

REFERENCE: P/20/995/FUL

APPLICANT: HD Ltd c/o Savills, 2 Kingsway, Cardiff CF10 3FD

LOCATION: Island Farm site, Ewenny Road, Bridgend CF31 3LG

PROPOSAL: Indoor and outdoor tennis centre, outdoor swimming pool, landscaping, car parking, new access and Active Travel route, new car park and amenity area for the adjacent care home

APPLICATION/SITE DESCRIPTION

HD Ltd has submitted an application for a new Tennis Centre on land at Island Farm, Bridgend. Originally submitted in December 2020, the application has been amended and now proposes the main tennis centre building, with 9 indoor courts and supporting facilities, including social areas, café lounge, gym, studio and health and rehabilitation services. Accommodation for Tennis Wales will also be provided in the new centre.

Six outdoor tennis courts and associated seating areas and enclosures will be constructed on the southern side of the main centre, accessed via a series of walkways. An outdoor terrace and swimming pool will also be provided on the southern side of the main building. Servicing, access and parking facilities will be located on the western side of the building, all served by a new access from Bridgend Science Park. Extensive landscaping will be provided around and throughout the development site with bunded areas and tree planting forming the new boundary with Pen-y-Bont Court Nursing Home and its extended garden and parking area.

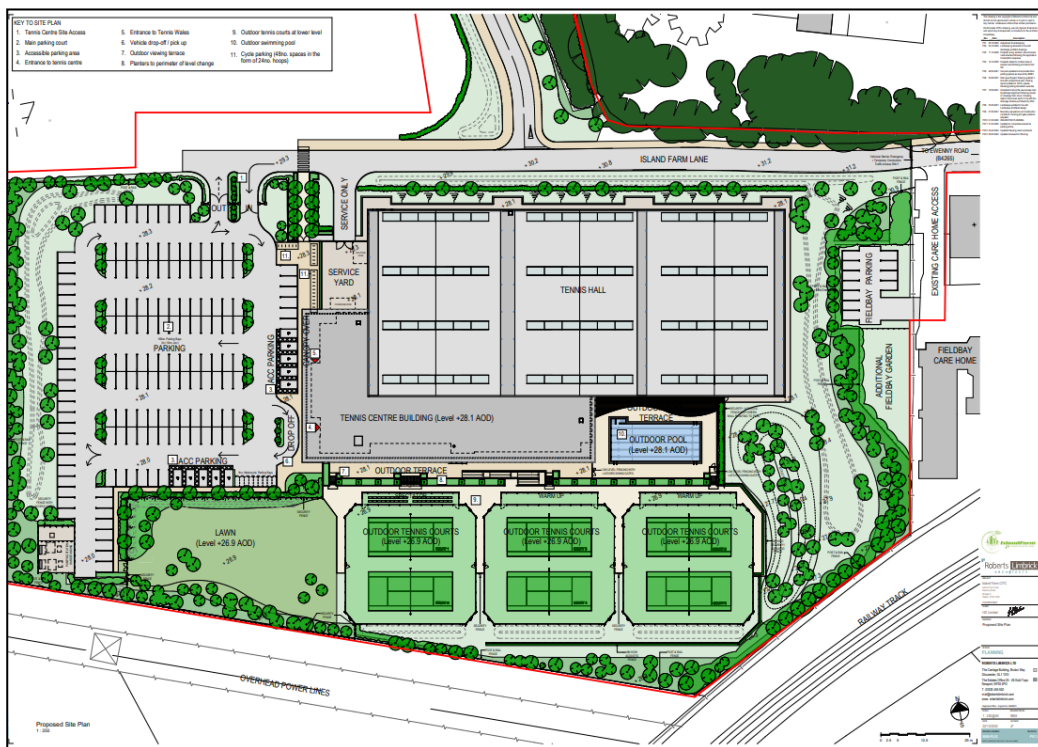


Figure 1 – Proposed Site Plan

The site has an extensive planning history with HD Ltd having secured Outline planning permission in 2008 for a comprehensive sports village development and subsequent Reserved Matters approvals for a tennis centre and access roads in 2014. A substantial proportion of the site has been subject to ground works associated with the previous and now extant planning permission for a tennis centre.

The application site is bound to the west and south by open agricultural land which forms the wider Island Farm site, to the north by Bridgend Science Park and to the east by Island Farm Lane, the Pen-y-Bont Court Nursing Home, former Bro-Ewenni Care Home and several residential properties along the western side of Ewenny Road. The Vale of Glamorgan railway line, in cutting, forms the south-eastern boundary of the site, beyond which are number of other properties on Ewenny Road.

A new access road from Bridgend Science Park will form the principal access to the tennis centre site. The new access with new carriageway, cycle and pedestrian routes traverses the western boundary of the Science Park, linking southwards to the proposed Tennis Centre. It will connect to the main car park via a new section of road that forms an extension of Island Farm Lane.



Figure 2 Access Arrangements

The main car park will incorporate 168 parking spaces, including 10 accessible spaces and 9 motorbike spaces. The 'Accessible' parking spaces will be located close to the main entrance. The car park will be laid out with a one-way circulatory pattern and with a drop-off lane and pull-in directly opposite the main entrance. The layout also incorporates secure cycle parking for 48 cycles. These are located to the side of the main eastern entrance elevation.

Island Farm Lane, the original access point to the development, will be improved with a widened and realigned junction onto Ewenny Road. This includes pedestrian footpaths to the north and south with dropped kerbs and tactile paving to facilitate pedestrian crossing of Ewenny Road. The carriageway from Ewenny Road is formalised and extended up to the tennis centre site. Island Farm Lane will be gated to vehicular traffic at the boundary to the Tennis Centre site, permitting pedestrian and cycle traffic only. Vehicular traffic through this gate will be limited to emergency vehicles and for a limited period to construction traffic for the purposes of constructing the Tennis Centre. The application also includes for the rationalisation and improvement of the current parking arrangements for the Pen-y-Bont Court Nursing Home (Fieldbay Care Home). This will result in the removal of the current informal parking arrangements along Island Farm Lane and the provision of replacement parking dedicated to the Care Home which will be accessible via an extension of their existing car park.

The tennis centre, its car park and outdoor tennis courts will all be located on tiered ground to the south of the new access road. The tennis centre building occupies a land plateau at a level of circa 28.1 AOD, previously formed for the tennis arena approved under P/14/354/RES. The main car park will lie at a similar level to the proposed tennis centre.

The tennis hall will however be partially cut into the ground along its northern edge although this will reduce to the west as existing ground levels gently fall. The tennis hall is wrapped on its western and southern sides by two 2-storey accommodation wings containing ancillary and supporting tennis centre accommodation. The southern elevation extends externally onto a linear terrace overlooking the outdoor tennis courts which, being on the lower side of the site, are located at a level approximately 1.2m (26.9 AOD) lower than the tennis centre external terrace. The outdoor swimming pool is located on the main terrace.

The main tennis hall will be laid out with 9 courts in three banks of 3 courts with an access aisle and corresponding first floor viewing deck providing access and viewing along the central spine of the tennis hall. A 3m zone along the southern side of the tennis hall ensures space for storage, teaching, tennis coaches and warm-up. Court sizes, overruns and clear heights comply with Lawn Tennis Association (LTA)/Tennis Wales requirements. The main hall will measure 116m x 52m with a flat roof reaching a height of 11.3m. The supporting and ancillary accommodation wraps around two sides of the tennis hall in a building measuring 82m x 18.6m with a flat roof reaching a height of 8.53m

The elevation comprising the main access to the centre is 2-storey with a large oversailing roof supported on double height columns. This colonnaded entrance elevation defines the entrances to the tennis centre and Tennis Wales accommodation.

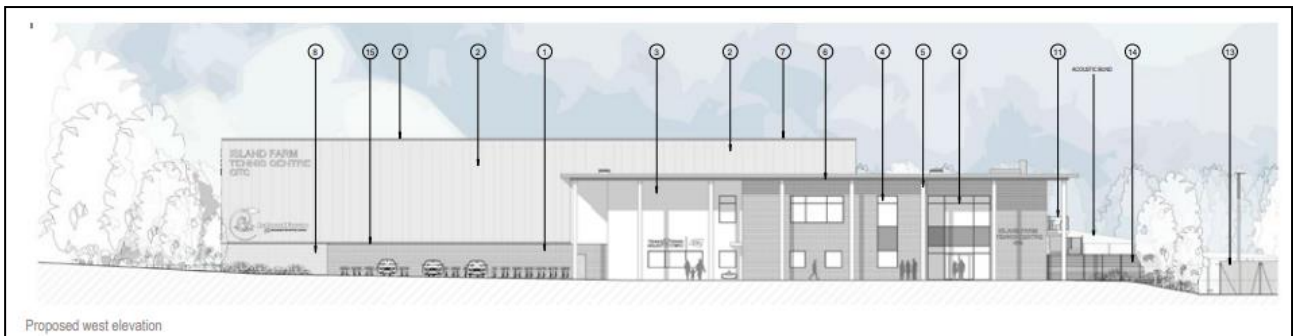


Figure 3 Western Elevation

This 2-storey accommodation wraps around the tennis hall to form the southern elevation which also incorporates an oversailing roof albeit here to shade extensive glazing in this south facing elevation. The oversailing roof is similarly supported by columns forming a linear colonnade and some element of cover to the outdoor terrace below.

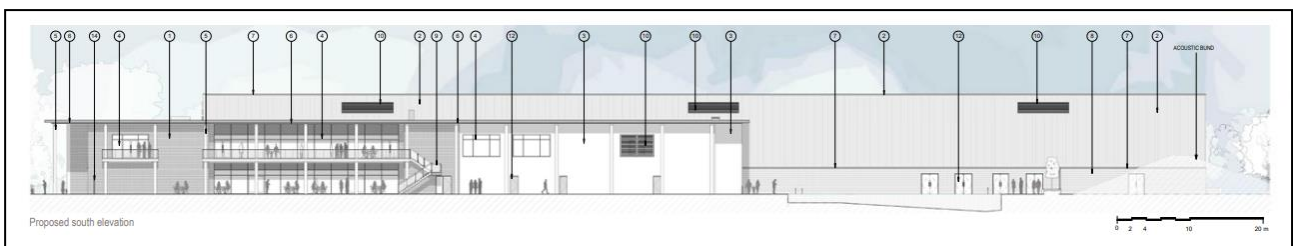


Figure 4 Southern Elevation

The secondary elevations (Figures 5 & 6 below) will face the main access road into the site and Pen-y-Bont Court Nursing Home (Fieldbay Care Home) to the east of the development

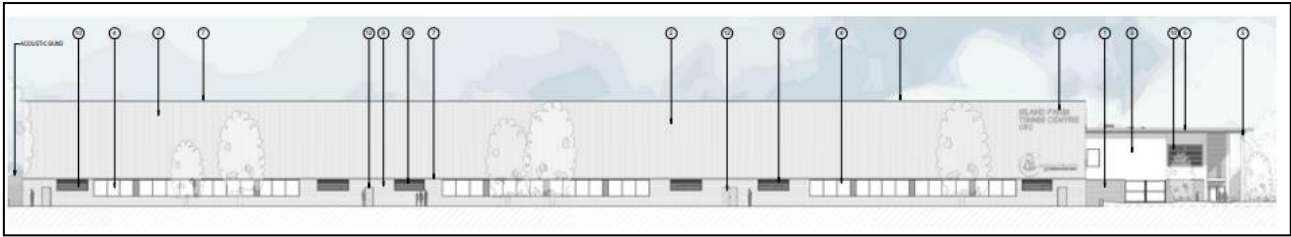


Figure 5 Northern Elevation

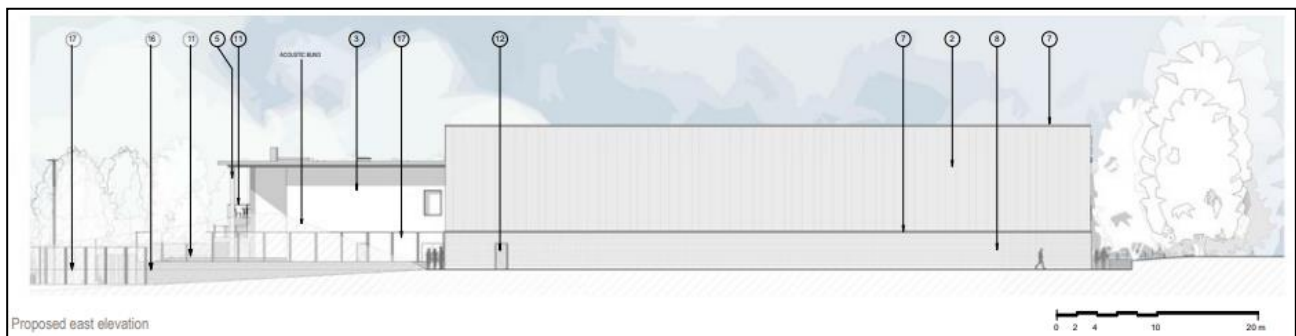


Figure 6 Eastern Elevation

The tennis hall elevation is split one-third/two-thirds in height with a one-third plinth in brickwork, grounding the tennis hall and an upper two-thirds with vertically aligned cladding. Horizontal capping and sill profiles capture the cladding top and bottom and combined with the brickwork plinth, contrast with the verticality of the cladding joints. Windows in the north elevation will allow light into the tennis hall.

A limited range of materials is proposed with the aim to deliver a contemporary design. Three principal building materials are proposed comprising brickwork, render and colour coated cladding. Brickwork to the eastern elevation, service yard enclosure and southern elevation is to be in Petersen brick. Render is proposed in limited elevational areas. The tennis hall has a standard facing brick plinth with colour coated vertically aligned cladding panels. All flat roof edge profiles, balcony edge profiles, cappings, sills and soffit profiles will be grey colour coated aluminium. Windows and curtain walling are grey colour coated and balcony balustrades are fully glazed.

The submitted landscape proposals aim to retain and enhance the tree belt to the north and where interrupted to accommodate the new car park and garden area, the hedgerow to the eastern boundary with the nursing home will be replanted. Significant new tree planting, hedgerows and grassland are proposed to enhance visual amenity, improve biodiversity and provide green infrastructure links around the site as part of wider biodiversity enhancement proposal.

The nature of the site's underlying geology and risk of shallow depth cavities developing, combined with poor permeability of subsoils, limits the viability of soft SuDS features and final surface water discharge via ground infiltration. A hybrid solution combining some soft SuDS conveyance features and underground storage tanks is therefore being proposed.

The external lighting scheme will comprise: -

- Column mounted luminaires for car park and main access road lighting. Some lower-level bollard lighting to Island Farm Lane.
- Low level lighting bollards for pedestrian circulation routes
- Building mounted lighting and low-level lighting bollards to main entrance plaza to eastern arrivals elevation and to south facing external terrace
- Outdoor courts: column mounted luminaires to meet LTA/Tennis Wales recommended lighting standards
- In ground lighting to highlight feature trees

The outdoor tennis courts will be enclosed in sports fencing to recommended standards at 2.75m high. The outdoor terrace and access routes to the outdoor courts are required to be secure and hence short sections of fence link the tennis courts back to the building at each end of the accessible outdoor areas. To manage and control noise breakout, acoustic fence lines are incorporated to the east of the outdoor pool and outdoor tennis courts. The section adjacent the outdoor swimming pool will take the form of a green living wall whilst 3.0m high acoustic fencing will be positioned between the tennis courts and large landscaped mound to the east. This fencing will also extend across the southern boundary of four of the outdoor tennis courts.

The perimeter boundaries will be defined by a combination of low timber post and rail fences and higher elements of security fencing. In time, the boundary treatment will largely be screened by the hedgerows and proposed tree planting.

A foul water sewer exists to the north of the tennis centre site running along the boundary with Bridgend Science Park and towards the residential area to the north. A private pumping station (not adopted) will pump wastewater from the tennis centre development to the north of the site where a standard gravity connection will be made to the public sewer.

The proposed tennis centre and its building services will also be designed to reduce their carbon footprint through the effective use of energy and by using energy efficiently. A three-stage sequential approach has been set out in the supporting planning statements: -

- Reduce energy demand in the first instance through passive design measures
- Reduce energy consumption in use via efficient plant systems and controls
- Appropriate consideration of renewable energy sources to reduce energy demand, pollution, and CO2 emissions further

The application has been accompanied by a series of technical reports, some of which have been updated to reflect the proposed revisions to the scheme:

- Planning Statement
- Pre-Application Consultation Report
- Transport Assessment and Transport Notes (May 2022 & September 2022) (Corun Associates)
- Bat Survey Report (September 2021) Addendum to Ecological Assessment (Ethos Environmental Planning)
- Protected Species Report (July 2022) (Addendum to Ecological Assessment) (Ethos Environmental Planning)
- Noise Impact Assessment (May 2022) (Acoustics & Noise Ltd)
- Storm Water Drainage Strategy (20th September 2021) (WLS); and
- Landscape Management Plan (May 2022)

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/08/1114/OUT	<p>Outline permission for the following forms of development:</p> <ul style="list-style-type: none">• 21,000 sq. extension to the Science Park.• 15,000 seat stadia.• 5,000 seat stadia. (Rugby Union).• 2,000 seat stadia (Football).• Indoor tennis centre (including 10 outdoor courts); and• Indoor 4G Training facility and sports centre. <p>The proposed sports village was to be accessed via a new junction off the A48 and associated link road which would serve the wider sports village development.</p>	Conditional Consent.	14/3/2012
P/14/354/RES	<p>Reserved Matters were subsequently approved in August 2014 for a tennis centre development in accordance with the Outline permission. This consent required that access to the tennis centre, once operational, as per the wider Outline Sports Village proposals came via a new access from the A48. However, it should be noted that Council granted permission for the use of Island Farm Lane as a temporary access to serve the construction process for the development (P/17/29/FUL refers). All pre-commencement conditions relating to the tennis centre development were discharged and the permission for the tennis centre was lawfully implemented with the undertaking of various aspects of ground works. The permission is therefore extant and the tennis centre could be constructed in accordance with the August 2014 Reserved Matters permission.</p>	Conditional Consent.	22/08/2014
P/14/824/RES	<p>Reserved Matters approval has also been obtained for the highways works envisaged in the Outline Planning permission including the site access from the A48 and the spine road</p>	Conditional Consent.	12/06/2015
P/14/823/RES	<p>Full Planning permission was granted for a series of advanced ecological mitigation works including the enhancement of the south-west field (which includes a new bat house) and hedgerow relocation and landscaping This permission was</p>	Conditional Consent.	01/05/2015

implemented by virtue of this mitigation being carried out in 2015/16.

CONSULTATION RESPONSES

CONSULTEE

**Merthyr Mawr
Community Council**

COMMENTS

Original Comments:

Whilst this development proposal lies outside our area, it is on land that comprises part of the greater Island Farm site and as such is of concern to this council. We will limit our comments to issues that could impact upon the Merthyr Mawr community council area.

Traffic: The proposed access off Ewenny Road is obviously sub-optimal. It is basically an upgraded field access lane and will lead to the slowing of traffic towards Bridgend but more particularly traffic travelling towards Ewenny from the Bridgend direction, where visitors to the tennis academy have to cross the other carriageway. It appears from the traffic report that it is working on an estimated 150 movements a day in and out of the academy inclusive. Does this mean that an average of 75 visitors a day are expected? With a parking capacity of around 75, that would appear to be a very conservative estimate. Currently New Inn Road is becoming really quite dangerous as it is used as a means to avoid Ewenny roundabout and it struggles to accommodate 2 vehicles passing in places, far less the cyclists and riders who use it. Further delays on Ewenny Hill would only exacerbate the problem. We note that the developer acknowledges that the impact of traffic is forecast to exceed road capacity around Ewenny roundabout by 2026.

The presence of a traffic light system on Ewenny Hill during the construction period would be enormously disruptive and impact heavily on the surrounding road network we therefore think it imperative, given how long the development may take to complete, that further assessment be carried out as to the impact this may have on the road network particularly if construction takes place during the summer months when there is a marked increase in traffic going to and from the coast.

Everyone living in the area is aware of the weight of traffic on the A48 and Ewenny roundabout without any further development. In responding to this application, it is hard to entirely separate it from the stated ambition within the Design and Access Statement to work towards the development of the rest of the site to deliver 700 houses and a link road. In the original plan for the site, all development was predicated on the building of a relief road to take the pressure off Ewenny roundabout. The developer alludes to their ongoing efforts to deliver a 700-house development with relief road, working with the council to include this in the next LDP. Whilst they have stated that the two things should be viewed separately, we are concerned that the possibility of a link road at some point in the future does not in any way influence the

acceptability of this application.

Landscape Values: We are disappointed that the application does not include a ZTV (zone of theoretical visibility). We strongly support the notion that not only are Merthyr Mawr and the Sand Dunes areas of outstanding historical, ecological and recreational importance but the whole lower Ogmore valley and estuary should be seen in this context. The tennis academy would be visible from the top of the dunes, Ogmore Down, and the well-used footpath across Verville. Full consideration of the impact of such a large structure within in this landscape should be given. It is notable how the low-rise development and landscape contouring of the science park intrudes very little into the otherwise traditional rural landscape of the valley as seen from scenic viewpoints. There is no detail in the application which addresses the blending of this development into the wider landscape with the use of contours. It is noted however that the Design and Access Statement point out the excellent views from the balcony. This obviously indicates that the building would be very visible from further down the valley. Without printing out the plans, it is hard to say but our assumption is that the building will be the height of a 4-storey building and the floor space of around 8 tennis courts. The impact on the surrounding landscape could therefore be extremely detrimental and out of scale. We strongly urge any decisions on such developments also take into account the special nature of this area which is rich in footpaths and informal places interest and recreation. The area to the south and on down to the coast, attracts many visitors on foot, bike and by car and great care should be taken to preserve not just the bricks and mortar but the wider context.

We are also concerned about the impact of a sports development on the night-time sky. The issue comes down to the ability to illuminate tennis courts after dark particularly on Winter evenings without impact the dark sky. The other issue is security lighting. This often causes huge light pollution both in term of brightness and the fact that it is kept on all night. Whilst this is undoubtedly an issue for bats, it is also an issue for the character of the area and all the residential properties surrounding it including the care home next door.

Ecology: Lesser horseshoe bats – Whilst the area covered by this application does not have as high an ecological value as the rest of the Island Farm site, it should be seen in the context of the wider site particularly with regard to bats and dormice. Lesser horseshoe bats are particularly sensitive to light pollution. We would expect the developer to create a detailed lighting strategy to take into account the LHS bat activity in the area, as recommended in their Ecological Assessment and specified in the response from NRW. In the absence of a discreet LHS bat lighting strategy, the impact on the wider bat population cannot be assessed. This council is concerned that this development does not impact on the

prevalence of LHS bats in the wider Merthyr Mawr area.

Dormice: Dormice are present within the larger Island Farm site. To protect the greater population, we would assume that a pre-construction check is carried out wherever there is to be disturbance to potential dormice habitat, that new hedgerow is planted following the best advice regarding dormice habitat and that continuity of habitat is maintained.

Water run-off: Water run-off and storm drains emptying into the Ogmore River are already impactful and action should be taken to ensure that any development does not add to the impact on either Ogmore or Ewenny rivers.

Archaeology: Attention should be given to the presumed presence of the old Roman road that links Cowbridge in the east and Neath in the west and the possible presence of the settlement of Bovium in the area. It is therefore assumed that an accredited archaeologist will make an assessment as to the requirement for a watching brief during soil removal.

Comments on Revised Scheme:

Whilst there is much in this application that could be of benefit to Bridgend and the wider community, there are omissions that prevent this council from offering our support at this stage as outlined below. We would also like to note that impact of this project is hard to assess on its own merits given the plans laid out in the draft LDP for the wider Island Farm site. From the point of view of the road network, ecology, visual impact and impact on the current residents of Island Farm Road and Island Farm Close, the tennis academy is one part of a much larger development the cumulative impacts of which are of concern to this council.

This council objects to the application P/20/995/FUL on the following grounds:

The plans do not include any buffer or screening between the end of Island Farm Close and the new access road from the Science Park to the Tennis Academy. It is assumed that this access road is also intended to feed into the road network for the housing development proposed in the LDP and which is under the aegis of the same developer. It is important that landscape plans are included at this stage to mitigate against the effects of a new road on existing residents.

The application does not include any visual impact assessment or appraisal or ZTV. The land to the south is of high landscape value and the Design and Access Statement acknowledges the visibility of the tennis centre building from the countryside to the south. It is stated that a line of existing trees behind the building will break up the line of the building. Given the size of the building and the high landscape value to the south (SLA (9) lies just to the south of "New inn Road) a more detailed assessment of how it will sit within in the

landscape should be required. Careful consideration should be given to the design elements of the proposal such as the siting, orientation, layout to ensure that the special qualities and characteristics for which the SLA has been designated are protected.

The application does not include a specific assessment of the lighting scheme on protected species and mitigations. Given the sensitivity of bats to light pollution a specific assessment of the effects of the lighting on the protected species within the site should be required. For the protection of UK BAP priority protected species.

The traffic survey does not appear to take account of any increase in traffic along New Inn Road. The report assesses that the practical reserved capacity of Ewenny Roundabout will increase during the PM period from a projected – 17.9% without the tennis academy in 2023 to – 32.8% with the tennis academy. By 2028 the PRC will be at -48.7% with the tennis academy and the delay on Ewenny roundabout will be 156 seconds as opposed to 91.6 seconds without the development.

The greatest degree of saturation by far at 133.8%, is traffic approaching the roundabout Ewenny Road south. The obvious knock-on effect of this will be an increase in traffic heading west on New Inn Road to avoid congestion on Ewenny Roundabout. This will also affect traffic trying to turn onto Ewenny Road from New Inn Road. This impact is not referenced anywhere within the Traffic Assessment. The draft LDP does however cite the previous Tennis Academy application as increasing the “flows at the B4265/Ewenny Road junction.” New Inn Road is essentially a country lane going over a single-track bridge which is a Scheduled Ancient Monument and extremely well used in the warm summer months by local children as a recreation area. The stretch of road between New Inn Bridge and the junction going down to Merthyr Mawr Village is very well used by walkers as it is the main walking route from Bridgend Town (through Newbridge Fields) to Merthyr Mawr Village, Merthyr Mawr Nature Reserve and the Coast. Rush hour traffic has certainly increased on this road in recent years as people seek to avoid delays on Ewenny Roundabout. Further increases will present serious safety issues for other Road users as well as degrading the rural nature of this route. (We note that the delay times at Ewenny Roundabout during Summer weekends especially for traffic approaching from the south is already excessive and this is also when the area around New Inn Bridge is very busy with pedestrians. This seasonal variation is however not referred to within the assessment). For these reasons we seek (a) an assessment of the impact of the Tennis Academy on New Inn Road and its junction with Ewenny Road and (b) proposals for mitigations against any increase in traffic on this route as a result of this application. To ensure safety for all Road users, to ensure the

conservation of a scheduled ancient monument, to protect a very well used local beauty spot and recreation area, to protect the rural character.

Bridgend Town Council:

Original Comments:

No objection however, Bridgend Town Council request that consideration is given to the comments included in the footnote below. Bridgend Town Council also reserve the right to be invited to any site meeting and to speak at the Development Control meeting as may be appropriate.

The original outline application for the whole site received support from Bridgend Town Council for the general concept back in 2012. This application is for a reduced Tennis Only project – down to 50% of original size and moved to the east side of the site on land which now falls wholly with the Bridgend Town Council area.

The original concept had access to the complex off the A48 with a possible additional access through the existing Science Park via B4265.

It was not envisaged using an agricultural lane off Ewenny Road (B4265), past the former Bro – Ewenni Care Home – now badly derelict.

Access via this lane would be off a very busy highway with very poor entrance/vision splay. There is no pavement on one side of the highway and very narrow on the other side.

The B4265 is served by an hourly bus service (303), Monday – Saturday and two hourly on a Sunday. It is a long walk from current nearest bus stops in either direction and would need at the very least new bus stops by the access point but there is room for a full lay-by on the Bridgend-bound side on open verge.

The access lane in question is shown as Island Farm Lane yet this name has no valid status as it is not recognised by either the Town Council or Royal Mail – and any new naming would be for those two bodies to agree upon – and not a third party.

Any new recognised access to the development must be fully adopted and owned by BCBC for the future sake of other properties served by this lane.

Bro-Ewenni Care Home along the lane has been badly derelict for over a decade and is in a hazardous condition. What will be done about this situation?

The Town Council considers a more suitable route into the Tennis Centre would be via Technology Drive from the B4265 with access directly through the south-west perimeter of the Science Park which would provide a safe and prestigious

route for such a major complex.

This would eliminate the need for the narrow lane to be used; nor for a northern 'dog leg'.

The 'dog leg' shows close alignment with the Southern boundaries of both Island Farm Close and Island Farm Road and my Council could never support any form of access from those roads in any future development of land. We fully support and endorse the comments of our neighbouring Merthyr Mawr Council whose views we are aware of in the context of this application.

On the naming of the development, we contend that as the Centre has now been sited wholly within the Bridgend Town Council area, it should at the very least promote the name of Bridgend in its title to give gravitas to the complex and our Town of Bridgend. It is now remote from Island Farm Camp itself and will fall within the CF35 post code area for Ewenny Road (B4265). Island Farm falls within the CF31 post code area for the A48. Visitors to the area will have heard of Bridgend but would probably not know of Island Farm – or if they did, would head for the Camp Site on the A48. Confusion could reign and cause delays and traffic disruption on the A48.

The environment of this area is of huge importance and no existing trees or hedgerows should be removed – unless absolutely essential.

Similarly, wetland areas should be created within the complex wherever possible to show the green credentials of the development.

Facility for visiting minibuses, coaches should be allocated. 72 car parking spaces seems excessive.

Wherever the access to the complex might be determined, strong visual signage will be required and we urge proposals for designs be submitted together with identified locations of directional/brown tourist signs along nearby highways.

Not directly linked to the 'Tennis Centre', mention is now made in the document of "Educational Facilities and 700 dwellings in the future". We have no knowledge of this in the 2012 application for the entire site. We therefore seek information on these new aspects of the overall concept for the area and the impact it may have on the Tennis Centre.

In conclusion, we continue to support the concept of a Tennis Centre of Excellence in principle on this site but NOT the current suggested access which needs more consideration.

Comments on Revised Scheme:

The Town Council acknowledges the revised access

proposals via Technology Drive and welcomes this move. The Town Council continues to urge that recognition is given to the Town of Bridgend in the naming of the complex. The Town Council reserves the right to be invited to any site meeting that may be called and to speak at the development control meeting as may be appropriate.

**Cllr Anthony Berrow
(Local Member -
Bryntirion, Laleston
and Merthyr Mawr)**

To my certain knowledge this site has been in contention for nearly 25 years. It will affect everyone who uses the A48. Therefore, I request a site visit so that new members can be fully aware of all the issues.

**Former Cllr Lyn Walters
(Local Member -
Oldcastle)**

I have concerns with this proposal as listed below and request this is sent to the full Development Control Committee in view of the scale and impact on the local community.

Access – the proposed access off Ewenny Road is concerning. We already have long queues from Ewenny up to the roundabout in the afternoons and traffic to the enlarged tennis centre will exacerbate this. The road is used by heavy quarry lorries so any cyclist will be taking their lives in their hands – there is no ability in my opinion to provide a safe cycle and pedestrian path on this route. This means the majority of users will need to access the facility by car.

Ecological impact – I cannot see the hours of operation but anticipate lighting of the outside courts will have an adverse impact on the local wildlife

**Transportation Officer
(Highways)**

No objection subject to conditions.

Biodiversity and Policy

No objections subject to conditions.

Land Drainage

No objection subject to conditions.

**Shared Regulatory
Services –
Neighbourhood
Services**

No objections subject to conditions.

**Shared Regulatory
Services – Environment
Team (Pollution
Control)**

The planning application does not require an air quality assessment. I would encourage the applicant to take note that for any future proposal as part of the wider development, air quality impacts should be considered where possible and applicable, especially given the current climate that surrounds the topic area of air quality. In terms of the aspirations for the wider development site, please note that it will be viewed that in terms of air quality impacts expected, the traffic movements associated with the tennis centre proposal will be viewed cumulatively when it comes to assessing threshold criteria.

Shared Regulatory Services – Environment Team (Contaminated Land)

No objection subject to conditions.

Dwr Cymru/Welsh Water

No objection subject to conditions.

Natural Resources Wales

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching conditions requiring the submission of a light monitoring scheme prior to the installation of any lighting on site and a condition listing the approved plans and documents as submitted.

Network Rail

Whilst there are no objections in principle to the development the drainage plans indicate a stormwater lagoon within close proximity to the railway. The developer will need to confirm the distance of this from the Network Rail boundary. For this to be acceptable to Network Rail, Soakaways/attenuation ponds/septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property or infrastructure.

The tennis netting should be 5m in height to prevent all potential sports equipment i.e., tennis balls from over-sailing the railway boundary and falling into the path of trains. The applicant must consider the foundations of the netting which could undermine or destabilise Network Rail's land. Equally, netting erected on land next to the operational railway could topple over in high winds and fall onto Network Rail's land, onto the path of trains or onto safety critical equipment (e.g., signals, telecoms cabinets) if above the level of the railway.

National Grid

No objections.

REPRESENTATIONS RECEIVED

The application has been advertised on site. Neighbours have been notified of the receipt of the application and the revised plans and documents. The period allowed for response to consultations/publicity has expired.

Four letters of objection were received in response to the consultation on the original site layout and design from the following properties:

- Milnhome, Island Farm Road
- Gwynfa, Island Farm Road
- Raheen, Island Farm Road
- 13 Island Farm Close

The following is a summary of the objections received:

Transport Impacts:

- Development will lead to an increase in traffic on the road network – existing

infrastructure struggling to cope with existing levels

- Traffic survey carried out was during the Covid Restrictions - it shows that at present Ewenny roundabout and road have not reached capacity but will exceed capacity in 2026. A more sustainable route through the Technology Centre, as in the previous planning application and which received approval should be used.
- Access via Island Farm Lane would be off a very busy highway, with very poor entrance/vision splay. There is no pavement on one side of the highway and very narrow on the other side. Bus stops are distant from the site.
- Ewenny Road has long queues at peak times that will be exacerbated by this development
- No safe cycle and pedestrian routes to the site.

Ecological Impacts:

- No existing trees or hedgerows should be removed – unless essential. Wetland areas should be created within the complex wherever possible to show the green credentials of the development. The target should be to achieve a biodiversity net gain from the development.
- Polecats have been sighted in the area - this animal has a conservation status Protected in the UK under the Wildlife and Countryside Act, 1981, and is classified as a Priority Species in the UK Biodiversity Action Plan, a Priority Species under the UK Post-2010 Biodiversity Framework.
- Lighting of the outside courts will have an adverse impact on the local wildlife

Scale of Development and Wider Visual Impact:

- The height and size of development out of scale with the local environment and will constitute a serious visual intrusion in the landscape. A proper assessment of the landscape and visual impacts should have been submitted.
- Given the visual intrusion of the building and the fact that it is very specific in its purpose, being extremely high, with no windows, the developer should pay a bond to enable the dismantling of the large building in the eventuality that the indoor tennis courts are a white elephant.

Noise Disturbance and Lighting Pollution:

- The area is in a known " Dark Area" with the proposed outdoor tennis facilities having flood lighting that will cause light pollution to the surroundings. How will the lighting be minimised to prevent pollution on neighbouring homes?
- Construction vehicles along Island Farm Lane would pass by existing residential care homes causing unnecessary disruption to the residents nearby. By only allowing access only via Technology Drive would alleviate some of these concerns.

Loss of Employment Opportunities:

- As the original approved plan has changed dramatically, we must presume that none of the promises made to provide Highly Skilled long-term employment will come to fruition.

Naming of the development:

- As the Centre is sited within the Bridgend Town Council area, it should at the very least promote the name of Bridgend in its title to give gravitas to the complex and our Town of Bridgend.

References to potential major development on the adjoining land:

- The town council note references future development on the adjoining land but notes that it is not part of this application.

Letters of support have been received from the owners of Fieldbay & Penybont Nursing Home and Mr Jon Bockelmann-Evans, the father of a top ranked Junior Tennis Player who maintains that, at a time when wellbeing and health, both physical and mental has never been more important, this outstanding facility would vastly improve the likelihood of many more families and individuals taking up the game with all the benefits it brings to them and the local economy.

REPRESENTATIONS RECEIVED IN RESPONSE TO REVISED PLANS AND ACCESS ARRANGEMENTS

Four letters of objection were received in response to the re-consultation on the revised access arrangements from the following properties:

- Milnhome Island Farm Road
- Parkhof, Ewenny Road
- Highwinds, Ewenny Road
- 131 Ewenny Road

The following is a summary of the objections received:

- The size and nature of the proposed development is out of keeping with the quiet rural character of the area, being on agricultural land.
- The proposal will have an adverse effect on the flora and fauna of a locally recognised area of natural beauty - the building height will be imposing and dominate the skyline for the neighbouring area.
- The proposed access route will lead to an increase in traffic on the roads around the Ewenny roundabout which is already congested with traffic often backing up regularly on the A48, Ewenny Road and Pottery Hill. Residents of Ewenny Road have significant problems accessing the network. Surprised you are contemplating adding further traffic to the network – particularly long queues in the summer months.
- How will the additional traffic be regulated and what mitigation is being proposed?
- The lighting from the flood lights will cause light pollution in the locality and beyond. The development will be seen by night from miles around.
- The outdoor courts are likely to cause a noise nuisance to neighbouring properties because of their close proximity.
- This increased traffic will lead to high levels of pollution especially when cars remain stationary.
- The development and proposed traffic route will lead to an increase in noise in the local area and for residents of Island Farm Close and Road.
- The development will lead to further facilities being located outside the town centre, where a tennis club is already located. It will include gym facilities when several gyms already exist in town.

REPRESENTATIONS RECEIVED IN RESPONSE TO REVISED BUILDING DESIGN (ENLARGED BUILDING) AND REVISED LAYOUT

Three letters of objection have been received in response to the re-consultation on the revised building design from the following properties

- Milnhome Island Farm Road
- 13 Island Farm Close
- Highwinds, Ewenny Road

The following is a summary of the objections received:

- Ewenny Roundabout is at its maximum capacity – additional traffic will add to pollution levels to the detriment of residents
- Development will add to queuing traffic on Ewenny Road
- The scale of development will affect the surrounding environment and affect the

amenity of residents

- The outdoor courts and other facilities will cause a noise and lighting pollution problems to the detriment of residents
- The area also houses Bats – advise should be sought from NRW

RESPONSE TO COMMENTS RECEIVED FROM THE TOWN AND COMMUNITY COUNCIL AND LOCAL RESIDENTS

Many of the objections offered by residents and the Town/Community Councils and summarised above are key to the consideration of the application and will be addressed in the appraisal section of the report. The following commentary addresses other issues raised:

Loss of Employment Opportunities: Objectors have referenced the loss of land previously consented for employment uses under the original Outline planning consent. The proposed access to the tennis centre will pass through the land that was to be developed as an extension to the Science Park – Area 10 on the extract plan below:

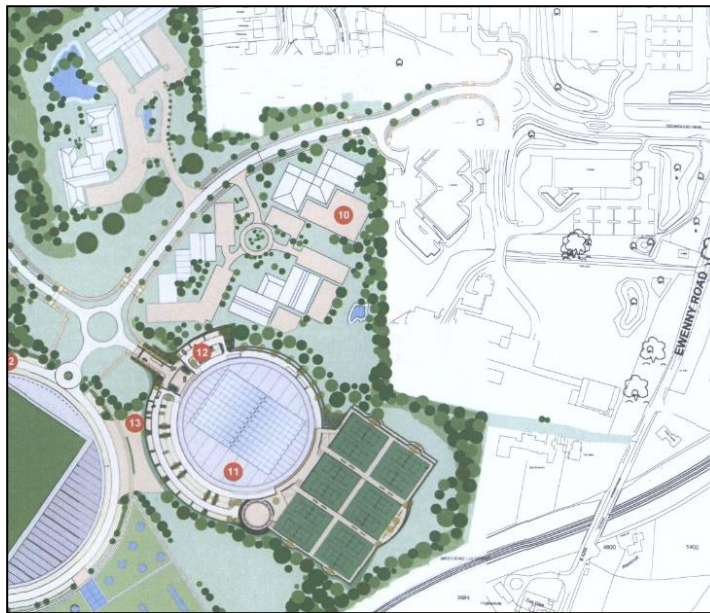


Figure 7 Extract from Masterplan that accompanied application P/08/1114/OUT

The access road will cross land that is one of the four strategic employment allocations in the Bridgend Local Development Plan, (Policy SP9 (2) refers).

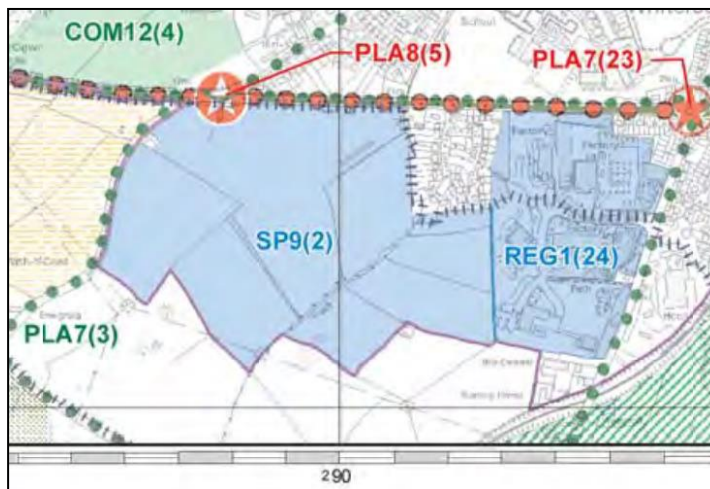


Figure 8 Extract from Bridgend Local Development Plan 2013

The alignment of the road as shown on Figure 2 on page 2 of this report does differ from that on the masterplan above but would not prejudice the development of the land to the west for employment purposes were that to be proposed in the future albeit in a different configuration than indicated on the earlier consent.

A comprehensive review of the land allocated for employment purposes has been undertaken and has informed the policies within the Deposit Consultation Document of the Replacement Bridgend County Borough Local Development Plan 2018-2033. The objective will be to 'create productive and enterprising places' by providing sufficient employment land and a variety of sites to support a diversity of employment opportunities. The current allocation for strategic employment purposes is not however proposed in the Replacement Plan.

Naming of the development: This is not a matter that can be controlled through the planning process. The applicant will however be made aware of the Town Council's request.

References to potential major development on the adjoining land: Documents submitted in support of the application, reference the tennis centre being part of a larger mixed-use allocation in the emerging Replacement Local Development Plan, (RLDP). The RLDP has been approved by Council and has been formally submitted to Planning and Environment Decision Wales for examination in public. The appointed Inspector will consider the soundness of the whole plan in the context of national policy and all other matters which are material to it. In considering the weight to be given to the specific policies in the replacement LDP, it has been necessary to consider carefully the underlying evidence and background to the policies as well as national planning policy. After such an assessment, it is considered that the proposed development will not prejudice the new Plan, the growth and spatial strategy or the wider site allocation under Policy PLA2 of the replacement plan.

RELEVANT POLICIES

Local Policies

The Bridgend Local Development Plan 2006-2021 (LDP) was formally adopted by the Council in September 2013, within which the following policies are relevant:

Policy SP1	Regeneration Led Development
Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy PLA4	Climate Change and Peak Oil
Policy SP3	Strategic Transport Planning Principles
Policy PLA5	Development in Transport Corridors (Pencoed-Pyle)
Policy PLA7	Transportation Proposals (Improved Links to the Vale of Glamorgan)
Policy PLA8	Development Led Improvements to the Transportation Network - Access to Island Farm Strategic Employment Site.
Policy PLA11	Parking Standards
Policy SP4	Conservation and Enhancement of the Natural Environment
Policy ENV1	Development in the Countryside
Policy ENV5	Green Infrastructure
Policy ENV6	Nature Conservation
Policy ENV7	Natural Resource Protection and Public Health
Policy SP5	Conservation of the Built and Historic Environment – Historic Landscapes
Policy SP14	Infrastructure

National Policies

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

Future Wales – the National Plan 2040

Planning Policy Wales Edition 11

Planning Policy Wales TAN 5

Nature Conservation and Planning

Planning Policy Wales TAN 11

Noise

Planning Policy Wales TAN 12

Design

Planning Policy Wales TAN 16:

Sport, Recreation and Open Space

Planning Policy Wales TAN 18

Transport

Planning Policy Wales TAN 23

Economic Development

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

The well-being goals identified in the act are:

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

The duty has been considered in the assessment of this application. It is considered that there would be no significant or unacceptable impacts upon the achievement of well-being goals/objectives because of the proposed development.

THE SOCIO-ECONOMIC DUTY

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

APPRAISAL

This application is referred to committee for determination in view of the objections received from the Town Council, Community Council and local residents.

The main issues to be considered in the assessment of this application are as follows:

- Whether the proposed development is acceptable on a matter of principle having regard to local and national and planning policy
- Whether the scale of the development is acceptable given its context in the countryside and having regard to the surrounding developments and uses
- Whether the existing road infrastructure can accommodate the development traffic and whether the proposed access arrangement for pedestrians, cyclists and vehicles are acceptable in terms of highway safety and the related policies and guidance

- Whether the proposed development and the future use will have any adverse impact on the living conditions of the occupants of the nearest properties and to what extent could any impacts be mitigated through planning controls
- Whether the proposed development will result in any significant loss of habitats or populations of species and provide a net benefit for biodiversity.
- Whether the development would have any impact on any archaeological remains.
- Whether the proposed arrangements for site drainage are acceptable

Whether the proposed development is acceptable on a matter of principle having regard to local and national planning policy

The planning system manages the development and use of land in the public interest contributing to improving the economic, social, environmental and cultural well-being of Wales as required by the Well-being of Future Generations (Wales) Act 2015 and as stated in paragraph 1.2 of Planning Policy Wales (Edition 11, February 2021) (PPW11).

The proposed tennis centre building and associated parking areas and outside courts are located outside any settlement boundary as defined by Policy PLA1 of the Bridgend Local Development Plan 2013 (LDP). The site is therefore located in the countryside where Policy ENV1 states that development will be strictly controlled. The Proposals Map shows that the site is just outside but directly adjacent to the Settlement Boundary of Bridgend but is otherwise on white land that is not subject to other land use allocations. Land to the north and incorporating the proposed access arrangement is identified as an Employment Site (Policy SP9 (2) refers).

Policy ENV1 represents the starting point for the assessment of all development proposals in the countryside but also recognises that certain developments may be appropriate where they will encourage rural enterprise and bring wider community benefits to the County Borough. Such developments will however still need to meet other policies in the Plan, particularly those in relation to nature and environmental protection.

Policy ENV1 establishes ten forms of development that may be acceptable in principle and that includes 'Outdoor Recreational and Sporting Activities'. As the application seeks to develop an indoor and outdoor tennis centre with associated access, parking and landscaping, an element of the development would accord with Policy ENV1. The indoor court provision which represents that largest element of the proposed built development would not however strictly comply with the Policy.

The applicant's supporting statement maintains that neither the Policy nor its subtext provides guidance on whether a degree of indoor provision can be provided alongside "outdoor recreational and sporting activities" and suggests that the reason for the identification of outdoor sporting and recreational facilities as an exception appears to be to provide a supportive framework for sporting and leisure uses where, due to requiring large amounts of land, location within an established settlement is difficult. Available land is more likely to be found in rural or urban fringe locations. A development comprising solely of outdoor tennis courts is not considered viable with indoor court provision and supporting facilities required to create a comprehensive package that is deliverable, meets the identified need and will have the greatest impact for the community. The applicant maintains that whilst part of the recreation use is indoors, the proposal remains well suited for the proposed urban fringe location and it is well related to the established settlement of Bridgend.

Paragraph 3.20 of Technical Advice Note 16: Sport, Recreation and Open Space considers 'Major Sport and Recreation Facilities' and confirms that wherever possible major sport and recreation facilities should be located in or adjacent to town centres, on sites which can contribute to town centre vitality and viability and are accessible by a

range of transport modes. Opportunities to deliver a facility of this scale in Bridgend are limited and the technical note indicates that where such sites are not suitable or available, consideration can be given to edge of centre sites. As indicated above, the site does lie just beyond the settlement of Bridgend and could reasonably be considered an edge of town centre site. Such support by the policy guidance is not unconditional and any such location should have good access to public transport. Furthermore, wherever possible, walking should be the primary means of access to such facilities followed by cycling and the use of public transport with private transport the least favoured option.

Alongside the vehicular access to the site will be a new active travel route that will connect the centre to Technology Drive. Beyond this, improvements to the pedestrian links will be secured by condition to ensure that the existing links are upgraded and the development will contribute and prioritise walking, cycling and the use of public transport.

In seeking to offer material reasons why this development should on a matter of principle be considered favourably, the applicant's agent has submitted an Economic and Wellbeing Benefits Statement which outlines the core benefits of the development. They include:

- Delivering a facility that will provide health and wellbeing benefits, providing opportunities for all to play whilst also providing a centre of training excellence
- Delivering a facility that will host LTA tournaments which, combined with it acting as the administrative hub for Tennis Wales, will mean that Bridgend becomes a headquarters for tennis in Wales
- Creating a significant number of new jobs both at construction phase and when operational
- Providing improvements to Island Farm Lane to the benefit of the nursing homes that are served by this access road

As indicated in the previous section of this report, the Well-being of Future Generations Act 2015 identifies a number of well-being goals that this proposal would address. 'A healthier Wales' - there would be physical benefits of playing tennis and accessing the gym and other related facilities and 'A prosperous Wales' - the development will support local employment opportunities, resulting in the creation of 75 construction jobs over an 18-month period and 50 permanent full and part time jobs when operational.

In considering the matter of policy compliance, the applicant's statement draws attention to a further material consideration and the weight that should be given to the fallback position whereby the previous tennis centre approved under consent P/14/354/RES could be lawfully implemented.

The revised access arrangements which propose the construction of a new access road from the Science and Technology Park to the tennis centre site will traverse land allocated as a Strategic Employment site under Policy SP9 (2) of the LDP. Such sites, according to the LDP must be developed in accordance with a development brief/masterplan and to the highest design and environmental standards. Although the access has been designed and engineered to serve the tennis centre development, it could be adapted to serve as a route to serve the much wider allocation. Its position does not prejudice the delivery of the strategic employment site should an application be proposed for such a development under the policies of the current Plan.

Overall, it is considered that the principle of developing this major sport and recreational facility site in the countryside but on the edge of the settlement of Bridgend is acceptable. The development is not a departure and does not compromise the integrity of the adopted

LDP. Members should also be aware that the Replacement Local Development Plan has now been formally submitted to Planning and Environment Decision Wales for examination in public. As such, the proposed development is not considered to prejudice the new Plan, the growth and spatial strategy or the wider site allocation under Policy PLA2 Land South of Bridgend (Island Farm).

Whether the scale of the development is acceptable given its context in the countryside and having regard to the surrounding developments and uses

Policy SP2 confirms that all development must contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located. Having a design that respects and enhances local character by being of an appropriate scale, size and prominence is the test for any development. If the principle of this development is acceptable in this countryside location, it should where possible utilise existing buildings and previously developed land and/or have an appropriate scale, form and detail for its context.

Both residents and Merthyr Mawr Community Council have suggested that the height and size of development is out of scale with the local environment and will constitute a serious visual intrusion in the landscape. The Community Council have gone further and suggested that the developer pay a bond to cover the costs of removing the building should the tennis centre close in the future. Concerns have been expressed about a failure to submit a proper assessment of the landscape and visual impacts. This concern was brought to the attention of the applicant's agent but no detailed appraisal has been submitted. On this point, there is no statutory requirement to submit such a study with an application although they can be effective tools in identifying the effects of new developments on views and the landscape itself.

The earlier section of the report details the scale of the proposed building with the main hall measuring 116m x 52m with a flat roof reaching a height of 11.3m and supporting and ancillary accommodation wrapping around two sides of the tennis hall in a building measuring 82m x 18.6m with a flat roof reaching a height of 8.53m. At the dimensions proposed the building will be significant in scale and considerably larger than the plans of the development that were originally submitted with this application.

The Design and Access Statement provides an overview of the key elements of the building's design and the factors that have influenced how the site is laid out. The scale of the building is determined by the size of the tennis courts and their required side/back run and clearance height and the need to provide ancillary and supporting facilities. The applicant suggests that the design and elevational treatment have responded to the more distant views of the development. The site is relatively well screened from most directions by rising ground and tree lines from the north or by intervening buildings to the east. Views of the building from properties on Island Farm Road and Close will be limited and over some 250m. For these residents, the view will be of the new access road rising over the intervening land to the tennis centre building. The existing buildings within the Science Park are less sensitive receptors with any landscape and visual impacts from the development being limited by the extensive and mature tree belt that adjoins the estate.

As suggested by the objectors and Community Council, views from the valley to the south and south-west are more open albeit interrupted by a significant electricity pylon and overhead power lines. The Community Council have referenced the Merthyr Mawr Warren Special Landscape Area that lies to the west of the application site. Under Policy ENV3 of the LDP, the settings of such areas are protected with any new development being designed to provide an attractive transition between the urban area and the countryside.

In the Design and Access Statement submitted with the application, the applicant has

attempted to review the landscape and visual impacts and has drawn attention to the mature tree line separating the site from the adjacent Science and Technology Park and rising some 20 to 25m above ground level which will provide the backdrop for the tennis centre building which will also be partially cut into the ground below. It is suggested that this 'imposing tree line' will provide the backdrop for the development and will visually contain the building when viewed from the south and west. The two storey wrap around colonnaded accommodation which will also be viewed from the south and west, will to some degree, ameliorate the height and scale of the tennis hall.

The more immediate views of the development are from the nursing homes to east of the site. The distances between the eastern elevation of the tennis centre and the side elevation of Penybont Nursing Home (Field Bay Care Home) have been markedly reduced as a consequence of the enlarged tennis hall building. Some 38m and 46m will separate the development from the side elevation of the two nursing homes (one operational, the other dilapidated but subject to consents for re-development) with the intervening land to be re-profiled to create a contoured landscape zone of land and additional car parking and a dedicated garden area for the Penybont Nursing Home. Part of the existing hedgerow that forms the eastern boundary will be removed to accommodate the works. This section of hedgerow will be replaced with an extensive tree planting belt and earth bunds. In the short term, the visual impact of the development on the nursing homes will be significant but this will reduce as the new landscaping matures and filters views of the building. The more direct impacts on outlook and daylight will be considered later in this report.

A number of properties lie to the south-east of the site on Ewenny Road but few appear to have direct views of the development. Any landscape and visual impacts from these receptors are considered to be minor to moderate.

For the residents of Island Farm Close and Lane, the visual impact of the development will be from the new access road and active travel route that will rise over the intervening land to the tennis centre building. This is an issue that was specifically referenced by residents and Merthyr Mawr Community Council in their observations. Native hedgerows and new tree planting will line this route to provide a green corridor which will assist in minimising its impact on the landscape. Whilst some buffer planting has been provided on the northern side of the bend closest to the properties on Island Farm Close, this could be enhanced further and a condition will be imposed on any consent granted requiring the submission of a revised landscaping scheme. The benefits of additional screen planting will however be more about minimising the impact of the road on the living conditions of the residents than on adding significant value to the landscape.

Overall, the landscape and visual amenities of this development will be significant in the short to medium term, particularly during construction and for a number of years before the extensive landscaping matures. Those impacts do diminish over distance and the use of a sensitive palette of materials with the use of grey tones in the cladding and brickwork should allow the building to assimilate within its setting whilst also providing some visual interest. The concerns of residents and the Community Council are not without merit but even accounting for the scale of this development which is significant and its location on the edge of the settlement boundary, in the countryside, the impacts are not so great as to warrant a refusal of permission. In reaching this view, weight has been given to mitigating factors such as the extant permission for a tennis centre on and adjacent to this site, the prospect of future development on the surrounding land as detailed in the Replacement Bridgend Local Development Plan and the extensive landscaping works that will be secured through the permission.

Whether the existing road infrastructure can accommodate the development traffic and whether the proposed access arrangement for pedestrians, cyclists and

vehicles are acceptable in terms of highway safety and the related policies and guidance

In terms of transport, the planning system should be enabling people to access jobs and services through shorter, more efficient and sustainable journeys by walking, cycling and public transport. Enabling more sustainable travel choices, managing the capacity of the network and reducing travel demand are the main objectives. Developments must be sited in the right locations where they can be easily accessed by sustainable modes of travel and without the need for a car and designed in a way that 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. Although the publication of Edition 11 of Planning Policy Wales postdates the Bridgend Local Development Plan, the national policy objectives generally accord with Policies SP2 and SP3 of the plan.

The wider road network serving the site is one of the strategic transport routes (A48) and is safeguarded from development that would adversely affect safe and efficient movements and the environment (Policy PLA5 refers). Highway, walking and cycling improvements are also identified along the A48 and B4265 under Policy PLA7. It is against this policy framework that the application has been assessed

Transport Assessments and an addendum report have accompanied the application that have sought to demonstrate that the site can take advantage of local sustainable infrastructure with the proposed improvements in pedestrian/cycling connectivity through the new access road and associated active travel links. In this regard the access has been relocated and revised to enable the provision of meaningful linkages with the Active Travel Route identified in the Authority's Integrated Network Map (Route INM-BR-46) along Ewenny Road. The access proposal provides for a dedicated active travel route along its length to Technology Drive. An assessment of the traffic flows and design of Technology Drive confirms that it would be appropriate for cyclists to use the carriageway along Technology Drive. Whilst there are existing pedestrian footways provided along Technology Drive an audit of the route along the northern side indicates that the route is not acceptable in its current form although with the provision of tactile paving crossings of the accesses to Plot 2 (Severn Trent) and Plot 3 (3M) on Technology Park, this could be overcome. Conditions will be imposed to secure these improvements. It should be noted that the provision of additional cycle infrastructure beyond this point would be considered unreasonable based upon the scale of the development. This provision could be considered in future if other developments sought to increase movements along this route.

The nearest bus stops to the site are on Ewenny Road and given traffic volumes on this route, crossing can be difficult. In order to make the development more attractive and accessible by public transport, a pedestrian crossing on Ewenny Road (in the proximity of junction of Priory Road) is considered necessary and is the subject of a planning condition below. The provision of a crossing point will need to be supported by parking/loading restrictions in the immediate vicinity and a financial contribution via a S106 Agreement will be required in the sum of £8,000 to cover the costs associated with the legal process and provision of the signs and road markings. The Council's Public Transport Officer has also identified a need for the bus stops on Ewenny Road to be improved through additional signage, markings and an upgrade to the shelter. Monies will be secured for these works through the S106 Agreement. Altogether the measures proposed through the application and secured by the Agreement and conditions will promote sustainable travel and together with a requirement for a Travel Plan will aid modal shift in travel patterns to the development.

A number of the objectors have highlighted the potential for the development to add traffic to an already congested network and the difficulties already experienced by residents

accessing/egressing Ewenny Road. The development traffic is however predicted to have a minimal impact on the surrounding highway network and is not expected to cause any capacity issues at the existing Technology Drive/B4265 Ewenny Road junction.

With regard to the Ewenny Road signalised roundabout junction, the submitted Transport Assessments and Transport Notes have come to the same overall conclusion. This junction is already at operating capacity. An independent review of the latest Transport Assessment confirms the assessment to be robust, offering a 'worse case' scenario and showing a greater impact on the Ewenny Roundabout junction than is likely to occur.

The key issue therefore is whether the development flows will create a material adverse highway impact. It is estimated that the actual impact of the development would equate to approximately 67 vehicle trips in the PM peak hour. The traffic distribution suggests that an average of 7% would arrive/depart south and therefore avoid Ewenny Roundabout. Therefore, there would be 62 vehicle trips through Ewenny Roundabout. This equates to an additional one vehicle every minute or two vehicles every cycle of the traffic signals. The impact of such a negligible increase would be difficult to evidence beyond the natural daily fluctuations in traffic and therefore difficult to justify a refusal of planning permission. The development is however likely to result in increased queue lengths on Ewenny Road on the northbound and southbound approaches to the roundabout. Consideration has been given to measures to mitigate the increased flows on the network but it is evident that this would require major physical improvement to the signalised junction which would be costly and disproportionate to the scale of the development. Furthermore, at this current time there are no other developments with which the costs of any such improvement could be shared. Accordingly, the determination of this application must be made on the understanding that there is likely to be an impact on vehicular traffic on the highway network but that would be to some extent offset by the measures to encourage modal shift away from private car travel. The Council's independent consultant has recommended that a specialist be engaged to review and adjust the Ewenny Roundabout signal controller configuration to maximise capacity for the revised traffic patterns associated with the development. Monies will again be secured through the S106 Agreement towards this work.

An assessment of both the cycle and car parking arrangements for the tennis centre and nursing homes has been undertaken. Car parking numbers generally accord with the Council's Supplementary Planning Guidance, although a slight adjustment to the parking numbers for the nursing home will be required, (condition 15 refers). Additional cycle parking will be required but that can be accommodated within the grounds of the tennis centre. A condition will be imposed to ensure that the delivery of spaces accords with policy and guidance.

In summary, despite the objections received there is no convincing evidence before the Council to suggest that the application should be rejected on highway and transportation grounds.

Whether the proposed development and the future use will have any adverse impact on the living conditions of the occupants of the nearest properties and to what extent could any impacts be mitigated through planning conditions

One of the measures for achieving a high-quality development is to ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected. (SP2 (12) refers). Policy ENV7 considers all forms of pollution (light, noise air etc) and confirms that development should only be permitted where it can be demonstrated that it would not cause a new or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity.

There are many aspects of this development that could impact on living conditions at various stages from construction to operation. From the representations received, loss of outlook, impacts on privacy, excessive noise from the construction, operation of the tennis centre and light pollution are the main concerns.

Impacts on outlook and privacy are particularly relevant to the nearest properties to the development which would be the nursing homes to the east of the site and the dwellings to the south-east, including Highwinds. The properties on Ewenny Road, namely Bryn Derwen (formerly 'The Patch') and Belvedere, are screened from the development by the nursing homes and a dense copse of trees that exist between the former Bro-Ewenni Home and Penybont Nursing Home. Although glimpses of the building will be possible from those properties, the distances between which exceed 100m should ensure that outlook will not be dominated and privacy will not be significantly compromised.

Highwinds is a large detached property on Ewenny Road that is located to the south-east of the development site and is separated by a deep cutting along which runs the Vale of Glamorgan rail line. Trees on the side of the cutting and the boundaries of the development site and the property itself offer screening.

Whilst the property does not appear to have habitable room windows that directly face the site, given the scale of the building, views will be possible. Again, with some 90m separating the main tennis centre building from the neighbouring dwellinghouse, any arguments concerning loss of outlook, light and privacy would be difficult to sustain.

Noise impacts from the development and the relationship with this property will be discussed again but as part of the mitigation works, earth bunds and landscaped areas proposed as part of the development. Extracts from the relevant drawing are re-produced below:

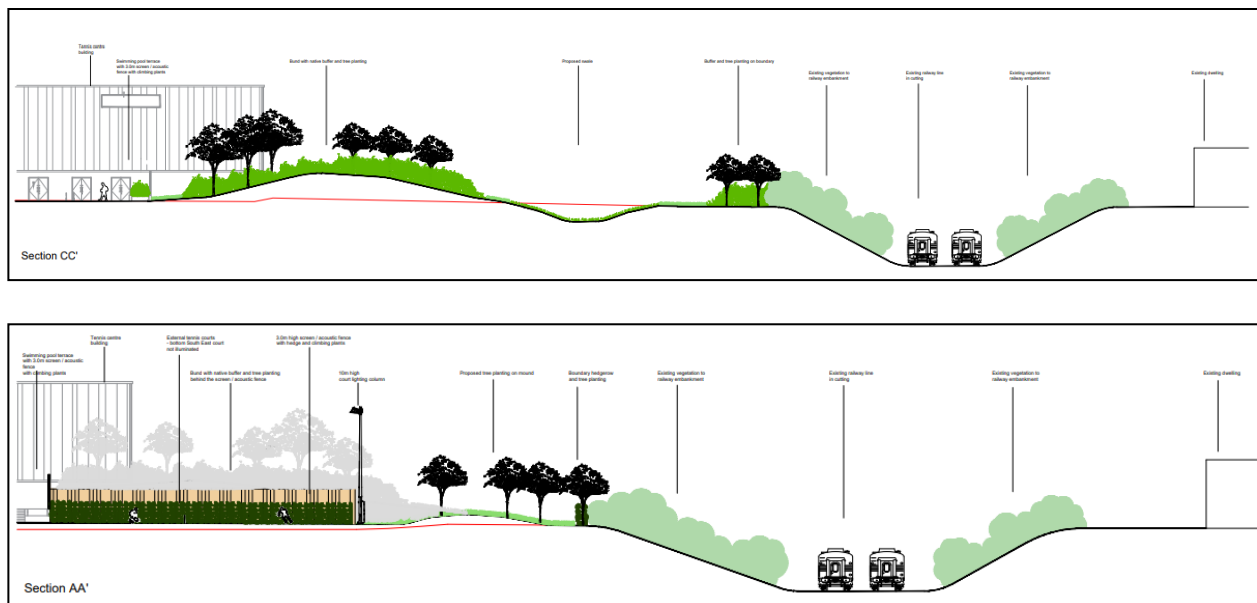


Figure 9 Cross Section Showing the Tennis Centre Building/Proposed Earth Works/Landscaping/Railway Cutting and Highwinds

The sections are drawn at two different angles and show the outline of the Highwinds on the right-hand side and the outline of the main tennis centre building on the left. They seek to demonstrate the relative levels of the development and the proposed earth works and landscaping (existing and proposed) that will seek to minimise the impact of the built form and its operation on the living conditions of the residents of Highwinds. The mitigation proposed is considered sufficient and should ensure that the policy test is met.

The two nursing/care homes are the closest properties to the development site and as stated above, with the footprint of the tennis centre being increased in the latest plans, the separating distance has correspondingly decreased.



Figure 10 Extract from Site Landscaping Plan showing relationship of Tennis Hall to Nursing Homes

Based on the plans submitted for earlier applications on the Penybont Nursing Home, the elevation contains ground floor windows serving single bedrooms and lounge areas with a similar configuration on the floor above.



Figure 11 Photo of Side Elevation of Nursing Homes

Site levels and existing vegetation already limit the outlook from the ground floor windows to some degree. Views, principally from the bedrooms above are over the fields and hedgerows of Island Farm and the dunes of Merthyr Mawr in the distance. This will be completely transformed by this development with the outlook being of the side elevation of the main tennis hall and the outside playing areas. Members should be mindful that such views cannot be protected through the planning legislation.

Whether the standards relating to overdominance and overshadowing which are applied to new extensions and new houses are relevant to this development is debatable however, they would not be compromised and despite the scale of the tennis centre building, it is not considered to be so close to windows in the care homes to be unduly overbearing and

oppressive. From the submitted plans, it is noted that the areas to the east of the tennis hall will be contoured and landscaped to minimise the impact of the development. When mature the trees will frame the development when viewed from the homes and will help to minimise the mass and form of the tennis centre building.

Privacy standards are generally applied when new housing developments are being considered. The standard 21m would be achieved although there are no windows in the tennis hall building facing the nursing homes. This new use of land and its associated outdoor recreational activities will bring the participants/players closer to the occupants of the nursing homes but this should not significantly impact on the living conditions of the residents. Measures to mitigate the impacts of noise and lighting on the occupants of the homes will be secured through the planning consent. It should be noted that no objections have been received from the operators of the nursing home to the latest drawings and indeed the nursing home offered support for the application when originally submitted.

For the residents on Island Farm Road and Close, the impact from the development on their living conditions will be from the new access road. The main tennis centre building will be over 250m from the rear and side elevations of the nearest properties.

The proposed access road, as it turns east to enter Technology Drive will be a minimum of 18m from the side boundary of 21 Island Farm Close. A 2.4m high acoustic fence with hedge planting either side and additional landscaping in the intervening spaces is offered as mitigation to off-set the impact of the road. An opportunity does appear to exist to provide additional areas of planting to screen the development from the side boundary of 22 Island Farm Close and the properties at the southern end of Island Farm Road. A condition will be imposed to secure these works.

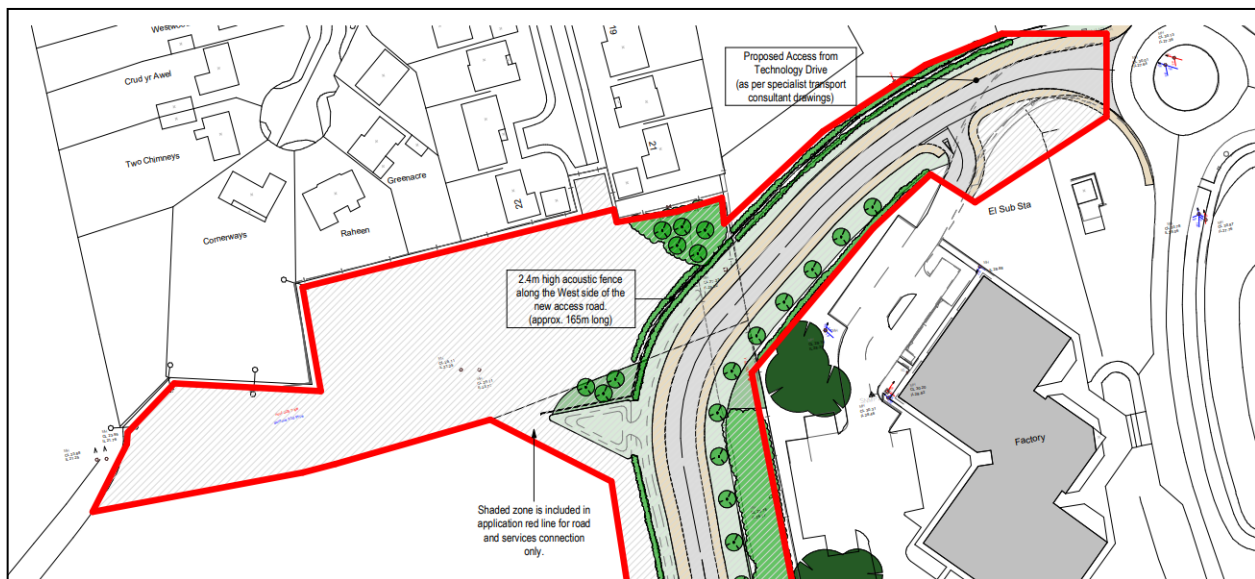


Figure 12 Extract of Plan Showing relationship of access road To Island Farm Close and Island Farm Road

Members should be mindful that an extant consent does exist to create an access road into Technology Drive to serve the previously approved Island Farm Sports Village. It is considered that subject to the implementation of the landscaping and acoustic fence, the living conditions of the nearest residents on Island Farm Close and Road should be reasonably protected.

The buildings on Science Park are commercial and not residential and have been discounted in terms of this assessment.

Recognising that the development will generate noise, an assessment has been undertaken to identify any adverse impacts and whether any potential solutions to mitigate noise would be required. The primary noise sources associated with the development are identified as plant noise, racquet striking ball, human voices from the swimming pool area, spectator noise during a limited number of tournaments and vehicle movements associated with visitors to the development. Informed by the initial noise modelling work, the development proposes to incorporate a number of acoustic mitigation measures to minimise the operational noise impact at the nearest sensitive receptors. The following measures are included in the submitted design:

- Minimum 3m high acoustic barrier at the eastern boundary of the swimming pool extending south and west along the perimeter of Courts 4, 5 and 6.
- A landscaped earth bund located between the tennis courts and the care home and garden. The height of the bund varies along its length with a maximum height of 4m at the northern extent.
- A minimum 2.4m high acoustic barrier located along the northern extent of the development access route at the northern extent.

The development proposal incorporating the mitigation has been assessed using 3D modelling techniques to determine the noise immission levels due to the development and ensure that adverse impact is avoided at neighbouring noise sensitive receptors. In the absence of specific criteria for this type of development, noise impact from the facility has been assessed by comparing the change in noise levels due to the introduction of the proposed development.

Any plant and machinery associated with the Tennis Centre is to be housed within a plant room in the main building. The plant is anticipated to be used 24/7 and as details of the plant are not available at this stage, a maximum operational criterion has been recommended based on the representative background sound levels. The recommended criterion will be used to inform the M&E design and purchasing decisions for any plant associated with the proposed development. A condition can be imposed that will limit plant noise levels.

Whilst it is expected that all external courts will only be in use at the same time on an infrequent basis, the submitted noise assessment considers the worst-case impact based on the assumption that all external courts are in use at the same time.

As the tennis centre is not yet operational and in the absence of a similar British Guideline document, noise emission levels for the tennis activities were obtained from a German Standard. The proposed opening hours of the Tennis Centre are 06:00 – 22:00 hours with the majority of activity on the outdoor courts expected to occur during the period 09:00 – 20:00 hours. Spectators will only be present during a limited number of organised tournaments with the capacity to accommodate a maximum of 80 spectators at any one time. The assessed noise effects during a tournament represent the worst-case situation for when the maximum of 80 spectators are in attendance and where all external courts are in use at the same time. It is understood that this situation would rarely occur and typically less than 80 spectators are expected during the majority of tournaments and that all courts would only be in use during early rounds. These tournaments will only occur during the period 09:00 – 20:00 hours.

The results of the assessment indicate that the immission levels at all residential dwellings and the occupants of the care home are below the assessment criteria agreed with the Council and any potential impact will be low. An adverse effect does not occur in

accordance with the aims of Planning Policy Wales. This conclusion also applies during the limited number of tournaments with up to 80 spectators.

The noise assessment has also considered any impacts from development traffic on the nearest residential properties. The result of this assessment indicates that the magnitude of the impact from the noise associated with the proposed development road traffic, is 'Negligible' for all receptors subject to the implementation of the mitigation set out above.

The noise assessment has been considered by Shared Regulatory Services and there is no objection to the amended scheme subject all mitigation works being implemented and controls being imposed on the future use of the site.

The noise assessment does not consider the issue of construction traffic only the noise impact of the additional traffic generated by the development on the wider road network. Construction access to the site is proposed via Island Farm Lane which will be improved with a widened and realigned junction onto Eweny Road. The lane will be gated to vehicular traffic at the boundary to the Tennis Centre site but will permit construction traffic. This will pass by the existing properties causing some disruption to the residents. The Council does recognise that construction operations by their nature are noisy and impacts on those living and working in the vicinity must be minimised as far as is reasonably practicable. This is generally achieved through the agreement of a Construction Management Plan or indeed through other legislation (Environmental Protection Act 1990 etc.) and that is proposed for this development.

As part of the Construction Management Plan, the developer will be required to submit a phasing plan for the construction with the intention being that only the initial phases of construction will utilise Island Farm Lane and that works on the construction of the access to the Science Park commence as soon as possible within the build contract. This will have benefits in terms of highway safety which will be discussed again in the report but also limiting the impact of construction traffic on residents.

Planning Policy Wales recognises the need to balance the provision of lighting to allow sport and recreation activities to take place with the need to protect the natural and historic environment including wildlife and features of the natural environment, retain dark skies where appropriate, prevent glare and respect the amenity of neighbouring land uses and reduce the carbon emissions associated with lighting. Planning Authorities are invited to impose conditions that require the agreement of the design and operation of lighting systems to ensure they are energy-efficient and prevent light pollution.

The statements supporting the application suggest that the proposed external lighting has been designed with safety and functionality in mind. Illumination levels will be controlled to recommended standards without over-illumination. Good lighting design principles are incorporated to mitigate wider light pollution and skyglow effects via appropriate locational and light fitting specifications. The column mounted fittings are specified as the 'dark sky' type with low upward light spillage. Lamps will be appropriately specified with effective beam control, spill shields and baffles using LED technology. Daylight control and time switches will also be used to control external lighting to appropriate levels at all times of the day.

Particular attention has been focussed on limiting light spill into the perimeter hedgerows and woodland areas in order to protect bat foraging routes. It is understood that this scheme is indicative and may be subject to change. Conditions will therefore be imposed requiring the agreement of the final details of the lighting scheme prior to their installation. The lux levels at the closest residential properties will not be able to exceed the levels set out in condition 31. A post installation survey will also be required to ensure that the

installed lighting has not resulted in excessive sky glow, glare and light trespass onto any wildlife corridors.

Overall, the impacts of the development on the nearest residential properties and the occupants of the nursing homes are not considered to be so excessive as to warrant a refusal of planning permission. This view is reached on the basis of the details set out above, the mitigation offered as part of the development and the opportunity to secure controls, particularly with regard to noise and lighting through the grant of planning permission.

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

Policies SP2, SP4, ENV5 and ENV6 provide the local policy framework for assessing the impact of the development on biodiversity interests. The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) on Welsh public authorities in the exercise of their functions. The presence of a species protected under European or UK legislation or under Section 7 of the Environment (Wales) Act 2016 is also a material consideration when a Planning Authority is considering a development proposal which if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained.

The application has been accompanied by a series of Ecological Appraisals that provide an overview of the site's baseline ecological conditions from previous and new ecology survey work. The conclusions reached in the baseline analysis is that the site is not subject to any statutory or non-statutory ecological designations. The habitats in the centre of the site were assessed to hold low ecological value whilst the boundary features were assessed as having moderate value for foraging/commuting bats.

The proposed access road running north-south along the eastern boundary runs parallel to an existing strip of trees and vegetation. The detailed location, landscape and lighting design for this road has been informed by the results of the bat surveys with the principal objective of retaining a dark corridor along this north south route. Previous surveys have also identified the presence of dormice on site. The proposed new access will cross the boundary with Bridgend Science Park where there is an existing gap in the tree line. Some scrub vegetation will need to be removed although much of the area has been colonised almost entirely by Himalayan Balsam. The proposed access road should not result in the loss or severance of dormice habitat. Proposals to remove the Himalayan Balsam and replanting areas of scrub at this access point can be secured by condition. Further planting is also proposed along the entirety of the eastern boundary of the new access road which will result in a significant net gain in habitat suitable for dormouse.

In the consultation responses received, the Council's Ecologist has requested that the recommendations in the Ecological Assessment be included in the conditions of approval. Furthermore, should the application be granted, consideration be given to the provision of nest boxes within the development for bat and bird species. The incorporation of bat bricks, bat tiles and bat boxes into the development, would provide summer roosting opportunities for bats and would contribute to the environmental sustainability of the development. Such enhancements would also demonstrate Local Authority compliance with Section 6 of the Environment (Wales) Act 2016.

In their consultation response to the revised scheme and in particular the new access road, Natural Resources Wales (NRW) have welcomed the submission of the updated 'Protected Species Report'. On the matters of dormice, it is noted that two sections of hedgerow on the eastern boundary with the care homes are to be removed. This

hedgerow consists of the original retained hedgerow bolstered with translocated planting secured under a licence issued by NRW as mitigation for the hedgerow removal works carried out in the centre of the larger site.

As mitigation is legally secured under licence, the removal of this section of hedgerow will require the existing licence to be amended. In addition, given the change to the scope of the works since the licence was issued, a number of aspects of the licence will also require amending to accurately reflect the work carried out on the site to date and to ensure that any outstanding requirements that were conditioned under a new licence are more proportionate to the reduced level of works now proposed. The developer will need to discuss the new licence with NRW's species permitting team. It should be noted that replacement tree and hedge planting is proposed along the revised and re-aligned eastern boundary.

On the matter of bats, NRW note that the majority of the bat activity occurred off site along the railway corridor that runs alongside the south-east corner of the site. The latest surveys recorded an increase in Lesser Horseshoe Bat (LHB) in June 2022 and there is already known to be a LHB maternity roost near the site. Given the apparent sensitivity of this species to lighting, it is important that the south-eastern corridor remains dark. The latest lighting plans indicate that no light spill in excess of 1 lux will illuminate boundary vegetation along the railway corridor. NRW have however requested the imposition of a condition that will agree a scheme and measures to monitor light spillage once the development is operational to ensure that the light levels proposed by the development are achieved. This condition has been included within this report – condition 32 refers.

Tree and vegetation clearance in site is limited to three locations. Firstly, the point where the access road will cross from the site into Technology Drive as detailed above. The second location is the eastern boundary of the site where a section of hedgerow will be removed to allow the formation of the new car park and garden for the adjacent nursing home. Extensive re-planting is proposed around the revised site boundaries to mitigate the loss. This work will also be the subject of a revised licence that will need to be issued by Natural Resources Wales before any development commences.

The final area relates to the access improvement proposed on the junction of Island Farm Lane and Ewenny Road. A group of Holly trees and a single Bay Laurel tree will be removed to allow for the junction re-alignment. The proposed landscaping scheme incorporates a new native hedgerow along the amended side boundary of Bryn Derwen (formerly 'The Patch'). The loss of trees is regrettable but justified on the basis of the highway safety gain from the revised access arrangements.

On the basis of the observations received from Natural Resources Wales and the Council's Ecologist and subject to the imposition of conditions that will tie the development to the submitted landscaping works and management plans, mitigation measures will be required as recommended in the protected species reports to be implemented along with the controls on the lighting to ensure the development proposal will accord with Policies SP2, SP4, ENV5 and ENV6 and Section 6 of the Environment (Wales) Act 2016. Overall, the development will not result in any significant loss of habitats or populations of protected species and through the agreement of a Landscape Ecological Management Plan will provide a net benefit for biodiversity.

Whether the development would have any impact on any archaeological remains

This matter was referred to in the comments received from Merthyr Mawr Community Council in recognition that the application site is located within an Archaeological Sensitive Area of 'Island Farm Bovium' as defined by Policy SP5(4) Sites or Areas of Archaeological

Significance of the LDP. Policy SP5 states that development should conserve, preserve or enhance the built and historic environment of the County Borough and their setting.

As part of the original Island Farm development, a programme of archaeological work was agreed with Glamorgan Gwent Archaeological Trust through a written scheme of archaeological investigation that would be carried out as part of the development, (condition 41 of P/08/1114/OUT refers). The document identified that intrusive groundworks could disturb previously unknown archaeological remains, in particular the fabric of the Glanwenny/Caerleon-Loughor Roman Road, an additional Trackway, three possible cairns, a Pond and other buildings on site. From the plans that accompanied the agreed Scheme of Investigation, the main tennis centre building will be outside the potential remains. The proposed access will however cross the possible line of the Roman road.

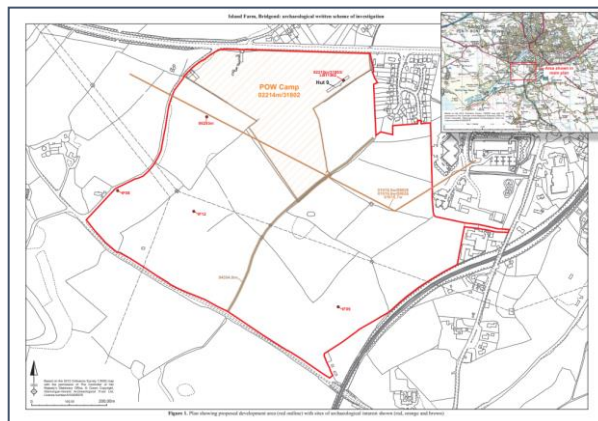


Figure 13 Extract from Island Farm, Bridgend - Archaeological Written Scheme of Investigation

All works will therefore have to be carried out in accordance with the Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd - (GGAT Projects) - May 2015 - Project No P1774 - Report No. 2015/041. Subject to the developer complying with the requirements of the above document, Policies SP5 and ENV8 should be appropriately addressed by the development and any archaeological asset recorded.

Whether the proposed arrangements for site drainage are acceptable

The application site lies within Flood Zone A on the NRW advice map and the site is therefore classed as being at low risk of flooding. A foul water sewer exists to the north of the tennis centre site running along the boundary with the Science and Technology Park and towards the residential area to the north. A private pumping station (not adopted) will pump waste from the tennis centre development to the north of the site where a standard gravity connection can be made to the public sewer.

Surveys have confirmed that ground infiltration rates on site are low and the site is subject to naturally occurring cavity formations. Accordingly, alternative surface water drainage solutions will be required. A surface water drainage layout and drainage strategy report has been provided which identifies that surface water will be disposed to the DCWW public sewer via attenuation ponds and permeable paving that drains to a private surface water pumping station. It is a requirement that the surface water drainage systems are designed and built in accordance with standards for sustainable drainage and that these systems must be approved by the Bridgend SUDs Approval Body before construction work begins.

No adverse comments have been received from the Land Drainage Section and Dwr

Cymru Welsh Water. Conditions will however be imposed to require the agreement of the drainage works before works commence.

CONCLUSION

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.

Having regard to the above and weighing up all the material considerations, it is considered that this proposed sporting and recreational facility is, on a matter of principle, acceptable in this rural but urban fringe location. The development is not a departure and does not compromise the integrity of the adopted LDP. Opportunities to deliver a facility of this scale in Bridgend are limited and national policy does acknowledge that such sites may be acceptable where they are accessible by a range of transport modes. Active Travel routes will be provided along with improvements to the existing pedestrian links as part of the development. In reaching a view on the principle of the development being acceptable, consideration has been given to the extant planning consent for a tennis centre on this site and the economic and wellbeing benefits of the development which are detailed in the report.

The landscape and visual impacts of this development have been carefully considered and whilst in the short term they will be significant from certain viewpoints, the extensive landscaping that is proposed will as the years pass minimise its impact. The building at its scale will never be hidden but it will become more integrated with its surroundings over time. As detailed in the report, the impacts of the development on the nearest residential properties and the occupants of the nursing homes are not considered to be so excessive, in part due to the mitigation works that will be delivered as part of development and the opportunity to secure controls, particularly with regard to noise and lighting through the grant of planning permission.

The submitted proposal demonstrates that the site can take advantage of local sustainable infrastructure with a new Active Travel link that will be constructed as part of the new access road and improvements to the pedestrian route beyond the site boundary, connecting to public transport routes. Such measures which also include enhancements to the bus stop facilities are considered proportionate to the development proposed. The potential for the development to add traffic to an already busy network along the A48 and Ewenny Road has been considered in the various Transport Assessments and Transport Notes that have accompanied the application.

An independent review of the latest document confirms the assessment to be robust, offering a 'worse case' scenario and showing a greater impact on the Ewenny Roundabout junction than is likely to occur. There will however be additional traffic on the network and consideration has been given to measures to mitigate the increased flows but it is evident that this would require major physical improvement to the signalised junction which is beyond the scope of this application. The impacts would to some degree be offset by measures to encourage modal shift away from private car travel and through adjustments to the Ewenny Roundabout signal controller configuration to maximise capacity for the revised traffic patterns associated with the development. In summary, despite the objections received, there is no convincing evidence before the Council to suggest that the application should be rejected on highway and transportation grounds.

Matters of detail concerning ecology, archaeology and site drainage have been fully assessed and subject to a number of pre-commencement conditions being imposed, impacts can be controlled and mitigation secured.

RECOMMENDATION

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

(i) Contribute a total sum of £25,266, paid on the commencement of development towards:

- Bus stop improvements, including bus stop signs, markings, and bus shelter roofing upgrades - £6,600.
- Traffic Orders required in connection with the required pedestrian crossing on Ewenny Road - £8,000.
- Improvements to the Microprocessor Optimised Vehicle Actuation (MOVA) system on Ewenny Roundabout - £10,666.

(B) The Corporate Director Communities be given delegated powers to issue a decision notice granting conditional consent in respect of this proposal once the applicant has entered into the aforementioned Section 106 Agreement as follows:

1	<p>The development hereby permitted shall be carried out in accordance with:</p> <p>(a) the following approved plans and documents:</p> <p>9806-PL01 P05 (Site Location Plan) 9806-PL02 P013(Block Plan) 9806-PL03 P013 (Proposed Site Plan) 9806-PL04 P03 (Proposed Ground Floor Plan) 9806-PL05 P03 (Proposed First Floor Plan) 9806-PL06 P03 (Proposed Roof Plan) 9806-PL07 P03 (Proposed GA Elevations) 9806-PL08 P05 (Proposed GA Sections 1) 9806-PL09 P04 (Proposed GA Sections 2) 9806-PL10 P04 (Proposed 3D Views) 9806-PL11 P03 (Proposed 3D Visualisation).</p> <p>DLA-2002-L-10 P04 (Hard Landscape Plan 1 of 2) DLA-2002-L-11 P04 (Hard Landscape Plan 2 of 2) DLA-2002-L-12 P04 (Soft Landscape Proposals Sheet 1 of 2) DLA-2002-L-13 P04 (Soft Landscape Proposals Sheet 2 of 2) DLA-2002-L-14 P04 (Boundary Treatment) DLA-2002-L-15 P02 (Vegetation Removal/Protection) DLA-2002-RPT-LMP-01 Revision 4 (Landscape Management Plan) (May 2022) DLA-2002-L-21 P01 Outdoor Terrace Details DLA-2002-L-22 P01 Tree Pit Details DLA-2002-L-23 P01 Bund Sections DLA-2002-RPT-LUX-01 1(Selux Light Information) DLA-2002-L-16 P02 (General Lighting Lux Level Plan). DLA-2002-L-17 P03 (Circulations Lighting Lux Level Plan 1 of 2) DLA-2020-L-18 P03 (Circulations Lighting Lux Level Plan 2 of 2) DLA-2002-L-19 P03 (Sports Court Lighting Lux Level Plan) DLA-2002-XX-ZZ-DR-L-20-01Access Road – Dark Corridor</p>
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	<p>D001 Rev B (Foul Water Drainage Strategy) (WLS) D100 Rev C (Storm Water Drainage System) (WLS) Storm Water Drainage Strategy (20th September 2021) (WLS)</p> <p>(b) The Active Travel Route and Access Road as detailed on Drawings 9806-PL01 P05 (Site Location Plan), 9806-PL02 P013 (Block Plan) and 9806-PL03 P013 (Proposed Site Plan) shall be constructed prior to the tennis centre being brought into beneficial use.</p> <p>(c) The mitigation measures set out in the documents listed below shall be carried out as prescribed in the documents before the development is brought into beneficial use:</p> <ul style="list-style-type: none"> • Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd (GGAT Projects) - May 2015 Project No P1774 - Report No. 2015/041 • Bat Survey Report (September 2021) Addendum to Ecological Assessment (Ethos Environmental Planning) • Protected Species Report (July 2022) Addendum to Ecological Assessment (Ethos Environmental Planning) • Noise Impact Assessment (May 2022) (Acoustics & Noise Ltd) <p>(d) In accordance with conditions 1 (a) and 5, all works comprised in the approved details of landscaping shall be implemented in accordance with a programme of works that shall be submitted to and agreed in writing by the Local Planning Authority before any development works commence on site.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
2	<p>The premises shall be used as an Indoor and Outdoor Tennis Centre with ancillary facilities only and for no other purpose including any other purpose in Class D2 (Assembly and Leisure) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any Statutory Instrument revoking and/or re-enacting that Order.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of highway safety.</p>
3	<p>No above ground works shall take place until a detailed specification for, or samples of, the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.</p> <p>Reason: To ensure that the proposed materials of construction are appropriate for use on the development so as to enhance and protect the visual amenity of the area.</p>
4	<p>No above ground works shall take place until a scheme for the comprehensive and integrated drainage of the site, showing how foul, road and roof/yard water will be dealt with, including future maintenance requirements, has been submitted to and approved in writing by the Local Planning Authority; the approved scheme shall be implemented prior to beneficial use commencing.</p>

	<p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that flood risk is not increased.</p>
5	<p>Notwithstanding the submitted landscape plans, no above ground works shall take place until a scheme for landscaping and noise mitigation works has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall relate to the land that separates the access road from the boundaries of 21 and 22 Island Farm Close and shall include existing and finished site and road levels, full details of the noise mitigation measures (including the required 2.4m high acoustic barrier) and details of any earth works and associated tree and shrub planting. The agreed scheme shall be implemented before the road and/or the tennis centre is brought into beneficial use and shall be retained in perpetuity.</p> <p>Reason: To safeguard the amenities of the residents of Island Farm Close.</p>
6	<p>Notwithstanding the approved layout plans, no development shall commence in respect of the access road until a scheme for a revised Active Travel arrangement at the north-eastern tie-in point of the access road with Technology Drive has been submitted to and approved in writing by the Local Planning Authority. The active travel tie-in arrangements shall be implemented as agreed in permanent materials before the development is brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p>
7	<p>No development shall commence in respect of the access road until a scheme for the provision of a pedestrian refuge crossing on Ewenny Road in the vicinity of the junction with Technology Drive has been submitted to and agreed in writing by the Local Planning Authority. The pedestrian crossing facility shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety and promoting active travel.</p>
8	<p>No development shall commence in respect of the access road until a scheme for the provision of tactile pedestrian crossing facilities on the access of Plot 2 Technology Drive (Severn Trent Laboratories) has been submitted to and agreed in writing by the Local Planning Authority. The pedestrian crossing facilities shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use.</p> <p>Reason: In the interests of highway safety and in promoting active travel.</p>
9	<p>Notwithstanding the submitted plans, no development shall commence in respect of the emergency access until a scheme for the emergency access adjacent to Penybont Nursing home has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for a restriction for vehicles from the site (unless in an emergency) whilst allowing through access for active travel journeys and shall be implemented as agreed in permanent materials before the development is brought into beneficial use and retained in perpetuity.</p> <p>At no time, other than in an emergency or the for the initial ground works on site shall the Island Farm Lane/Ewenny Road junction be used to serve this development.</p>

	Reason: In the interests of highway safety..
10	<p>Notwithstanding the approved layout plans no development shall commence in respect of the access road until a scheme of horizontal and vertical alignment details together with localised widening on bends has been submitted to and approved in writing by the Local Planning Authority. The access road shall be implemented as agreed in permanent materials before the development is brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p>
11	<p>The proposed amended access junction from Eweny Road adjacent to the empty former nursing home shall be laid out with vision splays of 2.4m x 100m to the south and 2.4m x 93m to the north and implemented as agreed in permanent materials before the commencement of works on the Tennis Centre or the additional parking for Penybont Nursing home.</p> <p>Reason: In the interests of highway safety.</p>
12	<p>No structure, erection or planting exceeding 0.9 metres in height above adjacent carriageway level shall be placed within the required vision splay areas at any time.</p> <p>Reason: In the interests of highway safety.</p>
13	<p>Notwithstanding the submitted plans no development shall commence until a scheme for the provision of 5 long stay cycle parking stands (10 spaces) and 32 short stay cycle parking stands (64 spaces) has been submitted to and approved in writing by the Local Planning Authority. The stands shall be implemented before the development is brought into beneficial use and retained for cycle parking purposes in perpetuity.</p> <p>Reason: In the interests of promoting sustainable means of travel to/from the site.</p>
14	<p>The proposed Tennis Centre car parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.</p> <p>Reason: In the interests of highway safety.</p>
15	<p>No development shall commence in respect of the Penybont Court Nursing Home car park until a scheme for the provision of no more than 12 off-street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.</p> <p>Reason: In the interests of highway safety.</p>
16	<p>Within 3 months of the date of the erection of the main tennis centre superstructure, a Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority. The 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. Such a plan shall be subject to periodic review with the first to be undertaken after 6 months of the use commencing with monitoring and annual reports</p>

	<p>prepared thereafter by the operator to be submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>
17	<p>Prior to the beneficial use of the new facilities commencing, a scheme of direction signage from the A48 and B4265 (Ewenny Road) shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the beneficial use of the new facilities commencing.</p> <p>Reason: In the interests of highway safety.</p>
18	<p>Upon completion of the development but prior to its beneficial use, a Delivery Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicles movements to the facility shall be made in accordance with approved Management Plan.</p> <p>Reason: In the interests of highway safety.</p>
19	<p>No development shall commence on site until a Construction Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The Construction Management Plan shall be divided into phases of construction and include: -</p> <ul style="list-style-type: none"> • Phasing of construction of Penybont nursing home car park, tennis centre, emergency access and new access road • The routeing/timing of HGV construction traffic to/from the site in order to avoid New Inn Road and the AM and PM peak hours at Ewenny roundabout • the parking of vehicles of site operatives and visitors • loading and unloading of plant and materials • storage of plant and materials used in constructing the development • wheel washing facilities • measures to control the emission of dust and dirt during construction • the provision of temporary traffic and pedestrian management along Ewenny Road and Technology Drive • temporary parking for Penybont Nursing Home during construction period • Hours of construction (which must not be outside the following hours 8am-6pm Monday- Friday, 8am -1pm Saturdays with no working Sundays or Bank Holidays) • Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites to minimise noise disturbance from construction works. • A scheme for mitigation measures for construction noise, noise and vibration monitoring <p>The construction works shall thereafter be undertaken in accordance with the agreed Construction Management Plan throughout the construction phases.</p> <p>Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.</p>
20	<p>No development shall take place (including demolition, ground works, vegetation clearance) until the Landscape Ecological Management Plan (LEMP) has been submitted to and agreed in writing by the Local Planning Authority. The LEMP shall include the following:</p> <ol style="list-style-type: none"> a) Description and evaluation of features to be managed.

	<p>b) Ecological trends and constraints on site that might influence management.</p> <p>c) Aims and objectives of management.</p> <p>d) Appropriate management options for achieving aims and objectives including mitigation detailed in the ecology report submitted with the application namely that for:</p> <ul style="list-style-type: none"> • protection and enhancement of bat feeding and commuting corridors and protection and enhancement of hedgerows and the deciduous woodland • dormice • nest boxes for birds • bat boxes <p>e) Prescriptions for management actions</p> <p>f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)</p> <p>g) Details of the body or organisation responsible for implementation of the plan</p> <p>h) On-going monitoring and remedial measures.</p> <p>The LEMP shall also set out where the results from monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme.</p> <p>The site shall be developed in accordance with the agreed details.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation</p>
21	<p>No development shall commence on site (including demolition ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include the following:</p> <ul style="list-style-type: none"> • Risk assessment of potentially damaging construction activities • Identification of 'biodiversity protection zones' • A method statement for eradicating invasive species in accordance with best practice guidance • Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction • The location and timing of sensitive works to avoid harm to biodiversity features • The times during construction when specialist ecologists need to be present on site to oversee works • Responsible persons and lines of communication • The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person • Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details.</p> <p>Reason: To protect biodiversity and to preserve the amenities of the countryside and adjoining occupiers.</p>
22	<p>The tennis centre, swimming pool and external tennis courts (excluding external courts 5 and 6) shall only be in operation between the hours of 06.00 and 22.00.</p>

	Reason: To protect the amenities of the adjoining occupiers.						
23	<p>External tennis courts 5 and 6 (as indicated in the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022) shall only be in operation between the hours of 07.00 and 22.00.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
24	<p>All tournament tennis shall only be played between 08.00 and 22.00 hours on any day.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
25	<p>The designated external spectator areas shall not be in operation outside the hours of 08.00 and 22.00.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
26	<p>The combined maximum noise rating level from all fixed plant and equipment when assessed in accordance with BS 4142:2014+A1:2019 shall not exceed the following noise levels as measured or where that is not possible, a combination of measurement and calculation at any noise sensitive receptor:</p> <table border="1" data-bbox="411 976 1091 1097"> <thead> <tr> <th>Time</th> <th>Noise rating level</th> </tr> </thead> <tbody> <tr> <td>Day (07:00-23:00)</td> <td>35 dB Laeq, 1 hour</td> </tr> <tr> <td>Night (23:00-07:00)</td> <td>32 dB Laeq, 15mins</td> </tr> </tbody> </table> <p>Reason: To protect the amenities of the adjoining occupiers.</p>	Time	Noise rating level	Day (07:00-23:00)	35 dB Laeq, 1 hour	Night (23:00-07:00)	32 dB Laeq, 15mins
Time	Noise rating level						
Day (07:00-23:00)	35 dB Laeq, 1 hour						
Night (23:00-07:00)	32 dB Laeq, 15mins						
27	<p>Prior to any fixed plant and equipment coming into beneficial use, a further noise assessment shall be undertaken to demonstrate either by measurement or where this is not possible by calculation or a combination of both measurement and calculation, that the noise rating levels specified in condition 26 have been complied with. The report shall be submitted to and agreed with the Local Planning Authority. Where the noise limits have not been achieved, the report shall contain a scheme of mitigation which shall be completed prior to any fixed plant and equipment becoming operational and an updated report shall be submitted to the Local Planning Authority to demonstrate compliance with condition 26.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>						
28	<p>The following acoustic barriers shall be installed at the development:</p> <p>(i) An acoustic barrier with a minimum height of 3m shall be installed at the eastern boundary of the swimming pool, extending south and west along the perimeter of courts 4, 5 and 6 (as shown on Figures 4-6 of Appendix 5 of the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022)</p> <p>(ii) A landscaped earth bund shall be located between the tennis courts and the care home and garden (as shown on Figures 4-6 of Appendix 5 of the noise assessment entitled 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022). The height of the bund varies along its length and</p>						

shall be in accordance with that as shown on plan 9806-PL03 Rev P010-Proposed Site Plan with a maximum height of 4.5 m at the northern extent. The figures shown in red on plan 9806-PL03 Rev P010 equate to the following barrier heights:

	Datum	AOD	Barrier Height (metres)
1	28.10	28.12	0.02
2	28.10	32.60	4.50
3	28.10	31.90	3.80
4	28.10	30.40	2.30
5	28.10	29.60	1.50
6	28.10	29.30	1.20
7	28.10	27.20	-0.90

(The above data is extracted from the noise model. AOD refers to the red figures in the drawing. The first and last points refer to the base height of the ground at start and finish of the bund. The height of the bund between the points is extrapolated by the software (assumed linear).

(iii) An acoustic barrier with a minimum height of 2.4m shall be located along the northern extent of the development access route at the northern extent (as shown on Figures 7-8 of Appendix 5 of the noise assessment entitled, 'Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022)

For the modelling, the AOD heights were input as absolute height with height of the bund being the difference between the AOD and a reference height (datum) which for the above table is taken as the Finished Floor Level of the swimming pool area (28.1m)

All acoustic barriers/bunds should be contiguous throughout their length with a minimum superficial mass of 15 kg/m². For an acoustic barrier to achieve the calculated sound reduction performance, there must be no holes or weaknesses in the structure of the barrier. There must also be no gaps between the barrier and the ground in order to prevent sound passing underneath the barrier.

The design details of the barriers, including type of acoustic barrier, materials and exact location/height of each type of barrier shall be submitted to and approved by the Local Planning Authority in writing prior to installation of the acoustic barriers and must demonstrate that the minimum superficial mass of 15kg/m² will be achieved. The barrier design scheme shall be implemented as agreed and prior to the development being brought into beneficial use. The barriers shall be maintained and retained in perpetuity.

Reason: To protect the amenities of the adjoining occupiers.

29 Within six months following the first use of the external tennis courts and swimming pool or at the request of the Local Planning Authority upon receipt of a justified complaint whichever comes first, an Acoustic Review Report shall be submitted to the Local Planning Authority to demonstrate that the predicted noise levels specified in Table 12 of the noise assessment entitled ' Noise Impact Assessment for Proposed Tennis Centre to Support Planning Application' dated 19 May 2022 for the Care Home and NSP1 and NSP2 Receptors have been achieved. The Acoustic Review

Report shall include a review of the mitigation measures completed under the terms of Condition 27 to ensure that the barriers achieve the level of attenuation that has been included in the noise modelling contained within the Noise Report dated 19 May 2022.

Should the noise levels from the external courts, spectators and swimming pool exceed the predicted levels within tables 12-15 of the Noise Impact Assessment dated 19 May 2022, their use shall cease immediately until such time as a scheme of mitigation has been submitted to, agreed in writing by the Local Planning Authority and implemented on site.

Reason: To protect the amenities of the adjoining occupiers.

30 No fixed public address systems shall be used externally at the tennis centre. Prior to the use of any temporary public address system, full details of the system including timings and noise levels shall be submitted to and agreed in writing by the Local Planning Authority. Any temporary public address system shall only be operated in accordance with the agreed details.

Reason: To protect the amenities of the adjoining occupiers.

31 Prior to the installation of any external lighting, final details of the lighting scheme shall be submitted to and agreed with the Local Planning Authority. The scheme shall include the following:

- A plan showing the location, height and orientation of the lights, as well as what type of lights are to be erected at what locations
- The predicted levels in lux at the closest residential receptors following final choice of design, location and height of lighting columns and information to demonstrate that the levels do not exceed The Institution of Lighting Engineers recommendations in the Guidance Notes for the Reduction of Obtrusive Light' for obtrusive lighting in E2 – Rural areas as reproduced in Table 1 below:

Environmental Zone	Sky Glow ULR [Max %] ⁽¹⁾	Light Trespass (into Windows) Ev [Lux] ⁽²⁾		Source Intensity I [kcd] ⁽³⁾		Building Luminance Pre-curfew ⁽⁴⁾ Average, L _[cd/m²]
		Pre- curfew	Post- curfew	Pre- curfew	Post- curfew	
E1	0	2	1*	2.5	0	0
E2	2.5	5	1	7.5	0.5	5
E3	5.0	10	2	10	1.0	10
E4	15.0	25	5	25	2.5	25

ULR = Upward Light Ratio of the Installation is the maximum permitted percentage of luminaire flux for the total installation that goes directly into the sky.
 Ev = Vertical Illuminance in Lux and is measured flat on the glazing at the centre of the window
 I = Light Intensity in Cd
 L = Luminance in Cd/m²
 Curfew = The time after which stricter requirements (for the control of obtrusive light) will apply; often a condition of use of lighting applied by the local planning authority. If not otherwise stated - 23.00hrs is suggested.
 * = From Public road lighting installations only

- Specify operational hours for each type of lighting i.e. lighting for signage, lighting for external tennis courts, lighting for swimming pool, lighting for car park and general low-level lighting and mode of operation as to how the lights are activated and turn off

	<ul style="list-style-type: none"> Specify any necessary 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) <p>The lighting scheme shall be implemented as agreed.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>
32	<p>Prior to the installation of lighting on the site, full details of a lighting monitoring scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting monitoring scheme shall include:</p> <ul style="list-style-type: none"> Measures to monitor light spillage once the development is in operation, Detail of consistent/accurate method to record light levels in proximity to sensitive features Details of remedial measures and additional monitoring should light levels not be within the required levels <p>The lighting monitoring scheme shall be implemented as agreed.</p> <p>Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.</p>
33	<p>Should the Local Planning Authority make such a request in writing, a post-operation survey shall be undertaken and submitted to the Local Planning Authority within one month of such request being made to demonstrate that the lighting does not exceed the approved specifications. If the survey demonstrates that it does not meet the approved specifications, any remedial action necessary to achieve such approved levels shall be undertaken within one month of such request being made in writing by the Local Planning Authority.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p>
34	<p>No development or site clearance shall commence until the Local Planning Authority has been informed in writing of the name of a professionally qualified archaeologist who is to be present during the undertaking of any excavations in the development area so that a Watching Brief can be conducted in accordance with 'Island Farm, Bridgend - Archaeological Written Scheme of Investigation by The Glamorgan-Gwent Archaeological Trust Ltd (GGAT Projects) - May 2015. No work shall commence until the Local Planning Authority has confirmed in writing that the proposed archaeologist is suitable. A copy of the Watching Brief Report shall be submitted to the Local Planning Authority within two months of the archaeological fieldwork being completed.</p> <p>Reason: In the interests of protecting heritage assets.</p>
35	<p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop and no further development shall take place 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</p>

	<p>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.</p> <p>Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.</p>
36	<p>Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
37	<p>Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
38	<p>Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
39	<p>*THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS*</p> <p>i. The contamination assessments and the effects of unstable land are considered on the basis of the best information available to the Planning Authority and are not necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for:</p> <ul style="list-style-type: none"> • determining the extent and effects of such constraints • 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 licence. 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

- The safe development and secure occupancy of the site rests with the developer.
 - ii. 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.
 - iii. 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.
 - iv. The Highway Authority will require the Developer to enter into legally binding Section 111 Licence Agreement including an appropriate bond to secure the proper implementation of the proposed highway works and the adoption of the same as part of the maintainable highway. The commencement of the works on or abutting the existing maintainable highway will not be permitted until such time as the Agreement has been concluded.
 - v. To satisfy the condition 4 above the applicant must:
 - Provide details of the proposed private foul & surface water pumping stations
 - Provide a maintenance plan associated with the private foul and surface water pumping stations
 - Provide an agreement in principle from DCWW for foul and surface water disposal to the public sewer
 - Submit a sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).
 - vi. The following advisory notes have been provided by Network Rail:
Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3 months' notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk

FENCING

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing/wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

LIGHTING

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting.

DRAINAGE

Soakaways/attenuation ponds/septic tanks etc as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property/infrastructure. Ground levels, if altered, to be such that water flows away from the railway. Drainage is not to show up on buried service checks.

GROUND DISTURBANCE

The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.

SITE LAYOUT

It is recommended that all buildings be situated at least 2 metres from the boundary fence to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

EXCAVATIONS/EARTHWORKS

All excavations/earthworks carried out in the vicinity of Network Rail's property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

PLANT, SCAFFOLDING AND CRANES

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned that in the event of failure it will not fall on to Network Rail land.

LANDSCAPING

It is recommended no trees are planted closer than 1.5 times their mature height to

	the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.
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JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None