

REFERENCE: P/25/417/FUL

APPLICANT: Galliford Try Construction Limited & Ministry of Justice

LOCATION: HMP Parc, Heol Hopcyn John, Coity CF35 6AP

PROPOSAL: Demolition and redevelopment within the existing secure compound and an extension to the secure compound to the southwest and east to include a new accommodation block, a replacement kitchen/dining block, a new gym/multifaith building, a new industries/education building and new visitor/staff entrance, additional car parking and associated infrastructure

RECEIVED: 9 July 2025

APPLICATION/SITE DESCRIPTION

Galliford Try Construction Limited and the Ministry of Justice (**MoJ**) are seeking Full Planning Permission for the proposed expansion of the HMP Parc facility which is a Category B prison and Young Offender Institute (Use Class C2a).

The current expansion is part of a UK-wide scheme to increase capacity by developing existing prisons to house additional residents. It is expected that this proposal will future proof HMP Parc for the foreseeable future.

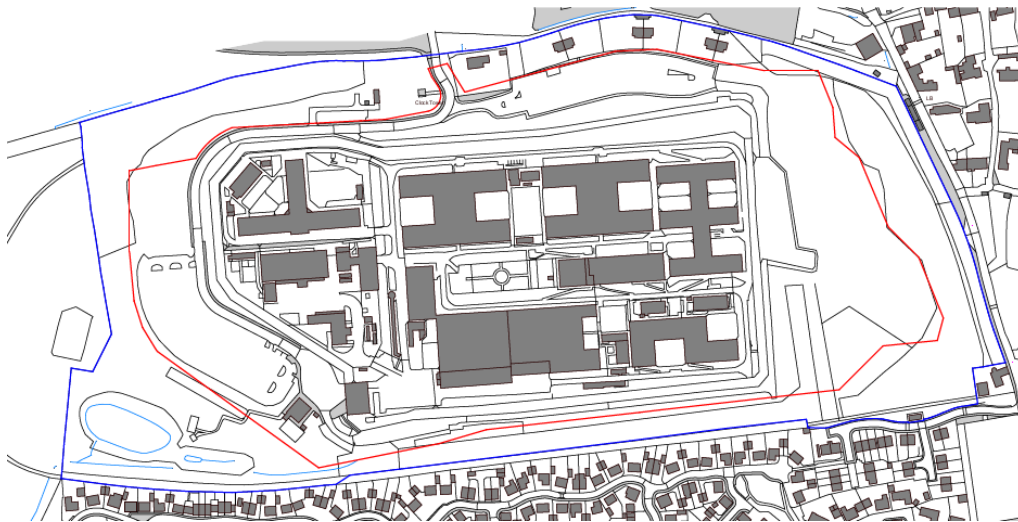


Figure 1: Site Location Plan

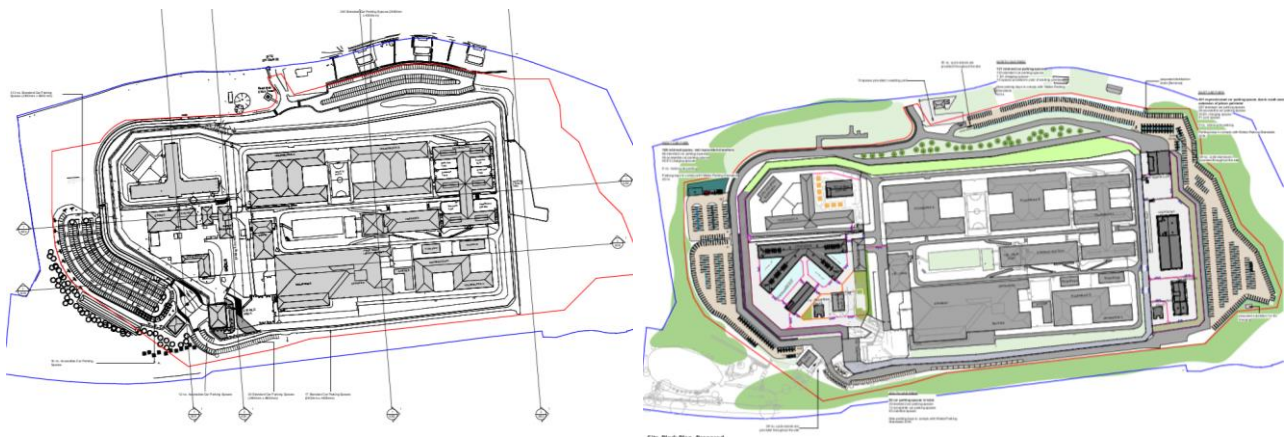


Figure 2: Existing and Proposed Site Layouts

The proposals comprise the:

- Erection of a K-shaped Houseblock to accommodate 345 residents to the south-west corner of the site.
- Demolition and repositioning of parts of the prison boundary wall.
- Demolition of the existing kitchen/store/multi-faith building located to the south-west of the site.
- Partial demolition of the original entry building and making good of elements affected by the works.
- Construction of a new road alongside the southern boundary of the existing north car park.
- New vehicle and staff access point located to the north-east of the site for deliveries and staff entry to the main prison estate.
- Erection of a vehicle lock/staff gate house, electric kitchen, and Facilities Management building to the east of the site.
- Provision of an additional 184 car parking spaces to the existing 628 spaces. As part of this proposal the car parking spaces will be distributed in the west (for visitors and professional visitors) and in the north and east (for staff and contracted personnel).
- Associated access, foul and surface water drainage, and hard and soft landscaping works.

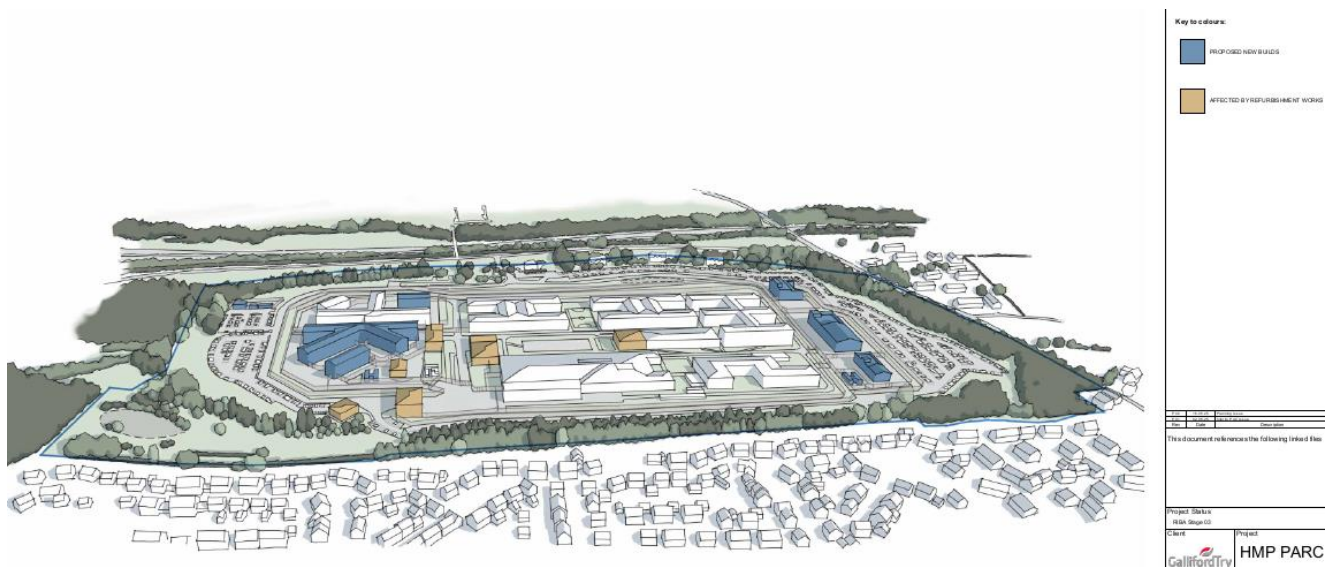


Figure 3: 3D Proposed Layout



Figure 4: 3D View of Proposed K Block (and new Gym in background)

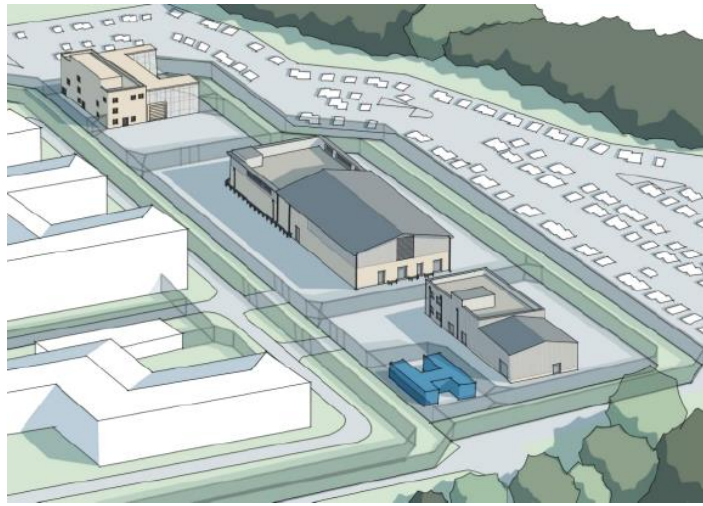


Figure 5: 3D View of Vehicle Lock/Staff Gate House, Kitchen, and Stores

HMP Parc currently holds 1,670 prisoners and 676 staff, equalling a total capacity of 2,346. The proposed scheme has been designed to provide an additional 345 residents (increasing the total number of prisoners on-site to 2,010), together with an increase of circa 160 staff (120 of which are expected to be core staff) taking staff numbers to 796.

A recent enquiry by the Public Accounts Committee forecasts that prison capacity will run out in early 2026. To respond to current and projected demand, the Government has outlined plans to add 14,000 new prison places by 2031. The proposed development is intended to contribute towards that target.

The total floorspace of the proposed new buildings is 18,360 sq.m.

The site is accessed from Heol Hopcyn John to the north and is generally enclosed by the M4 to the north, McArthur Glen Designer Outlet and Sainsburys to the west, Parc Derwen housing estate and the Village of Coity beyond to the south and Heol Spencer and residential properties/open countryside to the east.

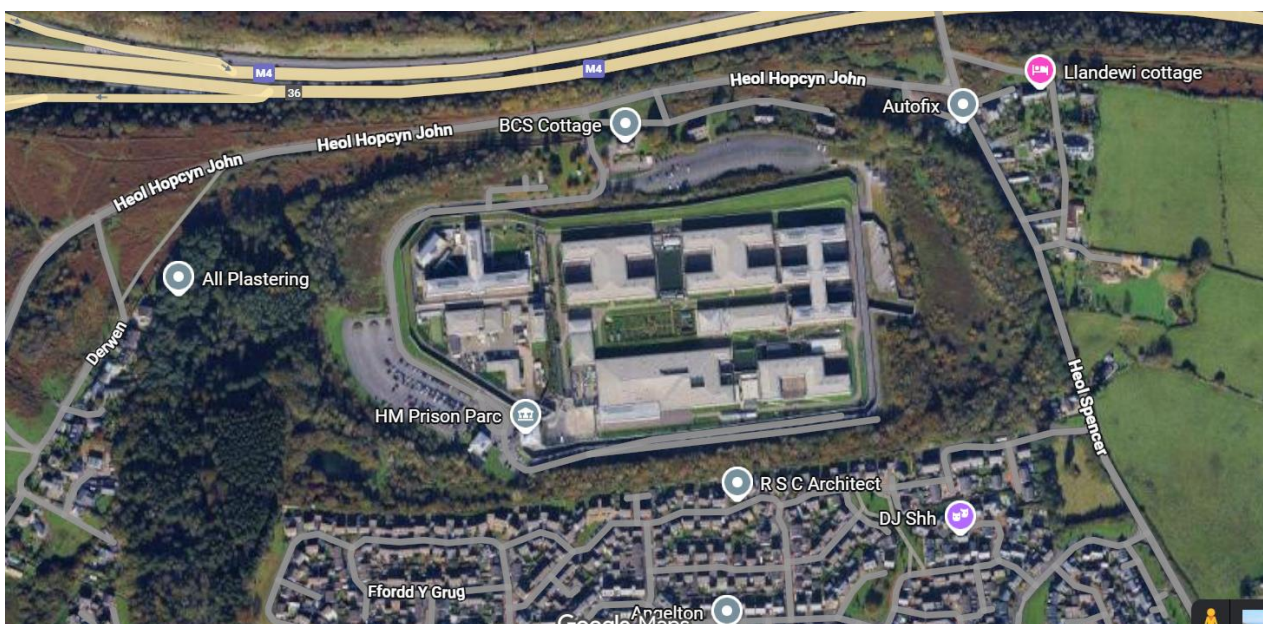


Figure 6: Aerial View of Existing Site



Figure 7: Alternative Aerial View of Existing Site

More specifically, the facility lies to the east of “Derwen Wood” Site of Importance for Nature Conservation which is a broad-leaved plantation woodland habitat and “Junction 36, Heath”. It also lies to the north-west of “Coed Parc Gawr SINC” (which is dense/continuous scrub) and “Parc Farm SINC” (which is a semi-improved neutral grassland with scattered scrub”.

There are protected trees within and to the east and west of the site.

The site is not located within a Conservation Area with the nearest Conservation Area being Coity to the south-east of the prison. Whilst no listed buildings/structures are affected by the proposal, there is a Scheduled Monument to the west of the site (“Derwen Moated Site”) which consists of the remains of a moated site probably dating back to the medieval period.

No rights of way are affected by the proposals although the site lies immediately to the south of COI/52/1, COI/52A/1 and COI/61/1 public rights of way. There are bus stops to the west adjacent to Sainsburys and to the east off Heol Spencer.

The site slopes down from north to south and is not visible from the M4 to the north or from Parc Derwen to the south due to the marked difference in levels and extensive natural boundary treatments.

The whole site is identified to be within Flood Zone 1 for Rivers and Seas meaning that it is not considered to be at risk of tidal or fluvial flooding. Most of the site is in Flood Zone 1 for Surface Water and Small Watercourses, with some small areas in Flood Zones 2 and 3. The whole of the area to the east of the existing prison compound is within Flood Zone 1 for Surface Water and Small Watercourses.

The existing landscape features will be retained and enhanced where possible and as appropriate as part of the new landscaping proposals for the site. However, the development will result in the removal of some mature trees, areas of plantation woodland, scrub and semi-improved grassland. These removals consist of three specimens of individual low arboricultural quality, three full groups and the partial removal of another group.

To mitigate for these losses, habitats situated within the blue line wider ownership/control boundary to the site will be managed through a comprehensive Landscape and Ecological

Management Plan (**LEMP**). The submitted LEMP sets out the long-term design objectives and management tasks over a 10-year period and includes an initial 5-year maintenance schedule. The habitats will be monitored and the results of the monitoring will be used to inform changes to the management plan. The Plan will create a matrix of new and existing habitats and corridors through the site to encourage the establishment and movement of wildlife. This includes the introduction of native woodland, shrub, tree and hedgerow planting as well as the introduction of bat boxes, bird boxes and artificial hibernaculum and log piles.

Given the nature of the proposed development and the site, not all of these enhancements are possible within the confines of the red line Application area, therefore it is proposed that the majority will be within the land under the Applicant's control (blue line area) and is capable of being secured by condition.

The Application has been accompanied by the following supporting documents:

• Design and Access Statement
• Planning Statement
• Landscape and Ecological Management Plan (LEMP)
• Sustainable Drainage Strategy Report
• Foul Drainage Strategy Report
• Flood Consequence Assessment
• External Lighting Assessment and Strategy
• Landscape and Visual Appraisal
• Energy Statement
• Ecological Impact Assessment
• Shadow HRA: Test of Likely Significant Effects and Appropriate Assessment
• Green Infrastructure Statement
• Pre Application Consultation Report
• Technical Note: PAC Comments Feedback
• Transport Assessment
• Travel Plan
• Archaeological Desk - Based and Impact Assessment
• Arboricultural Impact Assessment & Arboricultural Method Statement
• Ground Investigation Report
• Phase 1 Geo-Environmental Desktop Study
• Baseline Noise Survey Report
• Noise Assessment

In accordance with Part 1A of the Town and Country Planning (Development Management Procedures) (Wales) (Amended) Order 2016, the proposal has been the subject of a pre-Application consultation process with specialist consultees and the community including the surrounding Town and Community Councils, local Ward Members and residents.

The Pre-Application Consultation (**PAC**) Report (as well as a Technical Note: PAC Comments Feedback) include a summary of all representations received.

Further detailed design work resulting from the pre-Application consultation responses have brought about a minor change to the proposed ground levels to the north-east of the site which was not included in the PAC proposal. A less intrusive earth works strategy is now proposed which would result in a localised increase in proposed ground levels. Consequently, relevant changes to the Landscape Visual Appraisal and the Green Infrastructure Statement which formed part of the PAC have been made. A Landscape and

Ecological Management Plan (**LEMP**) now also forms part of this Application which seeks to demonstrate how enhancements to the landscape through the management of the prison estate can be made.

The proposed development has also been the subject of a formal Screening Opinion Request which was received by the Council on 22 April 2025 under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. It is considered that the proposed scheme would not give rise to significant environmental effects which would require EIA under Schedule 3 of the EIA Regulations and, therefore, the proposal does not constitute EIA development for the purposes of the Environmental Impact Assessment (Wales) Regulations 2017. A decision reference P/25/250/SOR was issued on 20 June 2025.

RELEVANT HISTORY

The site has an extensive history. In 1886 it opened as the Second Glamorgan County Lunatic Asylum, it was renamed Parc Gwylt County Mental Hospital in the 1920s and joined the National Health Service as Parc Hospital in 1948.

After the introduction of Care in the Community in the early 1980s, the hospital went into a period of decline and closed in 1996. The hospital was subsequently demolished, and the site was redeveloped as Parc Prison in 1997. Parc Prison has undertaken some major extensions and adaptations since 1997.

Application Reference	Description	Decision	Date
P/11/357/FUL	Replacement Portacabin & Store	Unconditional Consent	29 June 2011
P/10/789/FUL	New 255 cell block, 2 storey workshop / gatehouse / visitor centre, car park & perimeter wall & sports pitch	Conditional Consent	1 January 2013
P/10/473/FUL	New Generator	Approved	30 July 2010
P/10/261/FUL	Retention Of Contractors Access Road & Vehicle Lock As A Vehicle Store	Approved	28 May 2010
P/09/496/FUL	Erection of new single storey workshop building	Approved	6 August 2009
P/09/167/FUL	External Lighting To New Car Parking And Sports/Play Areas	Approved	27 April 2009
P/08/1012/FUL	Erection of a new prisoner houseblock and associated external works	Conditional Consent	12 December 2008
P/08/99/FUL	Form Additional Staff Car Parking Adj To Service Road On South And East Sides Of Prison Boundary Walls	Conditional Consent	20 March 2008

P/07/1261/FUL	Extend the industries building within the prison wall boundaries	Conditional Consent	21 December 2007
P/07/642/FUL	Prisoner houseblock/extend existing amenities bldg/ Refurbish bldgs & C/U of 2 Parc Cottage	Conditional Consent	1 July 2008
P/06/1336/FUL	New link road between inner road & service yard inc. new gates in fence line to allow a one way system	Approved	4 December 2006
P/06/1036/GOV	Single storey prefabricated modular workshop & associated changes to fences & footpaths	Approved	28 September 2006
P/03/1479/FUL	Erect single storey modular building for juvenile assessment	Approved	20 January 2004
P/02/498/FUL	Erection of single storey modular building	Conditional Consent	22 July 2002
P/01/449/FUL	New single storey building providing office & storage accommodation	Conditional Consent	26 June 2001
P/95/631/GOV	Construction of prison (Notification of Development under Welsh Office Circ 37/84)		22 August 1995
P/93/1178/GOV	Notice of proposed development for the construction of a prison under Welsh Office Circular 37/84		16 December 1993

PUBLICITY

The Application has been advertised on site and in the press and nearby properties directly notified. The development was initially advertised as a departure to the Replacement Local Development Plan (**RLDP**) as the facility is located beyond the settlement boundary and lies within the countryside and because the proposed expansion of the prison is not one of the listed exceptions for development in the countryside under Policy DNP1 of the RLDP.

However, following detailed consideration during the assessment of the application the departure is considered to be of a technical nature i.e. it does not impact the integrity of the wider RLDP. The nature of the proposed development is largely unique and comprises an extension to the existing secure compound to the southwest and east wholly within a long established authorised prison facility. Prior to the use of the prison the land formed part of a large hospital facility, the boundary of which now immediately adjoins the residential settlement. As such, it is considered that the that development would not impact negatively on the countryside or goes to the heart of the adopted RLDP. On this basis, it is considered that the development does not conflict with the RLDP.

Neighbours were notified of the receipt of the Application on 15 July 2025.

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

CONSULTATION RESPONSES

Coity Higher Community Council:

Requests that a Councillor speaks at the Development Control meeting.

St. Brides Minor Community Council:

Raises concerns as follows:

“Parc prison is bounded on three sides by residential housing. The northern boundary is common land and hence open access. There is a particular problem in that the common is unmanaged by the estate owners and consequently is deeply covered in bracken and other brush growth, which provides cover for people with criminal intent.

Whilst security inside the prison has rarely raised concern it must be acknowledged that the prisons very presence has a significant impact radiating out from it, being considerable immediately outside diminishing to minor at Bridgend County boundaries. Whilst St Brides Minor does not have a boundary with the prison it does fall within a few hundred metres. So the prison has a noticeable impact.

The things considered must therefore relate to safety of the general public, prison visitors and prison staff, they are:

1. The prison is regularly attended by police from the Bridgend Division. This takes policing away from the county.
2. Prisoners frequently require medical attention at Princess of Wales hospital. For security they have to be prioritised for their treatment. This diverts medical staff from other patients. This must be causing a strain on the system as they require more security and can often have complex medical procedures.
3. There is no bus service to the prison. Nearest bus stop is at Sainsbury's supermarket. This will prevent some people from visiting due to cost of alternatives, which will have an impact on tensions within the prison. Also prevents prison staff from using public transport.
4. There is no pedestrian crossing point between the bus stop and the prison. Anyone who tries to use the bus service has to cross four lanes of usually fast moving traffic and climb across the central barrier.
5. Part of the road which serves the prison Heol Hopkyn John is unlit.
6. Part of the pedestrian footpath east of the prison is presently unlit. The original lighting having been abandoned.
7. For the greater part Heol Hopkyn John is subject only to the national 60 mph speed restriction. Could the speed limit be reduced from the A4061 side and make that the main route for staff working at the site rather than using Heol Spencer. That would reduce traffic through Coity village and reduce traffic on Heol Spencer from the Bryncethin side and maybe reduce the number of animal casualties on the common.
8. The dual carriageway which serves the prison in the main part is gridlocked at peak times which can be as much as six hours a day.
9. There are regular staff shortages at Parc resulting in prisoners being confined to their cells frequently. Contributing to high tensions, attacks and deaths among inmates. There is also a high turnover of staff. How are the extra buildings going to be staffed if there's already a major recruitment crisis at the site?
10. For varying reasons, discharged prisoners often remain in Bridgend, but very little accommodation is provided. Meaning they have no access to the benefit system. This leads to vagrancy and further criminal acts

When completed Parc will be the largest prison by capacity in Britain and the second largest in Europe. Local people are pragmatic about the need for increased prison capacity and reasons why this site has been chosen. However the above measures must be addressed before approval is given.”

Highway Authority: No objection subject to conditions and a Section 106 Legal Agreement to secure off-site traffic calming measures.
Shared Regulatory Services – Pollution Control: No objection subject to conditions.
Land Drainage: No objection subject to conditions.
Dwr Cymru/Welsh Water: No objection subject to conditions.
Destination and Countryside Management/Ecology: No objection subject to conditions.
Shared Regulatory Services – Environment Team – Land Quality: No objection subject to conditions.
Natural Resources Wales No objection subject to conditions.
Cadw: No objection to the proposed development.

REPRESENTATIONS RECEIVED

Cllr Martin Williams has raised concerns with the proposals:

“Following discussions with residents and in community council meetings I would like to make the following observations regarding this planning Application.

- Safety and disruption - Residents living adjacent to the prison are already experiencing noise from the prisoners shouting through windows. They are also experiencing concerns regarding people trying to smuggle items into the prison by drone and other means. The Applicant will have to explain how the significant expansion of the prison will not make matters much worse. They will need to demonstrate how they will improve the current situation.*
- Traffic and access to public transport. The prison is currently not served by a bus route. The nearest bus stops are at the bottom of Parc Derwen, Sainsburys and the Odeon. But there are no safe walking routes to these locations. I therefore request that a safe means of crossing the A4061 is provided by the Applicant either directly or by s106 contribution. Also, that a footpath is constructed linking the prison to the Parc Derwen pavement network. This could be achieved by constructing a pavement from the existing footpath adjacent to Heol Hopcyn John to Parc y Fferm along Heol Spencer.*
- in addition to insufficient public transport links there are still instances of traffic accessing and egressing the prison via Coity village and over the common from Bryncethin. To ensure this can no longer occur I request that a planning condition is applied so that traffic may only access the prison from the west (turning right from Heol Hopcyn John) and exit the prison by turning left only.*
i repeat my request that this matter is determined by DCC where I would like to speak.”

Seven objections from neighbouring residential occupiers were received and are

summarised below:

- Removal of boundary trees leading to intervisibility/loss of privacy
- Increased noise levels
- Increased traffic levels and congestion on surrounding roads
- Increased light pollution
- Potential flooding of properties/gardens
- Proximity of car park
- Use of kitchen facility as a canteen for inmates
- Odours from the kitchen
- Lack of pest control
- Limited security measures/widespread drug infiltration issues and risk of more paraphernalia being thrown into the site/flown in by drones
- Impact on local wildlife, particularly during the construction phase
- Excessive height and scale of the new building
- Adverse impact on value of property
- Detrimental impact on the visual amenities of the area
- Lack of maintenance of trees leading to loss of light and damage to stone walls
- There are already new log cabins in place to the east of the site
- People regularly trespassing through the woods to gather near the pond at the south-west corner of the site
- The facility is regularly in the news for its poor performance and lack of staffing
- Reports of a 100% increase in riots, disorder and assaults on staff
- Additional strain on the NHS
- Primary School close to the site leading to safeguarding issues
- Insufficient resources for rehabilitating inmates posing a risk to the local community
- Frequent disruption with helicopters circulating the residential area which can be unsettling and unnerving
- Impact on protected bat house at Parc y Fferm

COMMENTS ON REPRESENTATIONS RECEIVED

The majority of the concerns raised by residents align with the main considerations in the determination of the Application and are addressed in the appraisal section of the report (as well as the Officer response to concerns raised by St. Brides Minor Community Council and Cllr M. Williams below).

However, the following comments are offered in response to other matters raised:

- The kitchen facility does not include a canteen for inmates.
- The log cabins referred to are empty and are stored in this location just outside the perimeter wall.
- Any issues relating to assaults on staff, riots, disorder and trespassing through the woods at the south-west corner of the site are a matter for the Applicant to manage and control.
- The nearest school is Coety Primary in Parc Derwen which is at least 300m from the facility and will not be affected by the proposals.
- The scheme includes a new industries/education building for training and rehabilitating prisoners before they are released. The new K Block is likely to accommodate prisoners who are in the last few months of their sentence so that they can benefit from these services. It is hoped that the additional places will help boost rehabilitation and reduce reoffending, providing improved security and additional educational and training facilities to help offenders find employment upon release.

Concerns relating to loss of property value and the number of news articles about the facility are not material planning considerations.

In response to the comments raised by St. Brides Minor Community Council and Cllr M. Williams, it is acknowledged that the site lies to the north of the large residential development at Parc Derwen and the comments with regard the safety of the general public, staff and visitors are noted but can only be taken into consideration if material in land use planning terms.

Any perceived or actual diversion of resources such as Policing and Health services is not a matter that the Local Planning Authority can control and is therefore not a material planning consideration. Likewise, the LPA cannot control the MoJ's internal procedures or operations or their recruitment policy. In addition, whilst there is little the MoJ can do about the bracken/bush growth on the adjoining common land as it is out of their control, the interior and exterior of the Prison compound are routinely and regularly monitored for any illegal activities.

In terms of noise, disruption and smuggling items into the prison using drones, the Applicant has confirmed that the historic situation will be improved through measures that are already in the process of being implemented across the site. G4S are currently undertaking a site wide window replacement programme on the existing houseblocks. This programme will significantly reduce the ability for prisoners to open their windows whilst still allowing appropriate ventilation. Through this programme alone the Applicant expects that the noise levels emanating from the prison will reduce and it will also restrict the supply of drugs via drones. The proposed new K shaped accommodation block is set back from the southern boundary (and the line of existing accommodation buildings), and will also utilise the new window system. Therefore, it is considered that the existing programme of improvements that are in place and will be "rolled out" for the proposed expansion would not give rise to increased noise levels and is expected to eradicate drone activity.

In terms of where the prisoners go after being released, the Applicant has confirmed that prisoners are discharged to the area where they were residing pre-custody, so will not present themselves as a homeless person in the Bridgend area.

If they are under licence not to return to their home area due to Multi-Agency Public Protection Arrangements (**MAPPA**) restrictions, it means that they are a high-risk prisoner, so will not be released without already arranged accommodation to the area that has been approved.

Travel warrants are provided to all released prisoners to ensure that they travel back to their home region, or to their alternative accommodation, so this provides the Local Authority with the reassurance that they will not experience people leaving the prison presenting themselves for emergency accommodation (obviously unless they were residing in the County Borough prior to their custodial sentence).

The provision of safe and sustainable means of transport is addressed in the appraisal section of this report.

In terms of staff accessing the site from the south/east via Coity and Heol Spencer, it is identified that the majority of staff are based in the valleys and along the M4 corridor (from Llanelli, Swansea and Cardiff), and will access the facility from the north and west. In addition, the majority of new staff at Parc (90% of the 160) will be operational staff on shift patterns that start and finish outside of peak congestion periods. For example, the shifts will be from 07:15 - 13:00, 12:45 - 20:30, 07:17 - 20:30 and 20:00 - 07:00. Therefore,

seeking to restrict access to HMP Parc from only the north/west would not be reasonable or enforceable due to the limited number of vehicle movements approaching from the east and the fact that is a publicly accessible adopted highway. However, there is some merit in securing traffic calming measures along Heol Hopcyn John and Heol Spencer which is addressed in the appraisal section of this report.

POLICY CONTEXT

Local Policy

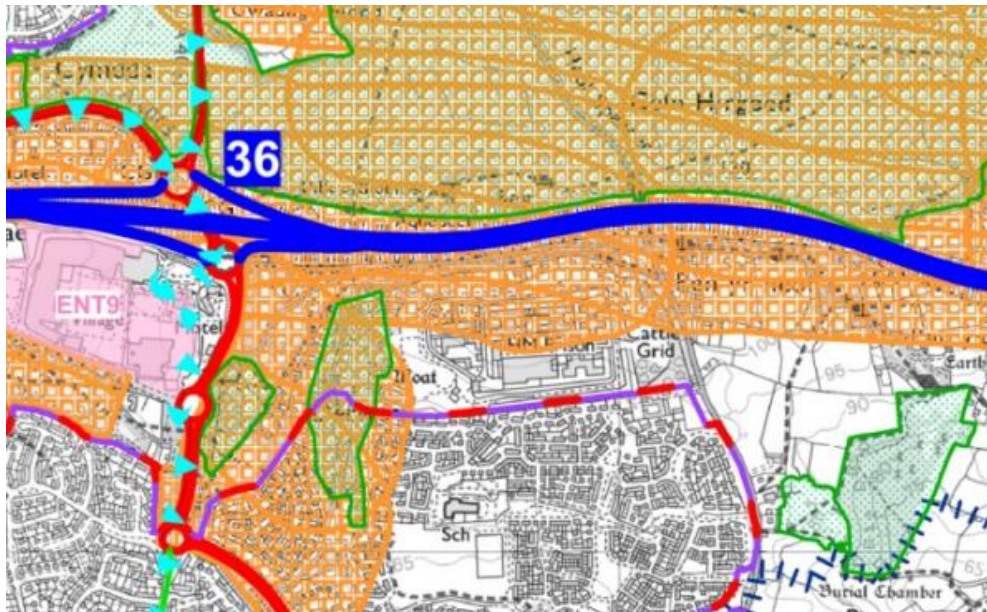


Figure 8: RLDP Proposals Map Extract

The Development Plan for the area comprises the Bridgend Replacement Local Development Plan 2018-2033 which was formally adopted by the Council on 13 March 2024.

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

Policy SP3	Good Design and Sustainable Place Making - 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.
Policy SP4	Mitigating the Impact of Climate Change – all development proposals must make a positive contribution towards tackling the causes of and adapting to the impacts of Climate Change.
Policy SP5	Sustainable Transport and Accessibility – 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.
Policy PLA8	Transportation Proposals – Highway improvement works in the form of corridor or junction improvement schemes will be required to mitigate the impact of development on the highway network.
Policy PLA11	Parking Standards – All development must be served by appropriate levels of parking in accordance with the adopted SPG 17 on parking standards. Consideration must be given to electric and Ultra Low Emission Vehicles.
Policy PLA12	Active Travel - Development must maximise walking and cycling

access by prioritising the provision within the site and providing or making financial contributions towards the delivery offsite.

Policy SP10

Infrastructure – All development proposals must be supported by sufficient existing or new infrastructure. In order to mitigate likely adverse impacts and/or to integrate a development proposal with its surroundings, reasonable infrastructure provision or financial contributions to such infrastructure must be provided by developers where necessary. This will be secured by means of planning agreements/obligations where appropriate.

Policy SP13

Renewable and Low Carbon Energy Development - Renewable and low carbon development proposals which contribute to meeting national and local renewable and low carbon energy and energy efficiency targets will be permitted where: a) It can be demonstrated that there will be no unacceptable impacts on the natural and historic environment or local communities (such as noise and air pollution) and that no other unacceptable cumulative impacts will arise; b) The proposal (inclusive of its associated infrastructure) has sought to minimise the landscape and visual impact through its design and micro-siting, particularly where in close proximity to homes and tourism receptors; c) Proposals make provision for the appropriate restoration and aftercare of the land for its beneficial future re-use; d) The proposal can facilitate a connection to the grid network; e) There would not be an unacceptable impact on access and highway safety; and f) There would not be unacceptable impact on the amenity of residential properties or tourist accommodation.

Policy ENT12

Development in Mineral Safeguarding Zones - Development proposals within mineral safeguarding areas, either permanent or temporary, must demonstrate that: 1) If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource.

Policy ENT15

Waste Movement in New Development - All proposals for new built development must include provision for the proper design, location, storage and management of waste generated by the development both during construction and operation of the site.

Policy SP17

Conservation and Enhancement of the Natural Environment - The County Borough has a rich and varied biodiversity with a broad range of species, habitats and unique, rich landscapes. Development which will maintain and, wherever possible, enhance the natural environment of the County Borough will be favoured. Development proposals will not be permitted where they will have an adverse impact upon 1) The integrity of the County Borough's countryside; 2) The character of its landscape; 3) Its biodiversity and habitats; and 4) The quality of its natural resources including water, air and soil.

Policy DNP1

Development in the Countryside - Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development.

Policy DNP5

Local and Regional Nature Conservation Sites - Development within or adjacent to a: DNP5(1) Local Nature Reserve (LNR); DNP5(2) Site of Importance for Nature Conservation (SINC); or DNP5(3) Regionally Important Geodiversity Site (RIGS); must be compatible with the nature conservation or scientific interest of the area, whilst promoting their educational role. Developments which would have an adverse impact on these sites will not be permitted

unless the benefits associated with the development can be demonstrated to outweigh the harm and/or the harm can be reduced or removed by appropriate mitigation and/or compensation measures.

Policy DNP6

Biodiversity, Ecological Networks, Habitats and Species - 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

Trees, Hedgerows and Development - development that would adversely affect trees, woodlands and hedgerows of public amenity or natural/cultural heritage value, or that provide important ecosystem services, will not normally be permitted. Where trees are to be replaced a scheme for tree replacement must be agreed prior to the commencement of development, including details of planting and aftercare.

Policy DNP8

Green Infrastructure - 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. All developments must seek to maximise, as far as practicable, the amount of green infrastructure on the site, as well as the interconnectedness of green infrastructure within and around the site to the wider green infrastructure network. Development must also maximise opportunities to achieve multi-functionality by bringing green infrastructure functions together. All major developments will be required to submit a Green Infrastructure Assessment

Policy DNP9

Natural Resource Protection and Public Health - 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 due to: 1) Air pollution; 2) Noise pollution; 3) Light pollution; 4) Water pollution; 5) Contamination (including invasive species); 6) Land instability; 7) Sustainable development of mineral resources; 8) Sustainable waste management; 9) Any other identified risk to public health or safety. Development in areas currently subject to the above will need to demonstrate mitigation measures to reduce the risk of harm to public health, biodiversity and/or local amenity to an acceptable level. The use of construction phase Pollution Prevention Plans are encouraged, where appropriate, to demonstrate how proposals can prevent development water run-off from causing pollution of the water environment. All proposals within HSE consultation zones must also demonstrate the acceptability and need for development. 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.

Policy SP18

Conservation of the Historic Environment - all development

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

SPG07: Trees and Development

SPG17: Parking Standards

SPG19: Biodiversity and Development

National Policy

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

Future Wales – the National Plan 2040

Planning Policy Wales Edition 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 Flooding and Coastal Erosion

Planning Policy Wales TAN 18 Transport

Planning Policy Wales TAN 24 The Historic Environment

Planning Policy Wales - Edition 12 – February 2024 (**PPW**) indicates that the primary objective of PPW is to ensure that the Planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental, and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning Planning system is fundamental for sustainable development and achieving sustainable places.

Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources

Good design can also help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process.

Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe, and sustainable links (including active travel networks) within and between developments. The planning system

has a key role to play in reducing the need to travel and supporting sustainable transport, 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.

Provision for active travel must be an essential component of development schemes and planning authorities must ensure new developments are designed and integrated with existing settlements and networks, in a way which makes active travel a practical, safe, and attractive choice. Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place. A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development.

Previously developed (also referred to as brownfield) land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome. It is recognised, however, that not all previously developed land is suitable for development. This may be, for example, because of its unsustainable location, the presence of protected species or valuable habitats or industrial heritage, or because it is highly contaminated.

For sites like these it may be appropriate to secure remediation for nature conservation, amenity value or to reduce risks to human health. There may be instances where it may not be possible to develop sensitive uses on previously developed land without placing unnecessary constraints on adjacent existing businesses and activities which require that particular location. In such circumstances the agent of change principle will be a relevant consideration.

Sustainable building design principles should be integral to the design of new development. Development proposals should: mitigate the causes of climate change, by minimising carbon and other greenhouse gas emissions associated with the development's location, design, construction, use and eventual demolition; and include features that provide effective adaptation to, and resilience against, the current and predicted future effects of climate change.

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning Applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise

approach has been applied.

Future Wales – the National Plan 2040 is our National development framework, setting the direction for development in Wales to 2040. It is a development plan with a strategy for addressing key National priorities through the planning system, including sustaining, and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems, and improving the health and well-being of our communities. The document sets out the key challenges and opportunities, required outcomes and a spatial strategy for the four regions of Wales.

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. The duty has been considered in the assessment of this Application.

Welsh Office Circular 17/98: Planning for Future Prison Development (June 1998)

This Circular, whilst it is relatively old, is still a material planning consideration. It sets out that the planning system should make provision for needed prison development and identifies prison development as infrastructure and community facilities. It provides guidance to LPAs to make suitable provision for new prison developments.

It is noted that prisons should be located close to the population centres they serve and should have good accessibility to public transport services. Locations which have good access to motorways are also considered to be advantageous. It should also be possible to connect to main services.

With regards to design, LPAs must recognise that prison proposals have specific design requirements that cannot be compromised. It is noted that prison proposals should be sensitive to their environmental setting.

The Circular notes that feelings of anxiety and apprehension in relation to the risk of any increase in crime in the immediate vicinity are not material planning considerations.

The economic benefits of prison development through the creation of new jobs are recognised. Alongside this, it is noted that prisons often provide a range of local benefits including highway, infrastructure and environmental improvements.

Finally, paragraph 8 of the Circular states: ‘.....the Secretary of State expects local planning authorities to ensure that appropriate weight is given to the public interest in providing adequate number of prison places to meet the requirements of the criminal justice system’.

The LPA has to consider whether (on balance), the exceptional public need for prison capacity outweighs local plan policies and any identified harm, including to the countryside.

APPRAISAL

The Application is referred to Committee to consider the concerns and objections raised by local residents, Community Councils as well as the Local Ward Member.

The planning system manages the development and use of land in the public interest, contributing to improving the economic, social, environmental and cultural well-being of Wales, as required by the Well-being of Future Generations (Wales) Act 2015. It should reconcile the needs of development and conservation, securing economy, efficiency and amenity in the use of land and protecting natural resources and the historic environment.

Up-to-date Local Development Plans (**LDPs**) are a fundamental part of a plan led planning system and set the context for rational and consistent decision making in line with national policies. Planning Applications must be determined in accordance with the adopted plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers).

With due regard to the above, and the specific characteristics of the site and proposals, the main issues for consideration in the assessment of this Application are the principle of the development in this location, the potential visual impact of the development in the landscape and countryside, and the potential impact of the development on the highway network, neighbouring properties, biodiversity, land drainage and ground conditions.

PRINCIPLE OF THE DEVELOPMENT

The site is located outside of any settlement boundary as defined by Policy SF1 Settlement Hierarchy and Urban Management of the Replacement Local Development Plan (**RLDP**) adopted in 2024 and, therefore, located in the countryside where Policy DNP1 Development in the Countryside of the RLDP sets a presumption against development in the countryside, except where it is for:

- 1) Agriculture and/or forestry purposes;
- 2) The winning and working of minerals;
- 3) Appropriate rural enterprises where a countryside location is necessary for the development;
- 4) The implementation of an appropriate rural enterprise/farm diversification project;
- 5) The expansion of an existing business (subject to other relevant policies in the plan);
- 6) Land reclamation purposes;
- 7) Transportation and/or utilities infrastructure to enable implementation of LDP allocations;
- 8) Renewable energy projects;
- 9) Affordable housing to meet locally identified need in accordance with COM5;
- 10) The suitable conversion of, and limited extension to, existing structurally sound rural buildings where the development is modest in scale and clearly subordinate to the

- original structure;
- 11) The direct replacement of an existing dwelling;
 - 12) Outdoor recreational and sporting activities;
 - 13) The provision of Gypsy, Traveller and Showperson sites in accordance with COM8;
- or
- 14) Education provision where a need has been identified by the Local Education Authority.

The 10 Year Prison Capacity Strategy highlight the current capacity issues facing the prison system. HMP Parc constitutes a designated national strategic site, the proposed development will aid in addressing identified issues with capacity as it will increase the capacity of the prison by a further 345 prisoners.

Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area.

Where development is acceptable in principle in the countryside it must, in the first instance and where possible, utilise existing buildings and previously developed land. Where such an opportunity to re-use a rural building does exist, development must be in accord with DNP2.

Policy DNP1 of the RLDP seeks to protect the integrity and openness of the countryside and prevent inappropriate forms of development. The proposed development seeks an extension to the secure compound to the southwest and east of the existing facility, within the existing footprint of the site, to include a new accommodation block, a replacement kitchen/dining block, a new gym/multifaith building, a new industries/education building and new visitor/staff entrance, additional car parking and associated infrastructure.

Whilst the development is not specifically listed within the criterion outlined above under Policy DNP1, the site relates to an existing authorised prison and the works are wholly within the land controlled by the facility. As such, the proposed limited extension to the existing site will not negatively impact the countryside and is deemed to be acceptable. The principle of development on this site has long been established firstly by way of the large hospital and associated grounds and secondly from the development of the current prison. The impact on the countryside location would also have been a main consideration at the time of determination. Whilst the scheme was advertised as a potential departure from the recently adopted RLDP, as described above following detailed consideration it is not considered that the proposals go to the heart of the Plan and does not conflict with the policies of the wider RLDP.

Policy SP3 Good Design and Sustainable Placemaking of the RLDP requires 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.

In summary, and in view of the continued operations of this important facility, the proposed development is considered compatible and acceptable in principle, according with the general principles of Policies DNP1, DNP2 and ENT12 of the Bridgend Replacement Local Development Plan 2024.

LANDSCAPE AND VISUAL IMPACT

Planning Policy Wales (Edition 12, February 2024) states at paragraph 3.9 that: *'The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations.'*

Policy SP3: Good Design and Sustainable Placemaking of the Bridgend Replacement Local Development Plan (2024) (RLDP) states 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 full 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.

Planning Applications must be supported through the submission of appropriate design and technical information to demonstrate compliance with criteria a) to o) of Policy SP3, that states, amongst others, all development must:

- a) Have a design of the highest quality possible, whilst respecting and enhancing local distinctiveness and landscape character; and,
- b) Be appropriate to its local context in terms of size, scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density.

Policy SP17 of the RLDP notes that where there is an adverse impact upon landscape character, proposals will not be permitted and as such, the Landscape Visual Appraisal (**LVA**) takes account of the Landscape character of the Site and surrounding area.

The proposed development is relatively modest in scale and does not seek to introduce a new use or form of development that is out of keeping with the existing facility.

The height of all the proposed buildings will be below the height of the existing gate house, with the exception of the new proposed vehicle lock/gatehouse to the north-eastern corner of the site. Although policy DNP1 seeks to ensure that extensions are subordinate to existing structures in the countryside, Circular 17/98 notes that LPAs should acknowledge that prison proposals have specific design requirements that cannot be compromised.

The submitted LVA considers that the proposed development would have limited landscape effects. The LVA notes that, during the construction phase, there would be some disruption to the landscape character of the site. However, due to the nature of the site, the effects would be localised and limited in extent. During the construction phase the effects on the site and its immediate context are assessed as moderate/minor adverse; and these effects would be for a relatively short period. The landscape effect on the wider character is assessed as *negligible* at a national scale and at a county level.

The site is located within the National Character Area (**NCA**) 36 Vale of Glamorgan, however, the proposed development will be located within the established prison complex and will be in keeping with the existing character of the area. The LVA concludes that the completed and operational development would have no discernible impact on the NCA and the effects are assessed as negligible on completion and at Year 15.

The proposed green infrastructure/landscaping scheme would enhance the woodland structure surrounding the site and the effect at Year 15 is assessed as minor

adverse/negligible.

The LVA concludes that, overall, the proposed development would have limited landscape effects and will therefore maintain the integrity of the countryside and protect its landscape quality and beauty, in compliance with policy DNP1.

In summary, the visual appearance, design and scale of the development is acceptable in this location in accordance with Policies SP3, SP17 and DNP1 of the Bridgend Replacement Local Development Plan 2024, and, on balance, raises no adverse visual amenity concerns for the landscape or surrounding countryside.

HIGHWAYS, ACCESS AND SUSTAINABLE TRANSPORT

In order to support the additional 160 core members of staff that are proposed with the expansion and the expected number of additional visitors, an additional 186 parking spaces are required.

To support the construction of the new houseblock the existing car parking layout and operation of the site will be reconfigured. The existing staff car park to the west of HMP Parc will be re-modelled and extended and will now comprise the visitor car park. In total 271 visitor car parking spaces are proposed, including 38 spaces for accessible users.

The existing visitor car park to the north will also be reconfigured and extended to allow for the new delivery vehicular access and will become the new staff car park to access the prison by the new gatehouse. This is proposed to provide 543 spaces including 28 spaces for disabled users, 42 spaces with electric charging points and 41 spaces for car sharers.

It is proposed to assign 8% of spaces for disabled users, to be shared between both the staff and visitor car parks.

All standard vehicle parking spaces will be a minimum of 4.8m x 2.6m and all accessible standard spaces will be 4.8m x 3.6m in accordance with the guidance laid out in the Council's Parking Standards SPG.

In terms of electric vehicle charging points, whilst the submission states that 10% of all the car parking spaces (82 spaces) would be EV spaces, Policy 12 of Future Wales 2040 states that *"where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle charging points."* Whilst the parking provision around the site is being reconfigured/rationalised, the 10% electric charging points that will be provided for the additional spaces (186) would still equate to 19 EV spaces.

The Applicant has clarified that this project is funded from the public purse and the Applicant is unable to provide additional EV charging points over and above the minimum policy requirements at this point. It is also the case that normal parking spaces can be converted to EV charging points in the future if demand/electric car ownership increases.

There is no specific cycle parking standard for prisons within the Parking Standards SPG. Therefore, the Transport Assessment has calculated the minimum number of cycle parking spaces. It is proposed that 39 cycle parking spaces can be provided; these are to be split between the north of the site for staff and near the visitor centre for staff and visitors.

There are also 18 proposed motorcycle parking bays, 10 more than the existing situation. It is proposed to have 9 spaces in the visitor car park and 9 spaces in the staff car park. The required parking standard set out in the Parking Standards SPG is 5% of the provision for

car parking. The current allocation of motorcycle parking is 2% of the total number of car parking spaces, however, based on the results of the staff and visitor travel surveys and the modal shift targets in the Travel Plan, it is expected that 18 motorcycle parking spaces would be adequate for the current and future parking requirements at HMP Parc.

The sustainable transport options within the vicinity of the proposed site have been reviewed and indicate that the site is accessible via sustainable modes. The site is connected to the wider pedestrian network via 2m wide footways running parallel to Heol Hopcyn John. The footways provide connectivity to the nearest bus stops which are 1.5km walking distance from HMP Parc but provide regular and frequent services to Bridgend and the surrounding settlements.

There is no existing cycling-specific infrastructure within the vicinity of the site, however there are a number of proposed shared walking and cycling routes shown on the wider active travel network map which can be utilised by staff and visitors in the future. Additionally, the nearest train station is Wildmill Railway Station, a 38 minutes walk from the site, providing hourly services between Maesteg and Cheltenham Spa, via Cardiff Central.

The Travel Assessment and Travel Plan has provided commentary regarding the reintroduction of the shuttle bus from Bridgend Train Station. Discussions were undertaken with G4S to assess the frequency and the timings of the bus, however, due to varied shift patterns, it was decided that it may not be cost effective to reintroduce the shuttle bus if it needs to run all day. The staff survey suggested that most of those interested in using the shuttle bus would want to get it from Bridgend train station, although staff raised concerns regarding the cost of parking at the station. Ultimately it was concluded by the Applicant that the benefits of the shuttle bus were not significant and therefore the reintroduction of the shuttle bus does not form part of this proposed development.

The impact of the proposed development on the highway network has been classed as negligible with a small increase over peak morning and afternoon periods.

The Application and supporting Transport Assessment (**TA**) and Travel Plan (**TP**) have been carefully considered in respect of the transportation and access implications of the proposal.

Vehicular access into the site will be at the same location as the existing arrangement from Heol Hopcyn John to the north. No significant additional infrastructure is required to support the development.

The impact of the development on the surrounding road network has been considered in the submitted Transport Assessment.

The Council's Highway Officer has considered the Application and raises no in principle or significant concerns subject to conditions and a contribution towards traffic calming measures along Heol Hopcyn John and/or Heol Spencer.

The proposals include for the reconfiguration of existing on-site parking and operational areas.

The submitted TA indicates that the extension will increase inmate numbers by 345 and staff numbers by 160. The TA has been independently reviewed which raised areas which needed further clarification.

This site has a significant planning history and it is noted that, previously, S106 funding was secured for footpath works along Heol Hopcyn John. Notwithstanding this, an internal

review of the pedestrian routes to the site reveals that there are slight concerns with the routes that would need to be addressed to make it compliant with current Active Travel Act guidance. However, there are no proposals within the Application to upgrade any pedestrian routes.

The nearest (serviced) bus stops to the site are located adjacent to Sainsburys and KFC to the West of the site. Whilst these may be accessible on foot there is concern with the suitability of the route to meet current standards in respect of crossing four lanes of traffic on the A4061 adjacent to the Pen-y-Cae roundabout and also the Sainsbury's access road, service yard access and car park access.

Historically the site operators were required to serve the site with a shuttle bus to enable staff and visitors to access public transport at Bridgend Bus Station. Unfortunately, this provision was not successful or utilised for various reasons (mainly related to the contact between staff and visitors as well as between separate groups of visitors and the inconvenience compared to driving to the site) and ceased to operate.

Sustainable modes of travel (Active travel, Public transport) should be provided and encouraged for all developments. It is acknowledged that there are certain exceptions such as rural diversifications that can be considered slightly more leniently. Unfortunately, Prisons are not specifically referred to in Planning Policy Wales 12 and the relevant guidance in this case is considered to be Welsh Office Circular 17/98 published in 1998.

Notwithstanding the age of this Circular, Paragraph 10 states *"The objectives of sustainable development, and in particular the need to reduce unnecessary travel, should apply to site selection. Prisons should be located close to the centres of population they serve and there should be good accessibility to public transport services..."* As such it is considered that the site is not sufficiently or suitably served by sustainable modes of transport and, with any other development, this could attract a highway objection based on the development being at variance with the advice contained in Planning Policy Wales regarding Sustainable Transport. Effectively, it is not currently accessible by a range of different transport modes and will rely heavily on the use of private motor vehicles.

It is, however, acknowledged that Circular 17/98 advises (at para. 11) that *"... these are ideal criteria and no one site is likely to satisfy them all. For their part local planning authorities should recognise that prison proposals have specific design requirements which, for reasons of public security, cannot be compromised..."*. It is also accepted that this is an extension/remodelling of an established facility.

Given the issues in accessing the site by other modes it is inevitable that the proposal would increase vehicular movements on the surrounding highway network. The indicated staff shift patterns are such that it is considered that there should be no material impact in the Network peak hours to the detriment of highway capacity or safety – provided these are controlled via a suitable planning condition.

Notwithstanding, there is likely to be a marginal increase in movements along Heol Spencer to the prison from Coity village in the south, primarily due to the junction arrangement at the western end of Heol Hopcyn John which would necessitate drivers negotiating the entirety of the M4 Jct 36.

Whilst it is not possible or enforceable to stop staff from using this route, it is appropriate to seek a financial contribution from the developer to enhance the existing traffic calming provision along this route to dissuade drivers from using it as much as possible. This could take the form of replacement traffic cushions or the provision of a double-sided 'speed

indication display sign to promote adherence to the 20mph speed restriction.

Furthermore, the provision of suitable planning conditions to control staff shift and visitor times and the provision of the parking layout are required.

Having regard to the above, and subject to conditions to ensure that any impact upon the surrounding highway network is mitigated, it is considered that the development generally accords with Policies SP3, SP5, PLA11 and PLA12 of the Bridgend Replacement Local Development Plan 2024.

IMPACT ON NEIGHBOURING PROPERTIES/USES

Policy SP3, of the adopted Local Development Plan states, amongst others, that all development must k) Ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.

A series of technical reports have been submitted in support of the Application in respect of noise and lighting.

RLDP Policy DNP9 seeks to ensure that development proposals will not cause new or exacerbate an existing unacceptable risk of harm to health, biodiversity and/or local amenity due to air, noise or light pollution. This is reiterated further in RLDP Policy SP3 which stresses the importance of minimising or avoiding noise and air pollution and ensuring that design is of a high quality to protect visual amenity.

There is predicted to be a low likelihood of adverse impact on nearby noise sensitive receptors during daytime and night-time hours as a result of HGV and car parking activity. The rating noise level at the worst-affected nearby sensitive receptor is identified as being 12dB below the existing sound level during the daytime and at nighttime. Therefore, no further noise mitigation measures are deemed necessary to control noise emissions from the redeveloped site.

The external plant noise limits at the nearby noise sensitive receptors (residential properties to the north, east, west and south of the site) have been set to be 5dB below the typical measured background sound level to achieve a low likelihood of adverse impact. It is noted that internal housing of plant will help reduce the noise emissions to the nearest sensitive receptors. The assessment also outlines a number of mitigation strategies that, if integrated into the detailed design of the proposed development, is predicted to result in no significant adverse impacts on existing noise sensitive receptors.

Overall, the noise emissions from the proposed development are predicted to have a low likelihood of adverse impact on the nearby noise sensitive receptors during the daytime and night-time hours. The proposed development, therefore, will not cause an unacceptable risk to local amenity and is in compliance with Policies DNP9 and SP3 of the RLDP.

The Council's Shared Regulatory Services (**SRS**) – Public Protection Officer has examined the proposals and the Noise Impact Assessment (**NIA**) undertaken by Hydrock/Stantec.

The NIA demonstrates that the car park level noise and noise from HGV deliveries will be 12dB below the existing background levels during the day and night and are therefore indicated to have a low adverse impact.

Plant noise levels are recommended to be set to 5dB below the existing background levels. However, due to the already high background levels in that area and in order to prevent background creep, Shared Regulatory Services have set the noise limits to 10dB below the

background levels which should be easily achievable.

SRS therefore has no objections to the development in terms of noise, subject to conditions.

An External Lighting Assessment and Strategy has been prepared. The new sports pitch will not be flood lit to avoid effects on nocturnal activity.

The lighting scheme has been designed where possible to avoid significant lighting impacts onto neighbouring sensitive receptors or habitats where bats forage and to avoid effects to nocturnal activity.

Natural Resources Wales (**NRW**) have also reviewed the submitted technical reports.

The appearance of the proposed buildings is governed by security requirements as recognised in Welsh Office Circular 17/98. However, the proposed buildings will in keeping with the existing buildings and the local character.

All buildings will range from single storey to a maximum of four storeys. The ridge heights and sizes of the buildings have been carefully considered so that they are in keeping with the existing building stock.

As referred to above, the Applicant has confirmed that they are currently undertaking a site wide window replacement programme on the existing houseblocks. This programme will significantly reduce the ability for prisoners to open their windows whilst ensuring appropriate ventilation. Through this programme alone, the Applicant expects that the noise levels emanating from the prison will be reduced. The proposed K shaped accommodation block is set back from the southern boundary (and the line of existing accommodation buildings) and will also utilise the new window system. Therefore, it is considered that the existing programme of improvements that are in place and will be “rolled out” for the proposed expansion would not give rise to increased noise levels or disturbance across the site.

Both the DAS and the LVA recognise that the views of the proposed development from neighbouring residential areas are screened by boundary walls and existing vegetation at the perimeter site. Overall, the landscape effect of the proposed development is assessed as *negligible*. The scale and size of the development is considered appropriate and will not negatively impact the visual amenity of neighbouring residential areas and rear gardens.

The proposed development is therefore considered in accordance with National policy and the requirements set out in RLDP SP3 as well as the design requirements set out in Policy DNP1.

Therefore, appropriate mitigation measures will be implemented and incorporated into the design of the development to minimise the visual and environmental effects on existing and future neighbouring occupiers and users as sensitive receptors. It is therefore considered that the development can comply with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan 2024, in respect of neighbouring amenity protection.

BIODIVERSITY AND TREES

In assessing a planning Application, the Local Planning Authority must seek to maintain and enhance biodiversity, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Paragraph 6.4.4: *“It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals.”* PPW12 further states that *“All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission.”*

Technical Advice Note 5: Nature Conservation and Planning states that: *“Biodiversity, conservation and enhancement is an integral part of planning for sustainable development. The planning system has an important part to play in nature conservation. The use and development of land can pose threats to the conservation of natural features and wildlife.”*

Policy SP3 of the adopted Bridgend Replacement Local Development Plan (2024) requires development to Safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 of the RLDP 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. Particular 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 of the RLDP 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 of the RLDP 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.

Paragraph 5.9.20 of Planning Policy Wales 12 (PPW) states planning authorities should identify ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy development, considering the impact on the natural and historic environment.

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

Section 6 (1) states that *“a public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems, so far as consistent with the proper exercise of those functions.”* Section 6(2) goes on to state that *“In complying with subsection (1), a public authority must take account of the resilience of ecosystems, in particular:*

- (a) diversity between and within ecosystems;*
- (b) the connections between and within ecosystems;*
- (c) the scale of ecosystems;*

- (d) the condition of ecosystems (including their structure and functioning); and
- (e) the adaptability of ecosystems."

Regulation 9 of the Conservation of Habitats & Species Regulations 2010 (as transposed into the Conservation of Habitats & Species Regulations 2017) requires LPAs to take account of the presence of European Protected Species at development sites. If they are present and affected by the development proposals, the Local Planning Authority must establish whether *"the three tests"* have been met, prior to determining the Application. The three tests that must be satisfied are:

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

The submitted Green Infrastructure Statement and the Ecological Impact Assessment advise that the site is dominated by semi-improved grassland, amenity grassland, mixed scrub and broad-leaved plantation woodland. It is noted that site provides some degree of suitable habitat for a range of protected/notable species including bats, badger, hazel dormice, reptiles, great crested newts and breeding birds.

The Green Infrastructure Statement advises that the existing landscape features will be retained and enhanced where possible and as appropriate, as part of the new landscape proposal for the site. However, the proposal will result in the removal of mature trees, areas of plantation woodland, scrub, and semi-improved grassland.

Due to the limitations inherent in the scheme and the context of the site/use, only a small proportion of the proposed landscape and ecological enhancements will be possible within the red line boundary. However, to mitigate these losses, habitats situated within the blue line wider ownership/control boundary will be managed through a comprehensive Landscape and Ecological Management Plan (**LEMP**).

The Green Infrastructure Statement, the Ecological Impact Assessment and the LEMP outline the ecological mitigation and enhancement measures that will be implemented and managed as part of the proposed scheme. These include the retention and buffering of existing trees and plantation woodlands, the introduction of native woodland, shrub, tree and hedgerow planting, alongside the installation of bird and bat boxes, creation of hibernacula, and features aimed at supporting invertebrates. Efforts will also be made to bolster botanical diversity on site through the establishment and careful management of wildflower grassland.

The External Lighting Assessment and Strategy avoids significant lighting impacts onto habitats where bats forage and avoids effects to nocturnal activity. The proposed development presents a logical extension to an existing prison within the site boundary of the existing facility and no alternative location for development is available. It is expected that unavoidable harm to biodiversity will be minimised by the mitigation measures outlined in the supporting reports.

NRW are satisfied with the conclusion of the submitted Shadow HRA which states, *"This Shadow HRA screening has identified no likely significant effects, either alone or in combination with other plans or projects, on any of the European or nationally designated sites within 10km of the proposed prison extension. Therefore, it is concluded that an Appropriate Assessment under Regulation 63 of the Habitats Regulations is not required."*

NRW are satisfied that the impacts of the estimated additional traffic journeys resulting from the proposed development should not cause significant increases in pollutants and that they will not have a significant impact on the protected features of the Special Areas of Conservations (**SAC's**).

The nearest Sites of Special Scientific Interest (**SSSI**) are Coedymwstwr Woodlands SSSI situated approximately 2.6kilometres (km) to the east, Blackmill Woodlands SSSI situated approximately 2.7km to the north and Bryn Bach, Cefn Cribwr SSSI situated approximately 3.8km to the west of the site. Due to the distance between the site and the SSSI's, NRW are satisfied that the proposed works should not have any impacts on the protected features of these identified SSSI's or those further afield.

NRW are also satisfied that there is unlikely to be significant impacts resulting from the increased daily vehicle journeys resulting from this development and thus it will not have a significant impact on the protected features within any of the SSSI's identified above.

Any indirect impacts, further downwind or downstream, should be mitigated by the DCEMP.

NRW note that the information submitted in support of the Application (Bat Survey Report), has identified that bats are unlikely to be using the Application site for roosting.

The Ecological Impact Assessment states that ground-based assessments of the buildings to be affected within the prison wall have negligible bat roosting potential and no further surveys are proposed prior to their demolition. However, paragraph 6.32 identifies that precautionary avoidance measures will be followed which will be detailed further in a Construction Environmental Management Plan (**CEMP**). NRW have requested the imposition of a DCEMP condition which will include these details.

The report does identify that bats (including lesser horseshoe and barbastelle bats) may be using habitats on site for foraging/commuting purposes. Inappropriate lighting has the potential to impact on foraging/commuting bats. NRW advise that the lighting should accord with the Institute of Lighting Professional's Bats and Artificial Lighting at Night guidance (2023).

The proposal is located adjacent to the Derwen Wood Site of Importance for Nature Conservation (**SINC**) and there is potential for the proposed works to impact on this site. The proposed works also involve impacts to trees and habitats of potential local interest within the development site.

The Council's Biodiversity Policy Manager has reviewed the documents submitted with the Application (Green Infrastructure Statement and supporting ecological documentation (EcIA, Shadow HRA and LEMP), as well as landscaping proposals and enhancement measures.

These provide a reasonable assessment of the baseline ecological conditions and propose a range of mitigation, enhancement and long-term management measures. Overall, the proposals are acceptable in principle, subject to conditions and further clarification on key points, including:

- Protection and buffering of Derwen Wood SINC
- Tree planting replacement ratio
- Clarification of certain LEMP commitments to ensure long-term delivery of biodiversity and resilience objectives.

The Council's Biodiversity Policy Manager has also reviewed NRW's response which raised no objection to the proposal subject to conditions relating to:

- A Demolition and Construction Environmental Management Plan (**DCEMP**) to prevent pollution and protect watercourses
- Groundwater and contamination controls
- Sensitive lighting design in accordance with ILP (2023) guidance for bats
- Protection of the adjacent locally designated site Derwen Wood SINC

These requirements are fully supported and should be secured through appropriately worded conditions.

In regard to the protection of Derwen Wood SINC which is adjacent to the proposed eastern and western development area, measures must be put in place to avoid both direct and indirect impacts during and after construction. The LEMP acknowledges this adjacency but lacks quantified buffer distances.

It is recommended that the Applicant:

- Maintain a minimum 15m undeveloped buffer along the SINC boundary, retained and managed as natural vegetation
- Ensure that the lighting strategy demonstrates compliance with ILP Bats and Artificial Lighting at Night (2023), ensuring light levels at the woodland edge remain below 0.5 lux and that consideration has been given to light sensitive wildlife
- Include specific measures in the DCEMP to avoid pollution, sedimentation, or dust deposition within the SINC boundary

The LEMP and DCEMP should explicitly reference the SINC as a receptor for both construction and operational safeguards.

The submitted information identifies the removal of several trees, including those subject to a Tree Preservation Order, to accommodate the prison extension and associated infrastructure.

Whilst replacement planting is proposed, the submitted information does not appear to quantify the overall loss versus replacement or demonstrate compliance with Planning Policy Wales 12, which requires a minimum 3:1 ratio of replacement planting for any tree lost to development (paragraph 6.4.25). This ratio is a key component of maintaining ecosystem resilience and canopy cover in Wales.

It is therefore recommended that the Applicant:

- Provide a quantified tree planting replacement schedule identifying:
 - Number and species of trees to be removed (including any under TPO)
 - Proposed replacement numbers, species, and planting locations
 - Confirmation that the replanting achieves at least a 3:1 ratio in accordance with PPW12
- Replacement planting should consist of native broadleaf species of local provenance, reflecting the woodland composition of Derwen Wood SINC
- Larger nursery stock or whips of mixed age should be used to establish diversity and resilience

The woodland management prescriptions within the LEMP are broadly supported particularly selective thinning and coppicing to reduce ash dieback and enhance structural diversity, the creation of log and brash piles, retention of standing deadwood and the use of native, climate-resilient planting.

However, monitoring and adaptive management commitments should be more robustly

linked to clear ecological outcomes (e.g. canopy cover retention, understorey diversity, invasive species control, ecological condition assessment for the site as a whole), particularly for the retained woodland areas and SINC buffer. The LEMP should be updated to reflect these.

In conclusion, the ecological documentation provides a strong basis for long-term biodiversity enhancement and compliance with the Environment (Wales) Act 2016, but further clarification is required on the extent of tree loss and replacement and the protection of the adjacent SINC which will be secured via conditions.

The development is compatible with the nature conservation characteristics of the area. The proposals comply with Policies DNP6 and DNP7 of the Replacement Local Development Plan, in that it will provide a net benefit for biodiversity and improved ecosystem resilience (as required by PPW12), and will maintain, protect and enhance biodiversity and ecological networks and services.

As such, the proposal complies with local and National planning policy in regard to biodiversity maintenance and enhancement, as well as the requirements of the Habitats Regulations 1994 (as amended), and Section 6 of the Environment (Wales) Act 2016.

LAND DRAINAGE AND FLOOD RISK

This development is subject to Schedule 3 of the Flood and Water Management Act 2010 (as amended). The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the '*Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems*'.

A Flood Consequences Assessment (**FCA**), a Sustainable Drainage Strategy Report and a Foul Drainage Strategy Report are included with the Application.

The FCA considers that the proposed development is suitable for the location and there are no significant risks to site users from flooding.

Policy DNP9 promotes the use of SuDS to achieve betterment and aid in the reduction of surface water runoff and flood risk. A Sustainable Drainage Approval (**SAB**) Application was submitted to BCBC on 13 June 2025.

The Sustainable Drainage Strategy Report assesses potential SuDS features that may be utilised during the development. It is proposed to store the surface water run off within a geo-cellular attenuation tank and restrict the flow rates using vortex flow control devices prior to discharging into the existing balancing pond. The surface water sewers and attenuation tanks on site will be designed to store the flow during a 1 in 30-year storm event. Any surface water runoff generated from storms up to and including a 1 in 100-year + 30 % climate change event will be retained within the site boundary in non-sensitive areas.

Having regard to the above, it is considered that the development has been designed to accommodate sustainable drainage systems and will not increase the risk of flooding within or outside the site.

OTHER MATTERS

Ground Contamination

The planning system should guide development to reduce the risk from natural or human-made hazards affecting the land surface or sub-surface. The aim however is not to prevent the development of such land. Key is understanding the risks associated with the

previous land use, pollution, groundwater, subsidence, mine and landfill gas emissions and rising groundwater from abandoned mines. Responsibility for determining the extent and effects of surface and subsurface hazards remains with the developer. It is for the developer to ensure that the land is suitable for the development proposed.

Made ground, an existing fuel tank and former tank locations are recorded on site. Fuel tanks are potential sources of significant contamination. The site is considered to be of a higher environmental sensitivity due the presence of the '*Principal Aquifer*' and waterbodies on site. These may pose a risk to human health and the environment.

SRS and NRW have recommended conditions that require contamination assessment and any necessary remediation as part of the consent in accordance with policy ENV7 of the Replacement Local Development Plan. These may need to be post-demolition investigations to access the site effectively.

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

The Ground Investigation Report recommends a piled foundation design for heavy loaded structures and retaining walls. These intrusive works would likely extend into the mudstone '*Principal Aquifer*' therefore a robust piling works risk assessment is required.

Having regard to the above it is considered that the development can successfully manage the effects of surface and subsurface hazards on this site.

Mineral Safeguarding Zone

The site is located within a Sandstone Mineral Safeguarding Zone as defined by Policy ENT12 of the RLDP. Development proposals within mineral safeguarding zones, either permanent or temporary, will need to demonstrate that:

- 1) If permanent development, the mineral can be extracted prior to the development, and/or the mineral is present in such limited quantity or quality to make extraction of no or little value as a finite resource; and
- 2) In the case of residential development, the scale and location of the development e.g. limited infill/house extensions, would have no significant impact on the possible working of the resource; and
- 3) In the case of temporary development, it can be implemented, and the site restored within the timescale the mineral is likely to be required.

Due to the relatively permanent nature of the existing facility, it's unlikely that the mineral will be viable for future working.

Clean Water Supply

DC/WW have confirmed that the water supply system in the immediate vicinity currently lacks sufficient capacity to serve the proposed development and may result in detriment to existing customers' supply.

They anticipate that a new single water connection will be required under Section 45 of the Water Industry Act 1991. In anticipation of any future re-consultation, DC/WW will rely on the Local Planning Authority to secure the delivery of any necessary reinforcement works via an appropriately worded planning condition.

Foul Drainage

No objections have been offered from the drainage bodies to the development. The development proposes to continue to discharge foul flows via upgraded macerators into the Welsh Water foul sewer network at Maes Y Cadno Road.

The proposed development site is located within the catchment of a public sewerage system which drains to Penybont (Merthyr Mawr) Wastewater Treatment Works (**WwTW**).

DC/WW have considered the impact of foul flows generated by the proposed development and concluded that flows can be accommodated within the public sewerage system. The foul drainage will connect upstream of the existing macerators, which are to be upgraded to accommodate the increased discharge rate. The final discharge point remains the Welsh Water foul sewer in Maes Y Cadno Road.

Heritage

The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning Applications, whether those remains are a Scheduled Monument or not.

Ancient monuments are protected by National and local planning policy, with overarching legislation in the Ancient Monuments and Archaeological Areas Act 1979 and the Historic Environment (Wales) Act 2016 requiring local authorities to have special regard to the desirability of preserving the historic environment and its setting.

PPW provides the planning framework for the sustainable management of the historic environment in Wales. It requires that decisions are based “on an understanding of the impact a proposal may have on the significance of an historic asset” (Paragraph 6.1.5) and requires the “consideration of the setting of an historic asset which might extend beyond [the] curtilage” of a development (Paragraph 6.1.7).

Paragraph 6.1.24 of PPW states that *“the conservation of archaeological remains and their setting is a material consideration in determining planning Applications”*.

The need to understand the value of heritage assets; assess the significance of that asset and the impacts; and the desirability of preserving the asset and its setting are reiterated in TAN 24 (Paragraphs 1.12 and 1.15). It is noted that where archaeological remains exist, the Applicant should undertake a desk based archaeological assessment which provides sufficient archaeological information and how the development proposal seeks to minimise any negative impacts (Paragraphs 4.7 and 4.8).

RLDP Policy SP18 seeks to ensure that development proposals *“protect, conserve and where appropriate preserve and enhance the significance of historic assets, including their setting”*. Paragraph 5.5.92 of the RLDP notes that development proposals must take into account heritage assets that may be directly or indirectly affected.

An Archaeological Desk Based Impact Assessment has been submitted with the Application. The Assessment considers heritage assets identified at the site and those within the wider area identified as being sensitive to change, and, where necessary, provides an assessment of impact and recommendations.

The desk-based assessment advises that of the nearby designated assets, the proposal has the potential to impact the setting of the Derwen Moated Site Scheduled Monument which is assessed to make a low contribution to its significance.

A relatively small increase in the massing of the prison will be within the Monument's setting. The proposed development is considered to have a neutral effect on the Monument's significance, largely maintaining its present setting.

Overall, the expansion of the prison site is considered to largely maintain the setting of the Derwen Moated Site Scheduled Monument to the west. Considering the baseline archaeological and historical baseline information, there is considered to be low potential for archaeological remains within the site. Any potential archaeological remains are likely to have been significantly disturbed by the construction of the historic asylum and subsequent wholesale redevelopment of the prison and are likely to be of low significance.

Given that the proposed development is likely to have a neutral effect on the Derwen Moated Site Scheduled Monument's significance and will largely maintains its present setting, it is considered that the proposed development complies with RLDP Policy SP18 and advice contained within PPW 12.

CADW have no objection to the proposed development regarding the Scheduled Monuments or registered historic parks and gardens listed in their assessment of the Application.

The designated historic assets are located inside 3km of the proposed development, but intervening topography, buildings, vegetation and the effect of distance obscure all views between them except potentially for the Derwen Moated Site which is located some way away to the west of the site boundary. Consequently, the proposed development will have no impact on the settings of these designated historic assets other than potentially the site of the Derwen Moated Scheduled Monument.

In relation to the impact on the setting of the Scheduled Monument (Derwen Moated Site), it is concluded that the expansion of the prison site will not have a damaging effect upon the Monument's setting. CADW concur with this conclusion; the proposed development will not have an unacceptably damaging effect upon the setting of any Scheduled Monument.

Therefore, the proposed development will have no impact on the significance of any designated historic assets and whilst in some instances there may be a very slight visual change in the view from the designated historic assets, this will not have any effect on the way that they are experienced, understood and appreciated. Consequently, the proposed development will not have an unacceptably damaging effect upon the settings of any of the above designated historic assets.

CONCLUSION

Section 38(6) of the 2004 Act requires that if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Factors to be considered in making planning decisions (*material considerations*), must be planning matters, that is, they must be relevant to the regulation of the development and use of land in the public interest, towards the goal of sustainability.

In this case it is considered that the information submitted in support of the development is *material* to the determination of the Application and has been taken into account during the consideration of the proposal.

On balance, and having regard to the objections raised and consultee responses and the above weighing up of all *material considerations* relevant to this scheme, it is considered that the proposed development is acceptable in this location due to the clear justification for the expansion of this established facility and in regard to its potential impacts on surrounding residents by way of noise and lighting; any impact on the character and appearance of the site and surrounding countryside; its potential impact on biodiversity in and around the site; its potential impact on the highway network and drainage in and around the site; and its potential impact on historic assets.

The development therefore accords with Policies SP3, SP4, SP5, PLA8, PLA11, PLA12, SP10, SP13, ENT12, ENT15, SP17, DNP6, DNP7, DNP8, DNP9 and SP18 of the Bridgend Replacement Local Development Plan (2024) and advice contained within Planning Policy Wales 12.

It is further considered that the decision complies with Future Wales - the National Plan 2040, and the Council's well-being objectives and the sustainable development principle in accordance with the requirements of the Well-being of Future Generations (Wales) Act 2015. The application has also been considered in light of advice contained within Welsh Office Circular 17/98: Planning for Future Prison Development (June 1998).

The Application is therefore recommended for approval subject to the Applicant first entering into a Section 106 Legal Agreement and conditions and informative notes.

RECOMMENDATION

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

- (i) Provide a financial contribution towards traffic mitigation measures within the vicinity of the site.

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

1.	<p>The development hereby permitted shall be begun before the expiration of five years from the date of this permission and in accordance with:</p> <p>a) the following approved plans and documents:</p> <p>786173_9559-PEV-000-XX-D-A-9000 Rev P02– Site location plan existing</p> <p>786173_9559-PEV-000-XX-D-A-0304 Rev P05 – PCS combined</p> <p>786173_9559-PEV-000-XX-D-A-0405 Rev P05 – VCS combined</p> <p>786173_9559-PEV-000-XX-D-A-1101 Rev P04 – Site demolition plan proposed</p> <p>786173_9559-PEV-000-XX-D-A-1300 Rev P05 – Site fencing strategy proposed</p> <p>786173_9559-PEV-000-XX-D-A-9001 Rev P02 – Site block plan existing</p> <p>786173_9559-PEV-000-XX-D-A-9011 Rev P02 – Site block plan existing north parking</p> <p>786173_9559-PEV-000-XX-D-A-9012 Rev P02 – Site block plan existing west and south parking</p> <p>786173_9559-PEV-000-XX-D-A-9020 Rev P03 – Site block plan proposed</p> <p>786173_9559-PEV-000-XX-D-A-9021 Rev P02 – Site block plan car park proposed west</p> <p>786173_9559-PEV-000-XX-D-A-9022 Rev P03 – Site block plan car park proposed east</p> <p>786173_9559-PEV-000-XX-D-A-9200 Rev P02 – Site section AA, BB existing</p> <p>786173_9559-PEV-000-XX-D-A-9201 Rev P02 – Site section CC, DD existing</p>
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786173_9559-PEV-000-XX-D-A-9202 Rev P02 – Site section EE, FF existing
 786173_9559-PEV-000-XX-D-A-9210 Rev P03 – Site section AA, BB proposed
 786173_9559-PEV-000-XX-D-A-9211 Rev P03 – Site section CC, DD proposed
 786173_9559-PEV-000-XX-D-A-9212 Rev P03 – Site section EE, FF proposed
 786173_9559-PEV-000-XX-D-A-9300 Rev P02 – 3D visuals existing
 786173_9559-PEV-000-XX-D-A-9301 Rev P02 – 3D visuals proposed
 786173_9559-PEV-000-XX-D-L-0302 Rev P04 – Landscape masterplan
 786173_9559-PEV-000-XX-D-L-0401 Rev P02 – Landscape proposal sheet 1
 786173_9559-PEV-000-XX-D-L-0402 Rev P02 – Landscape proposal sheet 2
 786173_9559-PEV-000-XX-D-L-0403 Rev P02 – Landscape proposal sheet 3
 786173_9559-PEV-000-XX-D-L-0404 Rev P02 – Landscape proposal sheet 4
 786173_9559-PEV-000-XX-D-L-0405 Rev P02 – Landscape proposal sheet 5
 786173_9559-PEV-000-XX-D-L-0406 Rev P02 – Landscape proposal sheet 6
 786173_9559-PEV-000-XX-D-L-0407 Rev P02 – Landscape proposal sheet 7
 786173_9559-PEV-000-XX-D-L-0408 Rev P02 – Landscape proposal sheet 8
 786173_9559-PEV-000-XX-D-L-0409 Rev P02 – Landscape proposal sheet 9
 786173_9559-PEV-000-XX-D-L-0410 Rev P02 – Landscape proposal sheet 10
 786173_9559-PEV-000-XX-D-L-0411 Rev P02 – Landscape proposal sheet 11
 786173_9559-PEV-000-ZZ-D-C-0100 Rev P03 – Existing impermeable area plan
 786173_9559-PEV-000-ZZ-D-C-0101 Rev P03 – Proposed impermeable area plan
 786173_9559-PEV-000-ZZ-D-C-0501 Rev P03 – Proposed surface water drainage sheet 01
 786173_9559-PEV-000-ZZ-D-C-0502 Rev P04 – Proposed surface water drainage sheet 02
 786173_9559-PEV-000-ZZ-D-C-0503 Rev P04 – Proposed surface water drainage sheet 03
 786173_9559-PEV-000-ZZ-D-C-0504 Rev P04 – Proposed surface water drainage sheet 04
 786173_9559-PEV-000-ZZ-D-C-0505 Rev P04 – Proposed surface water drainage sheet 05
 786173_9559-PEV-000-ZZ-D-C-0506 Rev P04 – Proposed surface water drainage sheet 06
 786173_9559-PEV-000-ZZ-D-C-0507 Rev P03 – Proposed surface water drainage sheet 07
 786173_9559-PEV-000-ZZ-D-C-0508 Rev P03 – Proposed surface water drainage sheet 08
 786173_9559-PEV-000-ZZ-D-C-0509 Rev P03 – Proposed surface water drainage sheet 09
 786173_9559-PEV-000-ZZ-D-C-0510 Rev P03 – Proposed surface water drainage sheet 10
 786173_9559-PEV-000-ZZ-D-C-0511 Rev P03 – Proposed surface water drainage sheet 11
 786173_9559-PEV-000-ZZ-D-C-0512 Rev P03 – Proposed surface water drainage sheet 12
 786173_9559-PEV-000-ZZ-D-C-0513 Rev P03 – Proposed surface water drainage sheet 13
 786173_9559-PEV-000-ZZ-D-C-0526 Rev P04 – Proposed foul drainage sheet 01
 786173_9559-PEV-000-ZZ-D-C-0527 Rev P04 – Proposed foul drainage sheet 02
 786173_9559-PEV-000-ZZ-D-C-0528 Rev P04 – Proposed foul drainage sheet 03
 786173_9559-PEV-000-ZZ-D-C-0529 Rev P04 – Proposed foul drainage sheet 04
 786173_9559-PEV-000-ZZ-D-C-0530 Rev P04 – Proposed foul drainage sheet 05
 786173_9559-PEV-000-ZZ-D-C-0531 Rev P04 – Proposed foul drainage sheet 06
 786173_9559-PEV-000-ZZ-D-C-0532 Rev P03 – Proposed foul drainage sheet 07
 786173_9559-PEV-000-ZZ-D-C-0533 Rev P03 – Proposed foul drainage sheet 08

786173_9559-PEV-000-ZZ-D-C-0534 Rev P03 – Proposed foul drainage sheet 09
 786173_9559-PEV-000-ZZ-D-C-0535 Rev P03 – Proposed foul drainage sheet 10
 786173_9559-PEV-000-ZZ-D-C-0545 Rev P03 – Proposed drainage diversions layout sheet 1
 786173_9559-PEV-000-ZZ-D-C-0546 Rev P02 – Proposed drainage diversions layout sheet 2
 786173_9559-PEV-000-ZZ-D-C-0700 Rev P04 – Proposed hard landscaping layout sheet 1
 786173_9559-PEV-000-ZZ-D-C-0701 Rev P04 – Proposed hard landscaping layout sheet 2
 786173_9559-PEV-000-ZZ-D-C-0702 Rev P04 – Proposed hard landscaping layout sheet 3
 786173_9559-PEV-000-ZZ-D-C-0703 Rev P04 – Proposed kerb layout sheet 1
 786173_9559-PEV-000-ZZ-D-C-0704 Rev P04 – Proposed kerb layout sheet 2
 786173_9559-PEV-000-ZZ-D-C-1100 Rev P04 – Proposed ground levels and contours sheet 1
 786173_9559-PEV-000-ZZ-D-C-1101 Rev P04 – Proposed ground levels and contours sheet 2
 786173_9559-PEV-000-ZZ-D-C-1102 Rev P04 – Proposed ground levels and contours sheet 3
 786173_9559-PEV-000-ZZ-D-C-2700 Rev P03 – Swept path analysis fire tender
 786173_9559-PEV-000-ZZ-D-C-2701 Rev P03 – Swept path analysis heavy goods vehicle
 786173_9559-PEV-000-ZZ-D-C-2702 Rev P03 – Swept path analysis electric tug
 786173_9559-PEV-000-ZZ-D-C-2703 Rev P03 – Swept path analysis standard design vehicle
 786173_9559-PEV-000-ZZ-D-C-2704 Rev P03 – Swept path analysis MEWP
 786173_9559-PEV-000-ZZ-D-C-2705 Rev P03 – Swept path analysis 3.5 tonne lorry
 786173_9559-PEV-000-ZZ-D-C-6501 Rev P03 – Drainage details sheet 1
 786173_9559-PEV-000-ZZ-D-C-6502 Rev P03 – Drainage details sheet 2
 786173_9559-PEV-000-ZZ-D-C-6503 Rev P02 – Drainage details sheet 3
 786173_9559-PEV-000-ZZ-D-C-6700 Rev P02 – Pavement construction details sheet 1
 786173_9559-PEV-000-ZZ-D-E-0609 Rev P02 – External lighting lux plot
 786173_9559-PEV-000-ZZ-L-C-0501 Rev P03 – Proposed surface water drainage schedule 01
 786173_9559-PEV-000-ZZ-L-C-0502 Rev P03 – Proposed surface water drainage schedule 02
 786173_9559-PEV-000-ZZ-L-C-0503 Rev P03 – Proposed surface water drainage schedule 03
 786173_9559-PEV-000-ZZ-L-C-0504 Rev P03 – Proposed surface water drainage schedule 04
 786173_9559-PEV-000-ZZ-L-C-0505 Rev P03 – Proposed surface water drainage schedule 05
 786173_9559-PEV-000-ZZ-L-C-0506 Rev P03 – Proposed surface water drainage schedule 06
 786173_9559-PEV-000-ZZ-L-C-0507 Rev P02 – Proposed surface water drainage schedule 07
 786173_9559-PEV-000-ZZ-L-C-0509 Rev P02 – Proposed surface water drainage schedule 09
 786173_9559-PEV-000-ZZ-L-C-0511 Rev P02 – Proposed surface water drainage schedule 11
 786173_9559-PEV-000-ZZ-L-C-0512 Rev P02 – Proposed surface water drainage schedule 12

786173_9559-PEV-000-ZZ-L-C-0513 Rev P02 – Proposed surface water drainage schedule 13

786173_9559-PEV-000-ZZ-L-C-0526 Rev P04 – Proposed foul drainage schedule 1

786173_9559-PEV-000-ZZ-L-C-0527 Rev P04 – Proposed foul drainage schedule 2

786173_9559-PEV-000-ZZ-L-C-0528 Rev P04 – Proposed foul drainage schedule 3

786173_9559-PEV-000-ZZ-L-C-0529 Rev P04 – Proposed foul drainage schedule 4

786173_9559-PEV-000-ZZ-L-C-0530 Rev P04 – Proposed foul drainage schedule 5

786173_9559-PEV-000-ZZ-L-C-0531 Rev P04 – Proposed foul drainage schedule 6

786173_9559-PEV-000-ZZ-L-C-0532 Rev P03 – Proposed foul drainage schedule 7

786173_9559-PEV-000-ZZ-L-C-0533 Rev P03 – Proposed foul drainage schedule 8

786173_9559-PEV-000-ZZ-L-C-0534 Rev P03 – Proposed foul drainage schedule 9

786173_9559-PEV-000-ZZ-L-C-0535 Rev P03 – Proposed foul drainage schedule 10

786173_9559-PEV-101-00-D-A-9001 Rev P02 – Planning L00 (ground)

786173_9559-PEV-101-01-D-A-9002 Rev P02 – Planning L01 (first)

786173_9559-PEV-101-02-D-A-9003 Rev P02 – Planning L02 (second)

786173_9559-PEV-101-03-D-A-9004 Rev P02 – Planning L03 (plant)

786173_9559-PEV-101-R3-D-A-9005 Rev P02 – Planning L03 (roof)

786173_9559-PEV-101-XX-D-A-9100 Rev P02 – GEA plans (gross external area plans)

786173_9559-PEV-101-XX-D-A-9101 Rev P03 – GIA plans (gross internal area plans)

786173_9559-PEV-101-ZZ-D-A-9010 Rev P04 – Elevations ext planning colour

786173_9559-PEV-101-ZZ-D-A-9011 Rev P03 – Elevations ext planning no colour

786173_9559-PEV-102-00-D-A-9001 Rev P02 – Planning L00 (ground)

786173_9559-PEV-102-01-D-A-9002 Rev P02 – Planning L01 (first)

786173_9559-PEV-102-02-D-A-9003 Rev P02 – Planning L02 (second)

786173_9559-PEV-102-03-D-A-9004 Rev P02 – Planning L03 (plant)

786173_9559-PEV-102-R3-D-A-9005 Rev P02 – Planning LR3 (roof)

786173_9559-PEV-102-XX-D-A-9010 Rev P03 – Elevations ext planning colour received on 4/8/25

786173_9559-PEV-102-XX-D-A-9011 Rev P03 – Elevations ext planning no colour

786173_9559-PEV-102-ZZ-D-A-9100 Rev P04 – GEA plans gross external area

786173_9559-PEV-102-ZZ-D-A-9101 Rev P04 – GIA plans gross internal area

786173_9559-PEV-103-00-D-A-9000 Rev P02 – GA level 00 (ground floor) proposed

786173_9559-PEV-103-01-D-A-9001 Rev P02 – GA level 01 (first floor) proposed

786173_9559-PEV-103-02-D-A-9002 Rev P02 – GA level 02 (second floor) proposed

786173_9559-PEV-103-03-D-A-9003 Rev P02 – GA level 03 (third floor) proposed

786173_9559-PEV-103-R3-D-A-9004 Rev P02 – GA level R3 (roof) proposed

786173_9559-PEV-103-ZZ-D-A-9010 Rev P03 – Elevations ext proposed

786173_9559-PEV-103-ZZ-D-A-9011 Rev P03 – Elevations ext proposed sheet 2

786173_9559-PEV-103-ZZ-D-A-9100 Rev P04 – GEA plans proposed

786173_9559-PEV-103-ZZ-D-A-9101 Rev P03 – GIA plans proposed

	<p>786173_9559-PEV-104-00-D-A-9000 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-104-01-D-A-9001 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-104-R1-D-A-9002 Rev P02 – Planning LR1 (roof)</p> <p>786173_9559-PEV-104-XX-D-A-9100 Rev P03 – GEA plans gross external area</p> <p>786173_9559-PEV-104-XX-D-A-9101 Rev P03 – GIA plans gross internal area</p> <p>786173_9559-PEV-104-ZZ-D-A-9010 Rev P03 – Ext planning colour</p> <p>786173_9559-PEV-104-ZZ-D-A-9011 Rev P03 – Ext planning no colour</p> <p>786173_9559-PEV-105-00-D-A-9000 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-105-01-D-A-9001 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-105-M1-D-A-9002 Rev P02 – Planning LM1 (mezzanine)</p> <p>786173_9559-PEV-105-R1-D-A-9003 Rev P02 – Planning LR1 (roof)</p> <p>786173_9559-PEV-105-XX-D-A-9100 Rev P03 – GEA plans gross external area</p> <p>786173_9559-PEV-105-XX-D-A-9101 Rev P03 – GIA plans gross internal area</p> <p>786173_9559-PEV-105-ZZ-D-A-9010 Rev P03 – Elevations ext planning colour</p> <p>786173_9559-PEV-105-ZZ-D-A-9011 Rev P03 – Elevations ext planning no colour</p> <p>786173_9559-PEV-106-00-D-A-9001 Rev P02 – Planning L00 (ground)</p> <p>786173_9559-PEV-106-01-D-A-9002 Rev P02 – Planning L01 (first)</p> <p>786173_9559-PEV-106-02-D-A-9003 Rev P02 – Planning L02 (second)</p> <p>786173_9559-PEV-106-R2-D-A-9004 Rev P02 – Planning LR2 (roof)</p> <p>786173_9559-PEV-106-ZZ-D-A-9011 Rev P01 – Elevations ext planning no colour</p> <p>786173_9559-PEV-106-ZZ-D-A-9100 Rev P03 – GEA plans (gross external area plans)</p> <p>786173_9559-PEV-106-ZZ-D-A-9101 Rev P03 – GIA plans (gross internal area plans)</p> <p>786173_9559-FED-000-XX-D-X-0020 Rev P01 – Tree survey plan</p> <p>786173_9559-FED-000-XX-D-X-0021 Rev P01 – Tree retention plan</p> <p>786173_9559-FED-000-XX-D-X-0022 Rev P01 – Tree protection plan</p> <p>786173_9559-PEV-106-ZZ-D-A-9010 Rev P02 – Elevations ext planning colour</p> <p>Landscape and Ecological Management Plan (LEMP)</p> <p>Sustainable Drainage Strategy Report</p> <p>Foul Drainage Strategy Report</p> <p>Flood Consequence Assessment</p> <p>External Lighting Assessment and Strategy</p> <p>Landscape and Visual Appraisal</p> <p>Energy Statement</p> <p>Ecological Impact Assessment</p> <p>Shadow HRA: Test of Likely Significant Effects and Appropriate Assessment</p> <p>Green Infrastructure Statement</p> <p>Transport Assessment</p> <p>Travel Plan</p> <p>Archaeological Desk - Based and Impact Assessment</p> <p>Arboricultural Impact Assessment & Arboricultural Method Statement</p> <p>Ground Investigation Report</p> <p>Phase 1 Geo-Environmental Desktop Study</p> <p>Baseline Noise Survey Report</p> <p>Noise Assessment</p> <p>Reason: To avoid doubt and confusion as to the nature and extent of the approved development.</p>
2.	<p>Before commencing any development at the site, you must do the following: -</p> <p>a) Notify the Local Planning Authority in writing that you intend to commence</p>

	<p>development by submitting a Formal Notice under Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) in the form set out in Schedule 5A (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect); and</p> <p>b) Display a Site Notice (as required by Section 71ZB of the 1990 Act) in the form set out in Schedule 5B (a newly inserted Schedule) of the DMPWO (or in a form substantially to the like effect), such Notice to be firmly affixed and displayed in a prominent place, be legible and easily visible, and be printed on durable material. Such Notice must thereafter be displayed at all times when development is being carried out.</p> <p>Reason: To comply with procedural requirements in accordance with Article 24B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO) and Section 71ZB of the Town and Country Planning Act 1990.</p>
3.	<p>No buildings on the Application site shall be brought into beneficial use until such time as reinforcement works to the local water supply network, at which the development shall connect, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this has been issued to the Local Planning Authority.</p> <p>Reason: To ensure the development is served by a suitable potable water supply.</p>
4.	<p>No development shall commence on site (apart from demolition) 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 must be implemented prior to beneficial use.</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>No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.</p> <p>Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment</p>
6.	<p>Notwithstanding the submitted documents, an updated staff travel plan shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented within 6 months of the beneficial use of the development. Such a plan shall contain staff shift changeover times, targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the facility. The plan shall be subject to periodic review and monitoring with the first review to be undertaken after 6 months of the use commencing and monitoring, with annual reports prepared by the operator and submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>

7.	<p>Notwithstanding the submitted documents, an updated visitor travel plan shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented within 6 months of the beneficial use of the development. Such a plan shall contain visitation times, targets, measures and initiatives relating to the encouragement and promotion of the use of sustainable transport for journeys to and from the facility. The plan shall be subject to periodic review and monitoring with the first review to be undertaken after 6 months of the use commencing and monitoring, with annual reports prepared by the operator and submitted to the Local Planning Authority.</p> <p>Reason: In the interests of promoting sustainable modes of transport to and from the site.</p>
8.	<p>The proposed parking areas shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.</p> <p>Reason: In the interests of highway safety and to ensure a satisfactory form of development.</p>
9.	<p>No development shall commence on site until a Construction Traffic Management Plan 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 the phasing of the site construction including</p> <ul style="list-style-type: none"> i. The routing of construction traffic to/from the site ii. The timing of construction traffic to/from the site to avoid highway network peak hours iii. the parking of vehicles of site operatives and visitors iv. loading and unloading of plant and materials v. storage of plant and materials used in constructing the development vi. wheel washing facilities vii. the provision of temporary traffic and pedestrian management at and in the vicinity of the site construction access <p>Reason: In the interests of highway safety and neighbouring amenity</p>
10.	<p>The combined noise rating level from 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) at any residential premises shall not exceed the noise limits in Table 1</p> <p>Table 1 Noise Limits</p>

	<table><tr><th>Noise Sensitive Receptors (NSR)</th><th>Rating Level, dB L_{Ar,Tr} Daytime operations (07.00-23.00 hours)</th><th>Rating Level, dB L_{Ar,Tr} <u>Night time</u> operations (23.00-07.00 hours)</th></tr><tr><td>Any residential premises</td><td>39dB LAeq,1 hour</td><td>33dB LAeq,15mins</td></tr></table> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>	Noise Sensitive Receptors (NSR)	Rating Level, dB L_{Ar,Tr} Daytime operations (07.00-23.00 hours)	Rating Level, dB L_{Ar,Tr} <u>Night time</u> operations (23.00-07.00 hours)	Any residential premises	39dB LAeq,1 hour	33dB LAeq,15mins
Noise Sensitive Receptors (NSR)	Rating Level, dB L_{Ar,Tr} Daytime operations (07.00-23.00 hours)	Rating Level, dB L_{Ar,Tr} <u>Night time</u> operations (23.00-07.00 hours)					
Any residential premises	39dB LAeq,1 hour	33dB LAeq,15mins					
11.	<p>Prior to the installation of any fixed plant, a scheme detailing the noise levels from all plant to be operated at the development site and any necessary mitigation shall be submitted to and agreed with the Local Planning Authority demonstrating that the rating levels specified in Table 1 of condition 10 will be achieved when assessed in accordance with BS 4142:2014+A1:2019 in free field conditions at any residential premises. The scheme shall include a noise assessment by an appropriately qualified noise consultant to demonstrate compliance with this condition. The plant and any necessary mitigation shall be installed in accordance with the agreed scheme prior to it being brought into beneficial use and shall be retained for as long as the development continues.</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>						
12.	<p>Prior to commencement of the development, a construction environmental management plan (CEMP) shall be submitted to and agreed with the Local Planning Authority. The agreed CEMP shall be adhered to throughout the demolition and construction periods.</p> <p>The CEMP shall include the following:</p> <ul style="list-style-type: none">• A scheme of mitigation for minimising construction noise• Approximate timescales of each operational phase• Operational hours• A scheme of noise and vibration monitoring for any operations that are indicated to give rise to excessive noise/vibration undertaken at locations to be agreed with by Shared Regulatory Services• A scheme for implementing effective liaison with the local residents and Local Authority• Measures to control the emission of dust and dirt during construction <p>Reason: For the avoidance of doubt and to ensure a satisfactory form of development.</p>						
13.	<p>No development or phase of development, including demolition or site clearance, shall commence until a site wide Demolition and Construction Environmental Management Plan (DCEMP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The DCEMP shall include:</p>						

	<ul style="list-style-type: none"> • Demolition and Construction methods: details of materials, how waste generated will be managed. • General Site Management: details of the demolition and construction programme including timetable, details of site clearance; details of site demolition and 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. • Species Management: species and habitats protection, avoidance and mitigation measures. • Measures to monitor and control the emission of dust and dirt during any material removal and construction. • Soil Management: details of topsoil strip, storage and amelioration for re-use. • DCEMP 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. • 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 DCEMP and emergency contact details. • Bat precautionary avoidance measures. • Specific measures to avoid pollution, sedimentation, or dust deposition within the SINC boundary. <p>The DCEMP shall be prepared with specific reference to the Derwen Wood SINC.</p> <p>The DCEMP shall be implemented as approved during the demolition, site preparation and construction phases of the development.</p> <p>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 demolition and construction.</p>
14.	<p>Notwithstanding the submitted Landscape and Ecological Management Plan (LEMP), prior to the commencement of development (apart from demolition) an updated LEMP shall be submitted to and agreed by the Local Planning Authority to include:</p> <ul style="list-style-type: none"> • a minimum 15m undeveloped buffer along the SINC boundary, retained and managed as natural vegetation, • a lighting strategy that demonstrates compliance with ILP Bats and Artificial Lighting at Night (2023), ensuring light levels at the woodland edge remain below 0.5 lux with consideration being given to light sensitive wildlife, and, • monitoring and adaptive management commitments robustly linked to clear ecological outcomes (e.g., canopy cover retention, understorey diversity, invasive species control, ecological condition assessment for the site as a whole), particularly for the retained woodland areas and SINC buffer. <p>The LEMP shall be implemented as approved during the construction and operational phases of the development.</p>

	<p>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 and operation.</p>
15.	<p>Notwithstanding the submitted Tree Survey Plan, Tree Retention Plan and Tree Protection Plan, prior to the commencement of development (apart from demolition) the following information shall be submitted to and agreed in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> • A quantified tree planting replacement schedule identifying: <ul style="list-style-type: none"> - Number and species of trees to be removed (including any under TPO) - Proposed replacement numbers, species, and planting locations - Confirmation that the replanting achieves at least a 3:1 ratio in accordance with PPW12 • Replacement planting should consist of native broadleaf species of local provenance, reflecting the woodland composition of Derwen Wood SINC • Larger nursery stock or whips of mixed age should be used to establish diversity and resilience. <p>The agreed scheme shall be implemented as approved during the site preparation and construction phases of the development.</p> <p>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.</p>
16.	<p>Prior to the commencement of the development, except demolition, 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:</p> <p>(i) a desk top study to identify all previous uses at the site and potential contaminants associated with those uses and the impacts from those contaminants on land and controlled waters. The desk study shall establish a 'conceptual site model' (CSM) which identifies and assesses all identified potential source, pathway, and receptor linkages;</p> <p>(ii) an intrusive investigation to assess the extent, scale and nature of contamination which may be present, if identified as required by the desk top study;</p> <p>(iii) an assessment of the potential risks to:</p> <ul style="list-style-type: none"> - 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 - any other receptors identified at (i) <p>(iv) an appraisal of remedial options, and justification for the preferred remedial</p>

	<p>option(s).</p> <p>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' (2023) unless the Local Planning Authority agrees to any variation.</p> <p>* 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.</p> <p>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.</p>
17.	<p>Prior to the commencement of the development, except demolition, 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.</p> <p>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' (2023) unless the Local Planning Authority agrees to any variation.</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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
18.	<p>The remediation scheme approved by condition 17 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.</p> <p>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.</p> <p>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</p>

	<p>document 'Land Contamination: A guide for Developers' (2023) unless the Local Planning Authority agrees to any variation.</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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
19.	<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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
20.	<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 in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
21.	<p>Any site won material including soils, aggregates, recycled materials shall be assessed for chemical or other potential contaminants in accordance with a sampling scheme which shall be submitted to and approved in writing by the Local Planning Authority in advance of the reuse of site won materials. Only material which meets site specific target values approved by the Local Planning Authority shall be reused.</p> <p>Reason: To ensure that the safety of future occupiers is not prejudiced in accordance with policy DNP9 of the Replacement Local Development Plan.</p>
22.	<p>No development shall commence until details of piling or any other foundation</p>

	<p>designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.</p> <p>Reason: Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.</p>
23.	<p>* THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS *</p> <p>DWR CYMRU/WELSH WATER</p> <p>As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB Application process and will provide comments to any SuDS proposals by response to SAB consultation.</p> <p>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.</p> <p>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 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.</p> <p>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 Dwr Cymru / 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.</p> <p>In accordance with Planning Policy Wales (Edition 12) and Technical Advice Note 12 (Design), the Applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that</p>

the Applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with Bridgend County Borough Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB Application process and will provide comments to any SuDS proposals by response to SAB consultation.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water industries Act 1991.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

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.

HIGHWAY AUTHORITY

1. The Developer is reminded that consent under the Town and Country Planning Act 1990 conveys no approval under the Highways Act 1980 for works to be undertaken affecting any part of the public highway including verges and footways and that before any such works are commenced the developer must:

- i) obtain the approval of Bridgend County Borough Council as Highway Authority to the details of any works to be undertaken affecting the public highway;
- ii) indemnify the County Borough Council against any and all claims arising from such works;
- iii) give not less than one calendar month's notice in writing of the date that the works are to be commenced to the Policy, Development and Transport Team Leader, Bridgend County Borough Council, Civic Offices, Angel Street, Bridgend. Telephone No. (01656) 642541.

2. In respect of the above condition for a travel plan the Applicant is advised to consider the Travel Plan Guide for Developers at the following internet address:

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

SHARED REGULATORY SERVICES – ENVIRONMENT TEAM

CONTAMINATION AND UNSTABLE LAND ADVISORY NOTICE

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.

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.

NATURAL RESOURCES WALES

All works at the site must be carried out in accordance with Guidance for Pollution Prevention (GPP) 5: Works and maintenance in or near water, and GPP 6: Working on construction and demolition sites, which are available on the NetRegs website.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers
None