

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO COUNCIL**

**19 SEPTEMBER 2018**

**REPORT OF THE CORPORATE DIRECTOR – COMMUNITIES**

**DEPARTURE PLANNING APPLICATION P/18/520/FUL**

**1. Purpose of Report**

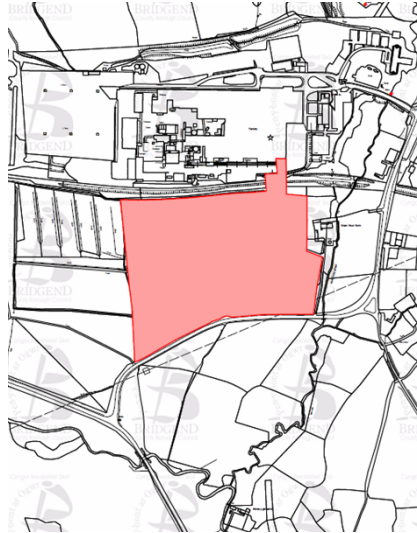
- 1.1 On 30 August, 2018, the Development Control Committee considered planning application P/18/520/FUL as a departure from the Local Development Plan. The Development Control Committee resolved not to refuse planning permission so the application is referred to Council which is requested to approve the application subject to conditions.
- 1.2 A copy of the Development Control Committee report is attached at Appendix 1.

**2. Connection to Corporate Improvement Plan / Other Corporate Priorities**

- 2.1 This report assists in the achievement of the following corporate priority/priorities:
- Supporting a successful economy – taking steps to make the county a good place to do business, for people to live, work, study and visit, and to ensure that our schools are focused on raising the skills, qualifications and ambitions of all people in the county.

**3. Background**

- 3.1 The application, by Rockwool Ltd., relates to an extension to the existing Rockwool factory site at Wern Tarw, Bridgend. The factory is a major employer in the County Borough. The proposal comprises an extension to the south of the existing factory, as shown outlined in red in the plan below:



- 3.2 The extended area will provide a larger and more accessible external storage area for their finished product immediately to the south of their existing factory with access from Wern Tarw Road.
- 3.3 A multi-million pound investment from Rockwool Global Headquarters in Denmark has been secured to undertake this process to improve the efficiency of the site in terms of deliveries, unloading and loading. The area of new development revolves around a new concrete hardstanding area (including an asphalt entrance and access road/parking area/loading area for HGVs) of approximately 20 acres to the immediate south of the current facility. The new storage space facility will allow the company to free up some space at the current site entrance opposite Wern Farm Road, maximise the capacity of the factory to produce, store and deliver their products and employ an extra 65 permanent full time workers (on top of the existing 404 employees) on the site.
- 3.4 In 2007, a new chimney was constructed and the factory extended in anticipation of a requirement for an increase in production. With the global economic downturn in 2008 and a subsequent reduction in demand, one of the production lines was “mothballed” and has remained so until relatively recently. The Pencoed factory (which has been in existence for approximately 40 years) is in a position to mobilise quickly to increase production. With production increasing in 2018, it is increasingly apparent that the current storage facilities are insufficient for the expected upcoming production output. Similar factories in the wider Rockwool Group have approximately double the storage for a comparatively lower production output.
- 3.5 It is expected that works will commence in October 2018 and the “demothballed” production line and the storage facility will be fully operational by the end of Quarter 1 in 2019 (i.e. the end of March 2019). The comprehensive logistics approach is expected to provide the following benefits:
- Removal of the bottleneck at the current site entrance opposite Wern Fawr Road;

- A reduction in the number of trucks at this main access point (the number of trucks that will pass through the existing access is expected to decrease from an estimated 6.5 trucks per hour at full capacity to 3.6 trucks per hour once the new logistics centre is operational);
  - The protection of approximately 404 existing permanent, full-time positions and the creation of an additional 65 additional permanent, full-time positions; and,
  - Maximising the full capacity of the Pencoed site to attract further investment in Pencoed/the County Borough from the wider Rockwool Group as a major employer in the region.
- 3.6 The application site is located outside, but directly adjacent to, the area allocated as the Wern Tarw Employment Site that is allocated and protected for employment development within use classes B1, B2 and B8 as defined by Bridgend County Borough Council's adopted Local Development Plan (2013). Therefore, the proposed site is within an area classed as open countryside.
- 3.7 The land was originally proposed as a candidate site for industrial purposes as part of the Local Development Plan formulation process. The LPA did not designate it as part of an extended allocated site as it was not directly related to a growth area or sustainable settlement as part of the spatial strategy. The development was an entirely speculative B1, B2 and B8 extension that did not specifically relate to the expansion of the adjacent Rockwool factory but this is now the case and it is likely that, if the application is permitted, this part of the site would be included within the Rockwool employment site in the impending Replacement LDP (2018-2033) Review process.
- 3.8 It should also be noted that the Unitary Development Plan did dedicate land adjacent to Rockwool for expansion (albeit immediately to the west/north west of the site) but this land was deleted from the LDP on the basis that the business did not have any plans to expand at that point. The situation and market have changed considerably over the intervening years and the wider Rockwool Group are investing in the business.
- 3.9 In terms of the land that will be utilised for the expansion of the business, it is generally accepted as being poor quality, badly drained Class 5 agricultural land that was formerly associated with deep and opencast mining, is crossed by various utilities and is directly adjacent to, but at a lower level than, the established factory site at Rockwool.
- 3.10 Having regard to the above context, it is considered that the expansion into the countryside is justified in this instance subject to detailed design criteria and compliance with other LDP policies.
- 3.11 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise. Factors to be taken into account in making planning decisions (material considerations) must be planning matters, that is, they must be

relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

- 3.12 In this case, it is considered that the information submitted in support of the current application is material to the determination of the application and has been taken into account during the consideration of the proposal.
- 3.13 On balance and having regard to the above weighing up of all material considerations relevant to this scheme, in planning terms it is considered that development is acceptable in this specific location due to the justification for the expansion of this established employment site within the County Borough and in regard to its potential impacts on surrounding residents by way of noise, air quality and lighting; any impact on the character and appearance of the site and surrounding countryside; its potential impact on biodiversity in and around the site; and its potential impact on the highway network and drainage in and around the site.
- 3.14 Therefore, there is a reasoned argument for the extension of the factory site into the adjacent land within the countryside.
- 3.15 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.

#### **4. Current Situation**

- 4.1 The application site is located within an area that is classed as open countryside under the Local Development Plan (2013).

#### **5. Effect upon Policy Framework & Procedure Rules**

- 5.1 Whilst the application does not fully accord with the policies of the Bridgend Local Development Plan the expansion is an operational requirement for Rockwool.

#### **6. Equality Impact Assessment.**

- 6.1 A screening for Equality Impact has been undertaken and no negative issues have been identified.

#### **7. Wellbeing of Future Generations (Wales) Act 2015**

- 7.1 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

7.2 The duty was considered in the assessment of the application and in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

## **8. Financial Implications**

8.1 There are no direct financial implications as a result of this report.

## **9. Recommendation**

9.1 That if Council is minded not to refuse the development then the Corporate Director Communities be given delegated authority to issue a decision notice in respect of this proposal to include the following conditions:

1. The development shall be carried out in accordance with the following approved plans:
  - (04) 100 Location Plan
  - (04) 200 Site Plan As Proposed
  - S100 Revision P3 Conveyor Belt Structure Over Roadway
  - S110 Revision P1 Logistics Building Ground Floor GA
  - S111 Revision P1 Logistics Building Roof GA
  - S112 Revision P1 Logistics Building Steelwork Elevations
  - S113 Revision P1 Logistics Building Sections
  - S114 Revision P1 Logistics Building 3D View
  - S120 Revision P1 Security Lodge Floor Plans
  - S121 Revision P1 Security Lodge Steelwork Elevations
  - S122 Revision P1 Security Lodge Sections
  - S123 Revision P1 Security Lodge 3D View
  - S140 Revision P1 Forklift Truck Storage Plans
  - S141 Revision P1 Forklift Truck Storage Elevations
  - S142 Revision P1 Forklift Truck Storage 3D View
  - (04) 210PL Logistic Building Ground Floor Plan
  - (04) 211PL Logistic Building Roof Plan
  - (04) 213PL Logistic Building 3D Views
  - (04) 220PL Security Lodge Ground Floor Plan
  - (04) 221PL Security Lodge Roof Plan
  - (04) 223PL Security Lodge 3D View
  - (04) 230PL Forklift Truck Enclosure Ground Floor Plan
  - (04) 231PL Forklift Truck Enclosure Elevations As Proposed
  - C100 Revision P5 Proposed Site General Arrangement
  - C101 Revision P2 Proposed Surfacing General Arrangement
  - C102 Revision P2 Proposed Highway General Arrangement
  - C103 Revision P2 Proposed Levels
  - C105 Revision P1 Proposed External Typical Details
  - C107 Revision P2 Proposed Site Tracking 18m HGV
  - C108 Revision P1 Proposed Site Tracking Standard 16.5m HGV
  - C130 Revision P3 Proposed Junction General Arrangement

C151 Revision P1 Proposed Site Clearance  
C160 Revision P3 Proposed Site Sections  
C161 Revision P1 Existing and Proposed Elevations At Location Of Conveyor  
C162 Revision P2 Wern Fawr Road Long Section Facing Development  
C163 Revision P1 Proposed Retaining Walls  
C200 Revision P1 Impact Assessment Logistics Layout  
C500 Revision P3 Proposed Drainage General Arrangement  
C502 Revision P4 Drainage Details Sheet 1  
C503 Revision P1 Proposed Attenuation Swale GA  
C504 Revision P1 Proposed Attenuation Swale Sections  
All received on 28 June 2018.

(04) 222PL Security Lodge Elevation As Proposed  
(04) 212PL Logistic Building Elevation As Proposed

Received on 2 July 2018.

287./18./PP001 Soft Landscape Proposals Planting Plan

Received on 20 August 2018

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

2. The new access off Wern Tarw Road shall be completed in permanent materials in accordance with the approved details prior to the development being brought into beneficial use and shall be retained and maintained thereafter in perpetuity.

Reason: In the interests of highway safety.

3. No works whatsoever shall commence on site until a scheme has been submitted to and approved in writing by the Local Planning Authority for measures to highlight the presence of the new site access off Wern Tarw Road. The scheme shall include for temporary "new road layout ahead" signs and permanent vehicle active warning signage on both approaches to the new junction. The approved scheme shall be completed as approved before the beneficial occupation of any part of the site. Furthermore the scheme shall also include for a Safety Audit which will be undertaken and submitted for agreement within 6 months of the access being brought into beneficial use with any recommended remedial measures implemented within a further 6 Months of the Safety Audit being agreed with the Local Planning Authority. The agreed works under the scheme and any further works or measures agreed following the completion of the Safety Audit shall be retained and maintained in perpetuity.

Reason: In the interests of highway safety.

4. The loading, turning and parking areas shall be completed in permanent materials with the individual bays/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 and maintained as such thereafter in perpetuity.

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

5. The proposed means of access shall be laid out with vision splays of 4.5m x 103m to the west of the new access and 4.5m x 154m to the east of the new access before the development is brought into beneficial use and the visibility splays shall thereafter be retained as such in perpetuity.

Reason: In the interests of highway safety.

6. No structure, erection or planting exceeding 1.0 metre in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.

Reason: In the interests of highway safety.

7. Any entrance gates erected specifically to close the access, either temporarily or permanently, shall be set back not less than 5.0 metres from the nearside edge of carriageway.

Reason: In the interests of highway safety.

8. Notwithstanding the submitted details, prior to the development being brought into beneficial use an updated Traffic & Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicle movements to the site shall thereafter be made in accordance with the agreed Traffic & Delivery Management Plan in perpetuity.

Reason: In the interests of highway safety.

9. 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 construction period. The Statement shall provide for:

- i. the routing of HGV construction traffic to/from the site in order to avoid the northern end of the unnamed road serving Rockwool, Wern Fawr Road or Bryngarn Road
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel washing facilities
- vi. temporary traffic and pedestrian management along the B4280

Reason: In the interests of highway safety.

10. 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 the beneficial use of the site commencing.

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

11. The conveyor belt for the development referred to in Section 6.3 of the Noise Report entitled 'P18-283-R01-V1 June 2018 Rockwool Factory, Pencoed, Bridgend - New Storage Area and Access Road Noise' Assessment shall be fully enclosed with openings only for the spurs in accordance with the construction details as stated in Section 6.3 of the Report - composite construction formed of inner and outer profiled steel of 0.6mm thickness with a minimum 100mm cavity filled with Rockwool of a minimum density of 33kg/m<sup>2</sup>.

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

12. An acoustic barrier with a minimum height of 3m shall be erected along the western boundary of the access road (as illustrated in Figure 5 of the Noise Report entitled 'P18-283-R01-V1 June 2018 Rockwool Factory, Pencoed, Bridgend-New Storage Area and Access Road Noise'). The barrier shall be imperforate with no holes or gaps along its length or base and have a surface mass of at least 10kg/m<sup>2</sup>. The design details of the barrier shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial use of the site. The details shall include a location plan showing the exact position of the barrier, its construction details and confirmation of the level of attenuation that will be provided by the barrier. The design shall be implemented as agreed and the barrier shall be retained and maintained in perpetuity.

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

13. The forklift trucks to be operated on the site shall be fitted with white noise reversing alarms as opposed to tonal alarms in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the beneficial use of the site.

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



14. Prior to the beneficial use of the site, details of a lighting scheme shall be submitted to and agreed with the Local Planning Authority. The scheme shall include the following information:

- a plan showing the location, height and orientation of the lights, as well as the form and type of lights to be erected and at which locations (as two different types of lighting are included in the Lighting Assessment)
- lighting levels within the development site to demonstrate that the areas within the site are not overly illuminated (i.e. which do not greatly exceed the 50lux in hardstanding areas) and do not exceed the levels that are recommended to comply with BSEN12464-2 – Light and Lighting – Lighting of outdoor works places of 50 average lux for hardstanding areas and 20 lux for areas for slow moving traffic and predicted levels in lux at the closest residential receptors following final choice of design, location and height of lighting columns to demonstrate that the levels do not exceed the ILP requirements for obtrusive lighting in E2 – Rural areas
- a comparison of current lighting levels in lux of what the current lighting is at Wern Fawr Farm after 11pm compared with post development
- the operational hours
- the specific mitigation measures to reduce light spillage beyond the site boundary and to ensure there is no direct glare from any optics into any residential properties (e.g. baffles and screening and specify which lights are to have baffles) and upward light spillage and mitigation measures to ensure that the lights are only operational between the agreed hours.

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

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

15. Should the Local Planning Authority, in conjunction with Shared Regulatory Services Officers, deem it necessary to request one, a post-operation survey shall be undertaken and submitted for approval by the Local Planning Authority within one month of such request being made to demonstrate that the light spill beyond the site boundaries do 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.

Reason: To ensure a satisfactory form of development.

16. The recommendations and mitigation measures set out in the documents listed below shall be implemented as prescribed in those documents The

development shall be carried out in accordance with the recommendations, enhancements and mitigation measures within the following documents:

- External Lighting Report (dated June 2018)
- Noise Assessment Report (dated June 2018)
- Stage 1 -2 Road Safety Audit (dated June 2018)
- Breeding Bird Report (dated June 2018)
- Coal Mining Risk Assessment Report – Mitigation Strategy as detailed in Section 4 (dated 20 June 2018)
- Hedgerow and Woodland Report (dated June 2018)
- Great Crested Newt Report (dated June 2018)
- National Vegetation Classification Report (dated June 2018)
- Otter Survey Report (dated June 2018)
- Phase II Geo-Environmental and Geotechnical Ground Investigation Report (dated May 2018)
- Reptile Survey Report (dated June 2018)
- Preliminary Ecological Appraisal Report (dated March 2018)
- Drainage Strategy (dated June 2018)
- Barn Owl Survey Report (dated August 2018)
- Dormouse Report (dated June 2018)
- Updated Bat Report (dated August 2018)
- Ecology Mitigation Master Plan Report (dated August 2018)
- Construction Environmental Management Plan Report (dated August 2018)

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

17. No development including ground and hedgerow clearance shall commence until the developer has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorising the specified development to commence.

Reason: To ensure compliance with Regulation 55 of the Conservation of Habitats and Species Regulations (2017)

18. No development shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

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.

19. Prior to the beneficial use of the site, the sustainable drainage scheme for the site shall be completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with an agreed management and maintenance plan to be

submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure a satisfactory form of development.

20. No building or product stack on any part of the development site (excluding the proposed conveyor belt) shall exceed 5m metres in height above the finished ground level of the site.

Reason: To ensure a satisfactory form of development.

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

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

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

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

23. No development shall commence until details of existing ground levels and proposed finished ground and floor levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

24. Clearance and Construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays and not at any time on Sundays and Bank Holidays.

Reason: To maintain noise levels at a sustainable level in the interests of residential amenities.

25. Prior to the commencement of any development works and following completion of the monitoring scheme referenced in:

The proposed details of appropriate gas protection measures to ensure the safe and inoffensive dispersal or management of gases and to prevent lateral migration of gases into or from land surrounding the application site shall be submitted to and approved in writing by the Local Planning Authority.

All required gas protection measures shall be installed and appropriately verified before occupation of any part of the development which has been permitted and the approved protection measures shall be retained and maintained until such time as the Local Planning Authority agrees in writing that the measures are no longer required.

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

26. 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 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

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

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

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

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

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

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

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

29. 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.

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

**Mark Shephard**  
**Corporate Director Communities**  
**19 September 2018**

**Contact Officer**

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**Background documents**

**Appendix 1: Development Control Committee Report**