

BRIDGEND COUNTY BOROUGH COUNCIL
REPORT TO DEVELOPMENT CONTROL COMMITTEE

17 APRIL 2025

REPORT OF THE CORPORATE DIRECTOR COMMUNITIES

UPDATE TO MEMBERS REGARDING AN APPLICATION BY MARUBENI EUROPOWER

**APP. NO. P/23/218/FUL - LAND AT BRYNMENYN AND BRYNCETHIN
BRIDGEND - DEVELOPMENT OF A GREEN HYDROGEN PRODUCTION FACILITY WITH
ELECTROLYSERS, HYDROGEN STORAGE, HYDROGEN REFUELLING STATION, ADMIN
BUILDING, SUBSTATION AND BACK-UP GENERATOR; WITH ACCESS, CIRCULATION,
PARKING, LIGHTING, 8-METRE-HIGH WALL, SECURITY FENCING, HARD AND SOFT
LANDSCAPING, AND DRAINAGE INFRASTRUCTURE (HYDROGEN PIPELINE OMITTED) ON
LAND AT BRYNMENYN. TOGETHER WITH THE INSTALLATION OF A SOLAR PHOTOVOLTAIC
ELECTRICITY GENERATING STATION (SOLAR FARM), COMPRISING GROUND-MOUNTED
SOLAR PANELS, INVERTERS, TRANSFORMER UNITS, CONTROL AND STORAGE BUILDING,
SWITCH GEAR AND A SUBSTATION; WITH ACCESS, CIRCULATION, PARKING, LIGHTING,
SECURITY FENCING, HARD AND SOFT LANDSCAPING, DRAINAGE INFRASTRUCTURE AND
TEMPORARY CONSTRUCTION**

1. Purpose of Report

- 1.1 The purpose of this report is to update Members of the Development Control Committee on the determination of the above Application.

2. Connection to Corporate Well-being Objectives/Other Corporate Priorities

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015**.
- 2.2 **Supporting a successful sustainable economy** – taking steps to make the County Borough a great place to do business, for people to live, work, study and visit and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the County Borough.

3. REPORT

- 3.1 Planning Application P/23/218/FUL (along with Hazardous Substances application P/24/788/HAZ), was considered by the Development Control Committee at a Special Meeting on 20 February 2025.
- 3.2 After a site visit, public speaking and a presentation and discussion, Members agreed that they were minded to approve the Application and were advised that, as a request had been made to the Welsh Government (**WG**) to 'call in' the Application and the WG had issued a '*Holding Direction*' under Article 18 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (**DMPWO**), the Local Planning Authority (**LPA**) could not grant planning permission until the Holding Direction had been cancelled.
- 3.3 On 27 March 2025, WG confirmed that "*the issues raised are not of more than local importance*" and that the Application should **not** be called in for determination by the Welsh Ministers. Therefore, the Holding Direction issued by the Welsh Ministers under Article 18 of the DMPWO on 1 June 2023, for planning Application P/23/218/FUL was cancelled (see **Appendix A**).
- 3.4 The LPA issued the decision notice on 27 March 2025 (**Decision Notice**) (see **Appendix B**) .
- 3.5 The Applicant will now submit applications to the LPA to discharge the conditions attached to the consent, as set out in the Decision Notice.

4. Effect Upon Policy Framework and Procedure Rules

4.1 None

5. Equality Act 2010 Implications

5.1 None

6. Well-being of Future Generations (Wales) Act 2015 Implications

6.1 None

7. Financial implications

7.1 None

8. RECOMMENDATION

- (1) That Members note the Welsh Government's decision to cancel the Holding Direction.
- (2) That Members note that the Decision Notice has now been issued.

Janine Nightingale

CORPORATE DIRECTOR COMMUNITIES

17 April 2024

Contact officer: Phil Thomas
Team Leader - East

Telephone: (01656) 643173

Email: Phil.Thomas2@bridgend.gov.uk

Address: Planning and Development Services
Communities Directorate
Civic Offices
Angel Street
Bridgend
CF31 4WB

Background documents:

Appendix A Welsh Government Letter

Appendix B Decision Notice for App. No. P/23/218/FUL

Cyfarwyddiaeth Llywodraeth Leol a Chynllunio
Local Government and Planning Directorate



Llywodraeth Cymru
Welsh Government

Jonathan Parsons
Chief Planning Officer
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend CF31 4WB

By email: Jonathan.Parsons@bridgend.gov.uk and Chris.thomas2@bridgend.gov.uk

Ein Cyf/Our ref: qA1778388
Eich Cyf/Your ref: P/23/218/FUL
Dyddiad/Date: 27 March 2025

Dear Jonathan Parsons

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 77 CALL-IN REQUEST
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(WALES) ORDER 2012 – DIRECTION UNDER ARTICLE 18(1)
DEVELOPMENT OF A GREEN HYDROGEN PRODUCTION FACILITY WITH
ELECTROLYSERS, HYDROGEN STORAGE, HYDROGEN REFUELLING STATION,
ADMIN BUILDING, SUBSTATION, BACK-UP GENERATOR AND HYDROGEN PIPELINE
‘OFF-TAKE’, AND ASSOCIATED WORKS AT LAND AT BRYNMENYN AND
BRYNCETHIN, BRIDGEND - APPLICATION NO: P/23/218/FUL

1. The Welsh Ministers have been asked to call in the above application for their own determination. I am authorised by the Cabinet Secretary for Economy, Energy and Planning to consider whether the application should be called in for determination by the Welsh Ministers.

Policy

2. The Welsh Government's policy on calling in planning applications is set out in Planning Policy Wales (PPW), Edition 12, February 2024. The Welsh Government considers local planning authorities (LPAs), as elected bodies, should be left to make decisions about development proposals wherever possible. The Welsh Ministers do not, in practice, call in many planning applications and will only do so where the proposal raises issues of more than local importance. The decision on whether to call in an application is not about the acceptability of the development and whether planning permission should be granted; it is concerned with who should make the decision.

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.

Application

3. This is a full application for the proposed development of a green hydrogen production facility with associated works on land to the south-east of Brynmenyn Industrial Estate, Bridgend, and a connected solar farm and associated works, on land to the east of Bryncethin near Bridgend.

Decision

4. I have given consideration to the issues raised by the application, the contents of the officer's report, and all other relevant information.
5. Having considered the application I have determined that the issues raised are not of more than local importance. In view of this, I consider the application should not be called in for determination by the Welsh Ministers and it is now for your authority to determine the application as it sees fit.
6. In reaching this conclusion the planning merits of the application were not taken into account and the decision not to call in the application should not in any way be taken as a reflection of the planning merits of the development.
7. In exercise of my powers under Article 31 of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 ("DMPWO"), the direction issued by the Welsh Ministers under Article 18 of the DMPWO on 1 June 2023 for planning application P/23/218/FUL or any development of the same kind which is the subject of the application on any site which forms part of, or includes the land to which the application relates, is hereby cancelled.
8. It would assist me if a copy of the planning decision relating to this application could be sent to my colleague, Mr Ceri Litherland (E-mail: ceri.litherland@gov.wales).
9. A copy of this letter has been sent to RPS Group Limited, agents for the applicant.

Yours sincerely



Hywel Butts

Pennaeth Gwaith Achos Cynllunio / Head of Planning Casework
Y Gyfarwyddiaeth Gynllunio / Planning Directorate

Signed under authority of the Cabinet Secretary for Economy, Energy and Planning, one of the Welsh Ministers.

Arwyddwyd o dan awdurdod Ysgrifennydd y Cabinet dros yr Economi, Ynni a Chynllunio, un o weinidogion Cymru.

Planning Reference No.: **P/23/218/FUL**

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (WALES) ORDER 2012

PERMISSION FOR DEVELOPMENT

To:

RPS Consulting Services
2 Callaghan Square
Cardiff
CF10 5AZ

APPENDIX B

Whereas you did on the 30 March 2023 make application in writing for permission to develop, short particulars of the development being as follows:

Applicant Name: **Marubeni Europower**
Development: **Development of a green hydrogen production facility with electrolyzers, hydrogen storage, hydrogen refuelling station, admin building, substation and back-up generator; with access, circulation, parking, lighting, 8-metre-high wall, security fencing, hard and soft landscaping, and drainage infrastructure (hydrogen pipeline omitted) on land at Brynmenyn. Together with the installation of a solar photovoltaic electricity generating station (solar farm), comprising ground-mounted solar panels, inverters, transformer units, control and storage building, switch gear and a substation; with access, circulation, parking, lighting, security fencing, hard and soft landscaping, drainage infrastructure and temporary construction compound, on land at Bryncethin. Sites to be connected via an underground electrical wire**
Location: **Land at Brynmenyn and Bryncethin Bridgend**

BRIDGEND COUNTY BOROUGH COUNCIL as the Local Planning Authority, hereby PERMIT the proposed development to be carried out in accordance with the plans (if any) submitted with the said application, subject to the development being begun on a date which is not later than five years from the date of this permission and subject also to compliance with the condition(s) specified below:

CONDITIONS

1. The development shall begin not later than five years from the date of this decision.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. Subject to the requirements of other conditions attached to this permission the development shall be carried out in accordance with the following list of approved plans and in accordance with the recommendations and measures contained within the following approved supporting documents:

- PL100 Proposed Site Layout (Wider Scale) 1454_PL100 Revision B
- PL101 Proposed Site Layout 1454_PL101 Revision C
- PL110 Admin & DNO Switchroom - Ground Floor & Roof Plan 1454_PL110 Revision A
- PL111 HV & LV Substation - Ground Floor & Roof Plan 1454_PL111 Revision A
- PL200 Existing Site Sections A-A & B-B 1454_PL200 Revision A
- PL201 Proposed Site Sections A-A & B-B 1454_PL201 Revision B
- PL300 Proposed Site Elevations N & E 1454_PL300 Revision A
- PL301 Proposed Site Elevations S,W & W with Substation Omitted 1454_PL301 Revision A
- PL302 Proposed Site Elevations X & Y 1454_PL302 Revision A
- PL303 Proposed Site Elevation Z from A4065 1454_PL303 Revision A
- PL304 Proposed Site Elevations X & Y - Foliage Year 1 1454_PL304

- PL305 Proposed Site Elevation Z from A4065 - Foliage Year 1 1454_PL305
- PL306 Proposed Site Elevations X & Y - Foliage Year 5 1454_PL306
- PL307 Proposed Site Elevation Z from A4065 - Foliage Year 5 1454_PL307
- PL308 Proposed Site Elevations X & Y - Foliage Year 15 1454_PL308
- PL309 Proposed Site Elevation Z from A4065 - Foliage Year 15 1454_PL309
- PL400 Admin & DNO Switchroom Elevations & Sections 1454_PL400 Revision A
- PL401 NEL Electrolyser & Rectifier Elevations & Roof Plan 1454_PL401 Revision A
- PL403 Metering Container Elevations & Roof Plan 1454_PL403 Revision A
- PL404 MP Hydrogen Storage Elevations & Roof Plan 1454_PL404 Revision A
- PL406 MP1000 Compressor Elevations & Roof Plan 1454_PL406 Revision A
- PL407 Canopy & Pump Elevations & Plans 1454_PL407 Revision A
- PL408 Fire Water Tank Elevations & Roof Plan 1454_PL408 Revision A
- PL409 Pump House Elevations & Roof Plan 1454_PL409 Revision A
- PL412 Nitrogen Cylinder & Air Compressor Elevations & Roof Plan 1454_PL412 Revision A
- PL413 HV & LV Substation Elevations & Sections 1454_PL413 Revision A
- PL414 Reciprocating Compressor Elevations & Roof Plan 1454_PL414

- IL001 Proposed Fencing Layout 1454_IL001 Revision A
- IL002 Lighting Design 1454_IL101
- IL003 Fencing Details 1454_IL003 Revision A
- IL004 Materials & Colours 1454_IL004

- Drawing 108939-MMD-BRGR-XX-DR-E-0094 – Revision P01 - General Inverter Indicative Cross-Section
- Drawing 108939-MMD-BRGR-XX-DR-E-0091 – Revision P02 - General PV layout Cross-Sections
- Drawing 108939-MMD-BRGR-XX-DR-E-0095 – Revision P01 – Transformer and Switchgear– Indicative Elevation and Cross-Section
- Drawing 108939-MMD-BRGR-XX-DR-E-0096 – Revision P01 – Control Building, Switchgear Building, & Storage – Indicative Elevation and Cross-Section
- Drawing 108939-MMD-BRGR-XX-DR-E-0097 – Revision P01 – CCTV – Indicative Elevation and Cross-Section
- Drawing 108939-MMD-BRGR-XX-DR-E-0098 – Revision P01 – Fence – Indicative Elevation and Cross-Section

- Drawing 108939-MMD-BRGR-XX-DR-C-0009 – Revision P02 – Solar PV Drainage Layout
- Drawing 108939-MMD-BRGR-XX-DR-C-0044 – Revision P02 – Hydrogen Production Facilities – Drainage Layout
- Drawing 108939-MMD-BRGR-XX-DR-C-0046 – Revision P01 – Hydrogen Production Facilities - Earthworks

- Private Wire Route – Drawing: 0515-2022-CHA

- Drawing JSL4535_100 Rev D Landscape Strategy dated 22/03/2024 by RPS Group
- Drawing JSL4535_101 Rev D Landscape Strategy dated 28/03/2023 by RPS Group
- Tree Constraints Plans (1 to 7) – RPS Drawings 700, 701, 702, 703, 704, 705, 706.
- Tree Protection/Removal Plans (1 to 7) – RPS Drawings; 710, 711, 712, 713, 714, 715, 716.

- Green Infrastructure Statement by RPS – February 2024
- Preliminary Ecology Appraisal by RPS – November 2022
- Ecological Impact Assessment by RPS – November 2023
- Tree Survey Schedule – Proposed Tree Removals – Revision A received on 12th August 2024
- Grassland Fungi Survey by Sturgess Ecology – November 2023
- Tree Ground Inspection for Bat Roost Potential by RPS – May 2023
- Reptile Report by RPS – September 2023
- Invertebrate Surveys by DJ Gibbs – October 2023
- Breeding Bird Survey Report by RPS – September 2023
- Otter Report by RPS – October 2023
- Vegetation Survey – Land at Bryncethin by Sturgess Ecology for RPS – June 2023
- Construction Environmental Management Plan by RPS – August 2024

- External Lighting – Bridgend HPF, Version P02 by RPS - November 2023
- Bryncethin Solar Farm – Ground Investigation Report by Mott MacDonald – July 2023
- Brynmenyn Hydrogen Plant - Ground Investigation Report by Mott MacDonald – June 2023
- Bryncethin Solar Farm – Phase 1 Desk Study by Mott McDonald – July 2022
- Brynmenyn Hydrogen Plant – Phase 1 Desk Study by Mott McDonald – July 2022
- Preliminary Coal Mining Risk Assessment by RPS – September 2022
- Bridgend Green Hydrogen Scheme - Solar Farm – Noise Impact Assessment by RPS – July 2024
- Bridgend Green Hydrogen Scheme - Noise Assessment – Technical Note Date 08 July 2024
- Air Quality Assessment – Green Hydrogen Project - Revision 2 by RPS – March 2023
(Mitigations in Chapter 7)
- Utilities and Emissions Summary – Revision B
- Hydrogen Production Facility - Proposed Drainage Strategy by Mott MacDonald – November 2022.

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.

3. The use of land, buildings and plant hereby permitted on the Brynmenyn site shall be for the production, storage and distribution of hydrogen only and for no other purpose within Classes B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to those Classes in any Statutory Instrument revoking and/or re-enacting that Order.

Reason: To avoid doubt and confusion as to the nature and extent of the approved development and in the interests of highway safety.

4. The Hydrogen Production Facility hereby approved shall only produce and store a maximum of 3.6 tonnes of Hydrogen on site per day.

Reason: For the avoidance of doubt as to the extent of the permission granted and in the interest of public and highway safety.

5. The Bryncethin Solar Farm shall be fully operational and exporting renewable electricity via the private wire line to the hydrogen production facility on Brynmenyn within twelve months of the date of hydrogen being produced on site.

Reason: To ensure the production of Green Hydrogen and thereby compliance with local and national policies.

6. Within 30 years and six months following the date of commencement of the production of hydrogen, or within six months of the cessation of the production of hydrogen, whichever is the sooner, all plant and equipment and all associated structures and fencing hereby approved shall be removed from the site in accordance with a decommissioning and restoration scheme which has first been submitted to and approved in writing by the Local Planning Authority. The decommissioning plan shall include pollution control measures. All existing and new planting implemented as part of the approved scheme shall be retained. The developer shall notify the Local Planning Authority in writing no later than one month following cessation of hydrogen production. The approved restoration scheme shall be implemented in full within 12 months of the cessation of hydrogen production.

Reason: To comply with the terms of the application and in the interest of the character and appearance of the area and to allow the land to be used for future employment uses in accordance with the policies of the local plan.

7. Within 30 years from the date when electricity is first exported, or within one year of the cessation of the generation of electricity from the Solar Farm site in Bryncethin, the solar photovoltaic panels, frames, foundations, and all associated structures and fencing hereby permitted shall have been

dismantled and removed from the site and the site restored in accordance with a scheme to be submitted to and approved in writing by the local planning authority. The developer shall notify the local planning authority in writing no later than five working days following the commencement of export of electricity and cessation of power production.

Reason: In the interests of visual amenity.

8. No development shall take place until the following have been submitted to and approved in writing by the Local Planning Authority (LPA) in accordance with the current British Standard 5837:2012

(i) An Arboricultural Method Statement (AMS) detailing the methods to be used to prevent loss of or damage to retained trees within and bounding the site, and existing structural planting or areas designated for new structural planting. The AMS shall include details of site monitoring of tree protection and tree condition by a qualified arboriculturist, undertaken throughout the development and after its completion, to monitor tree condition. This shall include the preparation of a chronological programme for site monitoring and production of site reports, to be sent to the LPA during the different phases of development and demonstrating how the approved tree protection measures have been complied with.

(ii) A Tree Protection Plan (TPP) in the form of a scale drawing showing the finalised layout and the tree and landscaping protection methods detailed in the AMS that can be shown graphically. The development shall be carried out in full conformity with the approved AMS and TPP.

Reason: To enable the Local Planning Authority to assess the effects of the proposals on existing trees and landscape, the measures for their protection and to monitor compliance.

9. Notwithstanding the details on the approved plans, no development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. The submitted and approved scheme shall be implemented in full and retained for the lifetime of the development.

Reason: In the interest of the character and appearance of the area.

10. All planting, seeding or turfing comprised in the approved details of landscaping (Condition No.9) shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of the character and appearance of the area.

11. No development shall commence, including any vegetation clearance, until a Biodiversity Management Plan (BMP) has been submitted to and approved in writing by the Local Planning Authority. The BMP shall set out the management and monitoring arrangements for all relevant ecological features, set out detailed new landscaping proposals, enhancement measures proposed and include timescales for implementation. The development shall be carried out in accordance with the approved details. The BMP shall include, but not be limited to, the following:

- a) Description and evaluation of ecological features, present or to be created on site, to be managed
- b) Details of the desired condition of features, present and to be created at the site, using attributes with measurable targets to define favourable condition
- c) Aims and objectives of management
- d) Ecological trends and constraints on site that might influence management and achieving favourable condition of the retained and new features to be created on site
- e) Identification of appropriate management options for achieving aims and objectives, including management prescriptions
- f) Details of the monitoring of habitats, species and conservation enhancement measures. Where the results from monitoring show that conservation aims and objectives of the BMP are not being met, the

BMP shall set out how contingencies and/ or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally agreed scheme

- g) Details of the body or organisation responsible for implementation of the plan, including management and maintenance responsibilities of the BMP and ensure compliance with all relevant regulatory and other requirements, method statements and plans, and to report to the principal contractor and statutory consultees.
- h) Preparation of a work scheme detailing the timescale for delivery of the initiatives identified within the BMP, including all species and habitat management and monitoring and habitat aftercare, and a five-year rolling programme with specified timescales for each element
- i) Details of the periodic review of effectiveness of the BMP, with a written report submitted to the Local Planning Authority every 5 years, and any revisions to the plan to be agreed in writing by the Local Planning Authority prior to implementation.

The above shall be provided for the following initiatives:

Proposed Hydrogen Production Facility

- Wildflower grassland (sown) with native grasses and wildflowers
- Grassland in the base of the attenuation basin
- Management of Retained Mixed semi-natural woodland on the boundaries of the site
- New native tree and shrubs

Proposed Solar Farm

- Grassland beneath solar panels
- Grassland outside of perimeter fencing
- Grassland in the attenuation basin
- New Native trees and shrub planting
- Retained and new Broadleaved woodland
- Pond
- Ditch channels

Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.

12. No development shall take place on the Hydrogen Production Facility, 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 clearance / construction period. The Statement shall provide for:
- i. The routing of HGV construction traffic to/from the site.
 - ii. the parking of vehicles of site operatives and visitors
 - iii. loading and unloading of plant and materials
 - iv. storage of plant and materials used in 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 along Squire Drive, St Theodore's Way and Chilcott Avenue

Reason: In the interests of highway safety.

13. No development of the Hydrogen Production Facility shall commence until a scheme for the provision of 1 long stay cycle parking stand and 1 short stay cycle parking stand has been submitted to and approved in writing by the Local Planning Authority. The stands shall implemented before the development is brought into beneficial use and retained as such thereafter.

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

14. The proposed staff / visitor parking area at the Hydrogen Production Facility shall be implemented in permanent materials before the development is brought into beneficial use and retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

15. The access to the Hydrogen Production Facility shall be completed in permanent materials at a gradient no steeper than those proposed on Drawing Nos: C5384-C-0731-Revision PB; C5384-C-0740-Revision Pc and C5384-C-0741-Revision PD before the development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of highway safety.

16. No development shall commence until a scheme for the provision of remodelling the vertical alignment of the Highway of Squire Drive at the site access has been submitted to and approved in writing by the Local Planning Authority. The highway shall be amended in permanent materials in accordance with the agreed scheme before the development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of highway safety.

17. The access to the Hydrogen Production Facility shall be laid out with vision splays of 2.4 m x 17m in both directions before the development is brought into beneficial use and retained as such in perpetuity.

Reason: In the interests of highway safety.

18. Any entrance gates at the Hydrogen Production Facility shall be set back not less than 20 metres from the nearside edge of carriageway.

Reason: In the interests of highway safety.

19. The access to and internal circulatory access arrangements at the Hydrogen Production Facility shall be completed in permanent materials before the development is brought into beneficial use and shall be retained for vehicle turning purposes in perpetuity.

Reason: In the interests of highway safety.

20. No development shall take place on the Solar Farm, 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 clearance / construction period. The Statement shall provide for:

- i. The routing of HGV construction traffic to/from the site
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in 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 along the site access and Blackmill Road (A4061)

Reason: In the interests of highway safety.

21. No development shall commence of the Solar Farm until a scheme for the provision of improved access arrangements adjacent to the entrance to Bryncethin depot has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall consist of revised junction between the access track and the established access to depot including surfacing, radius kerbing and vision splays of 2.4m x 25m to the West 2.4m x 11 to the East. The revised junction shall be implemented in permanent materials for a distance of no less than 15m from the existing depot access prior to commencement of construction and shall be retained as such in perpetuity.

Reason: In the interests of highway safety.

22. 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.

Reason: In the interests of highway safety.

23. The combined noise rating level from all operations and fixed plant and equipment at the development when measured in free field conditions (or where this is not possible a combination of measurement and calculation) in accordance with BS 4142: 2014+A1:2019 (or any British Standard amending or superseding that standard) shall not exceed the noise limits in Table 1 (for the Hydrogen Production Facility) and table 2 (for the Solar Farm, Bryncethin) at any residential premises specified at the locations in Table 1 and Table 2:

Table 1 Hydrogen Production Facility

Noise Sensitive Receptor (NSR)	Rating Level, dB L _{Ar,Tr} Daytime operations (07.00-23.00 hours)	Rating Level, dB L _{Ar,Tr} Night-time operations (23.00-07.00 hours)
Rowan's Lane (any property)	42dB LAeq,1 hour	38dB LAeq,15mins
Davis Ave(any property)	42dB LAeq,1 hour	40dB LAeq,15mins
Leyshon Way/Ffordd Maendy/ Tyn Y Coed Close	36dB LAeq,1 hour	35dB LAeq,15mins

Table 2- Solar Farm Development Scheme, Bryncethin

Noise Sensitive Receptor (NSR)	Rating Level, dB L _{Ar,Tr} Daytime operations (07.00-23.00 hours)	Rating Level, dB L _{Ar,Tr} Night-time operations (23.00-05.00 hours)	Rating Level, dB L _{Ar,Tr} Night-time operations (05.00-07.00 hours)
Dennis Place (any property)	35dB LAeq,1 hour	29dB LAeq,15mins	35dB LAeq,15mins
Blackmill Road (any property)	30dB LAeq,1 hour	29dB LAeq,15mins	
Cefn Carfan Isaf	30dB LAeq,1 hour	29dB LAeq,15mins	

Reason: To protect the amenities of the adjoining occupiers.

24. The sound power level of each noise source for the Solar Farm, Bryncethin development shall not exceed the noise levels specified in Table 5.1 of the Technical Noise Report entitled Bryncethin (Solar PV) Noise Report: JAJ03178-REPT-02-R2 (dated 8th July 2024). Prior to installation of the plant and equipment, details shall be submitted to and agreed with the Local Planning Authority to demonstrate compliance with this condition. The plant and equipment shall be implemented as agreed and the mitigation measures shall be maintained for as long as the permitted use continues.

Reason: To protect the amenities of the adjoining occupiers.

25. The sound power level of each noise source for the Hydrogen Production Facility shall not exceed the noise levels specified in Table 3.1 of the Technical Noise Report entitled Brynmenyn (HPF) Noise Report: ENV-ACO-03178-005 (dated 8th July 2024) and mitigation shall comply with table 2.1 of this report. Prior to installation of the plant and equipment, details shall be submitted to and agreed with the Local Planning Authority to demonstrate compliance with this condition. The plant, equipment and mitigation shall be implemented as agreed and the mitigation measures shall be maintained for as long as the permitted use continues.

Reason: To protect the amenities of the adjoining occupiers.

26. Prior to the Hydrogen Production Facility being brought into beneficial use, an 8m high acoustic wall shall be erected along the north-east and south-east sections of the process area perimeter as shown

in light blue in drawing 1454 IL001, Revision A. The wall shall be of solid construction, with no gaps and have a minimum density of 15 kg/m². Details, including the colour of the wall shall be submitted to and agreed in writing by the Local Planning Authority demonstrating that the minimum mass will be complied with. The wall shall be erected as agreed and retained and maintained for as long as the permitted use continues.

Reason: To protect the amenities of the adjoining occupiers.

27. Prior to the development being brought into beneficial use, at the commissioning stage, a further noise assessment shall be undertaken by a suitably qualified acoustic consultant to demonstrate by measurement or where that is not possible, a combination of measurement and calculation, that the noise rating levels specified in Tables 1 and 2 of condition 23 are being met in practice when assessed in accordance with BS 4142: 2014+A1:2019 (or any British Standard amending or superseding that standard) . A further completed noise 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 Tables 1 and 2 of condition 23. The mitigation measures shall be carried out in full prior to the development being brought into beneficial use.

Reason: To protect the amenities of the adjoining occupiers.

28. Within 21 days of receipt of a written request from the Local Planning Authority (LPA), following a complaint to the LPA relating to noise emissions arising from the operation of any part of the development site, the site operator shall provide a written protocol for the assessment of the noise levels to the Local Planning Authority for approval. The written protocol shall be produced by an independent acoustic consultant. Within 2 months of the protocol being approved, a noise assessment shall be undertaken in accordance with the agreed protocol and shall be submitted to the Local Planning Authority unless written consent is granted to any variation. The assessment shall include all data collected for the purposes of undertaking the compliance measurements and analysis. The assessment shall propose further noise mitigation measures if there is non-compliance with the noise levels set out in Condition 23. Any additional mitigation required as a result of the above shall be installed on site within 1 month of the date of submission of the report unless otherwise agreed in writing with the Local Planning Authority. Following the installation of the additional mitigation, a further noise assessment using the agreed methodology shall be undertaken and submitted to the LPA to demonstrate that the mitigation has now achieved the noise rating levels specified in condition 23.

Reason: To protect the amenities of the adjoining occupiers.

29. No development on the Hydrogen Production Facility site including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:
- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
 - Construction methods: details of materials, how waste generated will be managed
 - Details of equipment to be employed, operations to be carried out, predicted noise and vibration levels at the closest noise sensitive receptors, in accordance with BS5228- (Code of Practice for noise and vibration control on construction and open sites) -and any mitigation measures to reduce the noise where this is indicated to be necessary as a result of the assessment
 - Approximate timescales of each operational phase
 - Operational hours
 - A scheme of vibration monitoring for any operations that are indicated to give rise to vibration undertaken at locations to be agreed with by Shared Regulatory Services
 - A scheme for implementing effective liaison with the local residents
 - Measures to control the emission of dust and dirt during the construction, including the prevention of carrying mud onto the road.

- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the environment during construction.

30. No development on the Solar Farm site including site clearance, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP should include:

- General Site Management: details of the construction programme including timetable, details of site clearance; details of site construction drainage, containments areas, appropriately sized buffer zones between storage areas (of spoil, oils, fuels, concrete mixing and washing areas) and any watercourse or surface drain.
- Construction methods: details of materials, how waste generated will be managed
- Details of equipment to be employed, operations to be carried out, predicted noise and vibration levels at the closest noise sensitive receptors, in accordance with BS5228- (Code of Practice for noise and vibration control on construction and open sites) -and any mitigation measures to reduce the noise where this is indicated to be necessary as a result of the assessment
- Approximate timescales of each operational phase
- Operational hours
- A scheme of vibration monitoring for any operations that are indicated to give rise to vibration undertaken at locations to be agreed with by Shared Regulatory Services
- A scheme for implementing effective liaison with the local residents
- Measures to control the emission of dust and dirt during the construction, including the prevention of carrying mud onto the road.
- Biodiversity Management: details of tree and hedgerow protection; invasive species management; species and habitats protection, avoidance and mitigation measures.
- Soil Management: details of topsoil strip, storage and amelioration for re-use.
- CEMP Masterplan: details of the extent and phasing of development; location of landscape and environmental resources; design proposals and objectives for integration and mitigation measures.
- Resource Management: details of fuel and chemical storage and containment; details of waste generation and its management; details of water consumption, wastewater and energy use.
- Pollution Prevention: demonstrate how relevant Guidelines for Pollution Prevention and best practice will be implemented, including details of emergency spill procedures and incident response plan.
- Details of the persons and bodies responsible for activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved during the site preparation and construction phases of the development.

Reason: To ensure necessary management measures are agreed prior to commencement of development or phase of development or specified activity and implemented for the protection of the

environment during construction.

31. Prior to the installation of any external lighting, final details of the lighting scheme for the two sites shall be submitted to and agreed in writing by the Local Planning Authority. The schemes shall include the following:

- A plan showing the location, height and orientation of the lights, as well as what type of lights are to be erected at what locations
- The predicted levels in lux at the closest residential receptors following final choice of design, location and height of lighting columns and information to demonstrate that the levels do not exceed The Institution of Lighting Engineers recommendations in the Guidance Notes for the Reduction of Obtrusive Light' for obtrusive lighting in E2 – Rural areas.
- Specify operational hours for each type of lighting and how the lights are activated and turn off
- 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).

The lighting schemes shall be implemented as agreed.

Reason: To protect the amenities of the adjoining occupiers.

32. Prior to the installation of lighting on the sites, full details of a lighting monitoring scheme shall be submitted to and agreed in writing by the Local Planning Authority. The lighting monitoring schemes shall include:

- 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

The lighting monitoring schemes shall be implemented as agreed.

Reason: To maintain and improve the appearance of the area in the interests of visual and residential amenity and to promote nature conservation.

33. 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.

Reason: To protect the amenities of the adjoining occupiers.

34. Prior to the commencement of the development an assessment of the nature and extent of contamination shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be carried out by or under the direction of a suitably qualified competent person * in accordance with BS10175 (2011) Code of Practice for the Investigation of Potentially Contaminated Sites and shall assess any contamination on the site, whether or not it originates on the site. The report of the findings shall include:

- (i) not required
- (ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present
- (iii) an assessment of the potential risks to human health, groundwaters and surface waters adjoining land, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, ecological systems, archaeological sites and ancient monuments; and
- (iv) an appraisal of remedial options, and justification for the preferred remedial option(s).

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017) unless the Local Planning Authority agrees to any variation.

* A 'suitably qualified competent person' would normally be expected to be a chartered member of an appropriate professional body (such as the Institution of Civil Engineers, Geological Society of London, Royal Institution of Chartered Surveyors, Institution of Environmental Management) and also have relevant experience of investigating contaminated sites.

Reason: To ensure that information provided for the assessment of the risks from land contamination to the future users of the land, neighbouring land, controlled waters, property and ecological systems is sufficient to enable a proper assessment.

35. Prior to the commencement of the development a detailed remediation scheme and verification plan to bring the site to a condition suitable for the intended use by removing any unacceptable risks to human health, controlled waters, buildings, other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017) unless the Local Planning Authority agrees to any variation.

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.

36. The remediation scheme approved by condition 35 above must be fully undertaken in accordance with its terms. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

On the completion of the measures identified in the approved remediation scheme and prior to the occupation of any part of the development unless otherwise agreed in writing by the Local Planning Authority, a verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

All work and submissions carried out for the purposes of this condition must be conducted in accordance with the Environment Agency's 'Land contamination: risk management (LCRM)' (October 2020) and the WLGA / WG / NRW guidance document 'Land Contamination: A guide for Developers' (2017) unless the Local Planning Authority agrees to any variation.

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.

37. 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 Local Planning Authority within 2 weeks of the discovery of any unsuspected contamination.

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.

38. Any topsoil [natural or manufactured], or subsoil, to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

39. Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, sampling of the material received at the development site to verify that the imported material is free from contamination shall be undertaken in accordance with a scheme and timescale to be agreed in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

40. Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.

Reason: To ensure that the safety of future occupiers is not prejudiced.

41. No development shall commence on the Hydrogen Production Facility until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with. This must include future maintenance requirements to be submitted and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: to ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased.

42. No development shall commence on the Solar Farm until a scheme for the comprehensive and integrated drainage of the site, showing how foul, roof and hardstanding surface water will be dealt with. This must include future maintenance requirements to be submitted and approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: to ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased.

43. No development shall commence on the sites until a suitable infiltration test, sufficient to support the design parameters and suitability of any proposed infiltration system, has been submitted to and

approved in writing by the Local Planning Authority; the approved scheme must be implemented prior to beneficial use.

Reason: to ensure that effective drainage facilities are provided for the proposed development and that surface water flood risk is not increased.

44. No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

45. **The following are advisory notes and not conditions:**

a) Highways:

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:

- obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway.
- indemnify the County Borough Council against any and all claims arising from such works.
- 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.

b) Land Drainage:

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

To satisfy the condition 41, the applicant must:

- Provide an agreement in principle from DCWW for foul and surface water (if required) disposal to the public sewer.
- Provide hydraulic calculations to confirm the site does not flood during a 1 in 100yr + 30%CC event.
- Submit an Environmental Permit and Flood Risk Activity Permit (FRAP) to NRW (if required).
- Provide a construction management plan outlining how surface water runoff and sediment/pollution runoff will be managed during the construction phase.
- Submit an ordinary watercourse consent for any works involving existing ordinary watercourses.
- Submit a Sustainable Drainage Application to the Bridgend SAB – SAB@bridgend.gov.uk

To satisfy the drainage, condition the following supplementary information is required:

- Provide surface water drainage layout (including location of proposed soakaway, if required).
- Provide infiltration tests to confirm acceptability of any proposed infiltration system in accordance with BRE 365.
- Provide a plan showing locations of trial holes and at least three separate tests at each trial hole location.
- Provide information about the design calculations, storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent the pollution of the receiving groundwater and/or surface water system.
- Provide a timetable for its implementation; and

- Provide a management and maintenance plan, for the lifetime of the development and any other arrangements to secure the operation of the scheme throughout its lifetime.
- Maintenance of any proposed sustainable drainage features serving this site will remain the responsibility of the landowner

C) DCWW:

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

The applicant may need to apply to Dwr Cymru / Welsh Water 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. 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 always has rights of access to its apparatus.

d) Coal Authority:

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

e) Shared Regulatory Services:

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 licence. The following must not be imported to a development site:

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

Dated: **27 March 2025**

Signed:



Group Manager Planning & Development Services

YOUR ATTENTION IS DRAWN TO THE FOLLOWING (some of which may not be applicable):-

a. Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developer's) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition Notice.

b. The enclosed notes which set out the rights of applicants who are aggrieved by the Council's decision.

c. This planning permission does not convey any approval or consent required by Building Regulations or any other legislation or covenant nor permits you to build on, over or under your neighbour's land (trespass is a civil matter). To determine whether your building work requires Building Regulation approval, or for other services provided by the Council's Building Control Section, you should contact that Section on 01656 643408 or at <http://www.bridgend.gov.uk/buildingcontrol>

d. Developers are advised to contact the statutory undertakers as to whether any of their apparatus would be affected by the development

e. Attention is drawn to the provisions of the party wall etc. act 1996

f. Attention is drawn to the provisions of the Wildlife and Countryside Act 1981 and in particular to the need to not disturb nesting bird and protected species and their habitats.

g. If your proposal requires street naming you need to contact 01656 643622.

h. If you are participating in the DIY House Builders and Converters scheme the resultant VAT reclaim will be dealt with at the Chester VAT office (tel: 01244 684221)

i. Developers are advised to contact the Environment and Energy helpline (tel: 0800 585794) and/or the energy efficiency advice centre (tel: 0800 512012) for advice on the efficient use of resources. Developers are also referred to Welsh Government Practice Guidance: Renewable and Low Carbon Energy in Buildings (July 2012):-
<http://wales.gov.uk/topics/planning/policy/guidanceandleaflets/energyinbuildings/?lang=en>

j. Where appropriate, in order to make the development accessible for all those who might use the facility, the scheme must conform to the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005. Your attention is also drawn to the Code of Practice relating to the Disability Discrimination Act 1995 Part iii (Rights of Access to Goods, Facilities and Services)

k. If your development lies within a coal mining area, you should take account of any coal mining related hazards to stability in your proposals. Developers must also seek permission from the Coal Authority before undertaking any operations that involves entry into any coal or mines of coal, including coal mine shafts and adits and the implementation of site investigations or other works. Property specific summary information on any past, current and proposed surface and underground coal mining activity to affect the development can be obtained from the Coal Authority. The Coal Authority Mining Reports Service can be contacted on 0845 7626848 or www.coal.gov.uk

l. If your development lies within a limestone area you should take account of any limestone hazards to stability in your proposals. You are advised to engage a Consultant Engineer prior to commencing development in order to certify that proper site investigations have been carried out at the site sufficient to establish the ground precautions in relation to the proposed development and what precautions should be adopted in the design and construction of the proposed building(s) in order to minimise any damage which might arise as a result of the ground conditions.

m. The Local Planning Authority will only consider minor amendments to approved development by the submission of an application under section 96A of the Town and Country Planning Act 1990. The following amendments will require a fresh application:-

- * re-siting of building(s) nearer any existing building or more than 250mm in any other direction;
- * increase in the volume of a building;
- * increase in the height of a building;
- * changes to the site area;
- * changes which conflict with a condition;
- * additional or repositioned windows / doors / openings within 21m of an existing building;
- * changes which alter the nature or description of the development;
- * new works or elements not part of the original scheme;
- * new works or elements not considered by an environmental statement submitted with the application.

n. The developer shall notify the Planning Department of the date of commencement of development by email to planning@bridgend.gov.uk

o. The presence of any significant unsuspected contamination, which becomes evident during the development of the site, should be brought to the attention of the Public Protection section of the Legal and Regulatory Services directorate. Developers may wish to refer to 'Land Contamination: A Guide for Developers' on the Public Protection Web Page.

p. Any builder's debris/rubble must be disposed of in an authorised manner in accordance with the Duty of Care under the Waste Regulations.

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

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

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

(iii) the safe development and secure occupancy of the site rests with the developer.

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

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