

**REFERENCE:** P/16/939/FUL

**APPLICANT:** Police & Crime Commissioner S. Wales

**LOCATION:** South Wales Police Headquarters, Cowbridge Road, Bridgend CF31 3SU

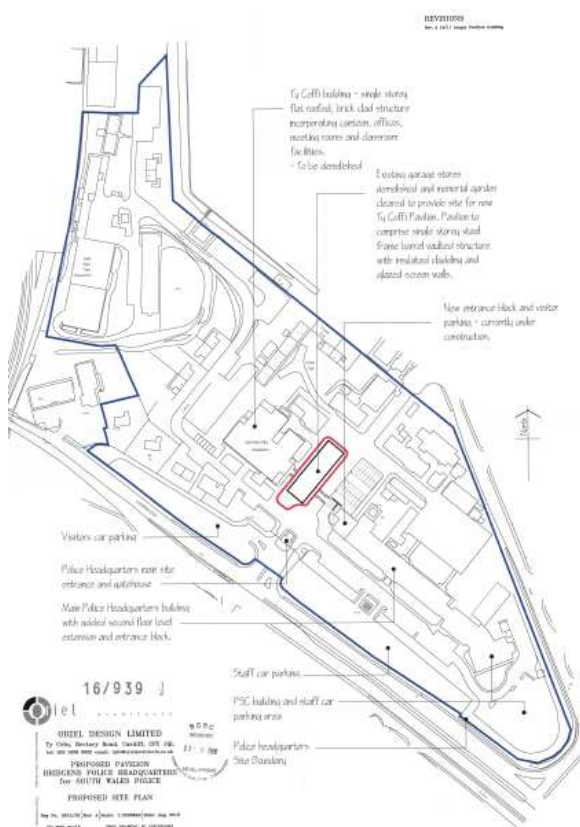
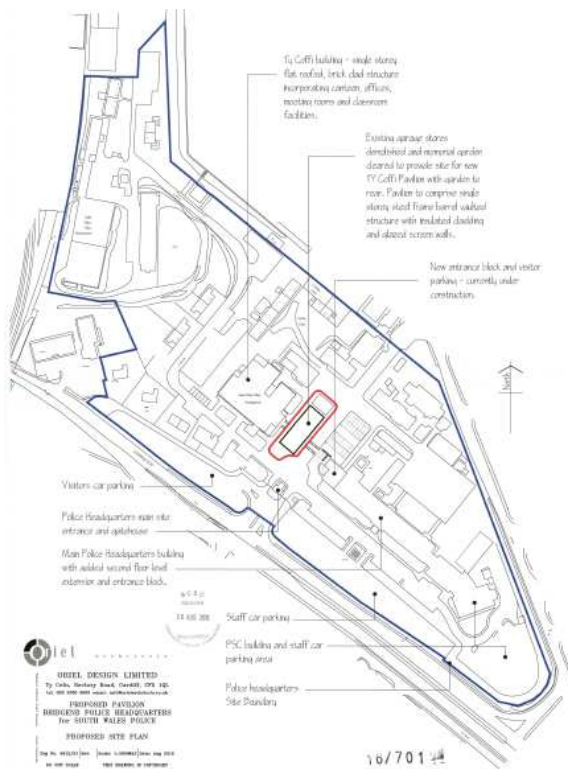
**PROPOSAL:** Construct a single storey cafe building with ancillary spaces for use by the South Wales Police

**RECEIVED:** 22 November 2016

**SITE INSPECTED:** 21 December 2016

**APPLICATION/SITE DESCRIPTION**

The application seeks consent to erect a single storey building on previously developed land within the grounds of South Wales Police Headquarters to provide a modern replacement café building with ancillary spaces. It represents an alternative scheme to a previous application (P/16/701/FUL refers) for a larger facility that is 10m longer and 138 sq. m. larger than the original scheme.



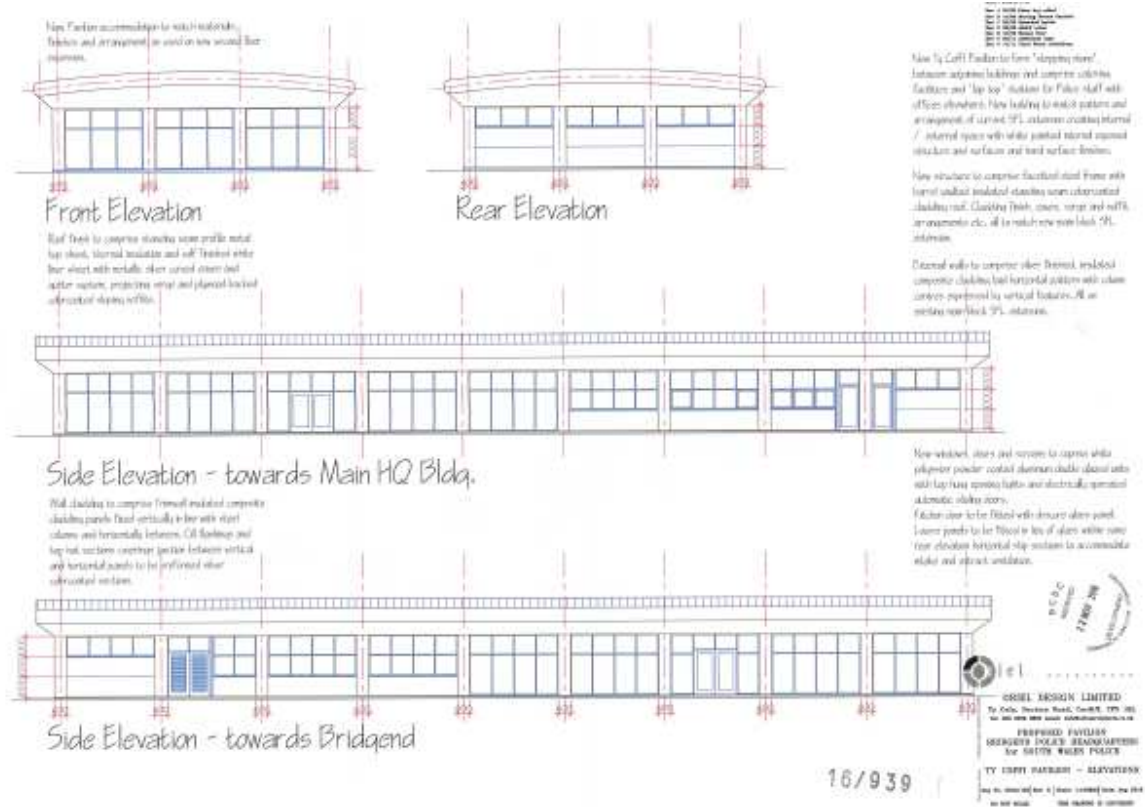
**Proposed Site Plan under P/16/701/FUL**

**Proposed Site Plan**

The proposed building will be centrally located within the Police Headquarters site, to the north-west of a new entrance block/headquarters building, to the north of the security lodge and to the south east of the "Ty Coffi" building and police operations and support offices which are due to be demolished.

The site is designated as part of a wider residential allocation in the Bridgend Strategic Regeneration Growth Area for approximately 138 units (including 28 Affordable Housing Units) under Policy COM1 (5) of the Local Development Plan (2013).

The alternative and re-sited scheme includes a larger single storey building which will accommodate a café with an associated servery and kitchen, a resources room, a communications room, a prayer room, toilets and a plant room.



The resubmitted application has been advertised as a departure to the Local Development Plan (LDP) and is referred to the Development Control Committee on that basis. It will also be referred to the full Council meeting on 1 February 2017 subject to a positive resolution from Members.

The proposed building will have a total gross floor area of approximately 638 sq. m. and will measure 45.6 metres in length x 14 metres in depth with a maximum height of 4.95 metres. The materials, finishes and arrangements will match the new second floor extension to the main headquarters building.

**RELEVANT HISTORY**

P/16/789/DPN

Prior notification for demolition of Ty Coffi building and police operations and support offices

P/16/701/FUL

Construction of a single storey cafe building with ancillary spaces for use by South Wales Police

P/16/86/FUL Consent Issued 5<sup>th</sup> April 2016

Construct three storey extension to existing building, 11 space visitor car park and associated works

P/15/190/FUL Consent Issued 7<sup>th</sup> July 2015  
Construct of third storey on existing two storey building and assoc works

## **PUBLICITY**

The application has been advertised as a departure to the development plan on site (6<sup>th</sup> December, 2016) and in the press (8<sup>th</sup> December, 2016).  
The period allowed for response to consultations/publicity expired on 28<sup>th</sup> December 2016.

## **CONSULTATION RESPONSES**

### **Dwr Cymru/Welsh Water Developer Services**

has no objections subject to conditions and advisory notes.

### **Head of Street Scene (Highways)**

has no objections to the proposal.

### **Head of Street Scene (Drainage)**

has no objection subject to conditions and advisory notes.

### **Group Manager (Public Protection)**

Has no objections subject to the agreement that the design, construction and maintenance of the extraction and odour abatement system for the café is in accordance with the DEFRA Guidance on Control of Odour & Noise From Commercial Kitchen Exhaust Systems and agreed with the Public Protection Department prior to the commencement of the development .

## **REPRESENTATIONS RECEIVED**

None

## **APPRAISAL**

The application is reported to Committee as a departure from the Local Development Plan (LDP). More specifically, the application is contrary to the wider designation of this part of the Police Headquarters site at Cowbridge Road, Bridgend as a residential allocation in the Bridgend Strategic Regeneration Growth Area under Policy COM1 (5) of the Bridgend County Borough Council Local Development Plan (2013).

South Wales Police are currently undertaking a large-scale rationalisation programme of their existing facilities and assets and, up until recently, their original rationalisation proposals involved the release of the entire northern part of their existing HQ facilities for alternative development.

It was on that basis that the northern part of the existing Police HQ facility was allocated for residential development by Policy COM1(5) of the LDP. At that time, the site was expected to deliver an estimated 138 residential units (including 28 Affordable Housing Units) within the plan period up to 2021.

The proposed replacement cafeteria is located within the boundary of the COM1(5) housing allocation and, as such, the proposal represents a development that is out of accord with the adopted LDP and represents a departure from the development plan in force in the area.

Paragraph 3.1.3 of Planning Policy Wales (9<sup>th</sup> Edition November, 2016) states that "... applications for planning permission or for the renewal of planning permission, should be determined in accordance with the approved or adopted development plan for the area, unless material considerations indicate otherwise." Paragraph 3.1.5 goes on to advise that "the local planning authority should have good reasons if it approves a development which is a departure from the approved or adopted development plan or is contrary to the Welsh Government's stated planning policies, the advice of a statutory consultee or the written advice of its officers, and those reasons should be recorded in the Committee's minutes."

South Wales Police, through their agent, have confirmed that they have re-assessed their assets as part of their ongoing rationalisation programme. They now propose to pursue an alternative strategy which entails carrying on with their programme of refurbishment and improvement works and retaining the whole of their existing HQ site at Cowbridge Road.

The new strategy includes replacing and modernising the current dilapidated buildings within the site with a new Training and Operations building and relocating the Training Centre and firing range at Waterton Cross to the HQ site, all of which are estimated to be operational by 2019.

The new facilities, together with the replacement café, will complement the recently approved facilities and general modernisation of the Headquarters on the southern part of the site, including the new third storey extension to the main HQ offices, a new 3 storey extension and entrance block and the large-scale forensic laboratory block at the southern extremity of the site.

On the basis that the SWP rationalisation strategy has evolved since the adoption of the LDP in 2013, the fact that they have invested in, and committed to, the HQ site and their asset plan is now to consolidate their activities and facilities at their existing site at Cowbridge Road, there is, unfortunately, no realistic prospect of the delivery of housing under Policy COM1(5).

However, the obvious investment in the site and its comprehensive redevelopment should be welcomed as the applicant has made a firm decision to consolidate and retain its operations within the County Borough. The strategy will ensure that a highly prestigious new HQ facility will be retained within Bridgend, thereby retaining and creating highly skilled employment opportunities as well as providing a valuable social and community service to the residents and communities of Bridgend.

Furthermore, the new facilities at the Cowbridge Road site (including the cafeteria) will facilitate an earlier than previously anticipated release of the SWP land holding assets at Waterton Cross, which also forms part of the larger mixed use allocation under Policy PLA3(4) Parc Afon Ewenni - including the delivery of an estimated 650 new dwellings.

The programme of works for consolidating a number of the Police facilities at the existing HQ site, involves the relocation of a number of buildings and operations from their site at Waterton Cross, including the firing range, which was initially going to be retained in situ as part of SWP's earlier plans. The concentration of the facilities at SWP's HQ at Cowbridge Road will now allow the entire Waterton Cross site to be released in a timely manner within the LDP plan period (2013-2021). It will also provide greater certainty that the land at Waterton Cross will be developed to its full potential, especially given that some potentially restrictive and unneighbourly uses are to be entirely relocated to the HQ site and elsewhere.

The development is, therefore, broadly in line with the LDP's Regeneration-Led Spatial Strategy and Strategic Policy SP1 of the LDP which aims to maximise regeneration benefits and particularly focus development within Strategic Regeneration Growth Areas. The current and wider proposals for the HQ site and the Waterton Cross site are inextricably linked and both are located within the Bridgend Strategic Regeneration Growth Area. The current proposal, as part of a wider strategy by SWP, is therefore maximising the regeneration benefits of both sites.

Given the wider regeneration, economic and social and community considerations as outlined above, there are no overriding objections to this proposal from a development planning perspective. Additionally, as the housing allocation under Policy COM1(5) is wholly within the demise of SWP's land holding at their Headquarters site, Cowbridge Road, the proposed rationalisation of their facilities and operations from Waterton Cross will not prejudice any third party land and future developments. In fact, it is expected that this change in direction will allow land in and around the Waterton Cross site to be brought forward for development sooner than expected.

On this basis BCBC as the Local Planning Authority can grant permission for development which does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated under the provisions of Article 20 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 and subject to ratification by Council.

In terms of design considerations, development proposals are required to create high quality, attractive, sustainable places and Policy SP2 of the Bridgend Local Development Plan identifies 15 separate criteria as a starting point for the assessment of all applications.

Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character; being of an appropriate scale, size and prominence; using land efficiently; having good pedestrian, cycling, public transport and road connections within and outside the site; avoiding or minimising noise, soil and water pollution; ensuring equality of access by all; ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected and incorporating appropriate arrangements for the disposal of foul sewage and surface water are considered to be the relevant criteria for the purposes of this application for a replacement café facility at the Police Headquarters.

The building has a modern design with a curved roof and materials and finishes to match recent developments on the wider site. It will be single storey and set centrally within the site between larger buildings and to the rear of the security lodge. Therefore, the building will not be prominent when viewed from public vantage points either from Cowbridge Road to the south or from York Road, and the Industrial Estate, to the east.

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

The well-being goals identified in the Act are:

- \* A prosperous Wales
- \* A resilient Wales

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

The duty has been considered in the assessment of this application. It is considered that there are no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

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

Section 6 (1) states that "a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions." Section 6(2) goes on to state that 'In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular (a) diversity between and within ecosystems; (b) the connections between and within ecosystems; (c) the scale of ecosystems; (d) the condition of ecosystems (including their structure and functioning); and, (e) the adaptability of ecosystems.'

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

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

Given the previously developed nature of the application site within the SWP Headquarters, it is considered that there will be no significant adverse residual impacts on biodiversity and ecology.

Therefore, the proposal is considered to comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

A condition is added to the recommendation to ensure that the extraction system to be installed in the new kitchen conforms to Public Protection standards.

Finally, the Highway Authority has no objections to the proposal for a larger replacement café facility within the Police HQ site on the basis of the restricted access to the secure site, the limited increase in floor area of the proposed café and ancillary spaces and the lack of any increase in vehicle movements or parking requirements associated with the new facility.

## **CONCLUSION**

Whilst the application represents a departure from the Development Plan, it can be recommended for approval as South Wales Police have no intention to release this land for residential development and it is generally compatible with Development Plan policies relating to the Bridgend Strategic Regeneration Growth Area and the wider regeneration, economic, social and community considerations as outlined above.

Due to the overriding benefits of retaining and relocating other facilities at the Headquarters site and the potential to bring forward the comprehensive release of Police land at their Waterton Cross, there are significant material considerations to warrant a recommendation for approval in this instance.

The Local Planning Authority can grant permission for development which does not accord with the provisions of the development plan in force in the area under Article 20 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 subject to ratification by Council.

## **RECOMMENDATION**

(R40)

(A) That the application be referred to Council as a proposal that represents a departure from the Development Plan which the Development Control Committee are not disposed to refuse as the development forms part of the Police rationalisation strategy to invest in their Headquarters site which will allow the early release of their land at Waterton Cross as part of the wider Bridgend Strategic Regeneration Growth Area.

(B) That if Council resolve to approve the proposal, the following conditions be attached to the consent:-

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

0812/91 Rev A  
0812/100 Rev H  
0812/120 Rev G

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

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

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

3. The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewerage system and ensure the free flow of sewerage.

4. Prior to the development being brought into beneficial use details of the extraction system to be installed, including odour abatement and noise levels generated by the external unit (sound power/pressure levels), a vertical section plan indicating the position and height of final openings of the exhaust ducts and details of an odour management plan shall be submitted to and agreed in writing by the Local Planning Authority. The details as agreed shall be implemented within 1 month of agreement and thereafter the equipment shall be maintained in accordance with the agreed programme and retained for the duration of the use.

Reason: To ensure that the amenities of adjoining and nearby occupiers are not prejudiced.

\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

a. The application can be recommended for approval despite being out of accord with Development Plan policies due to SWP's commitment to the HQ site and the fact that they are no longer intending to proceed with the release of the land for housing. The proposal represents an investment in Bridgend and the rationalisation strategy will bring forward the release of land at Waterton Cross.

b. The applicant must contact Dwr Cymru/Welsh Water if a sewer connection is required under Section 106 of the Water Industry act 1991 or any alteration to their apparatus is proposed prior to any development being undertaken.

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

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

e. In order to satisfy condition 2 the following advisory notes should be followed:-

- provide ground floor plan showing both foul and surface water sewers with proposed connection points to the public sewerage system
- provide agreement from DCWW regarding the connection to the public sewerage system.

**MARK SHEPHARD**  
**CORPORATE DIRECTOR COMMUNITIES**

**Background Papers**

None