

REFERENCE: P/25/386/BCB

APPLICANT: Bridgend County Borough Council - Communities Civic Offices, Angel Street, Bridgend, CF314WB

LOCATION: Bryn Y Cae Nursing Home, Cae Bracla, Brackla, Bridgend, CF31 2HF

PROPOSAL: Installation of Air Source Heat Pump system to include exterior siting of equipment including feeder pillar on a concrete base with acoustic baffling curtain screening

RECEIVED: 23 June 2025

DESCRIPTION OF PROPOSED DEVELOPMENT

Full Planning Permission is sought for the installation of an Air Source Heat Pump system, together with the exterior siting of equipment including a feeder pillar on a concrete base with acoustic baffling curtain screening at the Bryn Y Cae Nursing Home, Cae Bracla, Brackla.

Work has commenced on installing the heat pump system prior to the grant of planning permission. However, the equipment is yet to be commissioned and is not operational.

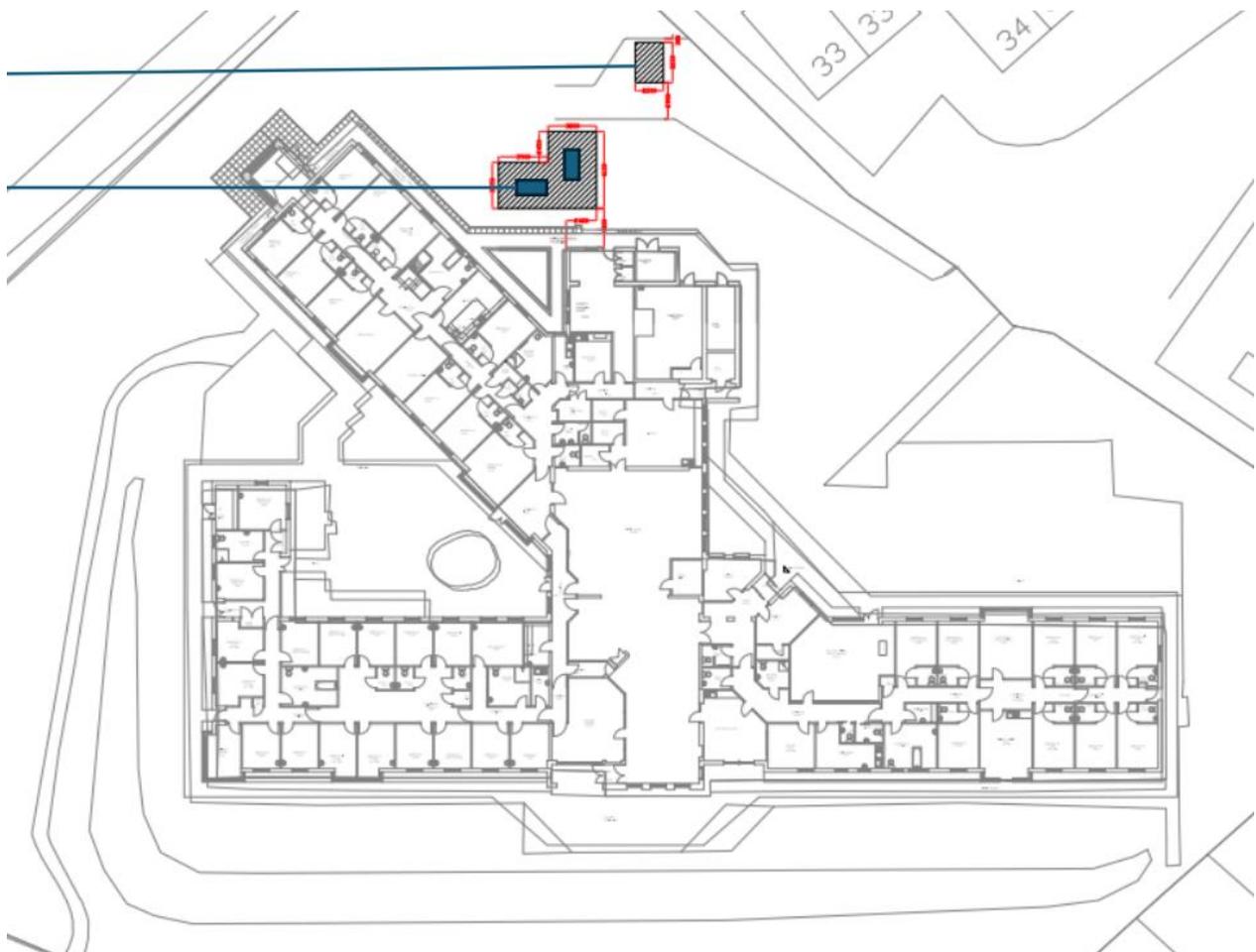


Fig. 1 - PROPOSED SITE PLAN

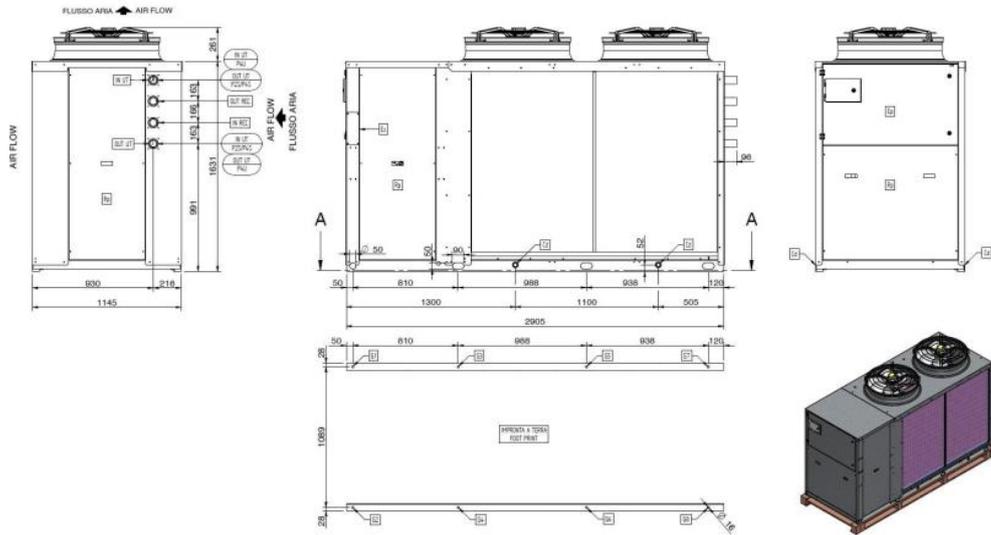


Fig. 2 - AMICUS LAHP-1202HTXL – LOW NOISE AIR SOURCE HEAT PUMP

The Applicant has advised that the larger “L-shape” of the outlined areas on the site plan is the plinth for the Air Source Heat Pumps (2 units set at 90 degrees) and the smaller area is the plinth for a feeder pillar. The two are to be connected by a single trenched cable.



Fig. 3 – PHOTOGRAPH OF EQUIPMENT (22/08/2025)

The equipment is being installed within a grassed area situated in the northwestern corner of the nursing home site beside the existing building.

The site plan initially submitted indicated that the heat pump system would be connected to a power supply from Cae Bracla. The Applicant has now advised that the energy provider will connect the equipment via an alternative route from Brackla Way.

Development has included the installation of a length of wood panel fencing along a portion of the western and northern property boundary, adjacent to the existing hedgerow. It is understood that this is in order to prevent unauthorised access to the property from

Brackla Way.

The Application was supported by a document containing technical specifications for the equipment along with a Tree Survey, Categorisation & Constraints Report (June 2025) and a Tree Constraints Plan.

As construction work had proceeded in advance of the determination of the Application and a tree survey and recommendations of the tree report had not been undertaken and furthermore no mitigation measures were recommended to ensure that existing trees and hedgerows were protected during development, the agent was requested to provide an updated Arboricultural Impact Assessment (**AIA**). This was required to reflect the work undertaken, impact on trees and their root protection zones and identify any necessary biodiversity mitigation or compensation measures.

A revised AIA (January 2026) and Biodiversity Enhancement Plan (09/11/2025) were subsequently submitted and have been re-consulted on.

SITE DESCRIPTION

The Application site is situated within the Primary Key Settlement of Bridgend, as defined by **Policy SF1** of the Bridgend Replacement Local Development Plan (2024) (**RLDP**).

The site is situated at the end of Cae Bracla, a residential cul-de-sac which joins to Brackla Way. The site also fronts onto Brackla Way, however, there is no access to the nursing home from this road, and this boundary is extensively landscaped containing mature trees and shrubs.

A narrow pedestrian lane runs along the northern boundary of the Application site and connects Cae Bracla to Brackla Way. The lane joins Brackla Way behind the bus stop and bus shelter.

The property contains a substantial single storey nursing home. The building is finished in brick with a pitched tile roof. The site contains some car parking, an area for loading and unloading and an associated waste storage area.

The building is located within a landscaped setting with boundary planting principally along its western and southern boundary. The Triangle Shopping Centre and Co-op Food store are located on the adjacent site to the south. The wider area contains reasonably new housing of a variety of styles and forms.



Fig. 4 – SITE LOCATION PLAN

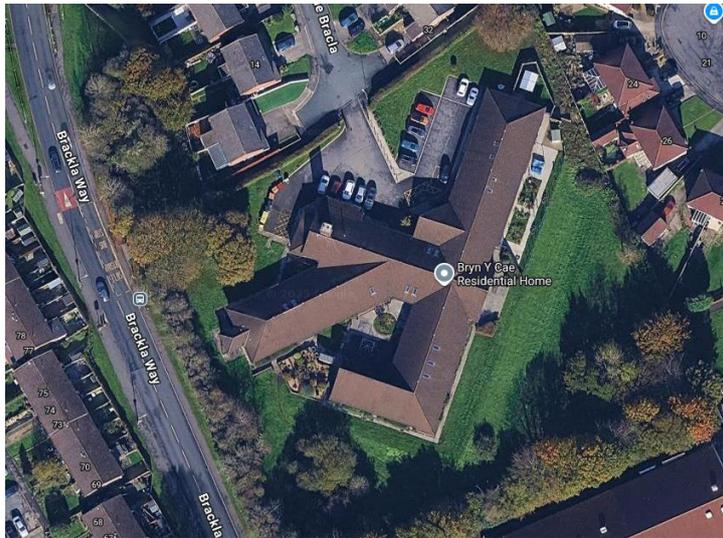


Fig. 5 - AERIAL IMAGE

RELEVANT HISTORY

83/1276 – Home for the elderly. Granted 09/01/1984

89/0779 – Installation of new front bay window. Granted 29/06/1989

P/12/17/BCB – New single storey entrance lobby to reablement wing. Granted 13/02/2012

PUBLICITY

Neighbours have been notified of the receipt of the Application, and a site notice was displayed.

The period allowed for response to consultations/publicity expired on 14/08/2025.

Following the receipt of the updated AIA and a Biodiversity Enhancement Plan on 26/01/2026 the Application was the subject of a re-consultation exercise. The period for representations closed on 10/02/2026.

CONSULTATION RESPONSES

Shared Regulatory Services – No objection subject to the imposition of conditions

Ecology – No objection subject to the imposition of appropriate conditions.

Brackla Community Council – Initial Objection.

'1. We have requested through our Ward Councillors that this Application should be determined by the Development Control Committee and that we would wish to speak at that meeting.

2. We object to this planning Application being approved for the following reasons:

3. In November 2023 the pre Application advice to the Applicant stated that Air source heat pumps in a non-domestic setting would require planning permission and need to satisfy certain conditions. It further stated that Shared Regulatory Services would need to be consulted on the noise emissions and that they would have to comply with Building Regulations.

4. In reality and as indicated in a number of emails that have been sent to BCBC Planning concerning this Application from ourselves the project has virtually been completed before

the consideration closing date and indeed before SRS or the other consultees have responded.

5. We believe that several breaches of planning legislation have occurred with this Application including para 34(1) of the Planning (Wales) Act 2015 where planning permission should be granted before the developer commences any work. The Applicant BCBC states on their planning Application that work commenced on the 5 June 25 several weeks before even the planning Application was received at BCBC.

6. On the 25 July we received a response from yourself to an enquiry relating to the discharge of your responsibilities under TCPO 2012 Order, Article 12 where you advised that 43 letters of notification had been sent out. To date the feedback, we have received including from neighbours living directly opposite Bryn Y Cae and Ashbrook have still to receive notification which potentially may make the LPA's handling of the matter legally flawed on open to judicial review.

7. On the 1 August a site notice was also included to the publicity albeit its placement on a lamppost just outside Bryn Y-Cae Care Home was unlikely to reach the attention of those neighbours involved.

8. There is a thorough Tree Survey Report supporting this Application dated 12 June 25 which does not appear to have been adhered to. The hedgerow and several trees have already been removed excluding the dead tree T2 and yet the Destination and Countryside Management team have not submitted their comments as this has occurred before the end of the consultation period and once again a further breach of planning. Local residents commented that the work to remove the hedgerow and erect the new fence started well before the 5 June and during the birdnesting season.

9. There is no signage indicating who the Contractor is completing the project nor is there any Health & Safety signage visible on this site which we understand is a breach of the Health & Safety Regulations 1996 which BCBC building control have a responsibility to monitor.

10. It would appear that the concrete base housing the two Air Source Pumps also impedes on the root systems of the remaining trees next to this installation.

11. Page 3 of the Tree Survey Report mentions a proposal to redevelop the site with no further explanation given which must be of great concern to the resident occupants and their relatives at Bryn Y Cae. This matter we feel also warrants further explanation from BCBC.

12. Although the two 1202HXL Air Source Heat pumps installed on site are described as Low Noise our understanding of the technical specification supporting this Application suggests the noise level will be at least 88db each pump which is the equivalent of "heavy traffic noise" according to information provided by the Royal National Institute for the Deaf. They further state that the safe exposure time for 88db is four hours.

13. We acknowledge that some mitigating measures are likely to be put in place concerning this noise albeit we also understand that several of the rooms within a few metres of these pumps are used for respite care and these will be impacted the most by the potential 24/7 use of these pumps. The nearest neighbours are within 15 metres of these pumps and without access to the SRS report on this Application we feel this noise factor is an unacceptable imposition on the occupants and residents.

14. We understand that if a Developer undertakes works without securing planning permission or commences them prior to the issuing of any decision, then they place themselves at risk of possible enforcement action. We feel that this needs to be explored by the Enforcement Officer in this case.

15. Finally, we must express our major concerns over the way this Application has been handled from a complete planning perspective especially as the Applicant is BCBC itself.'

Following the receipt of further information and re-consultation a second objection was received from the Community Council which states:

'Brackla CC would comment as follows:

1. We are conscious that the two recent reports that were added to this submission on 26 January 2026 are primarily in response to the email from Jess Hartley, Biodiversity Policy Manager dated 5 September 25, and that the main contents of the report will no doubt receive her close scrutiny and professional opinion which we respect.
2. With reference to the Biodiversity Enhancement Plan submitted by JP Ecological services written on 9 November 2025 we would like to make the following points:
 - Para 1.0.2 states that the author was not involved in the early phases of the siteworks and therefore based the findings on the existing conditions, basically after all the construction work had been completed.
 - Para 1.0.3 we believe the descriptions “small works”, “short length of wood fence”, “small area of bramble “to be misleading as the new wood fence is approximately 40 metres long, previously where the old hedgerow was well established and home to wildlife etc.
 - In addition, the concrete bases for the **two** air-source heat pumps are quite significant, they are commercial size air source pumps measuring approximately 3 metres long by 2 metres high and just over a metre wide without the Louvre attachments:
 - The small fire mentioned has not been raised previously and no photos have been provided to show the extent of damage, additional large parts of the hedgerow covering the large perimeter of the Nursing home have no fence
3. The Arboricultural Implications Assessment provided by Ambler-Lewis Tree Services Ltd provides continuity to the original Tree report but clearly shows the sequence of these reports is out of sync with what is expected to meet such criteria as the Step-wise Approach to planning in that the damage and subsequent potential deterioration of the remaining trees has been done. The review has been flagged as to being completed after the construction phase post completion of the site works and removal of hedgerow and some trees (T1, T2?)
4. We understand that BCBC have acknowledged that consultation letters weren't actually sent to residents at the outset despite us being advised that 43 letters of consultation were issued and we would appreciate confirmation of this.
5. It also appears that an external supply of electricity may have been sourced from Cae Brackla to the new system to help run the new pumps and we would appreciate clarification on this also as we understood the new system would be both sufficient and more economical - excluding the set-up costs, obviously.
6. Finally, we would also like to point out that the site where Bryn-y-Cae Nursing Home is situated was identified by BCBC as a potential Candidate Site for redevelopment during the formation of the current 2018-33 LDP process and we suspect this is what the authors of the Tree report were alluding to.'

Councillor J Spanswick - 'As the local ward member I would like to request that this Application is reported to the Development Control Committee for determination. While I support the provision of such an installation, I am concerned about the proximity to local residential properties and the impact due to the operational noise. In addition, it's disappointing to note that works have commenced on site prior to approval and while this may not be a material planning consideration, it's not acceptable when this is an Application from the authority itself.'

Councillor K Hughes – 'I am the Chair of the planning committee at Brackla Community Council who are also a Statutory Consultee on this Application. Yesterday I circulated a copy of the Planning Notification letter dated 24 July 25 on Facebook primarily over my concerns regarding circulation of this notification to neighbours. To my alarm within minutes of posting I was contacted by some immediate neighbours who had received no notification and more concerning was the fact the project had commenced months ago. I visited the site and could see that trees had been removed and basically the concrete

base and all the equipment/pipework had all been installed. I have written to the relevant Case officer (advised they were on leave until 19 August) also i copied in the relevant heads of department and CEO expressing all my concerns over this clear breakdown of established planning process. I am unsure if you can respond directly to me and what impact the above will have on your response, but I can advise that residents have already expressed their complete dismay over BCBC actions.'

'Whilst the original closing dates for comments was 14 August, I believe the late posting of the site notice dated 1 August 25 extends this date for responses until 22 August 25 to serve what purpose I am unsure.

Could you possibly explain why this situation has arisen and whether or not the noise that will emit from this installation will fall within the parameters laid out by the Department for Energy Security & Net Zero final report paper number 2023/046 titled - "Review of Air Source Heat Pump Noise Emissions, Permitted Development Guidance and Regulations. Also, could you please confirm whether or not the Environment Agency permit conditions have been met or does this fall under the SRS responsibilities.

I am also concerned that apart from one tree that was identified as 'dead' other healthy trees and habitat have already been removed by the Contractor whoever they may be which surely is a breach of current planning regulations.'

It is noted that the Group Manager Planning & Development Services has responded directly to Councillor Hughes outlining the statutory process followed when notifying and consulting on planning Applications.

The Group Manager further advised that the concerns raised by the Councillor would be considered by Officers and relevant technical advisors in the overall planning assessment.

REPRESENTATIONS RECEIVED

Initially, two objections were received from residents of Cae Bracla. Concerns raised include:

- Failure to receive notification of the planning Application from the Council
- Development works have been underway prior to the grant of Planning Permission, and this reflects poorly on BCBC
- Noise levels are required to be assessed and must be monitored once operational
- Construction effects including increased traffic and parking pressures on Cae Bracla
- Object to the removal of any trees or landscaping
- Details of noise mitigation measures required
- Construction noise has impacted on residents working from home
- Displacement of on-site parking during construction has caused disruption and inconvenience for local residents

The Application has been further consulted on following the receipt of further information from the Applicant in January 2026. This has resulted in two further objections being received from local residents and these are repeated in full below:

Objection 1

'I object to the proposal for reasons outlined below, and do not wish to register a request to speak at Committee

I object to the manner this Application was dealt with for the following reasons.

i. The letter I received last week was the first official notification I had of the planning Application, even though the biodiversity report suggests letters were sent.

ii. It appears from the biodiversity report that the Application was made in June 25, but according to the report from November 25, work had already commenced and been completed on the site.

iii. I have had sight of plans that the system will be linked to Cae Brackla to help to run the heat pumps system. I would like this to be clarified and the implications of required work, which will affect the residents, and any implication for loss of electricity supply during these works.

We have to adhere to the planning process as set out by the Council, in this case there seems to have been little regard for local residents, and disregard for its own rules and regulations.

Hopefully these points will be considered and addressed during the planning Application discussion.'

Objection 2

The second objection received states:

'I object to the proposal for the reasons outlined below, register a request to speak at committee and have completed contact details below.

This is my second objection to be raised about this project, with my concerns increasing relating to all aspects of the scheme and the conduct of BCBC and their representatives.

My concerns are listed below and in no specific order:

1) *Despite this development not being approved, one of our locally elected community councillors was advised by the staff of Bryn Y Cae Nursing Home that the radiators were all replaced prior to June 2025 for radiators that work with a heat pump. Surely this is an unacceptable waste of money for a scheme that hasn't been approved?*

2) *The fencing replaced in the corner adjacent to Brackla Way was blamed on a fire. As a resident of Cae Brackla and who walks along the path on an almost daily basis, I wasn't aware of a fire and didn't see any evidence of a fire, so think the dates and times need to be confirmed and evidence supplied.*

3) *The aforementioned fencing definitely cannot be described as the "small works" mentioned in the supporting documents published on the planning portal. 40 meters (approx.) of mature hedgerow and trees were felled without consideration for local wildlife, especially during the nesting period of 2025. The ecology report of January 2026 states that hedgehog runs were also been destroyed by this installation and need to be reinstated. For a council who cancelled a long-standing fireworks display in 2025 over concerns for wildlife, I find their actions of removing mature hedgerow and healthy trees for the erection of a wooden fence, much longer than necessary, deplorable.*

4) *The first-time residents of Cae Brackla were made aware of the scheme was when a community councillor posted to the local Hub on social media. When BCBC were questioned about stakeholder engagement I received email confirmation from Rhodri Davies that 41 letters were issued relating to the project but only 6 to houses in Cae Brackla (the closest houses to the heat pump location) which was "in line with Town and Country Planning Order 2012". So why have I received the second letter of 27 January if*

Rhodri Davies believes I didn't need the first. BCBC also could not confirm, when repeatedly asked, where the initial 41 letters were distributed. I also note that in supporting documents online, they state that no stakeholder engagement was carried out in 2025. So, clarification on if letters were/weren't sent out is needed as no one seems to be able to tell a consistent story, but I do not believe they conducted themselves in accordance with the Town and Planning Order 2012.

5) Construction of the base and installation of the heat pumps commenced in June 2025 and was completed with everything in situ before the end of summer 2025. This was even before the end of the first consultation period. These dates are also confirmed in one of the supporting documents online. I think BCBC need to explain why the work had been completed before any decision on the development has been given. If I was to complete construction on my own property without waiting for planning permission to be granted, I would be given an enforcement notice, be expected to remove the construction at my own cost, receive a fine and have it permanently recorded on my land charge documents. Why do BCBC believe they are above following their own processes?

6) In one of the supporting documents online, it states that the heat pumps cannot be seen from a public path or road. I am not sure who has checked this, but you can very clearly see the heat pumps from a public path, especially as part of the hardware is situated extremely close to the existing wooden fence and is considerably higher than the existing hedgerow. The only reason it cannot be seen from the road is due to the 40-meter fencing that was installed, which as stated above, I do not believe has been installed in accordance with what BCBC initially stated would be erected.

7) I object to the heat pumps on the grounds of the noise pollution and the lack of clarification of noise mitigation from BCBC. My house and garden are in line with the heat pump and believe I will be seriously affected by the noise from these industrial units. There has been no correspondence from BCBC on how they intend to monitor the increase in noise once working and how it will be addressed.

8) The publication of the official notification of the project is extremely questionable, as the notice was taped to the lamp post outside Bryn Y Cae after work had already started and displayed in an unacceptable manner and not in line with how notices should and have been displayed previously. It was taped around the post, making it impossible to read and not in a way to catch your attention.

9) Further ecological surveys were requested prior to works commencing, but they were completed after construction was finished because, as previously stated, construction was completed before the initial consultation period was concluded. It is too late to conduct impact surveys if trees and hedgerows have already been felled.

10) There were several site visits by BCBC representatives in 2025, who would have all been aware of the pace of works despite no final decision on the development being made. How is this acceptable? Why did they not issue a stop notice, especially as no final decision had been made at that time (and still hasn't). BCBC have to be seen to follow their own rules relating to planning, otherwise why should residents? There is a total disregard of following due process by the very people who should be setting the example they expect residents to follow. Their conduct to date shows a total disregard to the people who will be most impacted by this scheme.

11) I have seen very poor-quality plans published online that state an electrical tie in for the industrial heat pumps is required and that part of Cae Brackla will need to be dug up. Residents have not been made aware of this and I strongly object. The work to complete the tie in will cause unnecessary disruption and will block clear access to our properties. I

work from home and would expect compensation while the work is carried out for the increased noise pollution and for any breaks to services to our properties. Clarification should also be provided by BCBC that the existing services are adequate to cope with the additional drain of the heat pumps and we will not be subjected to increased power outages as they have not improved the existing services. I do not believe a tie in at Cae Brackla is the best course of action, when there is clearly a power supply along Brackla Way or even at the Triangle shopping area, which is situated to the back of the nursing home and will be better equipped to deal with the extra electrical feed. The fact that the electrical supply has not been addressed until 2026, after the heat pump has already been installed is incredulous especially for a project that has not been approved.

The way that BCBC has acted over this project raises serious concerns on their conduct due to their total disregard to their own processes and policies. They cannot expect their residents to follow rules and regulations they set out when they cannot do it themselves. For a council that claims they are dealing with serious defects to their budget, questions need to be asked as to why they approved the works to start when it hadn't been approved (and still hasn't 6 months after construction was completed). This is a serious waste of public money that needs to be addressed, especially if the scheme could still be rejected.'

COMMENTS ON REPRESENTATIONS RECEIVED

Concerns have been raised with the development works proceeding prior to the grant of Planning Permission.

While it is acknowledged that works did commence before the submission of the Application, it is not a criminal offence to carry out development without first obtaining planning permission. While it was suggested that enforcement action be considered, this is a discretionary function which the Welsh Government advises should be used as a last resort and only when it is expedient to do so in the public interest. One of the principal aims of planning enforcement is first to seek to regularise the planning breach provided it is acceptable to do so by the submission of a retrospective planning application.

In this instance, the Local Planning Authority has followed the statutory requirements and directly notified 43 adjoining and surrounding properties of the Planning Application and invited representations within a 21-day period. The letters circulated were dated 24/07/2025 and it has been confirmed they were posted on that day. Additionally, a site notice was displayed on public highway outside the Application property, advising of the proposed development. The consultation undertaken by the Local Planning Authority complies with the requirements of the Town and Country Planning Development Management Procedure (Wales) Order 2012 as amended.

It is noted that the one objector who had raised concerns regarding the adequacy of consultation initially subsequently made a submission on the proposed development and this was received by the Local Planning Authority on 05/08/2025.

Health & Safety signage is a matter covered by separate legislation and is not a material planning consideration.

The Applicant has advised that the reference in the Tree Survey Report to '*redevelop the site*' was a description made by the Arboricultural consultant and has stated that it is not the Applicant's intention to further develop the site, only install the heat pumps and upgrade the existing heating system in the nursing home.

As it appears that the greatest element of the proposed works has now been completed, construction activity including vehicle movements and demand for on-street parking should be significantly reduced. The nursing home site includes sufficient space within the site

located adjacent to the proposed equipment for parking and for deliveries associated with the remaining works to be undertaken.

Should new connections be required to the electricity supply this would be undertaken in association with the utility provider and must conform to the relevant installation requirements and procedures ensuring minimal disruption to highway users and other supply customers.

The cost of any works already undertaken on the property is not a material consideration.

All properties that received initial notification of the Application have been re-notified following receipt of the further information submitted by the Applicant. The LPA has also notified those persons who have made representations on the Application.

To protect the amenities of residents/occupiers of other premises in the vicinity of the Application site, attention is drawn to the provisions of Section 60 of the Control of Pollution Act 1974. This empowers local authorities to control noise and vibration from demolition and construction activities and allows them to serve notices restricting working hours, plant usage and noise levels.

Concerns raised regarding noise and biodiversity are addressed in the Appraisal below.

RELEVANT POLICIES

The Development Plan for the area comprises of the Bridgend Replacement Local Development Plan 2018-2033 which was formally adopted by the Council in March 2024 and within which the following policies are of relevance:

Policy SF1	Settlement Hierarchy and Urban Management
Policy SP3	Design and Sustainable Placemaking
Policy SP4	Mitigating the Impact of Climate Change
Policy DNP6	Biodiversity, Ecological Networks, Habitats and Species Environment
Policy DNP7	Trees, Hedgerows and Development
Policy DNP8	Green Infrastructure
Policy DNP9	Natural Resource Protection and Public Health

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 Technical Advice Note (TAN) 11 Noise

Planning Policy Wales Technical Advice Note (TAN) 12 Design

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

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

The well-being goals identified in the Act are:

- A prosperous Wales

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

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

THE SOCIO-ECONOMIC DUTY

The Socio-Economic Duty (under Part 1, Section 1 of the Equality Act 2010) which came into force on 31 March 2021 has the overall aim of delivering better outcomes for those who experience socio-economic disadvantage and whilst this is not a strategic decision, the duty has been considered in the assessment of this Application.

APPRAISAL

The Application is referred to the Development Control Committee as it is an Application made on behalf of the Corporate Director - Communities that has been subject to objection from residents and the Brackla Community Council and a call-in request by the Local Ward Member.

The main issues for consideration in the determination of this Application are the principle of development and its visual impact on the surrounding area as well as its impact on amenity (living conditions of residents) and its effects on biodiversity.

PRINCIPLE OF DEVELOPMENT

The Application site is situated within the Primary Key Settlement of Bridgend, as defined by **Policy SF1** of the Bridgend Replacement Local Development Plan (2024).

The nursing home has been operating from this site for a considerable period of time and uses traditional methods of heating. This proposal seeks to upgrade, improve and decarbonise the existing heating system of this Council owned facility. As such, no objections are raised to the principle of the proposed development

VISUAL IMPACT ON THE AREA

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

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

Policy SP3 notes that planning Applications must be supported through the submission of appropriate design and technical information to demonstrate compliance with criteria a) to o). 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;*

The heat pump and power supply equipment are proposed to be located at the side of the existing care home building in a landscaped location adjoining an area currently used for servicing and storage of waste and recycling bins. The equipment and the power feeder unit are of a modest size and scale and would be considered ancillary to the care home facility. Whilst being of a generally utilitarian appearance, they are considered to be of an acceptable form and finish when considered within the context of the site and the adjoining buildings. The equipment would not be visually prominent when viewed from adjoining properties.

Accordingly, the proposed development is not considered to have any harmful impact on the character and appearance of the property and the surrounding residential area and would be consistent with **Policy SP3** of the RLDP.

SURROUNDING AMENITY

Policy SP3 of the RLDP notes that planning Applications must be supported through the submission of appropriate design and technical information to demonstrate compliance with criteria a) to o). All development must:

- g) Avoid or minimise noise, air, and soil and water pollution; and*
- k) Ensure that the viability and amenity of neighbouring uses and their users/occupiers will not be adversely affected.*

Policy DNP9 Natural Resource Protection and Public Health of the RLDP states that 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:

2) Noise pollution

The Environmental Health Officer from Shared Regulatory Services has reviewed the proposal and advised:

'...With the proposed mitigation of the double layer sound attenuating louvres, it is unlikely that the proposed air source heat pump would result in any significant noise issues. Installations of Air Source Heat Pumps (ASHPs) are also required to comply with Microgeneration Certification Scheme (MCS) Planning Standards, or equivalent standards to ensure that it is installed by a certified installer using a certified product thereby minimising the risk of a poor quality or unreliable installation. I would therefore request that the following conditions are imposed:

- 1. The AMICUS LAHP-1202HTXL air source heat pump shall be installed in accordance with the detailed information submitted with the planning Application*
- 2. The Sound power level of the installed air source heat pump shall not exceed 75dBA as detailed in the Lochinvar 'Technical Product Submittal' document*
- 3. The AL 150 double layer acoustic louvres facing the neighbouring property (and the care home resident bedrooms) shall be installed prior to the first use of the air source heat pumps*
- 4. Within 2 months from receipt of a written request of the Local Planning Authority and following a justified complaint relating to noise emissions arising from the operation of the air source heat pumps (ASHPs), a noise assessment shall be undertaken in accordance with BS4142: 2014 by an appropriately qualified acoustic consultant which shall be submitted to and agreed with the Local Planning Authority to determine the noise impact of the ASHPs. The assessment report shall include all data collected for the purposes of*

undertaking the noise assessment (including background LA90, LAeq and LAmax levels) and analysis. The assessment report shall propose further noise mitigation measures where an adverse impact is identified when determined in accordance with BS4142: 2014. Unless otherwise agreed with the Local Planning Authority, any required additional mitigation work shall be installed on site within 8 weeks of the date of the agreed noise assessment being submitted to the Local Planning Authority. Following completion of this work a further noise assessment shall be undertaken and submitted to the Local Planning Authority to demonstrate the mitigation has achieved the necessary level of attenuation to reduce the noise levels set out in the noise impact assessment.

5. *The Air Source Heat Pump hereby approved shall be installed in accordance with the Microgeneration Certification Scheme (MCS) Planning Standards, or equivalent standards*

The conditions are recommended to ensure that the equipment does not cause any harmful noise effects, that sound levels are controlled and that the system be installed in accordance with the relevant standards. A further condition is recommended in order to address any future issues with operational noise emissions which may be raised.

Subject to the imposition of appropriate conditions, the proposed development is considered to be in accordance with **Policy SP3**: Good Design and Sustainable Placemaking and **Policy DNP9**: Natural Resource Protection and Public Health of the RLDP.

BIODIVERSITY/ECOLOGY

In assessing a planning Application, the Local Planning 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, under the Environment (Wales) Act 2016.

Planning Policy Wales 12 (PPW12) states in Section 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.”* it further goes on to state 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 Replacement Local Development Plan (2024) requires development to safeguard and enhance biodiversity and integrated multi-functional green infrastructure networks.

Policy DNP6 states *“All development proposals must provide a net benefit for biodiversity and improved ecosystem resilience, as demonstrated through planning Application submissions. Features and elements of biodiversity or green infrastructure value should be retained on site, and enhanced or created wherever possible, by adopting best practice site design and green infrastructure principles. Development proposals must maintain, protect and enhance biodiversity and ecological networks / services. 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 states *“development that would adversely affect trees woodlands and hedgerows of public amenity or natural/cultural heritage value or provide important ecosystem will not be permitted”*.

Policy DNP8 requires that 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.

The AIA submitted with the Application notes at page 4 that the development works were completed apart from a proposed technical mains connection prior to the site visit undertaken by the report author on 9th December 2026. Whilst the AIA report states December 2026, this is clearly a typographical error and should have stated 2025.



Fig. 6 - PHOTOGRAPH TAKEN FROM AIA

The AIA notes that: *‘The area appears to be of relatively low use and not generally accessed by the staff or residents, although it is adjacent to higher use areas including Brackla Way and a busy through road beyond the eastern boundary. Tree cover in this area is relatively dense, containing numerous early mature trees amongst dense scrubby undergrowth and boundary hedges providing useful screening to the north and east of site.’*

Table 1 of the AIA lists the identified tree species in the area subject to the Application. Tree T2 a Wych Elm is listed as a standing dead tree and is recommended for removal. The Brackla Way boundary contains a well-established unmaintained hedgerow (**H1**) which may be impacted due to the required electrical connection by the utility provider.

Paragraph 1.0.3 of the *Biodiversity Enhancement Plan* notes that a short length of wood panel fencing has been erected along the Brackla Way hedgerow boundary to prevent unauthorised access to the site. The document states that a small area of what is assumed to have been bramble-dominated scrub was cleared to facilitate its erection. It goes on to state that there were no stumps found within the site to indicate the felling of any trees to facilitate the construction of the fence.

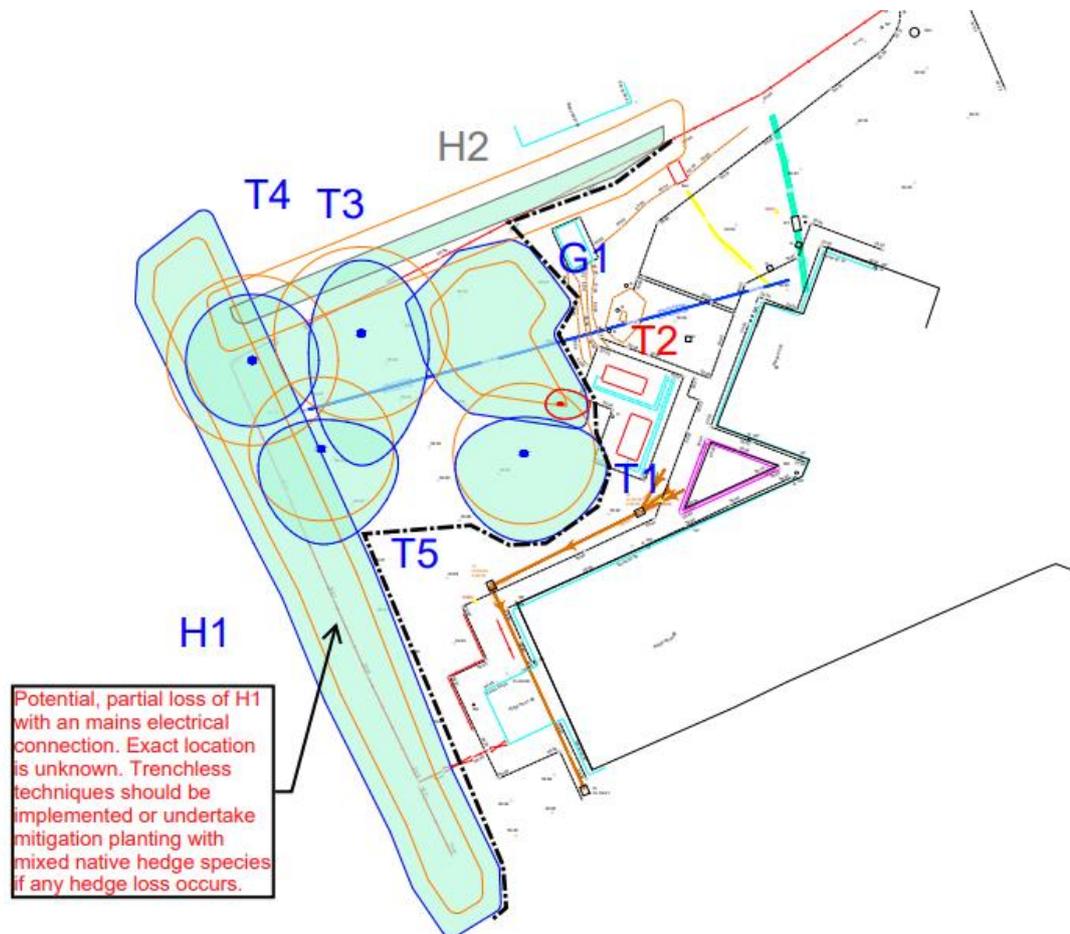


Fig. 7 - TREE CONSTRAINTS PLAN

Trees, hedgerows, groups of trees and areas of woodland are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make an essential wider contribution to landscape character, culture, heritage and sense of place, air quality, recreation, and local climate moderation. They also play a vital role in tackling the climate emergency by locking up carbon, and can provide shade, shelter and foraging opportunities, wider landscape benefits such as air and diffuse pollution interception, natural flood management, and building materials. The importance of trees, in particular urban trees, in creating distinctive and natural places which deliver health and wellbeing benefits to communities, now and in the future should be promoted as part of plan making and decision taking.

The AIA identifies that the Application site is not located within a Conservation Area and does not contain trees subject to Tree Preservation Orders.

The Council's Ecologist has reviewed the proposal and has advised:

'I have reviewed the submitted documents in support of the Application: Arboricultural Implications Assessment (AIA) prepared by Ambler-Lewis Tree Specialists Ltd (Jan 2026),

and the Biodiversity Enhancement Plan (BEP) prepared by JP Ecological Services (Nov 2025).

The AIA confirms that the development has largely been completed and assesses post-construction impacts on retained trees and hedgerows. The BEP sets out proposed biodiversity enhancement measures intended to secure no net loss and deliver biodiversity enhancement.

The site comprises a small area (c. 900m²) within the grounds of Bryn y Cae Residential Home, Brackla. It consists of:

- Amenity grassland of low ecological value
- A small stand of semi-mature trees
- Boundary hedgerows (H1 and H2)
- Scrub

Arboricultural considerations

The AIA report acknowledges that tree protection measures should ordinarily have been implemented prior to construction under BS5837. However, post-completion inspection found no obvious evidence of significant damage within RPAs. The report confirms:

- The main development footprint has avoided Root Protection Areas (RPAs)
- No Tree Preservation Orders apply to the site
- One standing dead tree (T2) is recommended for removal on safety grounds (removal is not proposed to allow the development)
- A partial loss of hedge H1 may occur with the proposed electrical mains connection

The report also identifies that if the electrical connection, which is proposed to be installed imminently, relates to this development, works must comply with BS5837, trenchless techniques should be used where possible, and any unavoidable hedgerow loss must be replaced with native species planting at a minimum 3:1 ratio, consistent with Planning Policy Wales.

Biodiversity impacts

The BEP confirms that:

- Direct habitat loss is limited to a small area of bramble-dominated scrub (though, this area of scrub removal appears to be unrelated to the development) and amenity grassland
- No evidence of protected species was recorded
- Ecological impacts as a result of the development are considered limited

The development itself is therefore not considered to have resulted in significant adverse ecological effects.

Tree and hedgerow impacts

Notwithstanding the limited ecological impact of the development, the removal or modification of trees and hedgerow is a material consideration. Planning Policy Wales (Edition 12) requires protection of trees and hedgerows where they contribute to biodiversity or green infrastructure (para. 6.4.39) as well as replacement planting at a minimum 3:1 ratio for permanent tree loss (para. 6.4.42).

In this case:

- The loss of the dead tree (T2) is justified on safety grounds, and can still provide biodiversity value subject to appropriate measures and is not proposed to allow the development
- Any permanent removal of hedgerow sections associated with cable installation must be compensated

It is therefore recommended that replacement planting of native, local provenance hedgerow be secured at a minimum 3:1 ratio for any tree/hedgerow loss which is a result of the electrical cable installation.

Biodiversity enhancement measures

The BEP proposes the following enhancement measures:

- *Installation of bird boxes (minimum 3)*
- *Installation of bat boxes (minimum 3)*
- *Retention of standing deadwood as a monolith where safe to do so*
- *Planting of four native understorey trees (hazel, hawthorn, elder)*
- *Planting of native woodland wildflower bulbs (minimum 250)*
- *Reduced mowing regime within enhanced areas*
- *Installation of hedgehog access gaps within new fencing (minimum 2)*
- *Long-term monitoring by a suitably qualified ecologist (2 years from completion, then every 5 years)*

These measures are proportionate and appropriate to the scale of development and would deliver biodiversity enhancement beyond mitigation alone.

To conclude, these comments relate to the development proposals supported by the submitted reports. Where scrub removal or fencing works fall outside the development or were undertaken independently, those matters would need to be considered separately. From an ecological perspective, the development as assessed is not considered to have resulted in significant harm to biodiversity and should the proposed enhancement measures be delivered as presented, should result in a net benefit to biodiversity.

No ecological objection is raised subject to:

- *Implementation of the Biodiversity Enhancement Plan in full*
- *Replacement planting secured at a minimum 3:1 ratio for any permanent tree or hedgerow loss, particularly relating to the outstanding electrical cable installation works*
- *Compliance with BS5837:2012 for any outstanding cable installation works (as per the recommendations within the AIA for these works)*
- *Submission and approval of details for replacement planting relating to the cable installation works, and long-term management*

Given the conclusions of the Council's Ecologist, it is considered that, subject to the imposition of appropriate conditions, the proposal will comply with the requirements of the Habitats Regulations 1994 (as amended), Section 6 of the Environment (Wales) Act 2016, guidance contained within Technical Advice Note **TAN 5: Nature Conservation and Planning (2009)** and **Policies SP3, DNP6, DNP7 and DNP8** of the Bridgend Replacement Local Development Plan (2024).

CONCLUSION

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

On balance, it is considered that the proposal is acceptable in that it will provide a new heating system for the existing nursing home building. The new plant is suitably located,

and any visual impacts would be limited and acceptable. Furthermore, the chosen heating equipment and recommended conditions will ensure that its operation will not affect the amenity of the occupiers of the nursing home nor occupiers of the nearest residential properties. Subject to the imposition of appropriate conditions, the impact on biodiversity values would be acceptable

Accordingly, the proposed development is in accordance with Policies **SF1, SP3, DNP6, DNP7, DNP8** and **DNP9** of the Bridgend Replacement Local Development Plan (2024)

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.

RECOMMENDATION

That permission be GRANTED subject to the following conditions: -

1. The development shall be carried out in accordance with the following approved plans and documents:

LOCATION PLAN - DRAWING - PROPOSED EXTERNAL COMPOUND SLAB
DETAIL

LOCHINVAR - TECHNICAL PRODUCT SUBMITTAL - AMICUS LAHP-1202HTXL
(LOW NOISE AIR SOURCE HEAT PUMP)

HVC - LOUVRE SYSTEMS - SERIES AL - ACOUSTIC LOUVRES

25-033 - TREE CONSTRAINTS PLAN

ARBORICULTURAL IMPLICATIONS ASSESSMENT (JANUARY 2026) - AMBLER -
LEWIS TREE SPECIALISTS LTD

BIODIVERSITY ENHANCEMENT PLAN (09/11/2025) - JP ECOLOGICAL SERVICES

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

2. The AMICUS LAHP-1202HTXL air source heat pumps shall be installed in accordance with the detailed information submitted with the planning Application

Reason: In the interest of the amenities of the adjoining properties, and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

3. The sound power level of the installed air source heat pumps shall not exceed 75dBA as detailed in the Lochinvar 'Technical Product Submittal' document.

Reason: In the interest of the amenities of the adjoining properties, and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

4. The AL 150 double layer acoustic louvres facing the neighbouring property (and the care home resident bedrooms) shall be installed prior to the first use of the air source heat pumps.

Reason: In the interest of the amenities of the adjoining properties, and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

5. Within 2 months from receipt of a written request of the Local Planning Authority and following a justified complaint relating to noise emissions arising from the operation of the air source heat pumps (ASHPs), a noise assessment shall be undertaken in accordance with BS4142: 2014 by an appropriately qualified acoustic consultant which shall be submitted to and agreed in writing by the Local Planning Authority to determine the noise impact of the ASHPs. The assessment report shall include all data collected for the purposes of undertaking the noise assessment (including background LA90, LAeq and LAmax levels) and analysis. The assessment report shall propose further noise mitigation measures where an adverse impact is identified when determined in accordance with BS4142: 2014. Any required additional mitigation work shall be installed on site within 8 weeks of the date of the agreed noise assessment being submitted to and agreed in writing by the Local Planning Authority. Following completion of this work a further noise assessment shall be undertaken and submitted to the Local Planning Authority to demonstrate the mitigation has achieved the necessary level of attenuation to reduce the noise levels set out in the noise impact assessment.

Reason: In the interest of the amenities of the adjoining properties, and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

6. The Air Source Heat Pumps hereby approved shall be installed in accordance with the Microgeneration Certification Scheme (MCS) Planning Standards, or equivalent standards.

Reason: In the interest of the amenities of the adjoining properties, and to ensure the development complies with Policies SP3 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

7. The approved development shall be carried out in accordance with the details contained in the BIODIVERSITY ENHANCEMENT PLAN (09/11/2025) - JP ECOLOGICAL SERVICES and ARBORICULTURAL IMPLICATIONS ASSESSMENT (JANUARY 2026) - AMBLER - LEWIS TREE SPECIALISTS LTD including compliance with BS5837:2012

Reason: To safeguard the character and appearance of the area and enhance biodiversity in accordance with Policy SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024), Chapter 6 of Planning Policy Wales 12 (Feb. 2024) and Policy 9 of Future Wales: The National Plan 2040.

8. Notwithstanding the details submitted, prior to the first beneficial use of the heat pump equipment hereby approved, details of the hedgerow replacement planting relating to the cable installation works and its long term management shall be submitted to and approved in writing by the Local Planning Authority. The replacement planting shall be completed, as approved, prior the first beneficial use of the equipment and retained as such thereafter.

Reason: To safeguard the biodiversity of the site in accordance with Policy SP3 and DNP6 of the Bridgend Replacement Local Development Plan (2024), Chapter 6 of Planning Policy Wales 12 (Feb. 2024) and Policy 9 of Future Wales: The National Plan 2040.

9. **The following advisory notes summarises the reasons for granting planning permission:**

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

On balance, it is considered that the proposal is acceptable in that it will provide new heating for the existing nursing home building. The new plant is suitably located, and any visual impacts would be acceptable. Furthermore, the chosen equipment and recommended conditions will ensure that its operation will not affect the amenity of the occupiers of the nursing home and nearest residential properties. Subject to the imposition of appropriate conditions, the impact on biodiversity values would be acceptable

Accordingly, the proposed development is in accordance with Policies SF1, SP3, DNP6, DNP7, DNP8 and DNP9 of the Bridgend Replacement Local Development Plan (2024).

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.

JANINE NIGHTINGALE
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None