

**REFERENCE:** P/22/716/FUL

**APPLICANT:** South Wales Police & Crime Commissioner c/o Asbri Planning Ltd,  
Unit 9 Oak Tree Court, Cardiff Gate Business Park, CF23 8RS

**LOCATION:** Land to the south of Felindre Road Pencoed CF35 5HU

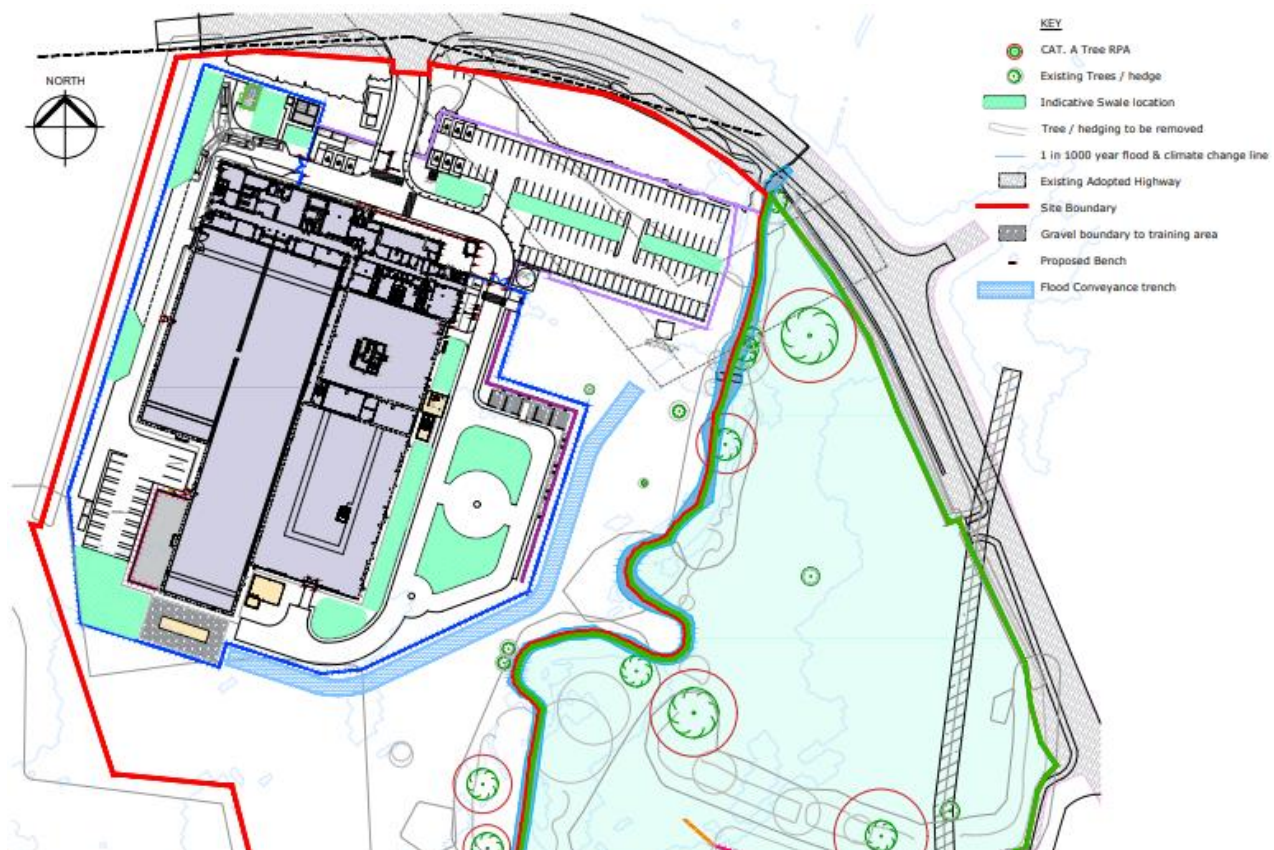
**PROPOSAL:** Tactics facility building & external tactics equipment with access,  
landscaping, engineering and infrastructure works

**RECEIVED:** 19 October 2022

### DESCRIPTION OF PROPOSED DEVELOPMENT

The application seeks full planning permission for the development of a tactical training facility to be used for the training of officers of police constabularies in Wales and throughout the UK. The facility will be used primarily by South Wales Police, Dyfed Powys Police and Gwent Police, but will be available for use by other constabularies from across the UK as necessary.

There are only 6 facilities of this nature across the UK, and they are used to train all UK police officers in tactics and firearms for incidents that may arise. The facility is therefore of critical importance to national security. The proposed development will replace the existing facility at Waterton Industrial Estate, which is no longer fit for purpose.



*Proposed site plan extract*

The proposed development site includes land within the administrative boundaries of two local authorities – Bridgend CBC (BCBC) and Rhondda Cynon Taff CBC (RCT). The majority of the built development is located within the administrative boundary of BCBC and includes a part-two and part-three storey building which comprises offices, classrooms, warehouses and plant areas. Indoor training will consist of classroom-based learning, as well as an indoor firing range and tactical training area. Also included within the BCBC land are car parking areas, outdoor recreation space, landscaping and tactical training facilities such as a tower and a blockwork street scene.

The RCT element of the proposals, which are not considered as part of this application, include areas for outdoor tactical training, as well as engineering, landscaping and infrastructure works. A separate planning application has been submitted to RCT for consideration by their own Officers and Members.

The proposed building will provide 12,835m<sup>2</sup> of gross internal floor area across two floors, measuring a maximum of 87m in width and 136m in depth. To the north, the building will measure approximately 10m in height and includes a flat roof, with warehouse style buildings to the south of this measuring a maximum 14m in height and including both pitched roof and flat roof elements.



*Proposed northern elevation*

The proposed building is to be finished in composite panels of varying finishes in a palette of black and grey colours, alongside elements of glazing.

An outdoor training area is included immediately east of the building, which will include structures such as a working from heights tower and a blockwork streetscene where tactical scenarios will be undertaken. This area also includes areas of landscaping and swales, with a flood conveyance trench situated immediately to the east of the 2.4m tall perimeter fence which encloses the building on its southern, western and eastern sides.

The Ewenni Fach River forms the eastern boundary of the BCBC element of the application site, with further external training proposed to take place on the RCT portion of land to the east, alongside other works as described above.

The training facility will generally operate between 7am and 5pm Monday – Friday, with limited use at weekends. It is anticipated that the facility will be used by approximately 150 students and staff at any given time.

The site will be accessed using an existing access point from Felindre Road to the north. Car parking areas are proposed in the north and the south-west of the application site, including provision for EV parking spaces, as well as motorcycle and bicycle parking. Provision of PV solar panels is proposed at roof level of the main structure, alongside mechanical plant facilities to service the building.

## **SITE DESCRIPTION**

The application site is situated within an area of Countryside, as defined by Policy PLA1 of the adopted Local Development Plan (2013). The site forms part of the Strategic Employment Site for Pencoed Technology Park (SP9(3)).

The application site is located to the south of Felindre Road, approximately 1km south-east of Pencoed town centre. It comprises several vacant fields that are currently used for grazing. Each of the fields are enclosed with mature trees / vegetation and are accessed off the adopted highway, Felindre Road, which forms the northern and eastern boundaries of the site.



*Site location plan – extent of application site within the boundaries of BCBC shown in red*

The Ewenni Fach river runs through the centre of the site and forms the administrative boundary between BCBC and RCTCBC. As such, the application relates to land which falls under the jurisdiction of two separate authorities, with a separate planning application having been submitted to RCTCBC.

In terms of its surroundings, open countryside is located to the north and east of the site, although it is noted that several scattered residential and commercial properties are located in this area. The wider Pencoed Technology Park is located immediately to the south and west, between the site and the M4 Motorway, where a range of commercial and industrial premises are located.

## RELEVANT HISTORY

Application Ref.	Description	Decision	Date
P/01/361/OBS	Request for screening and scoping opinions for environmental impact assessment		09/04/2001
P/02/1318/OBS	Buildings for B1 and B2 use plus associated engineering and building operations and landscape works	No Objection	31/07/2003
P/02/1277/OUT	Buildings for B1 and B2 use plus associated works (application in outline)	Conditional Consent	11/03/2004
P/06/403/OBS	Variation of condition 11 as imposed on outline permission 02/1850, dated 26 <sup>th</sup> March 2004	No Objection	30/05/2006

P/05/1362/RLX	Amend condition 14 of consent P/02/1277/OUT	Conditional Consent	20/03/2006
P/05/1432/OBS	Variation of condition 1a as imposed on outline permission 02/1850, dated 26 <sup>th</sup> March 2004	No Objection	08/12/2005
P/05/1417/OBS	Deletion of conditions 12 and 33 as imposed on outline permission 02/1850 dated 26 <sup>th</sup> March 2004.	No Objection	09/12/2005
P/05/1363/RLX	Amend condition 14 of planning permission	Unconditional Consent	23/05/2006

## **PUBLICITY**

Neighbours have been notified of the receipt of the application. The period allowed for response to consultations/publicity expired on 8<sup>th</sup> December 2022.

## **CONSULTATION RESPONSES**

### **Shared Regulatory Services Environment Team – Land Quality:**

Available records and the above report have not identified any significant concerns at the development. However, the potential for contamination cannot be ruled out and the 'unforeseen contamination' condition is requested.

Should there be any importation of soils to develop the landscaped areas of the development, or any site won recycled material, or materials imported as part of the construction of the development, then it must be demonstrated that they are suitable for the end use. This is to prevent the introduction or recycling of materials containing chemical or other potential contaminants which may give rise to potential risks to human health and the environment for the proposed end use.

No objection subject to the inclusion of suitably worded conditions and advisory notes.

### **Land Drainage:**

No objection. A Sustainable Drainage Application will need to be submitted to the Bridgend SAB.

### **Shared Regulatory Services – Noise:**

The updated noise assessment has provided clarification to previous points raised and has been updated to take into account additional mitigation which includes increased barrier heights and modified shooting zones and an updated Noise Management Plan has also been produced. As a result, I have no objection to the proposal subject to the imposition of suitably worded conditions.

### **Natural Resources Wales:**

No objection subject to the inclusion of conditions in relation to:

- European protected species;
- Landscape Ecological Management Plan;
- Lighting;
- Pollution prevention.

**Ecology:**

Supports the conditions suggested by Natural Resources Wales. I recommend that the Landscape Ecological Management Plan also includes details on an Ecological Clerk of Works to be present during any works, as well as any suggestions or proposals of a phased approach to the development in regard to habitat management – removal, restoration, mitigation and enhancement.

There is also Himalayan balsam confirmed to be present on the development site. Given this, and on the basis that spoil material will be moved around and/or off site, I recommend that the applicant submit an invasive species management methodology for approval by the Local Planning authority before being implemented.

**Dwr Cymru Welsh Water:**

We note that the developer has indicated that foul flows are to be disposed of via the public sewerage system and we offer no objection in principle to the foul flows discharging to the public sewer. Whereas the surface water is set to be drained to nearby watercourse. No objection subject to conditions and advisory notes.

**Transportation Officer (Highways):**

No objection subject to conditions.

**Cllr Alex Williams:**

Raises concerns on behalf of local residents in terms of the noise impact of the development on nearby residential dwellings and Pencoed Cemetery.

**Pencoed Town Council:**

Concerns are expressed by Pencoed Town Council about the potential flood risk and what appears to be extensive disruption of wildlife currently living on or close to the site.

**REPRESENTATIONS RECEIVED**Initial Consultation

Representations were received from the following addresses in response to the initial public consultation on the proposals:

- The Cowshed, Felindre Mill
- Thistledown Barn
- Felindre Farm
- The Old Rectory
- Old Coach House

The representations received from these neighbouring residents objected to the proposed development based on the noise impact of the external training facility.

Further Consultation

Following the submission of a suite of revised plans and documents, including updated information in respect of Ecology; Drainage / Flood Risk; Highways; and Noise, a further public consultation was carried out. One representation was received in response to this second consultation, which was from Felindre Mill and objected to the development on the following grounds:

- Noise pollution;
- Out of keeping with the area by developing on green belt;
- Ecological impact of the development.

**RESPONSE TO REPRESENTATIONS RECEIVED**

Following consultation with the Environmental Health (Noise) Officers for BCBC and RCT,

a number of revisions were made to the proposed development and its supporting documents in order to minimise the noise impact of the proposal. The site layout has been amended, with additional acoustic bunds and fencing proposed which will enhance the noise suppression of the site. The Noise Impact Assessment and Noise Management Plan were also updated to reflect the requirements of the Environmental Health Officers. Following these amendments, the noise impact of the development was found to be acceptable by the Environmental Health Officers of both Councils. This is discussed in further detail in the relevant section of the report below.

The proposed development site is an allocation within the adopted Local Development Plan and does not consist of an area of green belt (or a green wedge). The LDP allocates the site (and the wider allocation at Pencoed Technology Park) for development for employment uses. The principle of developing the site for a large-scale employment use is acceptable and is discussed in further detail below.

A suite of ecological surveys have been carried out at the site, with the ecological reports submitted as part of this application making a range of recommendations to mitigate for the loss of habitat as a result of the development. Compensatory enhancements are proposed, which will mainly be situated on the RCT side of the site, which will result in a net gain of habitat types at the site. The ecological impact of the development has been deemed acceptable by the Ecology Officers at BCBC and RCT, as well as Natural Resources Wales.

## **RELEVANT POLICIES**

The relevant policies of the Local Development Plan (LDP) and supplementary planning guidance are highlighted below:

<b>Policy PLA1</b>	Settlement Hierarchy and Urban Management
<b>Policy SP2</b>	Design and Sustainable Place Making
<b>Policy PLA11</b>	Parking Standards
<b>Policy SP4</b>	Conservation and Enhancement of the Natural Environment
<b>Policy ENV1</b>	Development in the Countryside
<b>Policy ENV5</b>	Green Infrastructure
<b>Policy ENV6</b>	Nature Conservation
<b>Policy SP7</b>	Waste Management
<b>Policy SP8</b>	Renewable Energy
<b>Policy SP9</b>	Employment and the Economy

<b>Supplementary Planning Guidance 17</b>	Parking Standards
<b>Supplementary Planning Guidance 19</b>	Biodiversity and Development
<b>Supplementary Planning Guidance 21</b>	Safeguarding Employment Sites

In the determination of a planning application regard should also be given to the local 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 Technical Advice Note (TAN) 5 – Nature Conservation**
- Planning Policy Wales TAN 11 – Noise**
- Planning Policy Wales TAN 12 – Design**
- Planning Policy Wales TAN 12 – Development and Flood Risk**
- Planning Policy Wales TAN 23 – Economic Development**

## **WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015**

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

The well-being goals identified in the act are:

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

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

## **THE SOCIO ECONOMIC DUTY**

The Socio Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came in to 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 reported to the Development Control Committee to consider the concerns raised by neighbours, Pencoed Town Council and Cllr Alex Williams and in light of the national importance of the facility. An appraisal of the proposals in the context of the relevant material considerations is provided below.

The main issues for consideration in the determination of this application are the principle of development, the visual impact of the development, its impact on highway safety, drainage and ecology, as well as the flood risk and noise impact of the scheme.

## **PRINCIPLE OF DEVELOPMENT**

The site is allocated as part of a strategic employment site under LDP Policy SP9(3). The Policy states that in order to meet the varying requirements of business, and to provide access to employment and training for all residents, a range and choice of vacant sites on 120 hectares of land is identified and protected for employment (B1, B2 and B8 uses) purposes. Land is allocated and safeguarded for the establishment of high-quality strategic employment sites. Such sites must be developed, in accordance with a development brief/masterplan, to the highest environmental standards. Preferred uses on the site are ICT, Energy and Environment, Advanced Materials and Manufacturing, Creative Industries, Life Sciences, and B1 financial and Professional services.

The proposed development would include a firearms training facility comprising B1, D1 and Sui Generis use classes with the majority of the proposed built form located within the administrative boundary of Bridgend. Whilst a firearms training facility does not strictly qualify as a strict B1, B2 and B8 use, it does contain a significant element of B1 office use on site with the proposed firearms facility holding a maximum of 150 staff and training members of the police force.

The proposed tactics facility is of regional and national importance, ensuring Firearms

Officers are fully trained to meet the needs of the National Police Firearms Training Curriculum. A wide range of training will be carried out in three distinct environments, these being indoor; outdoor; and public space. The facility will be used primarily by South Wales Police, Dyfed Powys Police and Gwent Police, but will be available for use by other constabularies from across the UK as necessary. There are only 6 facilities of this nature across the UK, and they are used to train all UK police officers in tactics and firearms for incidents that may arise. The facility is therefore of critical importance to national security.

The site has been actively marketed by Knight Frank since early 2015. The site has been marketed for employment uses and included on mailshots to developers and occupiers, website listings (rightmove, EG property link, Knight Frank Website) and it has also been promoted via social media with limited interest. Welsh Government has also promoted the site internally. In addition, the applicant has undertaken a sequential search which demonstrates why this site is the most appropriate location based on land availability, cost, accessibility, developability and environmental constraints as well as the technical requirements of the facility.

On balance, the proposed development is considered acceptable from a Strategic Planning perspective. Notwithstanding this, any proposal would need to be assessed against more detailed material Planning considerations as further discussed below with National and Local Planning Policy promoting a high standard of design.

## **VISUAL IMPACT**

Policy SP2 of the Local Development Plan (2013) states that *“all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. Design should be of the highest quality possible, and should be appropriate in scale, size and prominence.”*

The site forms part of the employment allocation for Pencoed Technology Park, which encompasses land to the south of Felindre Road and land to the north of the M4, with the A473 dual carriageway forming its western boundary. Whilst the existing character of the site and its immediate surroundings is mainly rural in nature, as an allocation within the Local Development Plan, the principle of developing the land for an employment use is established. Adjacent parcels of undeveloped land to the east of the site are also allocated for development for employment uses.

The wider employment allocation includes existing commercial development such as the Sony building, which is located to the south-east of the site. The existing buildings within Pencoed Technology Park comprise two and three storey structures including warehouses and office buildings.

Due to the practical needs of the proposed use, the warehouses and associated internal training setting require strict control of lighting and environment and as a result there are limited windows proposed to the building, other than those serving classrooms and offices. These elements of the building have been located in the northern part of the site, facing Felindre Road and provide a softer visual impact on the streetscene. The northern portion of the structure will provide some visual screening to the larger warehouse style buildings which are proposed to the south.

The proposed building will mainly be finished using metal cladding of various finishes which will produce a simple, contemporary appearance to the structure. The building will be similar in terms of its character to existing buildings which form Pencoed Technology Park and its visual impact is considered to be appropriate in the context of its allocation within the Local Development Plan.



The proposed development is considered to be compatible with the scale and characteristics of other built forms within the wider employment allocation. The proposal is considered to be acceptable in terms of its size, scale and prominence in accord with criterion (2) of Policy SP2 of the Local Development Plan (2013) and is therefore deemed to be acceptable from a visual amenity perspective.

## **HIGHWAYS**

The proposed development of a Police Tactics Facility has been supported by the submission of a Transport Assessment (TA). It is acknowledged that the proposed development is very bespoke and difficult to assess, however, the TA is not wholly sufficient to enable an accurate assessment of the highway impact of the development.

Whilst there have been ongoing negotiations with the applicant and their Transport consultant in respect of the accuracy of certain aspects of the TA and it is expected that the development will not have a detrimental impact on the surrounding highway network, these are yet to be fully established.

Notwithstanding the above it is appreciated that the site was granted outline consent for a quantum of B1 and B2 uses (Business and General Industry) under application P/02/1277/OUT and there is a reasonable prospect that the impact of the development on the highway networks will be acceptable. Furthermore, it is noted that the Welsh Government are content that the proposal will not have a detrimental impact upon their M4 Motorway network. In order to ensure that this matter is appropriately addressed a condition requiring a new TA to be submitted is included below together with a need for future surveys/reviews following occupation and any necessary mitigation works.

The application also includes a Travel Plan as part of the submission. The travel plan is broadly acceptable subject to revisions which will be secured via a condition.

It should be appreciated that whilst the nearest public transport is provided in Pencoed (bus stops on Coychurch Road – 1.2km walk and rail station 1.5km walk) the site is fronted by an active travel route which links to these facilities and the wider active travel network. The site is served by an existing access which was laid out for the purposes of a large commercial style development which would have generated the movement of Articulated vehicles. The proposal before us, however, does not generate the need for any vehicles larger than a refuse/recycling vehicle to enter the site and accordingly the junction is now considered to be too large in terms of its width to serve this type of development.

Given that there is an Active Travel route crossing the site access, it is considered that modifications to the access should be provided which assist in safe pedestrian and cycle flows. This may be achieved by narrowing the access, providing a raised priority crossing or central island for example. The solution can be secured via a suitably worded condition and supported by a Road Safety Audit.

Due to the nature of the facility, the site layout proposes a gated/barriered access which does not allow for errant vehicles not meant for the facility to turn in the case of not being permitted to enter the site. This would generate inappropriate reversing manoeuvres onto the classified highway network. Such an arrangement will need to be suitably amended to revise the gates and fencing so that a turning facility is provided in front of the gates and this can be achieved by condition.

Measured vehicle speeds along Felindre Road in the vicinity of the access indicates the 85 percentile speed of vehicles is above the posted 40mph speed limit. Whilst vision splays suitable for a 40mph limit can be provided this will need to be supplemented by enhanced advance warning of the junction to give additional visual clues to drivers of its the presence so that driver behaviour is modified. In making this assessment it is noted that the existing junction has been in place for many years without being used. It is considered that bringing it into use, once the development is complete, will also modify driver behaviour.

As with the traffic generation issue above, again the bespoke nature of the development gives issues in reaching a quantum of car and cycle parking for the development. Suitably worded planning conditions will allow for further dialogue with the applicant to reach a justifiable and suitable level of provision.

Subject to the inclusion of suitably worded planning conditions, the proposed development is considered to be acceptable in highway terms.

## **FLOOD RISK**

The NRW Development Advice Map (DAM) confirms the site to be partially within Zone C2, while The Flood Map for Planning identifies the application site to be at risk of flooding and falls into Flood Zones 2 and 3 (Rivers).

A Flood Consequence Assessment (FCA) has been submitted which confirms that a hydraulic modelling exercise has been undertaken to provide a detailed understanding of the fluvial flood risk to the site for both the pre and post development scenarios. The FCA illustrates for the pre-development scenario that:

- During the 1% (1 in 100 year) plus climate change annual probability fluvial flood event, the proposed development site is predicted to flood to a maximum depth of 0.42m;
- During the 0.1% (1 in 1000 year) annual probability fluvial flood event, the proposed development site is predicted to flood to a maximum depth of 0.47m.

It is proposed the finished floor level (FFL) of the building will be set at 33.2mAOD. Based on this FFL, the FCA shows for the post-development scenario that the building is predicted to be flood free during both the 1% and 0.1% annual probability fluvial flood event. The hydraulic modelling has also demonstrated dry access and egress to and from the site.

Changes are also proposed to the site levels to achieve compliance with TAN15. Figures 2 and 3 in the FCA show the proposed changes to site levels and the construction of a flood conveyance ditch to evidence the change in flood depths within and outside the application site. The hydraulic model has also assessed the off-site impact on flooding.

- During both flood events, there is a predicted reduction in flood depths to the adjacent (west) 'Sony' car park;
- During both flood events, there is a predicted increase in flood depths of 5-50mm to the undeveloped woodland areas in close proximity to the Ewenny Fach;
- During both flood events, there is a predicted increase in flood depths of 10-50mm to an area of the existing South Wales Police site to the south of the application site.

The areas in which flood depths are predicted to increase are undeveloped parcels of land adjacent to the riverbank which sit outside of the application site – to the south. The land forms part of separate sites belonging to Sony and South Wales Police which sit to the south and the south-east of the site respectively. This land is currently within Zone C2 of

the Flood Maps and is highly constrained, with little potential for future development.

Whilst increasing flood depths on an undeveloped portion of the Sony site adjacent to the river, the works will provide betterment to the Sony car park by reducing its predicted flood depth. Due to the constrained nature of the portion of undeveloped land, as well as its current flood risk status, the predicted increase in flood depth to this land will not sterilise any land from future development. The off-site impacts of the development on the Sony site are considered to be acceptable on balance, given the betterment shown within the developed area of the Sony site.

The FCA notes that South Wales Police have confirmed that the detriment in terms of increased flood depths on their existing site is acceptable given the predicted increased flood depths are within areas of their site which are unused and undeveloped.

Based on the proposed FFL and site levels, the proposed building and the site access and egress are predicted to be flood free and, as a result, the proposed development is acceptable in terms of its flood risk status. The off-site impacts of the development in terms of flood risk are also acceptable on balance.

## **DRAINAGE**

The application form states foul water will be disposed of via the mains sewer. A foul drainage layout has been provided and identifies that a foul pumping station will be constructed to pump flows to the combined sewer. Dwr Cymru Welsh Water have agreed to the connection to the public sewer.

The application form states surface water will be disposed via sustainable drainage system. The revised surface water drainage layout indicates three new outfall structures to the main river. Flood risk activity permits will be required from NRW to construct these structures.

The development is likely to generate significant surface water runoff during the construction phase and any sediment/pollution runoff will likely generate NRW involvement during the construction phase. The applicant has provided a construction environmental management plan (CEMP) outlining how surface water runoff and sediment/pollution prevention control measures will be managed on site during the construction phase. A condition will be included on any consent granted to ensure that the site is developed in line with the methods set out within the CEMP.

As the development footprint is over 100m<sup>2</sup>, a sustainable drainage application will be required. The applicant has previously received pre-SAB application advice from BCBC SAB.

No surface water is allowed to discharge to the public highway and no land drainage runoff will be permitted to discharge (either directly or indirectly) into the public sewerage system.

## **ENVIRONMENTAL HEALTH – NOISE**

The proposed development is for a South Wales Police training facility that includes two indoor firing ranges, a three-storey tactical warehouse, a two-storey tactical warehouse for systems of search training, classrooms, offices, and an external tactics training ground.

The external training area covers both BCBC and RCT land and includes a mock train, bus, road network, method of entry rigs and abseil towers. This facility will train officers in all aspects of tactical awareness for many real-life scenarios, some of these will include

the use of firearms.

It is considered there are two core categories of noise generation on this site. One will be from mechanical equipment and apparatus that is of an industrial nature, e.g., mechanical plant servicing the building and any industrial type equipment used. The second category being noise generated by the discharging of firearms. A Noise Impact Assessment, as well as a Noise Management Plan, have been submitted in support of the application.

The Noise Impact Assessment identifies the closest noise sensitive receivers (NSR) as comprising the residential dwellings to the north-east of the site, the office buildings to the south and the south-west of the site, and Pencoed Cemetery, which is situated to the west of the site. The report assesses the impact of the noise from the mechanical plant and the use of firearms within the site on these NSR through the use of noise modelling, taking into account the existing background noise levels.



*Worst-affected noise sensitive receivers*

A noise assessment of the expected mechanical plant at the site has been undertaken, which comprises Air Source Heat Pumps, as well as equipment that will be used in 'Method of Entry' training for officers. The assessment found that the noise levels from the plant would be significantly below the background noise levels at the residential dwelling and office units and, as a result, their impact is considered to be limited. The assessment shows that in the worst case scenario – which will be infrequent – the noise levels from the plant would be above the existing background noise levels at Pencoed Cemetery, although not at the level which would be likely to generate complaints, as defined by Technical Advice Note (TAN) 11: Noise.

The indoor firing range, which is to be used frequently, has been designed so as to

mitigate for noise breaking out from the building. The worst-case scenario in terms of noise generation within this area of the site, which will be a rare event, shows that the noise level will be below that of the background noise level at all of the noise sensitive receptors surrounding the site.

The external tactical area includes a mock road network with building facades, as well as a train and a bus which are used for specific tactical exercises. The train and the bus scenarios will be used less frequently than the road network, which is the outdoor facility that is used most extensively. As firearms will be discharged within the external tactical areas, acoustic mitigation is proposed in the form of acoustic barriers and earth bunds in a number of areas within the site.

Having attended the site demonstration, Environmental Health Officers of both Bridgend and RCT have been able to understand that the discharge of a firearm is the exception not the norm, with the vast majority of the training involving briefing, de-briefing, movement tactics, de-escalation/negotiation, escalation tactics such as tasers and Attenuating Energy Projectiles (AEP), where at the very last resort a firearm may be discharged by a training officer. At this point, every shot must be assessed and accounted for with reasoned justification.

The noise emitted from the use of the road network, which is the most frequently used area for external tactics, is below the guidance limit compared with background noise levels at all noise receptors even in the worst-case scenario.

The tactical train and bus are to be utilised less frequently – approximately 60 and 40 days a year respectively. The modelling work from these tactical areas show either a positive or a neutral outcome (i.e. below or equal to background noise levels) at the majority of the noise receptors. The report shows that there will be no perceptible noise increase at the residential dwellings to the north-east of the site.

During the worst-case scenarios, the assessment shows that the use of the tactical bus facility will likely have a noise impact on the cemetery to the west of the site and the Sony site to the south. Of the two receptors, the impact on the cemetery will be the greater, with the report noting that the noise impact on the Sony site being of marginal significance. It is important to note that these worst-case scenarios will be infrequent events.

A Noise Management Plan has been drafted which has set processes up for South Wales Police (SWP) to follow in order to work with the local community. This includes actively informing the cemetery and opening lines of communication such to accommodate any burial services planned. SWP is unlikely to be able to change the date of any planned training at the Bus facility, but they will be able to delay and adjust the scheduling in the day of certain activities in order to mitigate any noise disturbance that may otherwise be caused during a burial service.

The Noise Management Plan also proposes to set up lines of communication between South Wales Police, the two Local Authorities and their Environmental Health Officers, as well as local businesses and residents. Letter drops or face-to-face communication will be carried out ahead of the first firearms training session to notify neighbouring occupiers, with opportunities for feedback and complaints to be made. Neighbouring uses can choose whether to opt in or out of future letter drops relating to future events.

The Environmental Health Officer (Shared Regulatory Services – Noise) has reviewed the submitted documents and, following extensive dialogue with the applicant and their noise consultant, is content that the updated Noise Impact Assessment and Noise Management Plan are acceptable, as is the impact of the development on surrounding uses in terms of

noise.

The updated noise assessment has provided clarification to previous points raised by Environmental Health Officers and has been updated to take into account additional mitigation which includes increased acoustic barrier heights, modified shooting zones and an updated Noise Management Plan.

The submitted Construction Environmental and Traffic Management Plan (CETMP) stipulates that the hours of operation for construction works will be between 07:30am to 5:30pm Monday to Friday and 07:30am to 1:00pm on Saturdays with no work being carried out on Sundays or Bank Holidays. However, this does not comply with the standard hours of operation set by Shared Regulatory Services which are 8am-6pm Monday-Friday, 8am-1pm Saturdays with no working Sundays or Bank Holidays.

It is therefore suggested that the CETMP is amended so that construction work does not commence earlier than 8am and that it also includes a scheme of noise and vibration monitoring where complaints are received as required by the Local Authority. Once amended, the development shall comply with the details submitted in the CETMP. Prior to the commencement of development, the contact details of a person on the site who will be responsible for dealing with environmental issues shall also be forwarded to the Local Planning Authority.

Subject to a number of conditions relating to the operation and monitoring of the site, the Environmental Health Officer has no objection to the proposed development.

## **ECOLOGY**

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

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

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

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

An ecological desk study and habitat survey were undertaken to gather baseline ecological data for the site. During the field survey the dominant habitats on site were found to be modified grassland mainly for farming uses and hedgerows. Other habitats present included other broadleaved woodland, other neutral grassland, wet woodland, bramble scrub and other rivers and streams.

The development will result in the loss of part of the priority hedgerow, as well as some of the broadleaved woodland, reducing habitat for dormice, bats and badger. The mitigation proposals set out within the submitted ecological reports ensure that the development is compliant with the law and planning policy with respect to hedgerows, dormice, badgers and bats. The proposals would result in a net gain of habitat units on the site, with the majority of the mitigation to take place on the RCT land to the east of the site, due to the majority of the built development being located on BCBC land.

Subject to the inclusion of suitably worded conditions on any consent granted, both the Council's Ecologist and Natural Resources Wales (as well as RCT's Ecologist) have confirmed that they have no objection to the proposal in ecological terms.

**CONCLUSION**

Having regard to the above, the benefits of the proposed facility and the nature of the concerns raised by local residents, Pencoed Town Council and Cllr Alex Williams, on balance, the proposed development is acceptable in terms of its location, design, scale and visual impact.

The development, by virtue of its characteristics and functional requirements, has also been carefully considered in terms of its noise impact on neighbouring uses, as well as its flood risk impact, both of which are deemed to be acceptable on balance.

Finally, the development is also considered to be acceptable from a highway safety perspective, as well as in terms of its impact on drainage and ecology, and is therefore recommended for approval subject to conditions.

**RECOMMENDATION**

(R02) That permission be GRANTED subject to the following condition(s):-

1.	<p>The development shall be carried out in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> <li>• Proposed Site Plan (ref. ZZ 00 DR 05101 rev. P17);</li> <li>• Proposed Ground Floor Plan (ref. JFU-PDA-ZZ-00-DR-A-(05)200 rev. P05);</li> <li>• Proposed First Floor Plan (ref. JFU-PDA-ZZ-01-DR-A-(05)201 rev. P06);</li> <li>• Proposed Elevations 01 (ref. JFU-PDA-ZZ-ZZ-DR-A-(05)202 rev. P07);</li> <li>• Proposed Elevations 02 (ref. JFU-PDA-ZZ-ZZ-DR-A-(05)203 rev. P07).</li> </ul> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
2.	<p>No development, apart from site clearance and preparation, shall commence until a Landscape Ecological Management Plan (LEMP) for the provision, management and maintenance for all landscaped areas and ecological features at the site has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:</p>

	<ul style="list-style-type: none"> <li>• Details of habitats, environmental and ecological features present or to be created at the site.</li> <li>• Details of the desired/target conditions of features (present and to be created) at the site.</li> <li>• Details of short and long-term management, monitoring and maintenance of new and existing environmental and ecological features at the site to deliver and maintain the desired condition.</li> <li>• Details of replacement measures should any environmental features die, be removed, or become seriously damaged or diseased at both pre and post establishment of habitats.</li> <li>• Details of management and maintenance responsibilities.</li> <li>• Details of length of plan, the method to review and update plans (informed by monitoring) at specific intervals as agreed.</li> <li>• Details on an Ecological Clerk of Works to be present during any works</li> <li>• Proposals of a phased approach to the development in regard to habitat management – removal, restoration, mitigation and enhancement</li> </ul> <p>The LEMP shall be carried out in accordance with the approved details.</p> <p>Reason: To ensure necessary landscape and environmental management measures are agreed prior to the development commencing and are implemented to ensure the site’s landscape and environmental features are adequately managed long-term.</p>
3.	<p>Prior to installation, full details of lighting proposals for the development shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:</p> <ul style="list-style-type: none"> <li>• Details of the siting and specification of external lighting to be used, including control measures to reduce light spill.</li> <li>• Drawings setting out light spillage in key sensitive areas, based on a device maintenance of 1 (100%) for all luminaries to evidence that features will be subject to minimal light spillage (&lt;1 lux).</li> <li>• Details of lighting to be used during construction and/or operation.</li> </ul> <p>The lighting shall be installed and retained as approved during construction and/or operation.</p> <p>Reason: A Lighting Plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of dormice.</p>
4.	<p>The development and ongoing management of the site shall be carried out in accordance with the Management Actions set out within the Extended Phase 1 Habitat Survey (dated March 2021), as well as the Dormouse Mitigation Strategy (dated October 2022).</p> <p>Reason: To ensure the site is developed and managed in line with ecological and environmental recommendations.</p>
5.	<p>The rating level of the noise emitted from fixed plant and equipment on the site when measured at any noise sensitive premises or, where this is not possible, a combination of measurement and calculation in accordance with BS 4142: 2019 (or any British Standard amending or superseding that standard) shall not</p>



exceed the limits in Table 1 below:

Table 1

Time	Noise rating level
Day (0700-23.00)	35 dB LAeq,1 hour
Night ( 2300-0700)	30 dB LAeq, 15mins

Reason: In the interest of protecting the amenity of neighbouring uses.

6. Fire arms shall only be utilised within the shooting zones shown in Figures 8.6 and 8.7 of section 8.9 of the amended noise impact assessment by MACH Group (document reference: JFU-MAC-ZZ-XX-RP-Y-1001\_Noise Impact Assessment) and the layout shall be in accordance with Figure 8.2 of the Noise Impact Assessment ( document reference: JFU-MAC-ZZ-XX-RP-Y-1001\_Noise Impact Assessment\_P04)

Reason: In the interest of protecting the amenity of neighbouring uses.

7. The operation, management and use of the Police Tactical Training Facility shall be undertaken in accordance with the submitted Noise Management Plan (entitled “JFU- Noise Management Plan for External Tactical Training- V3.1 “)

Reason: In the interest of protecting the amenity of neighbouring uses.

8. The permitted hours of use for the external training areas shall be; Monday to Friday – 09:00hrs – 16:00hrs. There shall be no external use on weekends, public/bank holidays or outside these permitted hours unless it is needed for emergency rehearsal use where there is a major incident event, where the decision to use the facility will be based on if there is a major threat to life. The use of the facility for such major incident events shall be restricted to a maximum of 6 events in any one 12 month period, with the start of the 12 month period commencing on the date of the first ordinary use of the external tactical training areas. A written statement from South Wales Police explaining why the emergency use was required in determining there was a ‘major threat to life incident’ and the date and time of when the facility was used outside of permitted hours shall be notified in writing to the Local Planning Authority within 72 hours of its emergency use.

Reason: In the interest of protecting the amenity of neighbouring uses.

9. Records shall be kept of the training days for the use of the external tactical areas for the bus, train and station and open country facilities and made available upon request by the Local Planning Authority to demonstrate compliance with the number of training days at each of these locations.

Reason: In the interest of protecting the amenity of neighbouring uses.

10. Only the firearms and ammunition assessed in the noise report (document reference: JFU-MAC-ZZ-XX-RP-Y-1001\_Noise Impact Assessment\_P04) and listed in section 2 of the Noise Management Plan (entitled “JFU- Noise Management Plan for External Tactical Training- V3.1“) shall be permitted to be used at the facility.

Reason: For the avoidance of doubt and in the interest of protecting the amenity

	of neighbouring uses.
11.	<p>The acoustic barriers and bunds shall be erected at the locations and heights as shown in Figure 8.2 of the noise impact assessment by MACH Group (document reference: JFU-MAC-ZZ-XX-RP-Y-1001_Noise Impact Assessment_P04) . The acoustic barriers and bunds shall have a minimum mass density of at least 12kg/m<sup>2</sup> mass per unit area and be a solid construction, with no gaps between the floor and the acoustic screen, must be non-permeable, rot-proof and have no gaps within the acoustic barrier itself. Prior to construction of the barriers/bunds, the design details shall be submitted to the Local Planning Authority for prior approval and shall be agreed in writing. The details shall include a location plan showing the position of the barriers, construction details and details confirming that the barrier/bunding has a minimum mass density of at least 12kg/m<sup>2</sup>. The design shall be implemented as agreed and the barrier shall be maintained in good condition and be retained in perpetuity. Should any part of the barrier become seriously damaged such that the effectiveness of its attenuation is reduced, it shall be repaired in good time with like-for-like materials, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of protecting the amenity of neighbouring uses.</p>
12.	<p>Within 21 days from receipt of a written request of the Local Planning Authority, and following a complaint to the Local Planning Authority relating to noise emissions arising from the operation of any part of the application site, the site operator shall provide a written protocol for the assessment of the noise levels to the Local Planning Authority for approval. The written protocol shall be produced by an independent acoustic consultant. Within 2 months of the protocol being approved by the Local Planning Authority, the noise assessment shall be undertaken in accordance with the agreed protocol and shall be submitted to the Local Planning Authority unless the Local Planning Authority gives written consent to any variation. The assessment shall include all data collected for the purposes of undertaking the compliance measurements and analysis. The assessment shall propose further noise mitigation measures should there not be compliance with the noise levels set out in Noise Impact Assessment; and any additional mitigation required as a result of the above shall be installed on site within 1 month of the date of agreement by the Local Planning Authority and a further noise assessment, using the agreed methodology, shall be undertaken and submitted to the Local Planning Authority to demonstrate the mitigation has achieved the necessary level of attenuation to reduce the noise levels set out in the noise impact assessment.</p> <p>Reason: In the interest of protecting the amenity of neighbouring uses.</p>
13.	<p>Prior to the commencement of ground clearance works on site, an invasive species management methodology should be submitted to the Local Planning Authority for approval. The agreed methodology shall be adhered to thereafter and implemented in full unless otherwise agreed in writing by the Local Planning Authority. This methodology should include:</p> <ul style="list-style-type: none"> <li>• how the works will mitigate for the invasive species at the site;</li> <li>• monitoring to ensure that the invasive species do not spread and recolonise;</li> <li>• proposed remedial works to be undertaken if these species are found to be spreading.</li> </ul> <p>Reason: In order to prevent the spread of invasive species.</p>

14.	<p>In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 2 days to the Local Planning Authority, all associated works must stop, and no further development shall take place unless otherwise agreed in writing until a scheme to deal with the contamination found has been approved. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme and verification plan must be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the Local Planning Authority. The timescale for the above actions shall be agreed with the LPA within 2 weeks of the discovery of any unsuspected contamination.</p> <p>Reason: To ensure that any unacceptable risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.</p>
15.	<p>Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
16.	<p>Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.</p> <p>Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced.</p>
17.	<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</p>

	<p>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>
18.	<p>Notwithstanding the submitted transport assessment, a revised assessment shall be submitted to and approved in writing by the local Planning Authority prior to the commencement of works. Such assessment shall address traffic generation and highway impact together with any required mitigation works. The assessment will also require the submission of updated surveys of highway flows 2 years post the date of first beneficial use together and re-assessment of the suggested mitigation works schemes for approval. Such mitigation works will be required to be implemented within 12 months of their approval by the Local Planning Authority.</p> <p>Reason: In the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.</p>
19.	<p>The premises shall be used as a tactical deployment training facility with ancillary office accommodation as identified in the submitted Design and Access Statement only and for no other purpose including any other purpose in Class D1 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 re-enacting that Order.</p> <p>Reason: For the avoidance of doubt and in the interests of the free flow and safety of traffic and to maintain the operational capacity of the network.</p>
20.	<p>Notwithstanding the submitted plans, no works shall commence on site, apart from site clearance works, until such time as a comprehensive scheme of revised security gates/vehicle access barriers and turning head including an operational management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed and operated to ensure errant vehicles using the access can turn and egress from the development hereby approved in a forward gear. Such a scheme shall be implemented in permanent materials before the development is brought into beneficial use and maintained and operated, as approved thereafter in perpetuity.</p> <p>Reason: In the interests of the free flow and safety of traffic.</p>
21.	<p>No works shall commence on site, apart from site clearance works, until such time as a comprehensive scheme has been submitted to and approved in writing by the Local Planning Authority for the provision of enhanced pedestrian and cycle crossing facilities within the site access junction to improve cycle and pedestrian movements along the active travel route on Felindre Road crossing the site access. The scheme shall be accompanied by full engineering details of the revised junction arrangements, stage 2 - 4 Road Safety Audits and an Active Travel Act route audit to support the suitability of the proposed crossings for cyclists. Such a scheme shall be implemented, as approved before the development is brought into beneficial use and maintained and retained thereafter in perpetuity.</p> <p>Reason: In the interests of promoting sustainable travel and Highway Safety.</p>

22.	<p>The proposed means of access shall be laid out with vision splays of 2.4m x 120m in both directions before the development is brought into beneficial use and retained as such thereafter.</p> <p>Reason: In the interests of highway safety.</p>
23.	<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>
24.	<p>No works shall commence on site, apart from site clearance works, until such time as a comprehensive scheme of junction warning traffic signage and bilingual SLOW carriageway markings on both approaches has been submitted to and approved in writing by the LPA. Such a scheme shall be implemented, as approved before the development is brought into beneficial use.</p> <p>Reason: In the interests of Highway Safety.</p>
25.	<p>No development shall commence on site, apart from site clearance works, until a scheme of direction signage has been submitted to and agreed in writing by the Local Planning Authority showing direction signage for the new facility from route A473 to the West and revised site specific signage on both approaches along Felindre Road. The scheme shall be fully implemented before the development is brought into beneficial use.</p> <p>Reason: In the interests of highway safety.</p>
26.	<p>Notwithstanding the submitted travel plan, a revised travel plan shall be submitted to the Local Planning Authority prior to the beneficial occupation of the facility. The agreed travel plan shall be implemented within 6 months of the first beneficial use of the development. Such a plan shall contain targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the site. The plan shall be subject to periodic review and monitoring, with annual reports prepared by the Applicant and submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>
27.	<p>No development shall commence on site, apart from site clearance works, until a scheme for the provision of long stay and short stay cycle parking stands has been submitted to and approved in writing by the Local Planning Authority. The cycle stands shall be installed before the development is brought into beneficial use and retained as such thereafter.</p> <p>Reason: In the interests of promoting sustainable means of travel to/from the site.</p>
28.	<p>No development shall commence on site, apart from site clearance works, until a scheme for the provision of on site car parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking areas shall be completed in accordance with the approved details in permanent materials with the individual spaces clearly demarcated in accordance with the approved layout</p>

	<p>prior to the development being brought into beneficial use and shall be retained and maintained for parking purposes in perpetuity.</p> <p>Reason: In the interests of highway safety.</p>
29.	<p>Notwithstanding the submitted Construction Method Statement, no development shall commence on site, apart from site clearance works, until a revised Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. The routing of HGV construction traffic to/from the site</li> <li>ii. the parking of vehicles of site operatives and visitors</li> <li>iii. loading and unloading of plant and materials</li> <li>iv. storage of plant and materials used in constructing the development</li> <li>v. wheel washing facilities</li> <li>vi. the provision of temporary traffic and pedestrian management at and in the vicinity of the site construction access</li> <li>vii. updated operating hours compliant with those set by Shared Regulatory Services</li> <li>viii. includes a scheme of noise and vibration monitoring where complaints are received at the request of the Local Authority</li> </ul> <p>Reason: In the interests of highway safety and neighbouring amenity</p>
30.	<p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</p> <p>Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.</p>

**\* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS**

- (a) The proposed development is considered to be appropriate in terms of its location as well as its design and scale, the visual impact of which is in compliance with Policy SP2 of the Local Development Plan (2013). The development has been considered in terms of its noise impact on neighbouring uses, as well as its flood risk impact, both of which are deemed to be acceptable on balance. The development is also considered to be acceptable from a highway safety perspective, as well as in terms of its impact on drainage and ecology. It is therefore recommended for approval.
- (b) The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:
  - i) obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;

- ii) indemnify the County Borough Council against any and all claims arising from such works;
  - iii) give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.
- (c) In respect of the above condition for a travel plan the applicant is advised to consider the Travel Plan Guide for Developers at the following internet address:

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

- (d) NRW advise a European Protected Species Licence is applied for, for this proposal. They recommend that at the time of the application, the applicant reviews the calculations and figures for habitat loss, retained, created and allowed to regenerate, as there appears to be inconsistencies present in the Dormouse Mitigation Strategy (Sections E.2.2, E.2.3 and E.4.3):

- Table 4: Habitat to be created, retained and removed and resulting dormouse box distribution (Dormouse Mitigation Strategy).
- Calculations presented on the drawing Strategic Landscape Plans (Enabling Works) drawing by Soltys Brewster, drawing number JFU-SOL-WX-XX-DL\_0001, dated July 2022.
- Calculations presented on the Strategic Landscape Plans (Enabling Works + Main Works Fencing) drawing by Soltys Brewster, drawing number JFU-SOL-WX-XXD-L\_0002, dated July 2022.

For ease, NRW advise the calculations and figures across drawings and tables relating to dormouse habitat include quantities present in hectares (ha). They advise further consideration is given in the early stages of the proposal (enabling phase) to enhancing retained habitats and planting up areas of proposed regeneration as we note this makes up a large proportion of the site.

- (e) From 7 January 2019, new developments of at least two properties or over 100m<sup>2</sup> of construction area will require sustainable drainage to manage on-site surface water. The information provided confirms that the development would be in excess of 100m<sup>2</sup>, therefore the applicant will be required to submit a sustainable drainage application form to the Bridgend SuDS Approving Body (SAB). The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the Bridgend SAB before construction work begins. The sustainable drainage application form shall be submitted before or alongside the planning application. The applicant is advised to contact the Bridgend SAB to discuss the drainage implications from the proposed development via the contact details within the link below (The sustainable drainage application form and supporting information required for the application can be accessed from the link below):

<https://www.bridgend.gov.uk/residents/recycling-waste-and-environment/environment/flooding/sustainable-drainage-systems/>

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

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

The applicant shall provide the following information to progress the planning/sustainable drainage application (if the application is progressed):

- Submit a Flood Risk Activity Permit to NRW for works within and adjacent to existing watercourse and provide subsequent approval from NRW;
- Provide an agreement in principle from DCWW for foul disposal to the public sewer;
- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100yr + 30%CC event;
- Provide a construction environmental management plan (CEMP) outlining how surface water runoff and sediment/pollution runoff will be managed during the construction phase;
- Submit a Sustainable Drainage Application to the Bridgend SAB – [SAB@bridgend.gov.uk](mailto:SAB@bridgend.gov.uk)

(f) In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

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

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water and sewerage connections.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

(g) The contamination assessments and the affects of unstable land are considered on the basis of the best information available to the Planning Authority and are not



necessarily exhaustive. The Authority takes due diligence when assessing these impacts, however you are minded that the responsibility for

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

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

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

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

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

**Background Papers**

None