

REFERENCE: P/23/148/FUL

APPLICANT: Nathaniel Car Sales Ltd David Street, Bridgend Industrial Estate, Bridgend, CF31 3SA

LOCATION: Land at Parc Crescent & Brocastle Avenue Waterton Bridgend CF31 3XU

PROPOSAL: Erection of a building for vehicle preparation, maintenance, and MOT testing (Class B2/B8) and associated offices, external storage yard, loading and unloading areas, parking, vehicle wash, landscaping, re-grading, and associated works

RECEIVED: 1 March 2023

APPLICATION SITE/DESCRIPTION OF DEVELOPMENT

Mango Planning & Development Limited have submitted an application on behalf of Nathaniel Car Sales Ltd to develop a greenfield site on the south-eastern corner of Waterton Industrial Estate to be used as vehicle preparation, maintenance and MOT testing centre. To facilitate the proposed use, it will be necessary to remove dense scrub on the northern site boundary and part of the woodland to the east. The land will be regraded to provide a development plateau upon which will be erected a new 833 sq.m building that will be used for vehicle inspection, preparation, cleaning, maintenance, servicing, and MOT testing. The building will include four service bays, two open bays, stores offices and staff facilities including showers. A small mezzanine space is included for storage.

To the north-west of the building will be an area for the charging of seven vehicles, a cycle store and bin store. A further nineteen car spaces are provided for staff and visitor parking to the south-west of the building. Adjacent to the building will be an enclosed jet car wash facility, which will utilise recycled water. To the east and north-east of the building the regraded land will be laid to gravel to provide secure storage for vehicles. An extract of the revised layout plan is reproduced below:



Figure 1 - Site Layout Plan

The Application site is situated on Waterton Industrial Estate, but immediately adjacent to the boundary with the Vale of Glamorgan and less than 30m from the curtilage of the nearest residential property in the village of Treoes, which is south-east of the site and separated by an area of broad-leaved woodland. To the north of the site are existing manufacturing and storage operations, whilst the land to the south-west is used for open caravan storage – See Figure 2 below.



Figure 2 – Site Location Plan

The access arrangements as amended will comprise a single access/egress arrangement to the site to form a new arm off the existing Brocastle Avenue/Parc Crescent roundabout junction. This replaces the ‘in-out’ arrangement that was part of the original planning submission.

The site is situated in the flood plain under both the current TAN15 Development Advice Map (DAM) and the Flood Map for Planning (FMP), although in the updated mapping the site falls largely out of Zone 3 into Zone 2.

The planning statement provides some background to the Applicant company which is an established car sales business operating from its head office on Bridgend Industrial Estate. The statement indicates that a growing segment of the company’s business is the sale of new electric vehicles. In support of their goal of achieving net zero, UK and Welsh Government have committed to transitioning the car sector to electric vehicles, with the sale of new non-electric cars expected to end in 2030. To support this objective Nathaniel Cars needs to invest in new and separate facilities to allow for the preparation and maintenance of electric vehicles.

Vehicles will be delivered to the site by transporter where they will be off-loaded and inspected before being moved to the yard for short term storage. Stored vehicles will then be moved to the workshop for pre-sale preparation and cleaning.

The new facility will create approximately 15 full time jobs and 5 part time jobs, which will be recruited locally.

The Application has been supported by the following technical reports:

- Flood Consequences Assessment by JBA.
- Noise Report and Updated Noise Report by Hunter Acoustics.
- Green Infrastructure Statement and Preliminary Ecological Appraisal, Woodland Habitat Management & Soft Landscape Plan by Soltys Brewster.
- Transport Statement by Corun Highway Engineering.
- Surface Water Drainage Statement by WLS.
- Foul Water Drainage Statement by WLS; and
- Tree Report by ArbTS.

RELEVANT HISTORY

P/09/937/FUL – Extension to Existing Industrial Unit at TB Davies Ltd – Waterton House – Brocastle Avenue on Waterton Industrial Estate. Conditional consent was issued on 14 June 2010.

P/16/376/RLX – Relaxation of condition 9 of P/09/937/FUL to control operations outside the approved building, (including deliveries to and from site). This was consented subject to such activities taking place between the following hours: Monday to Friday: 07:30 hours to 18:00 hours; Saturday: 07:30 hours to 14:00 hours and not at any time on Sundays or Bank/Public Holidays.

PUBLICITY

The Application has been advertised on site.

Neighbours have been notified of the receipt of the Application.

The period allowed for response to consultations/publicity has expired.

CONSULTATION RESPONSES

| CONSULTEE | COMMENTS |
|---|--------------------------------------|
| Coychurch Lower Community Council | No comments received. |
| Highways | No objections subject to conditions. |
| Land Drainage Section | No objections subject to conditions. |
| Destination and Countryside Management | No objection subject to conditions. |
| Natural Resources Wales | No objections subject to conditions. |
| Dwr Cymru Welsh Water | No objections subject to conditions. |
| SRS Neighbourhood Services | No objection subject to conditions. |

SRS Environment

No objection subject to conditions.

Vale of Glamorgan Council

The Vale of Glamorgan LPA do not object to the development and have provided the attached observations for the Council's consideration:

'The development site is approximately 46 metres from the nearest residential property within the village of Treoes. There is no direct access from Treoes to the industrial estate where the site is located with a tree buffer between the site and neighbouring properties.

The site itself has limited visibility from the Vale of Glamorgan and, given the scale of the proposal and distance to public vantage points, it is considered that the use and visual impact of the structure on the Vale of Glamorgan would be limited.

In terms of highway impacts, the proposal will no doubt result in additional trip generation, however these would be contained largely within the Bridgend CBC area and as such would have negligible impact on the Vale of Glamorgan Road network. Consideration of the localised highway safety matters in respect of the intensified use would be a matter for Bridgend CBC to consider.

It is noted that the site is located within a C2 flood zone, and a preliminary ecological appraisal has been undertaken. The LPA would defer to the comments on Natural Resources Wales in respect of these matters.

In respect of any potential noise from the site, the nearest property in the Vale of Glamorgan lies approximately 46 metres from the site. It is noted that the wider site is of an industrial/business park nature however careful consideration should be given to bringing a noise generating use closer to residential properties. I note these properties have been considered as part of the submitted noise assessment which is welcome. Subject to the Shared Regulatory Services finding the conclusions of the assessment acceptable, we would request that noise generating activities on the site are controlled by condition and the suggested operating hours of

0700-1800 Monday to Friday, 0700-1400 on Saturday and 0800 to 1200 on Sunday are adhered to.

Subject to concerns relating to noise being adequately mitigated, the Vale of Glamorgan Council has no further comment on the proposal.'

REPRESENTATIONS RECEIVED

Letters of notification have been sent in respect of the original planning submission and amended plans. Objections have been received from the occupiers of the following properties:

- Rhoslanog
- Cae Ffynnon
- Gwyndy
- Summerfield*
- 13 Yr Efail
- Storewithus
- Foxwood
- Community Councillor Paula Wilson

(* Public Speaker)

The following is a summary of the objections received:

- **Further encroachment on village** - encroachment onto green space which separates Treoes from the industrial estate; the land is very close to housing located at Parc Newydd resulting in an increase in noise and light pollution – the development is contrary to Strategic Policy SP2
- **Noise** – cumulative impacts with other businesses on quiet residential area; noise assessment indicates that “...*new vehicle preparation compound may contain intermittent and impulsive noise events due to the type of activities proposed (pressure washing, valeting and loading/unloading of vehicles)*”. This is likely to be very disruptive, particularly during the summer when windows are fully open; noise assessment is flawed in this regard; Policy ENV7 of the LDP indicates that development proposals will only be permitted where they would not affect health and amenity. This policy would clearly be breached by introducing such a use at this location. More concerning that the site is proposed to be operated on a weekend, when usually residents would get some respite from such noise. Development is totally out of character for the area, that it should be located elsewhere.
- **Light Pollution** - light spillage already impacts villagers as a result of businesses using lighting throughout the night as a means of security; with housing within 49m and no significant barrier to light pollution planned.
- **Impact on ecology** – loss of habitat for wildlife – the area is well known for roosting bats
- **Additional traffic through village** – traffic directed through the village by sat nav or Google Maps - would undoubtedly increase the cut through traffic and put pedestrians and children in the village in more danger due to increased road
- **Flood zone** - this area of land falls within C2 flood zone, it is naturally boggy that it remains wet even in the driest of summers. Concerned re increased flood risk to housing close by.
- **Pollution from commercial operations** could affect the surrounding environment - proposed drainage is inadequate – no mention of interceptor pits – foul sewerage system cannot accommodate further discharge – problems of surcharge in the village.
- **Alternatives** - have alternative locations on the existing industrial estates been considered? There is sufficient land for building works located on the Bridgend Industrial Estate without the need to further encroach on local housing.

Llangan Community Council have also submitted objections to the proposal which are

summarised below:

Loss of Amenity:

Light - there is already significant light spillage impacting on villagers as a result of businesses using lighting throughout the night as a means of security rather than trigger lighting per BCBC planning conditions. We are deeply concerned that no lighting plan has been submitted for this application.

Noise - All businesses immediately connecting to the village are quieter container and/or caravan storage areas. We feel the proposed development is totally out of character for the area, that it should be located elsewhere on another more appropriate industrial estate, away from housing. We cannot accept the assumption that noise from pressure washers, machinery and large vehicles entering/departing/unloading up to 8 times per day will have little or no impact on Treoes villagers. It is also our opinion the noise assessment report provided is grossly inaccurate. Professional readings were taken when wind was in northerly direction when predominant wind is westerly. We would request SRS to investigate further.

Hours of operation - All other businesses in the immediate area are heavily conditioned for weekend and holiday periods, to protect the amenity of villagers. We must strongly object to any consideration being given to working any Sunday or any holiday period. To protect amenity.

Other concerns / observations

Access from roundabout - serious concerns regarding the viability to access the site safely.

Flood zone / loss of natural habitat - deeply concerned re increased flood risk to housing close by, drainage implications and, importantly, how wastewater from this proposed development will be precisely dealt with. Bats - this area is well known for roosting bats, although this has not been highlighted by any agency so far. Everyone seems to have forgotten there is a bat order on one of the houses immediate to this development.

The owners of **Storewithus**, an adjacent business have no objection in principle to the development but offered concerns regarding the entrance/exit of the development and its implications for customers and other road users. Concerns that due to the lack of space within the site for turning that they will opt for unloading from the roundabout causing many problems for vehicles entering the roundabout and safety issues for all those present on the roundabout.

RESPONSE TO REPRESENTATIONS RECEIVED

As many of the objections and concerns offered by residents, the community council and the owners of the adjoining business align with the main considerations, they will be considered in the appraisal section of the report. The Applicant's agent did however provide a response to the objections received from Llangan Community Council which is reproduced below:

- *We would expect a lighting plan to be conditioned. The lighting design will ensure no spillage into the ecological buffer area and the residential areas beyond.*
- *The noise assessment surveys were undertaken with the wind predominantly in the prevailing westerly direction. The criticism of the survey and its findings are unfounded.*
- *As the submitted noise assessment states, the compound is to operate during the daytime period only between 0700-1800hrs Monday to Saturday and occasionally Sundays between the same hours. Such activity hours are shown to be acceptable in the noise survey.*
- *The submitted drawings have been checked and are to scale. The drawings are based on a topographical survey and show a 6-axle max legal articulated vehicle of 16.5m in length.*
- *Flood modelling has been undertaken and accepted by NRW. No risk of flooding to*

housing arises.

- *Foul water will connect to the adopted sewer that crosses the site.*
- *Bats have been assessed in the submitted Ecological Assessment that has been accepted by NRW.*

RELEVANT POLICIES

Local Policies

The Development Plan for the area comprises the Bridgend Local Development Plan 2018-2033, and within which the following policies are of relevance:

| | |
|---------------------|--|
| Policy SF1 | Settlement Hierarchy and Urban Management |
| Policy SP1 | Regeneration and Sustainable Growth Strategy |
| Policy SP3 | Good Design and Sustainable Place Making |
| Policy SP4 | Mitigating the Impact of Climate Change |
| Policy SP5 | Sustainable Transport and Accessibility |
| Policy PLA11 | Parking Standards |
| Policy PLA12 | Active Travel |
| Policy SP10 | Infrastructure |
| Policy ENT1 | Employment Allocations – 8) Waterton Industrial Estate 10ha (B1, B2,B8) |
| Policy ENT2 | Protection of Employment Sites - 8) Waterton Industrial Estate (B1 B2 B8) |
| Policy ENT12 | Development in Mineral Safeguarding Zones |
| Policy SP17 | Conservation and Enhancement of the Natural Environment |
| Policy DNP6 | Biodiversity, Ecological Networks, Habitats and Species |
| Policy DNP7 | Trees, Hedgerows and Development |
| Policy DNP8 | Green Infrastructure |
| Policy DNP9 | Natural Resource Protection and Public Health |

The Council has also produced the following Supplementary Planning Guidance (**SPG**) which is relevant to this proposal: -

SPG07: Trees and Development

SPG08: Residential Development

SPG17: Parking Standards

SPG19: Biodiversity and Development

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 12

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 15 Development and Flood Risk

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

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

The duty has been considered in the assessment of this Application. It is considered that there 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 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 the Development Control Committee for determination in response to the objections received from residents and Llangan Community Council.

The main considerations in the assessment of this Application relate to the following:

- Whether the principle of developing this site in the manner proposed is in accord with the policies of the Replacement Bridgend Local Development Plan (2024)
- The availability of active travel provision to serve future users, the effects on the surrounding highway network and whether the proposed access, parking and turning facilities are acceptable. (cross-reference Policies SP2, SP3 and PLA11)
- Whether the proposed development will have any adverse impact on the living conditions of existing residents in the community of Treoes with regard to pollution, (noise lighting and air), and to what extent could any impacts be mitigated through planning controls
- The acceptability of the design/layout of the development on the character and appearance of the area with specific reference to biodiversity interests.
- The effect of the development on the existing site drainage systems and whether a sustainable drainage system can be incorporated into development to enable the management of surface water

Whether the principle of developing this site in the manner proposed is in accord with the policies of the Replacement Bridgend Local Development Plan (2024)

The site is located within the primary key settlement of Bridgend as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Bridgend Local Development Plan (**LDP**) adopted in 2024. The site is also located in the Bridgend Sustainable Growth Area as defined by Policy SP1: Regeneration and Sustainable Growth Strategy, which is a key area where regeneration and sustainable development will be focused.

The Application site is allocated and protected for employment purposes (B1, B2 & B8) by LDP Policies ENT 1 (8) and ENT 2 (8). The proposal is for the erection of a building for vehicle preparation, maintenance and MOT testing, which falls within B2/B8 use and is therefore in accordance with Policy ENT1 of the LDP.

Policy SP5 Sustainable Transport and Accessibility of the LDP states that development must be located and designed in a way that minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, education, local services and community facilities. Developments will be expected, where the Council deems the potential transport implications significant, to produce a comprehensive Transport Assessment and Travel Plan. These must consider all modes of transport in line with the transport hierarchy and develop a strategy to reduce traffic demand and mitigate transportation impacts caused by the proposal. Such a document has accompanied this Application and has been considered by officers of the Highway's Section. This will be discussed in the following sections of this report.

Safeguarding and enhancing biodiversity and green infrastructure network is a requirement of Policy SP3 and a means of ensuring that a development scheme contributes to creating high quality, attractive, sustainable places that support active and healthy lives whilst enhancing the community in which it is located by having full regard to the natural environment. Recognising that the County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes, Policy SP17 indicates that development proposals should not be permitted where they will have an adverse impact on the Borough's biodiversity and habitats.

Policy DNP8 Green Infrastructure states that development proposals will be required to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi-functionality of the green infrastructure network. Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required. On 18 October 2023, the Minister for Climate Change announced, with immediate effect, changes to Chapter 6 of Planning Policy Wales (**PPW**). Those changes have now been incorporated into PPW12. Paragraph 6.2.12 of PPW12 requires a green infrastructure statement (GIS) to be submitted with all planning applications. Whilst this change in policy post-dated the submission of this Application, a Green Infrastructure Assessment has accompanied the Application and has informed the proposed layout. The impacts and proposed mitigation and enhancement works will be considered later in this report.

Policy SP3 Good Design and Sustainable Placemaking states that all development must contribute to creating high quality, attractive, sustainable places that support active and healthy lives and enhance the community in which they are located, whilst having regard to the natural, historic and built environment, by:

1. Demonstrating alignment with the principles of Good Design; and
2. Demonstrating a Sustainable Placemaking approach to their siting, design, construction and operation.

The requirements of this policy will be considered in the following sections of this report.

Many of the objectors have suggested that the development of this greenfield site represents a further encroachment on the village of Treoes with the consequential pollution impacts and losses of amenity. Residents have suggested that alternative sites on other industrial estates should be considered. The impacts with regard to noise, lighting, will be considered in the following sections of the report but the principle of this land being developed for the uses proposed is acceptable on land that has been allocated for employment development

over many years and which has been taken forward again in the latest development plan.

There is no requirement to consider alternative sites as part of the application process. The Council is required to determine the suitability of this site for the proposed development.

Having regard to the policy framework within the Replacement Bridgend Local Development Plan, the principle of developing this site in the manner proposed is considered acceptable.

The availability of active travel provision to serve future users, the effects on the surrounding highway network and whether the proposed access, parking and turning facilities are acceptable. (cross-reference Policies SP2, SP3 and PLA11)

A key objective of Planning Policy Wales – Edition 12 is to ensure that new development is located and designed in a way which minimises the need to travel, reduces dependency on the private car and enables sustainable access to employment, local services and community facilities. This will be achieved through integrating development with sustainable transport infrastructure and designing schemes in a way which maximises provision and use of sustainable forms of travel, including prioritising these modes over the private car. Delivering this objective will make an important contribution to decarbonisation, improving air quality, increasing physical activity and realising the goals of the Well-being of Future Generations (Wales) Act 2015. Paragraph 4.1.10 of PPW confirms that the planning system has a key role to play by facilitating developments which:

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

Development proposals must seek to maximise accessibility by walking, cycling and public transport, by prioritising the provision of appropriate on-site infrastructure and, where necessary, mitigating transport impacts through the provision of off-site measures, such as the development of active travel routes, bus priority infrastructure and financial support for public transport services.

Residents have suggested that the development will potentially add additional traffic through the village of Treoes to the detriment of highway safety. The occupiers of the adjoining site questioned the suitability of the access arrangements and indeed whether delivery vehicles would be able to manoeuvre within the site.

The submitted Transport Assessment (**TS**) examines the highway and transportation issues associated with the proposed development with specific reference to: (i) the existing site location and transport infrastructure (ii) analysis of personal injury traffic accident data (iii) the site's compliance with applicable transport policy (iv) the development proposal and (v) development-generated vehicular traffic.

In terms of sustainable transport, the TS notes that the site is located within a largely industrial area in the south-east of the wider Bridgend town area but is able to offer potential employees and customers a viable alternative to private car travel, with walking, cycling and multi-modal public transport options available, which will help reduce dependency on private car travel. Whilst the TS suggest that active travel by cycle is achievable, it would be on the carriageway along Brocastle Avenue which, given the likely high proportion of HGV traffic, is not really appropriate. Whilst the Integrated Networks Map (**INM**) shows proposals for a

route along Brocastle Avenue, this would not reach the site and is not currently programmed. Whilst Planning Policy Wales requires provision of suitable Active Travel routes to serve sites prior to their development, the recently adopted LDP states similar but includes the phrase “*as appropriate*”. Given the proposal is for a car dependent use, does not include any element of car sales and will employ a very limited number of staff, it is not considered that the provision of a route would be a proportionate or reasonable in this instance.

The proposed development would be anticipated to receive deliveries via an articulated car transporter lorry. Vehicular access into the site has been modified in response to concerns from officers in the Highway’s Section from an ‘in-out’ arrangement to a single point of access more akin to a standard junction on a roundabout. The proposed new access junction arrangement and internal layout of the site has been designed to allow such a vehicle to safely enter, manoeuvre and exit the site in a forward gear. Swept path analysis drawings have accompanied the design to evidence the acceptability of the arrangement.

The proposed development will provide 7 non-operational staff / visitor car parking spaces at the site. To promote EV usage, staff would also be able to utilise the external electric vehicle charging spaces provided at the site. The external electric storage compound will also provide sufficient space to cater for all non-operational parking requirements at the site. A minimum of 3 secure and covered bicycle parking stands will also be provided at the site to promote travel via this mode.

The TS confirms that the proposed development is predicted to generate a total of just 32 two-way trips over a typical 12-hour weekday period, with a maximum of just 4 two-way trips anticipated during any single hour period. During the typical highway weekday AM and PM peak hour periods (08:00 to 09:00, and 17:00 to 18:00), the proposed development is anticipated to generate a total of just 3 and 2 two-way trips respectively. This volume of anticipated trips will have a minimal impact to traffic volumes within the existing industrial estate, and wider highway network. A review of the accident record has identified no apparent existing highway safety concern in the vicinity of the site. The TS concludes that the proposed development is not expected to have an adverse impact on this existing highway safety record and that view is supported by the Highway’s Section.

The acceptability of the design/layout of the development on the character and appearance of the area with specific reference to biodiversity interests.

National policy reminds all decision makers that green infrastructure should be a key component of the natural and built environment. It plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work, and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society’s wider social and economic objectives, and the needs of local communities. In the new Chapter 6 of Planning Policy Wales, Authorities are advised that a green infrastructure statement should be submitted with all planning applications and this document will describe how green infrastructure has been incorporated into the proposal.

The Environment (Wales) Act 2016 introduced an enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty). This duty applies to public authorities in the exercise of their functions in relation to Wales and will help maximise contributions to achieving the well-being goals. PPW confirms that the planning system has a key role to play in helping to reverse the decline in biodiversity and increase the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Recognising that development needs to take place and some biodiversity may be impacted, the planning system should ensure that overall, there is a net benefit for biodiversity and ecosystem resilience, resulting in enhanced well-being. Development proposals must consider the need to:

- support the maintenance and enhancement of biodiversity and the resilience of ecosystems.
- ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats, including the most recent targets set out in the 2022 UN Global Biodiversity Framework
- ensure statutorily and non-statutorily designated sites and habitats are properly protected and managed and their role at the heart of resilient ecological networks is safeguarded.
- safeguard protected species and species of principal importance and existing biodiversity assets from direct, indirect, or cumulative adverse impacts that affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water, air, and soil, including peat; and
- secure the maintenance and enhancement of ecosystem resilience and resilient ecological networks by improving diversity, extent, condition, and connectivity.

Paragraph 6.4.5 of PPW states that a net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable, and demonstrable benefit, primarily on or immediately adjacent to the site.

At a local level, Policy SP3 of the adopted Local Development Plan (2024) requires development to safeguard and enhance biodiversity, and provide integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. Importance must be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species”*

Policy DNP7 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*. Policy DNP8 requires new development proposals to integrate, protect and maintain existing green infrastructure assets and to enhance the extent, quality, connectivity and multi functionality of the green infrastructure network

Many of the objectors have expressed concern about the removal of trees and vegetation to facilitate the development and consequential impact on habitats and wildlife.

The Green Infrastructure Statement (**GIS**) that accompanies this Application has been built on the Ecological Surveys plans, and a review of how the development Green Infrastructure (**GI**) could most appropriately enhance Placemaking, Biodiversity, adapt the site for Climate Change, contribute to the Health and Wellbeing of the users and deliver a Sustainable approach, all focusing on beneficial Multi-functional GI outcomes.

The site area was also reviewed as part of the design process and the function of the

development in contributing to the wider GI network. The site itself is connected to the local GI network, predominantly through its woodland belt, which is located on the eastern boundary of the development site. The proposed development, it is contended, aims to strengthen, reinforce, reinstate GI along the site boundaries which will contribute to the wider GI network for any future connections and developments, aligning to requirements of Policy DNP6 and the Council's SPG.

The GI Statement does acknowledge that the development will result in the removal of some 2564 sqm of existing vegetation within the site. This predominately consists of areas of sprawling scrub, mainly goat willow, but also including Hawthorn, Blackthorn, Sycamore and Elder. These groups have been classed as Category C trees within the Arboricultural Report (dated 16th February 2023). No trees have been removed from the woodland to the eastern boundary, which include Category B trees.

The green infrastructure strategy and proposed landscape design follow the stepwise approach as set out in PPW paragraph 6.4.15. The following summarises how the development GI proposals have responded to this approach.

a) Step 1: Avoid

Ecology, Landscape and Arboricultural surveys have identified the GI assets of greatest value, and these have been avoided as part of the masterplan development. This can most notably be observed in the retained woodland to the east, providing connectivity to the wider GI network locally.

b) Step 2: Minimise

The development has been minimised to limit its impact on valuable habitats. This includes incorporating development within the areas of lower ecological significance and preventing the loss of the more valuable habitats such as the Class B trees within the woodland to the east. Development within root protection areas of the woodland has been avoided to ensure the long-term health of these retained assets. The extent of tree loss is indicated on the drawing below – see black shaded areas. The red annotation is the proposed construction exclusion zone:

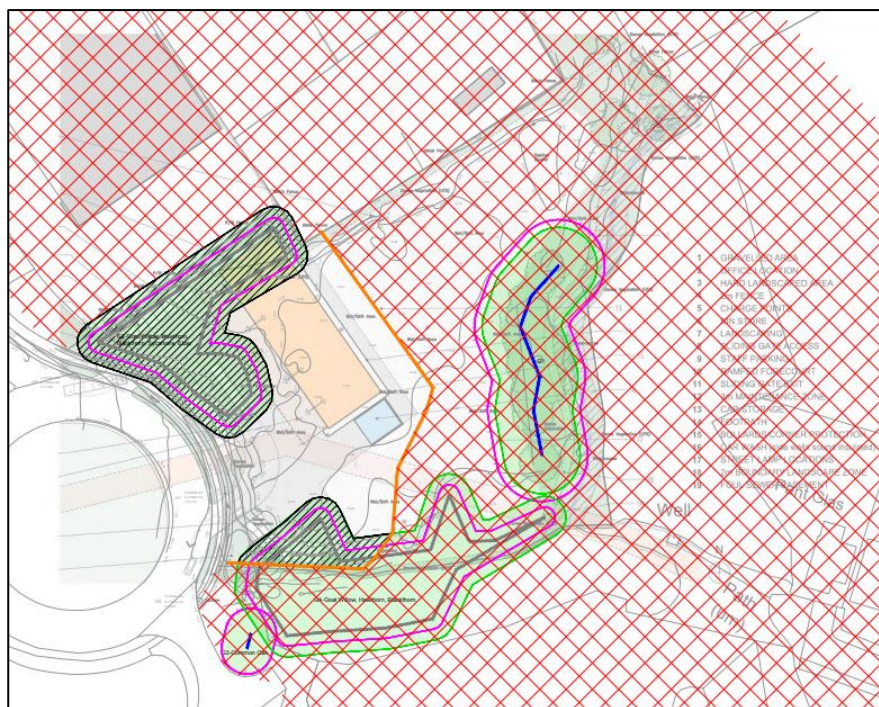


Figure 3 - Extent of Tree/Vegetation Clearance and Construction Exclusion Zone

c) Step 3 and 4: Mitigate/Compensate

Existing north-south GI corridors in the form of the existing woodland to the east will be retained and managed (as per Woodland Habitat Management Plan dated January 2024 (SBE,2024)). Existing scrub removed along the northwestern boundary will be mitigated by the introduction of a native hedgerow and shrub planting, which will strengthen and maintain east-west GI corridors. The proposed SuDS include rain gardens which will retain a degree of water run-off and encourage natural drainage in-situ on-site, as well as increasing evaporation and micro-climate benefits. A total of six bird boxes and five bat boxes will be installed on existing mature trees on the site (as specified in the Woodland Habitat Management Plan dated January 2024).

d) Step 5: Compensate (offsite)

Off-site Compensation should not be required.

e) Step 6: Long term Management

An additional benefit which can result from the proposed development could be the opportunity for the long-term management of the retained and new GI assets to secure these enhancements and their value in the long term.

The submitted Preliminary Ecological Appraisal which included an Extended Phase 1 Habitat Survey noted that the site offered suitable foraging and commuting habitat for bats. During the survey one tree was identified to have low potential to support roosting bats. This tree lies outside the site boundary within the eastern part of the woodland. Although trees that were assessed within the survey area did not have any features with potential to support roosting bats, the other areas of dense vegetation may contain features that provide suitable habitat. It is therefore advised that when clearance of dense vegetation is required, it is done so under ecological supervision. Minimising any loss of woodland to the south/south-east, as proposed by the Application will retain the suitable foraging and commuting habitat which also extends beyond the site into wider habitat. The design of the lighting will also need to reduce artificial light spill onto the retained habitat features to achieve dark corridor for bats and other nocturnal wildlife. The final details of the lighting will need to be agreed before it is installed.

Vegetation clearance has the potential to affect habitats that would be suitable to support breeding birds. Any works would need to be undertaken outside of the nesting bird season i.e., between September to February. Mitigations/enhancement for trees and scrub nesting species are referenced in the sections above. Precautionary work methods for site clearance will need to be followed to ensure that other protected species including common reptiles and dormouse are protected although the likelihood of them being encountered based on the surveys is low.

Parts of the site, including the dense scrub, could provide a resting place for otters and it is recommended by the consultant ecologist that a watching brief is undertaken during site clearance. This will be the subject of a pre-commencement planning condition.

Natural Resources Wales in their consultation response request that the conclusions and recommendations in the Preliminary Ecological Appraisal (**PEA**) are included in the conditions should the Council be minded to grant planning permission. This includes a detailed scheme for lighting.

The Council's Countryside Management Officer initially expressed concerns on the basis that the proposed site layout offered limited scope for compensation for the habitat that was to be removed. The enhancements recommended in the Preliminary Ecological Appraisal (PEA) were however supported. The soft landscaping should however be increased to include more native planting and scrub areas to be more in line with the amount they are

proposing to remove.

In response to these comments, the Applicant submitted a Woodland Management Plan which set out a programme of mitigation/enhancement works in the form of a management plan for the retained (eastern-most), portion of the woodland habitat within the Application site. Officers in the Country Management Team acknowledged that this went some way to mitigating the loss of the habitat.

National and local policy requires protected species, species of principal importance and existing biodiversity assets to be safeguarded from impacts that affect their nature conservation interests. Habitat will be lost as part of this development but, based on the submitted evidence, that will be limited. Subject to the imposition of conditions, as recommended in the Applicant's PEA, that require an ecological clerk of works to be on site for any clearance and a precautionary approach be taken for all clearance in agreement with a detailed method statement where appropriate, safeguards can be secured through the consent. Furthermore, Ecological Enhancements and Habitat Management Plan, as set out in the Green Infrastructure Statement and Woodland Management Plan, will be delivered through the development. On balance, it is considered that the proposal accords with the requirements of Section 6 of the Environment (Wales) Act 2016, guidance contained within TAN 5: Nature Conservation and Planning (2009) and relevant LDP policies.

As a point of detail, the latest landscaping plan includes a beech hedge which isn't native to this part of the UK. A condition will also be imposed requiring a revised landscaping scheme.

Whether the proposed development will have any adverse impact on the living conditions of existing residents in the community of Treoes with regard to pollution, (noise lighting and air) and to what extent could any impacts be mitigated through planning controls

Pollution may cause significant risk to human health, quality of life and residential amenity. The Policies of the new LDP Plan seek to ensure that development that would result in significantly high levels of air, noise or light pollution are appropriately located away from residential areas, other sensitive developments and areas of landscape, natural environment and heritage importance. Avoiding or minimising noise and air pollution and development not affecting the amenity of neighbouring occupiers are tests of good design and placemaking, (Policy SP3 refers).

Residents have opposed the development on the basis that noise from the proposed operations would affect their living conditions, their health and well-being, given the closeness of the site to existing properties. They submit this will add to the disturbance caused by existing businesses and that light pollution from the required security lighting would also create further issues to the nearby community.

Based on the OS Base Plans, the Application site lies some 50m west of the nearest dwelling, 'Pant Glas' which is located in the village of Treoes, with the distance being measured from the dwellinghouse to the eastern site boundary. Approximately 100m will separate the proposed workshop building from the nearest dwellinghouse.

The Noise Impact Assessment (**NIA**) which has accompanied the Application determines existing background sound levels and predicts noise levels from proposed activities based on a business operating between 07:00-18:00 hours Monday to Saturday and occasionally Sundays between the same hours. The following plan is taken from the NIA and shows the Application site in red and the nearest sound-sensitive receivers, the nearest being 'Pant Glas'.



Figure 4 - Site Plan Showing the Nearest Sound Sensitive Receptor and Measurement Location

Predicted noise levels were based on similar activities were undertaken at an existing facility, Nathaniel Car Sales in Bridgend. Additional measurements of a transporter were undertaken at the vehicle delivery site. This also consisted of external measurements of the jet wash stations and valet stations.

The Applicant's noise consultant anticipates that the noise generated by the new vehicle preparation compound may contain intermittent and impulsive noise events due to the type of activities proposed (pressure washing, valeting and loading/unloading of vehicles). The report concludes... *"An BS4142:2014+A1:2019 noise impact assessment has been carried out. The proposed activities are unlikely to be an indication of an adverse impact."*

Officers in Shared Regulatory Services note that no mitigation is offered by the developer on the basis of the comparison between the rating level (noise levels) and background level, with the chosen background levels based upon the most frequently occurring parameter for the weekday (44dB) and weekend (41dB). However, the background levels between 7am and 9am during weekdays were much lower on the Tuesday i.e., between 7-8am, 39dB and between 8 and 9am 40dB respectively. Therefore, where the noisier activities such as the power washing/valeting and unloading activities occur between these times, it is likely to cause an adverse impact at those times.

On the weekend, the proposed operating hours are 07.00-14.00 hours on Saturday and 07.00-12.00 hours on Sunday. Based on the acoustic report, the most representative background level between the proposed operating times on a Saturday is 38dBA; on a Sunday, the noise levels between 7am-10am are 31, 36 and 39dB respectively. Therefore, the difference between the rating level (noise level) and background level at the weekend is between an adverse and significant adverse impact.

Negotiations have resulted in the Applicant agreeing to restrict certain activities between 07:00 and 09:00 am weekdays and during the proposed operating hours for Saturdays and Sundays. Furthermore, this consent will only relate to the proposed uses applied for and any changes to other B2 and B8 uses will require consent and would need to be the subject of a new noise assessment. Subject to conditions that control the future use of the site, the

sound reduction measures in the building design, controls over the combined noise rating level from all operations and fixed plant, and controls over the hours of use for the site generally and for certain equipment, the development should not have an adverse impact on the living conditions in respect of noise. The tests of the Council's Policies will be met by this development.

Turning to lighting, there is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities to take place with the need to:

- protect the natural and historic environment including wildlife and features of the natural environment such as tranquillity
- retain dark skies where appropriate
- prevent glare and respect the amenity of neighbouring land uses; and
- reduce the carbon emissions associated with lighting.

Minimising all forms of pollution including lighting is also addressed by Policies SP3 and DNP9. Development proposals will only be permitted where it can be demonstrated that they would not cause a new, or exacerbate an existing, unacceptable risk of harm to health, biodiversity and/or local amenity.

Lighting will comprise 6m high columns at various locations within the proposed car storage compound area – see Figure 5 below:

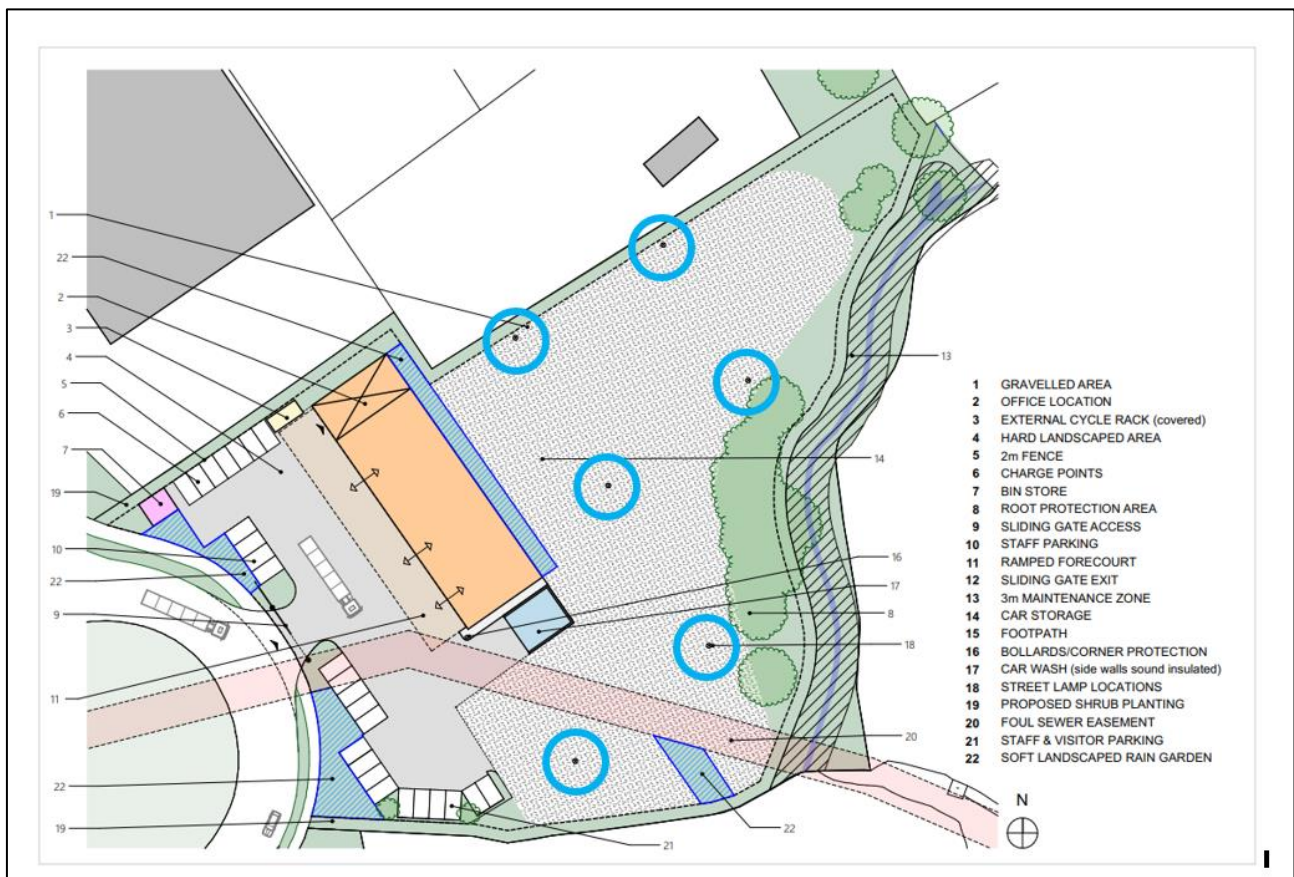


Figure 5 - Position of Lighting Columns

Additional lighting is also likely to be required around the workshop building but at this stage the final design for the lighting has not been agreed and does not form part of this submission. Although it is acknowledged that residential properties do lie relatively close to the eastern boundary of the site, it is considered that a lighting scheme can be designed to

minimise light spillage both in terms of protecting the living conditions of the residents but also ensuring that dark corridors will be provided for bats and other nocturnal wildlife within the retained habitat features along the eastern boundary of the site. A condition will be imposed requiring the submission and agreement of a comprehensive lighting scheme for the site before development commences.

To suggest that the introduction of commercial uses closer to existing properties in the village of Treoes would have no impact on amenity would be unreasonable. This greenfield site currently gives nil detriment and therefore any commercial operations would create noise above existing levels. That said, residents are already affected by established businesses on this estate. Planning seeks to achieve that careful balance of delivering commercial uses on sites allocated for such uses whilst also reasonably safeguarding the amenities and living conditions of existing residents. Subject to the imposition of planning conditions that will control operations on site both in terms of noise and lighting, that balance can be achieved, and the requirements of the regulating policies can be met. Residents of Treoes will understandably cite other operations close to the community that have not always adhered to the conditions imposed by the Local Planning Authority but that is not grounds to resist this Application. The purpose of planning conditions is to enhance the quality of development and enable this development proposal to proceed where it would otherwise have been necessary to refuse planning permission.

The effect of the development on the existing site drainage systems and whether a sustainable drainage system can be incorporated into development to enable the management of surface water

Policy DNP 9 requires that all development in flood risk areas must be supported by a Flood Consequences/Risk Assessment and incorporate any mitigation measures required to avoid or manage increased flood risk.

At a national level, Technical Advice Note 15 (**TAN-15**), provides technical guidance relating to development planning and flood risk in Wales. The initial requirements of TAN-15 are to identify the vulnerability classification(s) and flood zones relevant to the proposed development, and to apply this information to the application of the justification tests.

An update for TAN-15 was released in October 2021, and was due to come in force on 1 December 2021. However, Welsh Government have since suspended the implementation of the new TAN-15 to allow for further consideration. Although the new TAN-15 written statement is not yet a material consideration, Welsh Government and NRW advise that consideration is given to the draft Flood Map for Planning (**FMfP**) as best available information and as such is afforded considerable weight. Therefore, where a site is located in a FMfP flood risk zone it is recommended that a Flood Consequence Assessment (**FCA**) is carried out. This Application was accompanied by such a document. The supporting planning statement confirms that the development of the site and the raising of levels will have an immaterial impact on flooding elsewhere. The small risk of minor increase in flood levels on land to the north has been agreed with the affected landowner.

Residents have noted the site's location within a flood zone and are concerned that the development will displace flood water leading to the risk of flooding on adjoining land including properties within the village.

Natural Resources Wales (**NRW**) have reviewed and accepted the hydraulic model that has informed the submitted FCA which shows:

- During the 1% (1 in 100 year) plus climate change annual probability fluvial flood event, the proposed development site is predicted to be flood free. This meets the requirements of A1.14 of TAN15

- During the 0.1% (1 in 1000 year) annual probability fluvial flood event the proposed development site is predicted to flood to a typical depth of 0.17m. The flood depths are predicted to increase on the western boundary and in the north-eastern corner of the site where they are predicted to peak at a depth of 0.44m. These flood depths are within the tolerable limits of A1.15 of TAN15

NRW note that for the site to tie into the existing road levels to enable access, it is necessary to raise the site. In this post development scenario, the FCA shows:

- During the 1% (1 in 100 year) plus climate change annual probability fluvial flood event, the proposed development site is predicted to be flood free. This meets the requirements of A1.14 of TAN15
- During the 0.1% (1 in 1000 year) annual probability fluvial flood event the raised areas of the proposed development site are predicted to be predominantly flood free. The site is predicted to partially flood to approximately 0.1m in the north-west of the site, with the eastern boundary predicted to experience flood depths up to 0.5m. These flood depths are within the tolerable limits of A1.15 of TAN15.

However, as a consequence of raising the ground levels, flood water is predicted to be displaced onto land owned by third parties. A1.12 of TAN15 states there should be no increased flood risk elsewhere as the result of a proposed development, even those areas already at risk of flooding during extreme events.

The hydraulic modelling has identified that although the extent of flooding to third parties is not predicted to increase, the depth of flooding is predicted to increase by less than 0.05m during the 0.1% (1 in 1000 year) annual probability fluvial flood event. This is to an area of land already experiencing flooding. The FCA states: *“Additionally, and to provide further reassurance, Nathaniel Cars have been in consultation with the third-party landowners regarding the negligible increase in flood depths on their sites in the extreme flood event. All landowners have provided their acceptance and consent to the negligible flood impacts of the proposed development.”* It should be noted that a letter has been received from an owner of land to the north of the site accepting the impacts of additional flooding.

NRW have concluded that based on the current site levels, the development is predicted to be flood free. Due to the need for access, it is proposed to raise the site, however this is predicted to increase flood risk elsewhere but less than 0.05m. NRW have not opposed the development but have suggested that this modest increase in flooding which would be to commercial land to the north and retained woodland to the east should be considered in the determination of the Application.

The Council’s Land Drainage Team have also reviewed the Application details and the submitted Flood Consequence Assessment. They note the position taken by NRW and officers have concluded that on the basis of the evidence the development will only lead to a small increase in flood depth over already ‘flooded’ commercial land and that any objection to this development would be difficult to sustain. Accordingly, the Council’s Land Drainage Team have no objection to the development.

Statements detailing the proposed foul water and surface water discharges have accompanied the Application. Foul water discharge from the toilets and kitchen within the maintenance building and the automated car wash will be collected via an underground pipe network and discharged directly into the existing adopted foul water sewer that runs through the site. Rainwater runoff from the site will be discharged in two ways:

1. Run-off from the EV Storage area to the rear of the site will be discharged into an adjacent watercourse via permeable surfacing, engineered sub-base and attenuation system; and
2. Run-off from the preparation and inspection facility, the bin and bike store and all the roadside areas including the access road will be discharged into an adopted surface water sewer via permeable surfacing, engineered sub-base and attenuation system.

The schemes have been examined by the Land Drainage Team and Dwr Cymru Welsh Water and the following has been noted:

- The proposed development is within proximity of a 150mm public sewer with the approximate position being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. However, having regard to the submitted 'Proposed site layout', it appears the proposed development will be set back and therefore positioned outside the protection zone of the public sewer. In addition, the plan would appear to indicate proposals to dispose surface water flows to a nearby watercourse and in principle we offer no objection
- The Applicant will need to contact DCWW to discuss the new connection to the public sewer and to determine whether a build over sewer agreement is required.
- A sustainable drainage application will be required and designed and built in accordance with standards for sustainable drainage.

In their objections residents have suggested that the local drainage system cannot accommodate further discharges from this development and have highlighted problems of surcharge in the village.

Based on the drainage strategy submitted with the Application and the responses received from Dwr Cymru Welsh Water and the Council's Land Drainage Team, there is a reasonable prospect that a comprehensive drainage scheme can be designed as part of this development that will protect water quality and the environment. There is no evidence that the development will contribute to drainage problems within the village of Treoes. Conditions will be imposed on any consent granted to cover the matters of site drainage.

The potential for the development to contaminate ground water in the area has been highlighted by objectors but considered by NRW in their consultation response. In their view, the controlled waters at this site are not of the highest environmental sensitivity. They recommend that the requirements of Planning Policy Wales, and the Land Contamination Risk Management guidance should be followed. This however is based on the assumption that gross contamination is not present at this location. If during development gross contamination is revealed, a condition will be imposed on the consent requiring that all works must cease until a scheme to deal with the contamination found has been approved and implemented before the development becomes operational. This approach follows national guidance and complies with the Council policies.

CONCLUSION

The decision to recommend planning permission has been taken in accordance with Section 38 of The Planning and Compulsory Purchase Act 2004, which requires that, in determining a planning application, the determination must be in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises Future Wales - the National Plan 2040 and the Bridgend Local Development Plan (2024).

In conclusion, the principle of the developing this site in the manner proposed accords with the policies of the recently adopted plan that allocates the land for development for uses

falling within Classes B1, B2 and B8.

Technical statements and reports have evidenced that the existing road infrastructure and proposed access arrangements are acceptable in highway safety terms. Whilst the site is distant from existing active travel routes and public transport services, dedicated pedestrian routes are available on the estate and connect to the wider area.

The Green Infrastructure Strategy and proposed landscape design has demonstrated that the stepwise approach to protecting biodiversity has been followed through:

- avoidance - GI assets of greatest value, the woodland to the east will be retained;
- minimise - limit impact, incorporating development within the areas of lower ecological significance;
- mitigate and compensate – proposed woodland management and new native hedgerow and shrub planting;
- long term management - the long-term management of the retained and new GI assets to secure these enhancements and their value in the long term.

Any impacts will be mitigated in accordance with national and local policy.

Planning seeks to achieve that careful balance of delivering commercial uses on sites allocated for such uses, whilst also reasonably safeguarding the amenities and living conditions of existing residents. Subject to the imposition of planning conditions that will control operations on site both in terms of noise and lighting, that balance can be achieved, and the requirements of the regulating policies can be met.

Again, technical statements and reports have demonstrated that whilst the development of this land will only lead to a small increase in flood depth over already 'flooded' commercial land, any objection to this development on flooding grounds would be difficult to sustain. In other respects, the site can be safely drained subject to compliance with the listed planning conditions.

The Application is therefore recommended for approval.

RECOMMENDATION: That permission be GRANTED subject to the following conditions:

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| 1. | <p>The development hereby permitted shall be carried out in accordance with:</p> <p>(a) the following approved plans and documents:</p> <ul style="list-style-type: none">PL 00 002 – Site Location PlanPL 00 003 – Topographic Site PlanPL 00 005 – Proposed Site Plan – Revision GPL 00 110 – Proposed Ground Floor planPL 00 111 – Proposed First Floor PlanPL 00 115 – Proposed Roof PlanPL 00 131 – Proposed Section 1PL 00 132 – Proposed Section 2PL 00 141 – Proposed Elevations <p>(b) The recommendation and conclusions set out in the Preliminary Ecological Appraisal by Soltys Brewster – February 2023 and the Ecological Enhancements and Management Plan detailed in the Woodland Habitat Management Plan by Soltys Brewster – January 2024.</p> <p>(c) The Arboricultural Method Statement as set out in the Arboricultural Report by</p> |
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| | <p>ArbTS dated February 2023.</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p> |
| 2. | <p>The premises and site shall be used for vehicle preparation, maintenance, storage and MOT testing for electric vehicles only and for no other purpose including any other purpose in Classes B2 and B8 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 landscaping plan, (Drawing dwg. 2387901-SBC-00-NA-DR-L-001 refers), no above ground works shall take place until a revised landscaping scheme has been submitted to and agreed in writing by the Local Planning Authority.</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> |
| 6. | <p>Prior to the installation of any external lighting, final details of the lighting scheme shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include the following:</p> <ul style="list-style-type: none"> • 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. • Specify operational hours for each type of lighting and how the lights are |

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| | <p>activated and turn off</p> <ul style="list-style-type: none"> Specify any necessary mitigation measures to reduce light spillage beyond the site boundary in particular the retained vegetation to the south and west of the site. 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> |
| 7. | <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> |
| 8. | <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> |
| 9. | <p>All work involving vehicle preparation, maintenance, inspection and valet and car washing activities shall be confined to the internal buildings as per the acoustic report by Hunters Acoustic entitled "Noise Impact Assessment -Vehicle Preparation Compound Bridgend 6592/NIA1_Rev". The buildings shall have a minimum sound reduction index as stipulated in Table 6.1 of this Hunters Acoustics Report. Prior to construction of the buildings, the applicant shall submit the construction details to the Local Planning Authority to demonstrate that the minimum sound reduction index of the building elements complies with table 6.1 of Hunters Acoustic report and shall be implemented as per the submitted details.</p> <p>Reason: To protect the amenities of the adjoining occupiers.</p> |
| 10 | <p>The combined noise rating level from all operations and fixed plant arising at the development site shall not exceed the following limits set out in Table 1 below at any noise sensitive receptor when assessed in accordance with BS4142:2014 in free field conditions:</p> <p>Table 1:</p> |

| Time | Noise rating level (LAeq,1hour) |
|-------------------|---------------------------------|
| Weekday (Mon-Fri) | |
| 07.00-09.00hours | 40dB |
| 09.00-18.00 hours | 45dB |
| Weekend (Sat-Sun) | |
| 07.00-09.00hours | 36dB |
| 09.00-14.00 hours | 41dB |

Reason: To protect the amenities of the adjoining occupiers.

11. Within one month of the of the development becoming operational, a further BS4142 assessment shall be undertaken by a suitably qualified acoustic consultant to demonstrate that the noise rating levels specified in Table 1 are being met. The further assessment shall be submitted to and agreed in writing with the Local Planning Authority within 28 days of the assessment being completed. Where the noise assessment shows that the rating level is not being achieved, it shall include any additional mitigation that is required to meet the rating level in Table 1 of Condition 10. The mitigation measures shall be carried out in full within 2 months of the acoustic report being submitted to the Local Planning Authority unless otherwise agreed by the Local Planning Authority.

Reason: To protect the amenities of the adjoining occupiers.

12. The business shall not operate outside the following hours:

0700-18.00 Monday- Friday,
07.00-14.00 Saturday and 07.00- 12.00 Sunday with no operations on Bank Holidays.

Reason: To protect the amenities of the adjoining occupiers.

13. Loading/unloading activities shall be restricted to between 9am-5pm Monday - Friday

Reason: To protect the amenities of the adjoining occupiers.

14. Power washing/valeting activities shall be restricted to between 09:00 to 18:00 Monday- Friday.

Reason: To protect the amenities of the adjoining occupiers.

15. There shall be no use of pneumatic/power tools (such as the air compressor) between the hours of 07:00 to 08:00 Monday- Friday and between 07:00 to -09:00 on weekends

Reason: To protect the amenities of the adjoining occupiers.

16. Notwithstanding the submitted drawings no development shall commence until a detailed scheme for the access has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include vision splays, the gradient of the access, treatment of pedestrian footway, relocated lighting column, drainage, road markings and signage be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained in perpetuity.

Reason: In the interests of highway safety

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| 17. | <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> |
| 18. | <p>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 retained for the purpose of parking in perpetuity.</p> <p>Reason: In the interests of highway safety.</p> |
| 19. | <p>No development shall commence until a scheme for the provision of 1 cycle parking stand has been submitted to and approved in writing by the Local Planning Authority. The stand shall implemented before the development is brought into beneficial use and retained as such unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable means of travel to / from the site.</p> |
| 20 | <p>Notwithstanding the submitted drawings no development shall commence until a scheme for the provision of an access gate / barrier has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be completed in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained in perpetuity.</p> <p>Reason: In the interests of highway safety</p> |
| 21 | <p>No development shall commence until an access gate / barrier Management Plan has been submitted to and agreed in writing by the Local Planning Authority. The gate / barrier shall be operated in accordance with the approved gate / Barrier Management Plan once the development is brought into beneficial use and retained thereafter.</p> <p>Reason: In the interests of highway safety.</p> |
| 22 | <p>No development shall commence until a scheme for the demarcation of HGV loading / unloading space, turning area and an area to be kept clear at the access has been submitted to and agreed in writing by the Local Planning Authority. The loading space and manoeuvring areas shall be clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained as such for manoeuvring purposes in perpetuity.</p> <p>Reason: In the interests of highway safety.</p> |
| 23 | <p>No development shall commence until a Traffic & Delivery Plan has been 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 Traffic & Delivery Plan once the development is brought into beneficial use and retained thereafter</p> <p>Reason: In the interests of highway safety.</p> |

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| 24 | <p>No development shall take place, including any works of demolition/site clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> I. The routing of HGV construction traffic to/from the site in order to avoid the village Treoes II. the parking of vehicles of site operatives and visitors III. loading and unloading of plant and materials IV. storage of plant and materials used in constructing the development V. wheel washing facilities VI. measures to control the emission of dust and dirt during construction VII. the provision of temporary traffic and pedestrian management <p>Reason: In the interests of highway safety.</p> |
| 25. | <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> |
| 26. | <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> |
| 27. | <p>The following are advisory notes and not conditions:</p> <p>a) The Land Drainage Team advise the following:</p> <p>A pre-SAB application for this development has been submitted to the SAB for comment and comments have been issued to the applicant.</p> |

From 7 January 2019, new development of over 100m² of construction area require sustainable drainage to manage on-site surface water. The surface water drainage systems must be designed and built in accordance with standards for sustainable drainage. These systems must be approved by the SuDS Approving Body (SAB) before construction work begins. The applicant shall submit a sustainable drainage application form to the Bridgend County Borough Council SAB. Further information in relation to the new legislation including the sustainable drainage application forms can be obtained from the following link:

<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.

In order to satisfy the drainage, condition the following supplementary information is required:

- Provide agreement in principle from DCWW for surface water and foul water disposal to the public sewer;
- Provide an agreement in principle from DCWW for build over sewer agreement, if required.
- Provide hydraulic calculations confirming development site has attenuation sized to accommodate a 1 in 100yr + 30% CC storm event;
- Submit an ordinary watercourse consent application for works within 8 meters or adjacent to the existing watercourse, if required.
- 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 full sustainable drainage application form to the BCBC SAB (SAB@bridgend.gov.uk).

b) Dwr Cymru Welsh Water have advised as follows: : 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

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. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

c) Shared Regulatory Services have advised as follows:

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: (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.

d) An amended landscaping plan should not include a beech hedge and this species is not native to this part of the UK.

e) The Institution of Lighting Engineers recommendations in the Guidance Notes for the Reduction of Obtrusive Light' for obtrusive lighting in E2 – Rural areas referenced in condition 6 is reproduced below:

| Table 1 – Obtrusive Light Limitations for Exterior Lighting Installations | | | | | | |
|---|-------------------------------------|---|--------------|---|--------------|--|
| Environmental Zone | Sky Glow ULR [Max %] ⁽¹⁾ | Light Trespass (into Windows) Ev [Lux] ⁽²⁾ | | Source Intensity I [kcd] ⁽³⁾ | | Building Luminance Pre-curfew ⁽⁴⁾ |
| | | Pre- curfew | Post- curfew | Pre- curfew | Post- curfew | Average, L _[cd/m2] |
| 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

f) 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

| | |
|--|--|
| | <p>highway;</p> <p>II. indemnify the County Borough Council against any and all claims arising from such works;</p> <p>III. give not less than one calendar months' 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.</p> |
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**JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES**

Background Papers

None.