

APPENDIX 1 –

OFFICER'S REPORT TO 12/9/19 DEVELOPMENT CONTROL COMMITTEE

REFERENCE: P/19/140/FUL

APPLICANT: Police & Crime Commissioner for South Wales Police

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

PROPOSAL: **Development of a Police Learning Centre, gymnasium, site
regrading, access, car parking and associated works**

RECEIVED: 12 March 2019

APPLICATION/SITE DESCRIPTION

The application by South Wales Police seeks Planning permission for the redevelopment of the north-western part of their Headquarters off Cowbridge Road.

It is proposed to develop a four storey Police Learning Centre (PLC) and Human Resources Building, a two storey gymnasium, new access arrangement, parking provision and associated hard and soft landscaping works. The scheme also involves the redirection of a mains sewer.

The facility will provide the Police with their own in-house, on-site training, continual professional development, human resources and recruitment centre so that they will no longer have to rent accommodation and conference suites elsewhere.

The PLC will provide 22 Training classrooms with associated breakout space, a human resource recruitment centre as well as office space for approximately 216 desks for internal departments across the force. It will include provision for an assessments and standards unit, an operations training unit, investigative training and 'policing through technology' facilities.

The building would also accommodate an office for the Police and Crime Commissioner (PCC), breakout spaces, classrooms and photovoltaics and plant equipment on the roof. The new PLC building will be utilised roughly in the ratio of 75% for training and 25% for human resources.

The development also proposes a free-standing Gymnasium Building adjacent to the north-western boundary of the site. This building will also include 4 classrooms and training space which will be ancillary to the PLC use and will be used for various police training purposes.

A Travel Plan has been submitted with the application and this will be implemented for all aspects of movement associated with the proposed development so as to ensure that sustainable travel is encouraged and facilitated for all staff and users of the PLC.

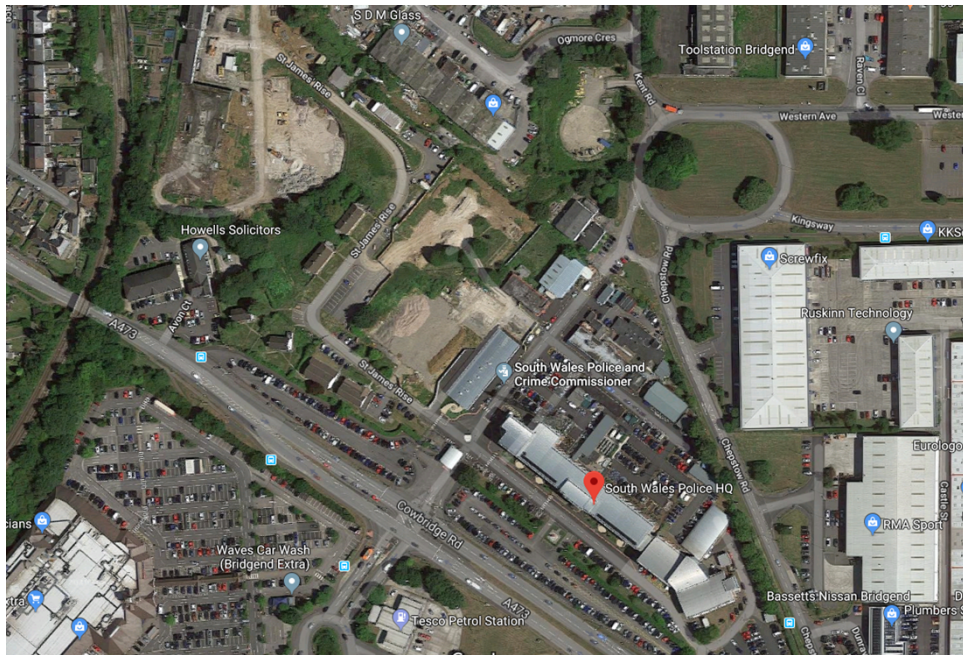
The application site is expected to accommodate approximately 653 additional people per day on-site. In addition, secure cycle parking spaces are to be provided within the site along the northern boundary of the PLC building, providing cycle parking for 115 bicycles.

The PLC development is proposed to be accessed from an improved rear access which forms a junction with Chepstow Road and the Kingsway roundabout. The highway improvement works include the provision of a pedestrian refuge on Chepstow Road and a footway connection to the site.

A total of 511 parking spaces are currently provided within the southern sector of the South Wales Police HQ site, 11 of these are for disabled users. As part of the development proposals it is proposed to provide 340 car parking spaces on the northern sector of the site.

Priority parking spaces for car-sharers will be allocated and demarcated once the site is operational.

Existing Site



Proposed Layout



The building is to be sited to the north-west of the recently approved and constructed “Y Bont” café building (P/16/939/FUL refers).

The site has been the subject of prior notification applications to demolish various buildings and structures within this part of the Headquarters site. Preparatory works have already commenced on site (under the recent application submitted for the construction of a retaining wall, the diversion of an existing foul sewer and construction of a temporary compound and associated works) with works to the PLC building set to commence in September 2019 with a view to becoming fully operational in 2021.

The application site area measures approximately 3.68ha and sits within a much wider land ownership belonging to South Wales Police.

It lies within the Primary Key Settlement of Bridgend and forms part of the established South Wales Police Headquarters site off Cowbridge Road. It lies to the south-west, and adjacent to, Bridgend Industrial Estate, to the east of the Bridgend to Llantwit Major railway line on the opposite side of the A473 Cowbridge Road to Bridgend Retail Park and is crossed by a mains sewer.

This part of the Headquarters site is allocated for circa 138 residential units under Policy COM1 (5) of the BCBC Local Development Plan (LDP). Whilst the Local Planning Authority is moving towards reviewing the Plan, which is likely to remove the housing allocation on this site, the current LDP is the development plan for development control purposes until 2021.

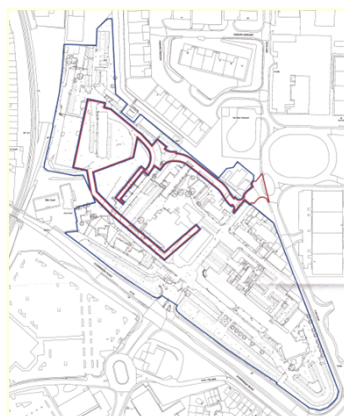
The submission has addressed the allocation and the fact that South Wales Police are continuing to undertake a large-scale rationalisation programme of their existing facilities and assets and are still pursuing an alternative strategy which entails carrying on with their programme of refurbishment and improvement works and retaining the whole of their existing Headquarters site at Cowbridge Road.

The application has been advertised as a departure to the LDP and is referred to the Development Control Committee on that basis. It will also be referred to the full Council meeting on 18 September 2019 for final ratification subject to a positive resolution from Members.

The development is the subject of a corresponding Sustainable Drainage System Scheme which is being considered by the Council’s SuDS Approving Body.

RELEVANT HISTORY

P/18/996/FUL Construction of a retaining wall, the diversion of an existing foul sewer and construction of a temporary compound and associated works – conditional consent 27/6/19

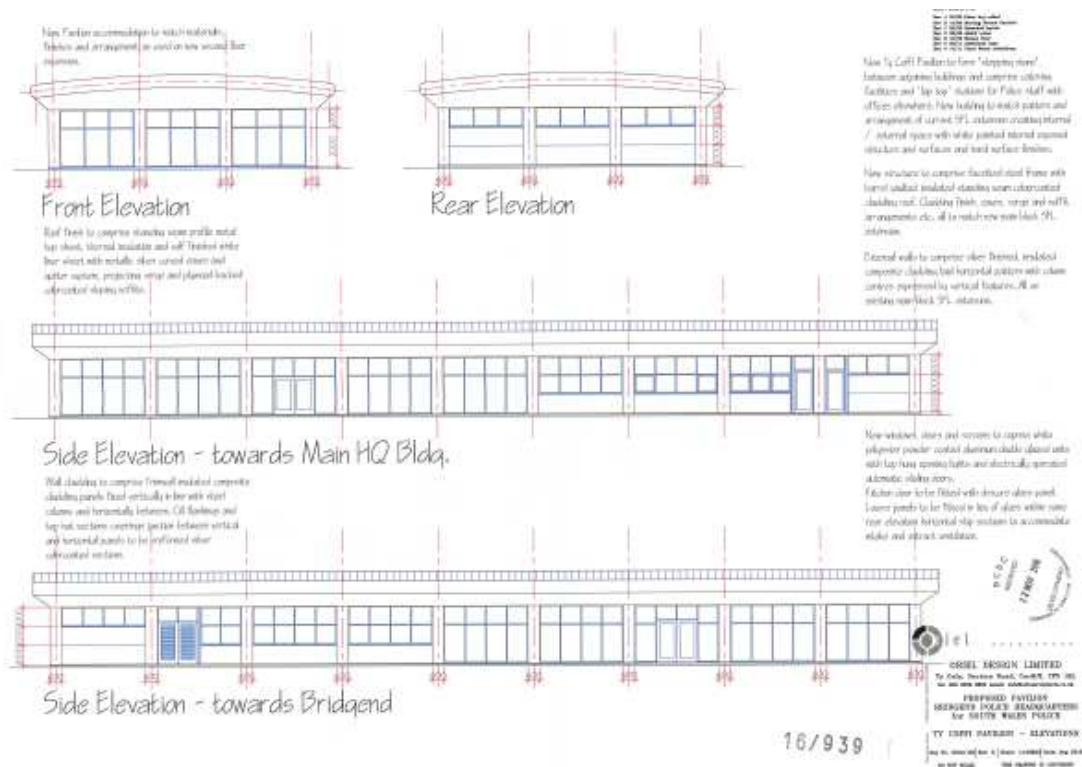


- P/18/563/DPN Prior notification to demolish bunker building within the grounds – Approved 14/8/18

- P/18/365/DPN Prior notification for demolition of 4 groups of buildings on the site – Approved 15/6/18

- P/17/558/DPN Prior notification to demolish 9 groups of buildings within the South Wales Police Headquarters – Approved 27/7/17

- P/16/939/FUL Construct a single storey cafe building with ancillary spaces for use by the South Wales Police (alternative to approved cafe P/16/701/FUL) – Conditional Consent 1/2/17



- P/16/789/DPN Prior notification for demolition of Ty Coffi building and police operations and support offices – Approved 2/11/16

- P/16/701/FUL Construction of a single storey cafe building with ancillary spaces for use by South Wales Police – Withdrawn

- P/16/86/FUL Construct three storey extension to existing building, 11 space visitor car park and associated works – Conditional Consent 5/4/16

- P/15/714/NMA Non Material Amendment to P/15/190/Ful - Remove Condition 3 Relating To Provision of Additional Parking – NMA Unconditional Consent 19/11/15

- P/15/190/FUL Construct of third storey on existing two storey building and associated works – Conditional Consent 7/7/15

PUBLICITY

Neighbours have been notified of the receipt of the application and the scheme has been the subject of site and press notices on the basis that the development is a departure from the Local Development Plan.

NEGOTIATIONS

The application has been the subject of detailed pre-application discussions and consultations, particularly in relation to the proposed access from the rear/Kingsway roundabout.

CONSULTATION RESPONSES

Councillor Venables has commented that there should be equivalent disabled facilities (changing room/toilets) on both the ground and 1st floor of the gymnasium building and not just at ground floor level.

Coychurch Lower Community Council – No comments received to date.

Head of Street Scene (Highways) - No objections subject to conditions and a Road Traffic Order to ensure the free flow of traffic around the site.

Dwr Cymru/Welsh Water Developer Services - No objection subject to conditions.

Head of Street Scene (Land Drainage) - No objection subject to conditions and advisory notes.

Shared Regulatory Services - Public Protection (Noise) - No objection subject to conditions.

Shared Regulatory Services – Environment Team (Ground Contamination) - No objection subject to conditions.

Shared Regulatory Services – Public Protection (Air Quality) - No objection as the operational impacts associated with the development are not significant.

REPRESENTATIONS RECEIVED

None.

COMMENTS ON REPRESENTATIONS RECEIVED

The facilities within the two storey gymnasium building are legible and accessible particularly as the lift is located close to the central core of the building and the facility is not intended to be open to the public.

POLICY CONTEXT

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

Strategic Policy SP1 – Regeneration-Led Development
Strategic Policy SP2 – Design and Sustainable Place Making
Strategic Policy SP3 – Strategic Transport Planning Principles
Strategic Policy SP8 – Renewable Energy
Strategic Policy SP14 – Infrastructure
Policy PLA1 – Settlement Hierarchy and Urban Management
Policy PLA4 – Climate Change and Peak Oil
Policy PLA7 (4) – Bridgend and Pencoed
Policy PLA11 – Parking Standards
Policy ENV5 – Green Infrastructure
Policy ENV7 – Natural Resource Protection and Public Health
Policy ENV13 – Unstable Land
Policy ENV17 – Renewable Energy and low/Zero Carbon Technology

Supplementary Planning Guidance (SPG):

SPG07: Trees and Development

SPG12: Sustainable Energy

SPG17: Parking Standards

SPG19: Biodiversity and Development: A Green Infrastructure Report

Policy SP2 (Design and Sustainable Place Making) states:

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

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

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

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

The following Welsh Government Planning Policy is relevant to the determination of this planning application:

Planning Policy Wales 10 (December 2018)

Technical Advice Note 11: Noise (1997)

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

In terms of PPW10, the following paragraphs are particularly relevant to the proposal:

3.14 Site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals.

4.1.1 The planning system should enable people to access jobs and services through shorter, more efficient and sustainable journeys, by walking, cycling and public transport. By influencing the location, scale, density, mix of uses and design of new development, the planning system can improve choice in transport and secure accessibility in a way which supports sustainable development, increases physical activity, improves health and helps to tackle the causes of climate change and airborne pollution.

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

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

6.2.5 The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes. There are multiple ways of incorporating green infrastructure, dependent on the needs and opportunities a site presents. Landscaping, green roofs, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.

6.6.18 The provision of SuDS must be considered as an integral part of the design of new development and considered at the earliest possible stage when formulating proposals for new development.

The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic,

environmental and cultural well-being of Wales, as required by the Planning (Wales) Act

2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

Well-Being of Future Generations (Wales) Act 2015

The duty to improve the economic, social, environmental and cultural well-being of Wales has been considered, in accordance with the sustainable development principle, under Section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act).

In reaching this recommendation, the ways of working set out at Section 5 of the WBFG Act have been taken into account and it is considered that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in Section 8 of the WBFG Act.

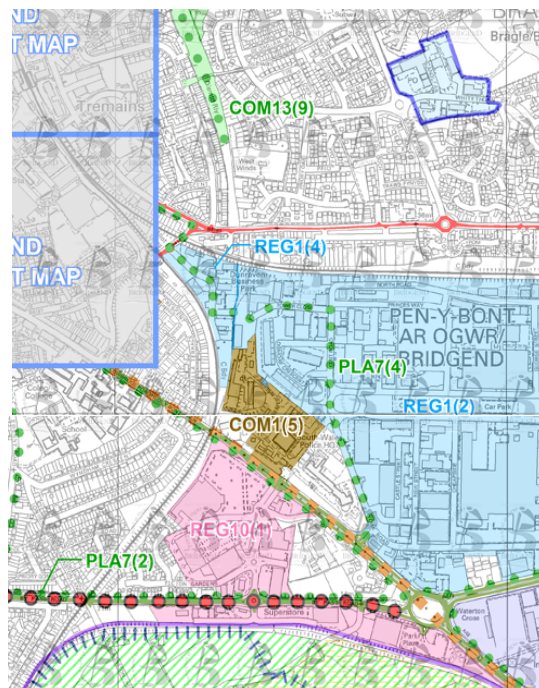
APPRAISAL

The site lies within the Primary Key Settlement of Bridgend, as defined by Policy PLA1 Settlement Hierarchy and Urban Management, and relates to a previously developed/brownfield site within an established Police Headquarters facility.

This Policy and Policy PLA3 Regeneration and Mixed Use Development Schemes (although the site is not specifically identified) encourage the regeneration of brownfield and under-utilised sites within settlement boundaries for an appropriate mix of land uses including residential, community and employment uses. In this regard, the proposals for the Police Learning Centre and Gymnasium are considered acceptable in principle.

Notwithstanding the above, the application has to be 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).

Existing LDP Allocation for Housing



South Wales Police have confirmed that they have re-assessed their assets as part of their ongoing rationalisation programme. They are now pursuing an alternative strategy

which entails carrying on with their programme of refurbishment and improvement works and retaining the whole of their existing Headquarters site at Cowbridge Road.

The new strategy includes replacing and modernising the current dilapidated buildings within the site together with a new Training and Operations building. The new facilities will complement the recently approved facilities and general modernisation of the Headquarters on the southern part of the site, including the new café, the new third storey extension to the main Headquarters offices, a new three storey extension and entrance block and the large-scale forensic laboratory block at the southern extremity of the site.

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

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 and the strategy will ensure that a highly prestigious new Headquarters 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.

The new investment and facilities at the Headquarters/Cowbridge Road site will facilitate an earlier than previously anticipated release of the South Wales Police land holding assets at Waterton Cross, which forms part of the larger mixed use allocation under Policy PLA3(4) Parc Afon Ewenni - including the delivery of an estimated 650 new dwellings.

Paragraph 1.21 of Planning Policy Wales (10th Edition, December, 2018) states that *Planning applications must be determined in accordance with the adopted plan for the area, unless material considerations indicate otherwise. Development plans must show how places are expected to change to accommodate development needs over the plan period.*

Paragraph 1.19 of PPW advises that in taking planning decisions the planning authority must clearly state the reasons for the decision.

The development is broadly in line with the current 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 Headquarters 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 South Wales Police, 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 on Cowbridge Road, the proposed rationalisation of their facilities and operations from Waterton Cross will not prejudice any third party land or future developments. In fact, it is expected that this 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.

All development is required to create high quality, attractive, sustainable places and Policy SP2 of the Bridgend Local Development Plan identifies 15 criteria which are the 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; providing an appropriate mix of land uses; having good pedestrian, cycling, public transport and road connections within and outside the site; avoiding or minimising noise, soil and water pollution; safeguarding and enhancing biodiversity and green infrastructure; ensuring equality of access by all; ensuring that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected; incorporating appropriate arrangements for the disposal of foul sewage and surface water and contributing towards local, physical, social and community infrastructure which is affected by the development are the relevant criteria for the purposes of this application.

The proposed PLC and gymnasium facilities will complement the replacement café, 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 offices, a new 3 storey extension and entrance block and the large-scale forensic laboratory block at the southern extremity of the site.

The building has a modern, lightweight design with curved features and materials and finishes to generally match recent developments on the wider Headquarters site. The use of brise soleil and the inclusion of balconies and access walkways will provide a degree of interest and activity to the elevations.

The building will address the adjacent café building and main Headquarters buildings to the east and will direct users and visitors to the central atrium. Overall, the design of the main building will provide the Headquarters site with a central focal point but it is set back into the site a sufficient distance so as not to be overly prominent when viewed from outside the site.

Artistic Image of PLC Building



The scheme will necessitate the creation of level plateaus stepping up from the south-east to the north-west due to the gradient of the topography. This will also necessitate retaining structures/gabion baskets at various points within the site.

Site Sections



In conclusion, it is considered that the proposed development complies with Policy SP2 of the LDP and advice contained within Planning Policy Wales and TAN12: Design.

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

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

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

1. That the development is "in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment,"

2. That there is "no satisfactory alternative," and
3. That the derogation is "not detrimental to the maintenance of the populations of the species concerned at a favourable conservation status in their natural range."

The Arboricultural Assessment of the site and development has identified two category A trees (a Copper Beach and a Beech) which will both be retained and protected (with a Root Protection Zone during works) as part of the landscaping proposals for the scheme.

In addition several other trees and groups of trees will be retained as part of the development together with additional planting of feathered trees in a native woodland mix in two groups between the (lower) PLC part of the site and the (higher) gymnasium/car park part of the site, semi-mature trees, extra heavy standard trees, shrubs and groundcover and grassed areas. These will ensure that the site includes a balance between soft and hard landscaping and will "break up" the large areas of parking.

The ecological assessments of the site have not uncovered any protected species or habitats.

The retention of trees and the provision of additional landscaping features will enable the LPA to satisfy their Biodiversity Duty. The Biodiversity Action Plan includes the retention of the hedgerow forming the southern boundary.

In conclusion and subject to conditions, it is considered that the scheme complies with Policy ENV6 of the LDP and will satisfy the Council's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016 and guidance contained within TAN5: Nature Conservation and Planning (2009) and it is considered that, overall, there will be no significant adverse residual impacts on biodiversity.

In terms of the highway implications of the development, the access proposals, parking provision, Traffic Assessment (TA) and Travel Plan that accompanied the application have been considered in detail by the Highways Officer.

The primary focus of the submitted Travel Plan is to reduce the proportion of staff and visitors travelling by single-occupancy vehicle by encouraging the use of car sharing, active travel modes and public transport. Ensuring that facilities and support are in place to assist users to make sustainable travel choices will be vital to the success of the Travel Plan.

The Travel Plan objectives are to:

1. Reduce the proportion of staff and visitors traveling to/from the site by single-occupancy vehicle;
2. Increase the share of journeys made on foot;
3. Increase the share of journeys made by bicycle;
4. Increase the share of journeys made by public transport;
5. Increase the share of journeys made by car-share;
6. Improve awareness amongst staff and visitors about alternative travel options; and,
7. Improve awareness of facilities (e.g. showers and lockers) available to staff.

A package of measures is proposed in order to influence staff and visitor travel to and from the site, both for commuting and in the course of normal business. A timetable for the implementation of these measures (walking, cycling, shower facilities, public transport, managing car use, car parking, car sharing, reducing the need to travel and recruitment) is

set out in the Travel Plan together with details of how the measures will be monitored and reviewed.

In terms of the proposed improvements to the rear access, the principle of diverting traffic away from the main entrance off the A473 is accepted provided that there is sufficient space to implement an improved and safe access and subject to suitable impact analysis of surrounding junctions.

The latest submitted scheme to alter the access off the Kingsway roundabout/Chepstow Road in order to safely direct students and staff to the internal car park to the north west of the site is acceptable in principle subject to minor changes and Safety Audits and the applicant entering into an agreement with the Highway Authority to carry out works in the highway.

With regard to parking provision, it is acknowledged that the use/facility does not fit easily into any of the categories listed in the Council's SPG17: Parking Standards. PPW10 and the Active Travel Act seek to encourage travel to destinations such as this facility through means other than the private car and a proportion of the users of this facility will emanate from the main Headquarters site.

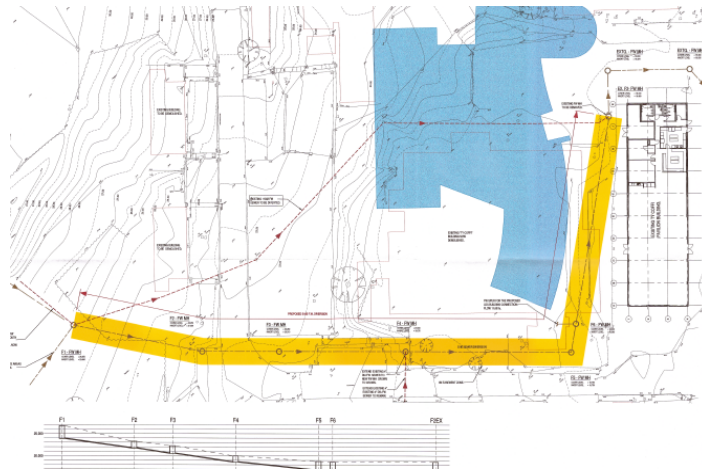
However, on-site parking provision should be based on the expected number of students that will be visiting the site from further afield and other alternative means of travel will need to be encouraged via an enhanced Travel Plan and improvements to the signalised Toucan crossing over the A473 between the site and the Bridgend Retail Park to ensure a safe pedestrian and bicycle crossing at this point.

To that extent the Highways Officer has requested a revised Travel Plan and Parking Layout (via conditions). The applicant will also be required to provide a contribution in the sum of £9,500 to fund Traffic Regulation Orders, roadmarkings and signage in the vicinity of the site.

Having regard to the above and the implementation of the proposed measures and improvements, the acknowledged highway safety and parking implications of the development have been addressed and the scheme can therefore be deemed to accord with Policies SP2, SP14 and PLA11 of the Bridgend County Borough Council Local Development Plan (2013) and advice contained within SPG17, Planning Policy Wales 10 (December 2018) and TAN18.

In terms of foul drainage it is noted that the site is crossed by a mains sewer and this will need to be diverted under a S185 agreement with DC/WW. These works were included within the recently submitted application for the construction of a retaining wall, the diversion of an existing foul sewer and construction of a temporary compound and associated works (P/18/996/FUL refers). The disposal of surface water within the site is the subject of a separate SuDS Approval application.

Proposed Sewer Diversion



The Shared Regulatory Services (Public Protection) Officer has reviewed the noise report and notes that it concentrates mainly on the design criteria of the proposed building to ensure that recommended internal noise limits are achieved in the classrooms, meeting rooms etc.

A noise survey has also been undertaken in order to obtain a base line background level to set appropriate rating levels for the plant noise. Conditions are requested to limit the plant noise rating levels from the development. The submitted Construction Environmental and Traffic Management Plan states that 'All works will be carried out in strict accordance with the following working hours – 7:30am to 17:00pm Monday to Friday and 07:30am to 1:00pm on Saturdays.' The hours of construction that SRS specify are 8am-6pm Monday- Friday, 8am-1pm Saturdays with no working Sundays or Bank Holidays and any piling operations are from 9am. Therefore, the Construction Environmental and Traffic Management Plan will be changed accordingly to reflect this via a suitably worded condition.

In terms of Air Quality, the Shared Regulatory Services (Air Quality) Officer has reviewed the supporting Air Quality Assessment (AQA) submitted with the application and advises that the assessment has been undertaken to a good standard and adopts best available techniques to produce conservative outcomes. He agrees with the conclusions outlined in the AQA which indicates that the operational impacts associated with the development are not significant and it therefore, there are no grounds for concern in specific regard to air quality.

With regard to ground conditions, the Shared Regulatory Services (Ground Contamination) Officer has advised that the documents submitted with the application include contamination assessments undertaken on part of the development site and that these identify potential risks to human health from asbestos containing materials on site.

Significant limitations are noted in relation to access for this investigation work, which are also acknowledged by the applicant's consultant, Intégral Géotechnique (IG). Further potential contamination issues and/or areas excluded from the initial investigation and identified by IG as requiring further assessment include:

- Area A - areas of stockpiles, existing buildings, former fuel station
- Area B – areas of stockpiles (former Ty Coffi footprint), areas occupied by Lyndsey Court

Consequently further site based investigations will be required to provide a robust assessment of the risks from contamination and these will be secured by conditions.

The development includes extensive earthworks with the likely intention to incorporate site won material. This material will need to be assessed in relation to potential contamination and suitability for use. In addition, should there be any importation of soils to develop the landscaped areas of the development or materials imported as part of the construction of the development, it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use. Consequently, conditions to ensure the use of suitable materials are attached to the recommendation.

To offset the potential impacts of the development, the applicant will be required to enter into a Section 106 Agreement in conformity with Policy SP14 Infrastructure. More specifically, as mentioned above, South Wales Police will be required to enter into a Section 106 Agreement to secure a contribution in the sum of £9,500 to fund Traffic Regulation Orders, roadmarkings and signage in the vicinity of the site to preserve the free flow of traffic on surrounding streets and junctions.

CONCLUSION

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

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

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 site, 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.

On balance and having regard to the above, weighing up of all material considerations relevant to this scheme which include the impact of the development on highway safety within and around the site, parking provision, the design and operation of the facilities and the departure from the Development Plan, in planning terms it is considered that a development of this type and nature within a highly sustainable location on previously developed and vacant land within the existing South Wales Police Headquarters site is acceptable in this specific location due to the benefits of the scheme outweighing any potential impacts.

The application is therefore recommended for approval, subject to a Section 106 Agreement and conditions, and will be referred to Council for ratification.

RECOMMENDATION

(A) That the application be referred to the 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 South Wales Police's 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) The applicant enters into a Section 106 Agreement to provide a financial contribution in the sum of £9,500 to fund Traffic Regulation Orders, roadmarkings and signage in the vicinity of the site to preserve the free flow of traffic on surrounding streets and junctions; and,

(C) The Corporate Director Communities be given delegated powers to issue a decision notice granting consent in respect of this proposal once the recommendation has been ratified by Council and the applicant has entered into the aforementioned Section 106 Agreement, subject to conditions as follows:

1. The development shall be carried out in accordance with the following approved plans:-
Site Location Plan (1:2500) – Drwg. No. LDS-PDA-V4-ZZ-DR-A-05-1001 – P04 - received 18th July, 2019
Proposed Block Plan – Drwg. No. LDS-PDA-V4-XX-DR-A-05-1002 – P06 - received 6th March, 2019
Ground Floor Plan (PLC) – Drwg. No. LDS-PDA-V1-00-DR-A-05-1003 - P02 - received 6th March, 2019
1st Floor Plan (PLC) – Drwg. No. LDS-PDA-V1-01-DR-A-05-1004 – P02 - received 6th March, 2019
2nd Floor Plan (PLC) – Drwg. No. LDS-PDA-V1-02-DR-A-05-1005 – P02 - received 6th March, 2019
3rd Floor Plan (PLC) – Drwg. No. LDS-PDA-V1-03-DR-A-05-1006 – P02 - received 6th March, 2019
Roof Plan (PLC) – Drwg. No. LDS-PDA-V1-RF-DR-A-05-1007 – P02 - received 6th March, 2019
Elevations (PLC) – Drwg. No. LDS-PDA-V1-ZZ-DR-A-05-1008 – P05 - received 6th March, 2019
Sections (PLC) – Drwg. No. LDS-PDA-V1-ZZ-DR-A-05-1009 – P03 - received 6th March, 2019
Proposed Site Sections – Drwg. No. LDS-PDA-V4-ZZ-DR-A-05-1011– P06 - received 6th March, 2019
Proposed Gym Floorplans - Drwg. No. GYM-PDA-V4-ZZ-DR-A-05-017– P06 - received 6th March, 2019
Proposed Gym Elevations 1 of 2 - Drwg. No. GYM-PDA-V4-ZZ-DR-A-05-018– P03 - received 6th March, 2019
Proposed Gym Elevations 2 of 2 and Building Sections - Drwg. No. -PDA-V4-ZZ-DR-A-05-019– P03 - received 6th March, 2019
Proposed Drainage Layout – Drwg. No. SWS-BHP-V3-XX-DR-C-(50) 001 Rev. B – received 6th March, 2019
External Works General Arrangement – Drwg. No. SWS-BHP-V3-XX-DR-F-(60) 001 Rev. H – received 6th March, 2019
External Works Finishes Plan – Drwg. No. SWS-BHP-V3-XX-DR-C-(60) 002 Rev. H – received 6th March, 2019
Proposed New Access Road – Drwg. No. SWS-BHP-V3-DR-C-(60) 010 Rev. B – received 6th March, 2019
Proposed Highway Alterations to Rear Access - Drwg. No. SWS-BHP-V3-XX-DR-C-(70) 010 Revision F - received 27th August, 2019

Proposed Highway Alterations to Rear Access - Drwg. No. SWS-BHP-V3-XX-DR-C-(70) 020 - received 27th August, 2019
Landscape Strategy Plan - Drwg. No. 319/01 Rev. A - received 23rd April, 2019
Transport Assessment by Asbri Transport – received 6th March, 2019
Travel Plan by Asbri Transport – received 6th March, 2019
Drainage Strategy Report by Bingham Hall - received 6th March, 2019
Arboricultural Assessment by First Ecology – Section 5 Method Statement - received 6th March, 2019
Ecological Appraisal by First Ecology – received 6th March, 2019
Updated Bat Survey Summary Report by First Ecology – Recommendations - received 6th March, 2019
Construction Environmental and Traffic Management Plan – received 7th March, 2019
Site Investigation Reports (Areas A and B) by Integral Geotechnique – received 8th March, 2019
Acoustic Design and Acoustic Design Report by Mach Acoustics – received 5th April, 2019
Air Quality Assessment Report by Air Quality Consultants – received 5th April, 2019

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and to satisfy the Local Planning Authority's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016.

2. Notwithstanding the plans hereby approved, a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and agreed in writing by the Local Planning Authority prior to their use on site. 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 amenities of the area.

3. No development, apart from site clearance and demolition, 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 new facility commencing and retained in perpetuity.

Reason: To ensure that effective drainage facilities are provided for the proposed development, to prevent hydraulic overloading of the public sewerage system and that flood risk is not increased.

4. No development, apart from site clearance and preparation, shall take place until a scheme for the provision of 311 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 thereafter be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

5. The proposed access to the car parking areas, the car parking areas and turning areas shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the Police Learning Centre and Gymnasium elements of the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

6. Notwithstanding the details as hereby approved, no development shall take place, until a revised Construction Environmental and Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the routing of HGV construction traffic to/from the site
- 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 demolition and construction of the development
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during demolition and construction
- vii. the provision of temporary traffic and pedestrian management at and in the vicinity of the site construction access
- viii. hours of construction (8am-6pm Monday- Friday, 8am-1pm Saturdays with no working Sundays or Bank Holidays and any piling operations from 9am only)

Reason: In the interests of highway and pedestrian safety in the vicinity of the site.

7. The rating level of the combined noise from all plant operating together (including the application of any tonal penalty) when assessed in accordance with BS4142 in free field conditions at any noise sensitive premises shall not exceed the noise levels shown below:

Assessment Period	Plant Noise rating level LAeq, T (dB)
Daytime (0700-23.00 hours)	35dB LAeq, 1hour
Night (23.00-07.00 Hours)	29dB LAeq, 15mins

Reason: In the interests of neighbouring residential amenities.

8. Prior to the beneficial use of the development, a noise report shall be submitted to the Local Planning Authority to demonstrate that the rating levels specified in condition 7 above from all plant when operating cumulatively, including condensers, extraction systems and air conditioning units have been achieved. Where the rating levels have not been achieved, the report shall include a scheme of mitigation measures to reduce the noise to the rating levels specified in condition 6 and a proposed timescale for undertaking the work. The development shall not be brought into beneficial use until the scheme of work has been completed and agreed in writing with the Local Planning Authority and shall be maintained and retained to ensure that the noise limits are adhered to.

Reason: In the interests of neighbouring residential amenities.

9. Notwithstanding the plans as hereby approved, no development, apart from site clearance and preparation, shall take place on site until such time as a comprehensive scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of a revised access at the Eastern boundary of the site onto York Road and revisions to the Western and South Western quadrant of the York Road/Kent Road/Western Avenue/Kingsway roundabout junction broadly in accordance with Bingham Hall Partnership Ltd. drawing SWS-BHP-V3-XX-DR-C-(70)010 Rev F incorporating roadmarkings, traffic signage and pedestrian footways and crossing facilities. The scheme shall be accompanied by full engineering details of the junctions and Stage 2 – 4 Road Safety Audits. Such a scheme shall be implemented, as approved, in permanent materials before the development is brought into beneficial use and the access shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

10. Notwithstanding the plans as hereby approved, no above ground super structure works shall commence on the buildings until such time as a comprehensive scheme of security gates and vehicle access barriers (including an operational management plan) has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed and operated to ensure satisfactory access and egress from the development hereby approved whilst preventing free movement of vehicles between the proposed York Road access and the existing Cowbridge Road access. Such a scheme shall be implemented before the development is brought into beneficial use and maintained and operated as such thereafter in perpetuity.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

11. Prior to the beneficial use of the facilities, a scheme for the provision of 116 long stay cycle parking stands and 5 short stay cycle parking stands shall be submitted to and approved in writing by the Local Planning Authority. The stands shall also be implemented in accordance with the approved details before the development is brought into beneficial use and shall thereafter be retained and maintained in perpetuity.

Reason: In the interests of promoting sustainable means of travel to/from the site.

12. Prior to the beneficial use of the new facilities commencing, a revised Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented within 6 months of the beneficial use of the development commencing. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the site. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the Applicant and submitted to the Local Planning Authority.

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

13. No development, apart from site clearance and demolition, 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 a satisfactory form of development.

14. Prior to the beneficial occupation of the Police Learning Centre building and Gymnasium facility, full details of the proposed means of illumination of the building and car park shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained and maintained thereafter in perpetuity.

Reason: To ensure a satisfactory form of development.

15. The landscaping scheme shall be carried out in accordance with the approved details in the first planting and seeding seasons following the occupation of the buildings 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 ensure a satisfactory form of development and to satisfy the Local Planning Authority's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016

16. A 5 year landscape management plan, including management responsibilities and maintenance schedules for all habitat and landscaped areas shall be submitted to and approved in writing by the local planning authority prior to the beneficial use of the Police Learning Centre building. The landscape management plan shall be carried out as approved.

Reason: To ensure a satisfactory form of development and to satisfy the Local Planning Authority's "biodiversity and resilience of ecosystems duty" under Section 6 of the Environment (Wales) Act 2016.

17. Prior to the commencement of the main construction phase 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:

- (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;
- (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;
- (iii) an assessment of the potential risks to:
 - human health,
 - groundwaters and surface waters
 - adjoining land,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - ecological systems,
 - archaeological sites and ancient monuments; and
 - any other receptors identified at (i)
- (iv) an appraisal of remedial options and justification for the preferred remedial option(s).

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

* 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 or Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

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.

18. Prior to the commencement of the main construction phase 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.

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

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.

19. The remediation scheme approved by condition 18 must be fully undertaken in accordance with its terms prior to the occupation of any part of the development. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Within 6 months of the completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority. The applicant must not beneficially occupy the buildings until the verification report is approved by the Local Planning Authority.

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

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.

20. 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. The applicant must not beneficially occupy the buildings until any remediation scheme and verification plan are approved by the Local Planning Authority.

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.

21. 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.

22. 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.

23. 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.

24. Prior to their implementation on site, a plan indicating the positions, design, materials and type of boundary treatment to be erected and a timetable for its implementation shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed plan and timetable and the approved boundary treatment shall be retained and maintained in perpetuity.

Reason: To ensure that the general amenities of the area are protected.

25. The development shall be limited to the land uses/parameters as set out in Chapter 4 of the submitted Travel Plan.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

26. No above ground super structure works shall commence on the buildings until such time as a comprehensive scheme for the provision of keep clear markings at the junction of York Road with South Road and Cowbridge Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a consultation drawing and be accompanied by Stage 2 – 4 Road Safety Audits. Such a scheme shall be implemented, as approved, in permanent materials before the development is brought into beneficial use.

Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.

27. No above ground super structure works shall commence on the buildings until such time as a comprehensive scheme for the provision of a controlled pedestrian and cycle crossing facility within the traffic signal controlled junction of the A473 (Cowbridge Road)/Bridgend Retail Park/South Wales Police Headquarters to aid cycle and pedestrian movements across the A473, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by full engineering details of the junction, Stage 2 - 4 Road Safety Audits and an Active Travel Act route audit to support the suitability of the proposed crossings for cyclists. Such a scheme shall be implemented as approved before the development is brought into beneficial use.

Reason: In the interests of promoting sustainable travel and Highway Safety.

28. Prior to the beneficial use of the new facilities commencing, a scheme of direction signage from the A473 shall be submitted to and agreed in writing by the Local Planning Authority and implemented in accordance with the approved details.

Reason: In the interests of highway safety.

29. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

To satisfy the above drainage condition, the applicant must:

- Provide an agreement in principle from Dwr Cymru/Welsh Water (DC/WW) regarding the proposed foul connection to the public sewer;
- Confirm use of the rainwater harvesting system;
- Provide detailed drawings of the proposed oil separators, pervious paving, rainwater harvesting tank and geocellular soakaway tank;
- Provide final version of the maintenance plan once SuDS products are known.

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

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

Adequate provision should be made to store all waste material produced and any receptacles to hold it e.g. wheelie bins, fully within the curtilage of the college. The applicant's attention is drawn to the fact that it is an offence under the Highways Act 1980 to obstruct the highway with such objects and that action will be considered to prevent any obstruction.

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

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

In respect of the condition for a Travel Plan the applicant is advised to consider the Travel Plan Guide for Developers at the following internet address:

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

The standard of illumination shall be such that no undue glare or distraction is occasioned to highway users.

Natural Resources Wales (NRW) refer the applicant to the Environment Agency's approach to groundwater protection (<https://www.gov.uk/government/collections/groundwater-protection>) which NRW have adopted. Position statements G11 (Discharged from Areas Subject to Contamination) and G13 (Sustainable Drainage Systems) apply to this development.

The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

- (i) determining the extent and effects of such constraints;

(ii) ensuring that any imported materials (including, topsoils, subsoils, aggregates and recycled or manufactured aggregates/ soils) are chemically suitable for the proposed end use. Under no circumstances should controlled waste be imported. It is an offence under Section 33 of the Environmental Protection Act 1990 to deposit controlled waste on a site which does not benefit from an appropriate waste management license. The following must not be imported to a development site;

- Unprocessed / unsorted demolition wastes.
 - Any materials originating from a site confirmed as being contaminated or potentially contaminated by chemical or radioactive substances.
 - Japanese Knotweed stems, leaves and rhizome infested soils. In addition to section 33 above, it is also an offence under the Wildlife and Countryside Act 1981 to spread this invasive weed; and
- (iii) the safe development and secure occupancy of the site rests with the developer.

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

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

If the development will give rise to a new discharge or alter an existing discharge of trade effluent, directly or indirectly to the public sewerage system, a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from DC/WW. Please note that the issuing of a Discharge Consent is independent of the planning process and a consent may be refused although planning permission is granted.

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

The applicant is also advised that some public sewers and lateral drains may not be recorded on DC/WW's maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist DC/WW in dealing with the proposal the applicant may contact Dwr Cymru/Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru/Welsh Water has rights of access to its apparatus at all times.

If heavy earthmoving machinery is to be employed, the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant.

Access to DC/WW's apparatus must be maintained at all times for inspection and maintenance purposed and must not be restricted in any way as a result of the development.

No work is to be carried out before DC/WW has approved the final plans and sections.

The developer should note that this consent cannot be implemented until the corresponding SuDS approval application has been agreed with the SAB Officer within Bridgend County Borough Council.

JONATHAN PARSONS
GROUP MANAGER PLANNING & DEVELOPMENT SERVICES

Background papers

None