full conformity with the approved AMS and TPP.</li> </ul> <p>Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape, the measures for their protection and to monitor compliance in accordance with Policies SP3 and DNP7 of the Bridgend Replacement Local Development Plan (2024).</p>
19.	<p>No development shall commence on site (including demolition ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:</p> <ul style="list-style-type: none"> <li>• Risk assessment of potentially damaging construction activities</li> <li>• Identification of 'biodiversity protection zones'</li> <li>• A method statement for eradicating invasive species in accordance with best practice guidance</li> <li>• Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction</li> <li>• The location and timing of sensitive works to avoid harm to biodiversity features</li> <li>• The times during construction when specialist ecologists need to be present on site to oversee works</li> </ul>

	<ul style="list-style-type: none"> <li>• Responsible persons and lines of communication</li> <li>• The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</li> <li>• Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details.</p> <p>Reason: To protect biodiversity and the amenities of adjoining occupiers in accordance with Policies SP3, SP17 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
20.	<p>No development shall take place (including demolition, ground works, vegetation clearance) until the Landscape Ecological Management Plan (LEMP) has been submitted to and agreed in writing by the Local Planning Authority. The LEMP shall include the following:</p> <ol style="list-style-type: none"> <li>a) Description and evaluation of features to be managed.</li> <li>b) Ecological trends and constraints on site that might influence management.</li> <li>c) Aims and objectives of management.</li> <li>d) Appropriate management options for achieving aims and objectives including mitigation detailed in the ecology report submitted with the Application namely that for: <ul style="list-style-type: none"> <li>• replacement habitat through new tree planting and the use of Sustainable Urban Drainage Systems (SuDS)</li> <li>• eradication of invasive species</li> <li>• badgers</li> <li>• bats</li> <li>• birds</li> <li>• Reptiles and other species</li> </ul> </li> <li>e) Prescriptions for management actions</li> <li>f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)</li> <li>g) Details of the body or organisation responsible for implementation of the plan</li> <li>h) On-going monitoring and remedial measures.</li> </ol> <p>The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.</p> <p>The site shall be developed in accordance with the agreed details.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation in accordance with Policies SP3, SP17 and DNP6 of the Bridgend Replacement Local Development Plan (2024).</p>
21.	<p>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.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>

22.	<p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</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 in accordance with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
23.	<p>No development shall commence until details of piling or any other foundation 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 in accordance and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
24.	<p>No infiltration of surface water drainage into the ground Site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.</p> <p>Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
25.	<p>Prior to the commencement of the development 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,</li> <li>- 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 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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
26.	<p>Prior to the commencement of the development 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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
27.	<p>The remediation scheme approved by condition 26 above 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 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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
28.	<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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
29.	<p>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.</p> <p>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.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
30.	<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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>

31.	<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 and to comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).</p>
32.	<p>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.</p> <p>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 and to comply with Policies SP3 and SP18 of the Bridgend Replacement Local Development Plan (2024).</p>
33.	<b>The following are ADVISORY NOTES and not planning conditions:</b>
A	<p>Reasons for Granting Planning Permission:</p> <p>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) 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.</p> <p>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.</p> <p>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.</p> <p>The principle of developing this site for retail purposes is acceptable notwithstanding the site's allocation for employment uses in the Bridgend Replacement Local Development Plan (2024). Furthermore, the impact of the development on established retail centres is not so significant as to warrant a refusal of planning permission. Through negotiation, the scheme will now deliver an active travel link that will improve connections to and from the site whilst providing wider benefits to the community. Subject to conditions, the proposed access, parking and turning facilities are acceptable and the impacts on the living conditions of the occupiers of the nearest residential properties can be protected. Impacts on the sites biodiversity are limited and the requirements of Policy and a net biodiversity gain will be secured through the translocation of existing species and the delivery of new habitats.</p> <p>Matter relating to ground conditions, site drainage and the protection of any archaeological remains can also be secured by conditions.</p>



	<p>The development therefore accords with Policies SP3, SP4, SP5, PLA11, SP10, SP11, ENT1, ENT2, SP12, ENT9, SP17, DNP6, DNP7, DNP8, DNP9 and SP18 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12.</p> <p>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.</p>
B	<p>Highway Matters:</p> <p>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:</p> <ul style="list-style-type: none"> <li>• obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;</li> <li>• indemnify the County Borough Council against any and all claims arising from such works;</li> <li>• give not less than one calendar months' 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</li> </ul>
C	<p>BCBC Land Drainage:</p> <p>To satisfy the <b>condition 21</b> , the Applicant must:</p> <ul style="list-style-type: none"> <li>• Provide foul and surface water drainage layouts</li> <li>• Provide a full topographic level survey from the development site along the proposed surface water sewer to the disposal location</li> <li>• Provide confirmation that the proposed surface water sewer will drain under gravity only and be self-cleansing</li> <li>• Provide agreement in principle from DCWW for foul and surface water disposal to public sewers, if required</li> <li>• Provide written confirmation from landowner granting access where new pipelines cross 3rd party land for easements to allow for future maintenance access</li> <li>• Provide hydraulic calculations confirming development site has attenuation sized to accommodate a 1 in 100 year + 30% CC storm event</li> <li>• Provide hydraulic calculations to confirm the site does not flood during a 1 in 100 year + 30% CC event</li> <li>• Submit an ordinary watercourse consent to BCBC land drainage for works to ordinary watercourses</li> <li>• Provide a construction environmental management plan (CEMP) outlining how surface water runoff and sediment/pollution runoff will be managed during the construction phase <ul style="list-style-type: none"> <li>○ Confirm how surface water will be disposed for the shared access road</li> <li>○ Provide a surface water drainage layout for the shared access road</li> <li>○ Provide hydraulic calculations confirming the shared access road has attenuation sized to accommodate a 1 in 100yr + 30% CC storm event</li> </ul> </li> <li>• Submit a sustainable drainage Application form to the BCBC SAB</li> <li>• No surface water is allowed to discharge to the public highway.</li> <li>• No land drainage run-off will be permitted to discharge (either directly or indirectly) into the public sewerage system.</li> </ul>

D	<p>Dwr Cymru Welsh Water:</p> <p>In accordance with Planning Policy Wales (Edition 11) 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 the Applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.</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 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. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.</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. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p> <p><b>WATER SUPPLY</b></p> <p>We anticipate this development will require the installation of a new single water connection to serve the new premises. Capacity is available in the water supply system to accommodate the development. The Applicant will need to apply to Dwr Cymru Welsh Water for a connection to the potable water supply system under Section 45 of the Water industry Act 1991. The Applicant attention is drawn to our new water connection Application guidance notes available on our website.</p>
E	<p>SRS – Environment Team:</p> <p>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</p> <ul style="list-style-type: none"> <li>(i) determining the extent and effects of such constraints</li> <li>(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</li> </ul>

	<p>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>
F	<p>The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (<a href="http://www.archaeologists.net/codes/ifa">www.archaeologists.net/codes/ifa</a>) and it is recommended that it is carried out either by a CIfA Registered Organisation (<a href="http://www.archaeologists.net/ro">www.archaeologists.net/ro</a>) or an accredited Member.</p>
G	<p>South Wales Police have considered this Application and do not object to it but would ask that the following recommendations are taken into considerations.</p> <p>The boundary of the site must be clearly defined.</p> <p>The delivery/service yard should be protected by perimeter security, i.e., fencing and gates.</p> <p>The gates and fencing should be at least 2.4 metres in height, weldmesh or expanded metal and designed to be difficult to scale. Fencing should preferably meet the standard LPS 1175 SR1 or equivalent as should the gates.</p> <p>Gates should have access control fitted.</p> <p>Vehicle access onto site must be prevented, by for example a barrier, when the store is unoccupied to prevent access by persons intent on illegally occupying the site for prolonged periods of time.</p> <p>Where there is a risk of motor vehicles being used to attack premises, the following standards for secure bollards are: Fixed bollards should have been successfully tested to PAS 68-1:2010 Performance specifications for vehicle security barriers – fixed bollards Rising Bollards should have been successfully tested to PAS 68-2:2010 Performance Specification for vehicle security barriers – rise and fall bollards 29.2 PAS 69:2013 provides guidance on the appropriate selection, installation and use of such bollards and should be referenced in the first instance. 29.3 Other measures may be considered to address the use of vehicles to commit crimes in commercial settings, for example substantial planting boxes or raised kerbs.</p> <p>Consideration should be given for the outside of the building, the car parking areas, the main entrances into the building, the delivery/ service area, warehouse, the aisles in the store and checkouts to be protected by CCTV. Ideally the CCTV would be monitored.</p>

The CCTV cameras should be in elevated positions and the images produced must be admissible in a court of law.

Whilst the location of cameras is a site-specific matter it would be normal practice for the system to observe all vehicular and pedestrian entrances. Early discussions with an independent expert and potential installers can resolve a number of matters including: monitoring and recording requirements activation in association with the intruder alarm requirements for observation and facial recognition/identification areas to be monitored and field of view activities to be monitored the use of recorded images maintenance of equipment and the management of recording subsequent ongoing training of operatives 35.5 CCTV systems must be installed to BS EN 50132-7: CCTV surveillance systems for use in security Applications.

CCTV systems should be registered with the Information Commissioner's Office (ICO) and be compliant with guidelines in respect to Data Protection and Human Rights legislation. Further information is available at this website: [www.ico.org.uk](http://www.ico.org.uk)

Specifiers are reminded that there will be a requirement for a data controller to ensure compliance with the GDPR. The data controller must ensure that all CCTV images that can be used to identify individuals are used, stored and disclosed in line with the GDPR principles.

Signs must be prominently sited advertising the fact that CCTV cameras are operating if CCTV is installed.

Clear details of opening/closing times should also be displayed.

The lighting must be situated in elevated positions to prevent vandalism.

Bollard lighting is not recommended by Secured by Design as it does not give an even spread of light.

Any planting near lighting should be maintained and be of a type that does not grow more than 1 m. Any trees should be trimmed up to 2 m to allow natural surveillance through the site.

Trees and other landscaping features must not be positioned where they could create hiding/entrapment spaces, obscure signage, lighting or CCTV, or provide a potential climbing aid onto the building.

Parking areas should be covered by a maintenance plan, to ensure planning is maintained as above.

Bollard lighting should not be used in parking areas as it does not give a uniform spread of light.

Waste disposal areas must be secure areas and ideally located away from the building. The plans show that the waste collection area is in a secure yard.

Install a robust access control system that control access to the doors to the bin area either a fob or digital lock.

Ensure the CCTV system extends to all doors.

Rainwater down pipes can provide a convenient scaling aid onto roofs. Rainwater

pipes should be either flush fitting (i.e., square profile) or concealed within the cavities of the building.

The building must be constructed of materials that are resistant to attack. The first two metres of the external walls must be brickwork or materials of a similar strength.

Glazed curtain walling must be installed using a secure glazing retention system. The method of retaining the glass must include one or more of the following: Security glazing tape Dedicated security sealant or gasket A secure mechanical fixing system (Evidence will be required to prove the system is secure. This may be achieved by utilising the specific glazing retention test within PAS 24:2022 or PAS 24:2016 or by an indicative test on the retention system to LPS 1175 Security Rating 1 or STS 202 Burglary Resistance 1)

Attack resistant glazing is required where the glazing is easily accessible.

Lightweight roofing systems must be certified to a minimum of: LPS 1175 Issue 7 Security Rating 1, or LPS 1175 Issue 8 Security Rating A1, or STS 202 Burglary Resistance 1, or STS 222 Issue 2, or LPS 2081 Issue 1

All external doors and internal doors protecting rooms where valuable property or information is stored, should as a minimum level of security where possible meet Secured by Design (SBD) standards. In this instance LPS 1175 SR2 or equivalent or be manufactured to meet these standards would be the recommendation.

Consideration should be given to providing additional security to external doors by installing shutters or grilles that again meet SBD standard LPS 1175 SR2 or equivalent, if the store is not staffed 24 hours a day, 365 days of the year.

Glass in door panels or adjacent to door panels should be laminated.

All vertical lift doors/ roller shutter doors fitted must be locked in place, internally and externally, when the building is unoccupied.

In respect of operating mechanisms external fittings must be avoided. Internal mechanisms must be secure and sited away from the door openings.

Fire doors must not have external door furniture fitted and be up to SBD standards. They must also be alarmed. Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for both security and fire performance.

Doors must be protected against ram raiding.

All external windows and roof lights should be possible meet SBD standards, e.g., LPS 1175 SR2, PAS 24 2016 or equivalent, or be manufactured to meet these standards. Consideration should be given to providing additional window security to

vulnerable windows by installing shutters or grilles that again meet SBD standard LPS 1175 SR2 or equivalent if the store is not staffed 24 hours a day, 365 days of the year.

All glass in external windows should be laminated - at least 6.8 millimetres thick.

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

**Background Papers**  
None.

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## Appeals

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

<b>APPEAL NO.</b>	2044
<b>APPLICATION NO.</b>	P/25/438/FUL
<b>APPELLANT</b>	A PHILLIPS
<b>SUBJECT OF APPEAL</b>	REMOVAL OF EXISTING ROOF, CREATE A NEW PITCHED ROOF TO ACCOMMODATE FIRST FLOOR LIVING SPACE; FULL RECONFIGURATION OF GROUND FLOOR LAYOUTS; THERMALLY UPGRADE EXISTING ENVELOPE AND ASSOCIATED WORKS (RE-SUBMISSION FOLLOWING REFUSAL)
<b>LOCATION OF APPEAL</b>	215 WEST ROAD PORTHCAWL
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER

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

1. The proposal, by reason of its design, features 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 host property and the prevailing built up residential area contrary to Policy SP3 of the Replacement Local Development Plan (2024), Supplementary Planning Guidance Note 02 Householder Development and advice contained within Planning Policy Wales 12 (Feb. 2024).
- 

<b>APPEAL NO.</b>	2046
<b>APPLICATION NO.</b>	P/25/525/FUL
<b>APPELLANT</b>	MR L JAMES
<b>SUBJECT OF APPEAL</b>	DETACHED TRIPLE GARAGE TO FRONT GARDEN
<b>LOCATION OF APPEAL</b>	1 HIGH ST LALESTON
<b>PROCEDURE</b>	HOUSEHOLDER
<b>DECISION LEVEL</b>	DELEGATED OFFICER

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

1. The proposed garage, by reason of its siting, design, size and scale, represents an excessive, incongruous and overly prominent form of development that would have a detrimental impact on the established character and appearance of the streetscene and open nature of the front gardens in this predominantly residential area, contrary to Policy SP3 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Supplementary Planning Guidance Note 2 – Householder Development and Planning Policy Wales 12 (Feb. 2024).
-

**The following appeal has been decided since my last report to Committee:**

<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
<b>LOCATION OF APPEAL</b>	18 GARN ROAD MAESTEG
<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 DISMISSED.

The Appeal decision is attached as APPENDIX A.

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**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 Helen Smith BA (Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 14/11/2025

Appeal reference: CAS-04487-L1L2F7

Site address: 18 Garn Road, Maesteg, CF34 9AS

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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 Daniel Jones against the decision of Bridgend County Borough Council.
  - The application Ref P/25/57/FUL, dated 31 January 2025, was refused by notice dated 2 May 2025.
  - The development is described as 'a garden shed to be used for storage of garden items and bicycles, replacing the previous shed situated in the same place since 1995.'
  - A site visit was made on 22 October 2025.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The development has been completed. I have therefore considered this appeal as one that seeks retrospective planning permission.
3. The appeal form indicates that an application of costs is being made. However, the appellant has subsequently confirmed that they do not wish to pursue such an application. I have not considered the matter further.

### Main Issues

4. These are the effect of the development on:
  - the character and appearance of the area; and
  - the living conditions of the occupiers of 19 Garn Road (No. 19), having regard to outlook and light.

### Reasons

#### *Character and appearance*

5. The appeal site relates to an end of terrace dwelling located in a row of terraces with a strong building line. The terrace is set back and separated from the road by long front

gardens which slope up to the frontages of the dwellings. This, together with the generally low boundary enclosures of the front gardens, gives the immediate context of the appeal site an attractive open and verdant character in an otherwise heavily built-up area. Given the appeal site's elevated position in relation to the road, and owing to the openness of the front gardens of the appeal site and the adjacent dwellings, it occupies a visually prominent location in the street.

6. The appellant has drawn my attention to sheds/kennels/bin stores forward of the principal elevation of a number of properties on Garn Road, including the nearby outbuilding at No. 19 and a shed at No.14. However, owing to their small scale, I saw that these were not visually prominent in the street scene and do not generally inform the character of the terrace. Similarly, owing to the small scale of the porch at No. 20, and as the vegetation in the front garden of No. 21 screens the majority of the conservatory on its front elevation, these extensions are also not visually dominant in the street scene.
7. The development comprises a large timber outbuilding that is sited in the front garden, forward of the principal elevation of the dwelling. It is wide and deep which, together with its shallow mono pitched roof, results in a large-scale building with an overtly boxy appearance, in contrast to the nearby small-scale outbuildings. Owing to its siting forward of the main dwelling and its elevated position in relation to the road, it occupies a prominent location and there are clear views of it from the street when travelling in both directions. Consequently, its unsympathetic bulky and boxy appearance is clearly visible in the street.
8. Any additional planting to sufficiently screen it from views from the street would need to be substantial and would take a long time to establish. In these circumstances, additional planting would not sufficiently mitigate its visual impact. Consequently, the proposed development appears as a visually dominant and unsympathetic building that results in an incongruous development, inappropriate to its context, and unsympathetic to the open and verdant character of the immediate context of the appeal site. This has a harmful effect on the character and appearance of the area.
9. I recognise that there was previously a shed in a similar location. Nevertheless, this was removed from the site some time ago and photographs show that the scale of this shed was significantly smaller than the appeal scheme. The photographs also show that it was not visually dominant in the street scene and therefore not comparable to the appeal scheme. I have therefore determined the appeal on its merits.
10. I note that the appellant is willing to make adjustments to the height/colour/design of the structure, however, the appeal process cannot be used to evolve a scheme and therefore I must determine the scheme before me.
11. I conclude that the proposed development harms the character and appearance of the area, contrary to Policy SP3 of the Bridgend County Borough Local Development Plan (LDP), which seeks to, amongst other things, ensure that development respects and enhances local distinctiveness and is appropriate to its local context. It would also be contrary to the objectives of the Council's Supplementary Planning Guidance 02 – Householder Development (SPG), which seeks to promote a high standard of design.

#### *Living conditions*

12. The Council states that owing to its siting, scale, height and proximity to the boundary with No. 19, the shed has an unreasonably dominating and overshadowing impact on this property. Nevertheless, whilst the building is sited forward of the nearest ground floor window of No. 19, and close to the shared boundary, I saw that owing to its separation distance, it does not have an overly overbearing impact on that window and that the

generally open outlook from this window is largely maintained. Consequently, the development is not so overbearing that it harmfully affects the outlook from the room which this window serves.

13. Similarly, given the generally low eaves height and the shallow mono pitched roof of the shed, and having regard to the separation distances between it and the window, I find that the development does give rise to a significant loss of light to the ground floor window. Consequently, the development does not result in a level of overshadowing that harmfully affects the level of light reaching the room which that window serves.
14. I conclude that the development does not harm the living conditions of the occupiers of No. 19 in regard to outlook and light. It therefore complies with Policy SP3 of the LDP which seeks to ensure, amongst other things, that the amenity of neighbouring uses and their occupiers will not be adversely affected. It also complies with the SPG which seeks to ensure, amongst other things, that no extension unreasonably dominates the outlook of, or unreasonably overshadows, an adjoining property.

### **Other Matter**

15. In reaching my decision I have had regard to the reasons why the appellant constructed the shed, which include the provision of a secure place for storage of gardening equipment and bicycles following numerous incidents of thefts. Nevertheless, the harm that I have identified to the character and appearance of the area is significant and a matter of public interest which is likely to endure in posterity. I do not consider that mitigation measures secured by planning conditions could be used to limit these adverse effects. There is also little evidence that the appeal scheme is the only realistic means of securing the identified benefits. In these circumstances, it would be proportionate to withhold planning permission.

### **Conclusion**

16. Although I have found no harm to the living conditions of the occupiers of No. 19, this does not outweigh the harm to the character and appearance of the area, which is an overriding consideration. For the reasons set out above, and having regard to all matters raised, I conclude that the appeal should be dismissed.
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.

*H Smith*

INSPECTOR

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**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>
Education SPG briefing	4 February 2026 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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