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By email: kelly.watson@bridgend.gov.uk

Ein Cyf/Our ref: qA1778904
Eich Cyf/Your ref: 22/0676/10

Dyddiad/Date: 19 December 2023

Dear Ms Watson

TOWN AND COUNTRY PLANNING ACT 1990
ACQUISITION OF LAND ACT 1981
THE BRIDGEND COUNTY BOROUGH COUNCIL (PORTHCRAWL WATERFRONT
REGENERATION) COMPULSORY PURCHASE ORDER 2021

1. I refer to the above titled Compulsory Purchase Order which is subject to confirmation by the Welsh Ministers. I am authorised by the Welsh Ministers to do so.
2. Bridgend County Borough Council (“the Council”) is seeking to acquire the land the subject of the Order under the provisions of section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and the Acquisition of Land Act 1981. The acquisition is for the purpose of facilitating the creation of a mixed-use development, comprising housing, leisure and retail uses, a school, public open space and ancillary highway and public realm improvements, and forming part of the broader Porthcawl Regeneration Area Scheme.
3. There were six relevant objections to the Order, which were subsequently withdrawn. There are 312 non-statutory remaining objectors to the Order. An inspector from Planning and Environment Decisions Wales was appointed to consider the Order by way of written representations.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

4. A copy of the Inspector's report ("IR"), dated 8 November.2023, is annexed to this letter. In the IR, paragraphs 18 to 20 set out the case for the remaining objectors and paragraph 35 set out the Inspector's conclusions.
5. The Inspector recommended that the Order be confirmed.

PROCEDURAL MATTERS

6. The views of the remaining objectors, who are not statutory objectors, are summarised in the Inspector's Report (IR 18-20). I agree with the Inspector's view that the great majority of these issues relate to planning matters, rather than the merits of the Order. Planning permission would be required before any development works could take place on site. Any planning applications would be subject to publicity and consultation, providing interested parties with an opportunity to comment on details of the proposed development of the site.
7. I note also the Inspector's observations that the site is the subject of regeneration policies and allocations within the Bridgend Local Development Plan ("LDP") and draft replacement Local Development Plan ("RLDP"). The replacement Local Development Plan is, at the time of issuing this decision, subject to examination, which will ensure alignment with Future Wales: the National Plan 2040 and compliance with Planning Policy Wales. Given the allocation of the site for the development in both local development plans I agree with the Inspector that the proposals for the Order Land would be compliant with relevant policy and guidance (IR22).
8. The Inspector has considered concerns relating to legal standing, ownership and acquisition of the former area of the Sandy Bay Caravan Site. The Inspector is satisfied that, subject to planning permission, this area could be developed as proposed. (IR 26 - 28).
9. The Inspector describes the benefits of the uses proposed for the Order Land, namely residential with mixed uses and an area of green infrastructure. The Inspector is satisfied the regeneration scheme is fully consistent with the Well-Being of Future Generations (Wales) Act 2015. (IR 29 – 31)
10. The Inspector is satisfied these benefits are in the public interest and advantageous to both existing and future residents and visitors. The Inspector is also satisfied the LDP and RLDP allocations and detailed proposals in the Porthcawl Placemaking Strategy demonstrate the Council, as Acquiring Authority, has a clear idea of how it intends to use the Order Land. There is provision in the Council's budget to cover the CPO compensation and other capital costs. (IR 32-34)
11. The Inspector concludes that confirmation of the Order would facilitate development, re-development or improvement on or in relation to the Order Land, which would achieve promotion or improvement of the economic, social and environmental well-being of the area. The Inspector also concludes that the proposals and funding in place for this project demonstrate the scheme would be deliverable. The Inspector finds there are compelling reasons in the public interest for the powers sought and recommends the Order be confirmed (IR35).
12. I agree with the Inspector's conclusions and recommendations. Consequently, I accept the Inspector's recommendation that the Order be confirmed with the following modifications:

On the title page of the draft Order dated 8 October 2021, the second title line is amended from:

Town and Country Planning Act 1980

To:

Town and Country Planning Act 1990

Well-being of Future Generations (Wales) Act 2015 (“WFG Act”)

13. The Welsh Ministers must, in accordance with the WFG Act, carry out sustainable development. This includes taking all reasonable steps to meet their well-being objectives. In reaching my decision in respect of the draft Order, I have taken into account the ways of working set out at section 5(2) of the WFG Act and ‘SPSF1: Core Guidance, Shared Purpose: Shared Future – Statutory Guidance on the WFG Act’.

Looking to the long-term

14. The decision takes account of the long-term objective to create sustainable communities by enabling the Council to bring forward its Local Development Plan proposals.

Prevention

15. The decision prevents potentially unsuitable incremental, piecemeal land use change. It enables development in a co-ordinated way in accordance with the development plan, which is more likely to be of a sustainable pattern and form.

Involving people/Collaborating with others

16. Within the framework of a statutory decision-making process, which is governed by prescribed procedures, the application was subject to publicity and consultation, providing the opportunity for public and stakeholder engagement. Representations received through these procedures have been considered and taken into account in making a decision in respect of this order.

Taking an integrated approach

17. The decision takes account of the planning system’s role supporting sustainable development through the interaction with other consent regimes.

Impact on well-being objectives

18. I have considered the extent to which confirming the draft Order meets the Welsh Government’s well-being objectives. The draft Order is for the purpose of facilitating development. I recognise that redevelopment can have temporary negative environmental effects during construction and decommissioning phases. However, these impacts can be mitigated and when considered alongside the benefits of development for the duration of its design life my view is that the step would have an overall positive effect on the objective of “making our cities, towns and villages even better places in which to live and work”. I consider the effect of this decision on the other objectives is neutral.

19. I have considered whether, having regard to the Welsh Ministers' wellbeing duty, it would be reasonable to take a different decision. I note the alternative decision would be not to confirm the draft Order. This would reduce the ability of the Council to bring forward comprehensive development proposals, affecting the possible extent, mix and layout of development on the land compared to the draft Order being confirmed. This alternative step would not provide the same positive contribution towards the objective of "making our cities, towns and villages even better places in which to live and work". The effect of this alternative decision on the other objectives would be neutral. Consequently, I consider that the decision to confirm the draft Order is a reasonable step in meeting the Welsh Ministers' well-being objectives.

FORMAL DECISION

20. For the reasons given above, and in exercise of the authority referred to in paragraph 1 above, I hereby confirm, subject to the modification outlined in para 12 above, the Bridgend County Borough Council (Porthcawl Waterfront Regeneration) Compulsory Purchase Order 2021.
21. Please send, as soon as possible, to Planning and Environment Decisions Wales at this address, two copies of the Order as confirmed. They should be clear copies and no attestation clauses need be reproduced. They should bear the following heading:-
- "Copy of the Bridgend County Borough Council (Porthcawl Waterfront Regeneration) Compulsory Purchase Order 2021 as confirmed, with modifications, on 19 November 2023 by Mr Hywel Butts, Head of Planning Casework, Welsh Government, as authorised by the Minister for Climate Change".
22. Your attention is drawn to the provisions of section 15 of the Acquisition of Land Act 1981 regarding publication and service of notices and to the provision of Part IV of that Act with regard to the validity and date of operation of the Order. The prescribed form of advertisement is Form 10 of the Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004.

Yours sincerely



Hywel Butts

Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework

Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Arwyddwyd o dan awdurdod Y Gweinidog Newid Hinsawdd; un o Weinidogion Cymru.
Signed under authority of the Minister for Climate Change; one of the Welsh Ministers.