



Planning Statement

Pyle Garden Centre, 2 Heol Mostyn,
Village Farm Industrial Estate, Pyle,
Bridgend, CF33 6BJ

February 2023

Ref. SP22-1056

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Documents

Document 1:	Pre-Application Enquiry Statement and Plans
Document 2:	Planning Committee Report – App Ref. P/17/816/FUL
Document 3:	Decision Notice – App Ref. P/17/816/FUL

1. Introduction

1.1 This Planning Statement has been prepared by Simply Planning Limited (SPL), on behalf of our client, Pyle Garden Centre Ltd, and is submitted in support of a planning application for the reconfiguration of the existing entrance and the erection of 4 concession units at Pyle Garden Centre, 2 Heol Mostyn, Village Farm Industrial Estate, Pyle, Bridgend.

1.2 The full description of development is, therefore, as follows:

“Proposed revised Garden Centre entrance and the erection of 4 retail concession units, including demolition of existing structures, landscaping and ancillary works.”

1.3 The application is supported by the following documents:

- Completed Planning Application Forms and Certificate A;
- Supporting Planning Statement, prepared by Simply Planning Limited;
- Transport Statement (December 2022), prepared by WSP;
- Flood Consequences Assessment (Version 2), prepared by JBA Consulting;
- Pre-Development Tree Survey & Assessment (Rev A), prepared by Tirlun Design Associates Ltd;
- Preliminary Ecological Assessment (23rd January 2023), prepared by JBA Ecological Services; and
- Architectural drawing package, prepared by Architectural Design South Wales, comprising the following drawings:

Drawing no.	Drawing Title	Scale
2221-P01	Site Location Plan	1:500
2221-P02	Existing Floor Plans	1:100
2221-P03	Existing External Display Area Plan	1:100
2221-P04	Existing Elevations	1:100
2221-P05	Proposed Ground Floor Plan 1 of 2	1:100
2221-P06	Proposed Ground Floor Plan 2 of 2	1:100
2221-P07	Proposed Elevations 1 of 2	1:100
2221-P08	Proposed Elevations 2 of 2	1:100
2221-P09	Proposed Site Plan	1:500

1.4 The planning application fee of £5,060 will be paid to the Local Planning Authority upon submission of the application. Once the fee has been received, we consider that all the Local and National validation checklist requirements will have been met and the application can be validated accordingly.

1.5 This supporting Planning Statement sets the planning context for the consideration of the application proposals. In particular, it assesses the proposal against the relevant policies of the statutory Development Plan, national guidance and non-statutory planning documents. It demonstrates that the proposal complies

with the relevant guidance and policies. Accordingly, the development should be granted consent, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004.

1.6 This Statement is structured as follows:

- **Section 2** sets out the factual background and development context, including a description of application site and surrounding area, the planning history and development proposals.
- **Section 3** outlines the pre-application enquiry and site meeting held with Council Officers
- **Section 4** reviews the Planning Policy context against which the proposals should be judged, including Planning Policy Wales (edition 11), Future Wales 2040 and the Bridgend Local Development Plan 2013 (September 2013);
- **Section 5** considers the matters at issue and assessed the scheme against the Development Plan policies; and
- **Section 6** draws our conclusions and demonstrates how the proposals will comply with the Policies of the Local Development Plan.

2. Factual Background

Site and Surroundings

- 2.1 The application site comprises land associated with Pyle Garden Centre, which is located on the Village Farm Industrial Estate, Pyle, located approximately 7.5km north-west of Bridgend. The site falls within the administrative boundaries of the Bridgend County Borough Council (*'the Council'*).
- 2.2 The site is currently formed by two areas, existing buildings being used for Maidenhead Aquatics retail concession unit and the existing entrance into the main garden centre building. The second area which forms the application site is land occupied by Unique Woodwork Limited, who build and sell a range of wooden structures, such as sheds, fences and garden furniture. This land is occupied by a number of workshops and shed structures which are used for the operation of the business, as well as an open area for the storage and display of products for sale.
- 2.3 The wider garden centre site is dual fronted and faces onto the highway of the A48 to the west with Heol Mostyn along the northern boundary of the site. The southern boundary line of the site is bordered by a railway line, with the wider Industrial Estate to the east.
- 2.4 The overall land within the ownership of the of the Garden Centre extends to approximately 3 hectares and is shown in detail on the Site Location Plan in blue which accompanies this application. This is replicated below for ease of reference.



Site Location Plan

- 2.5 The wider site contains the main U-shaped building, which houses the existing garden centre and restaurant / café. The building is currently set over split levels with the main section of the garden centre being set on a significantly lower level than the restaurant / café, which fronts onto the main car park in the eastern portion of the site. The wider site also contains six retail concession units which includes the Lou Lou

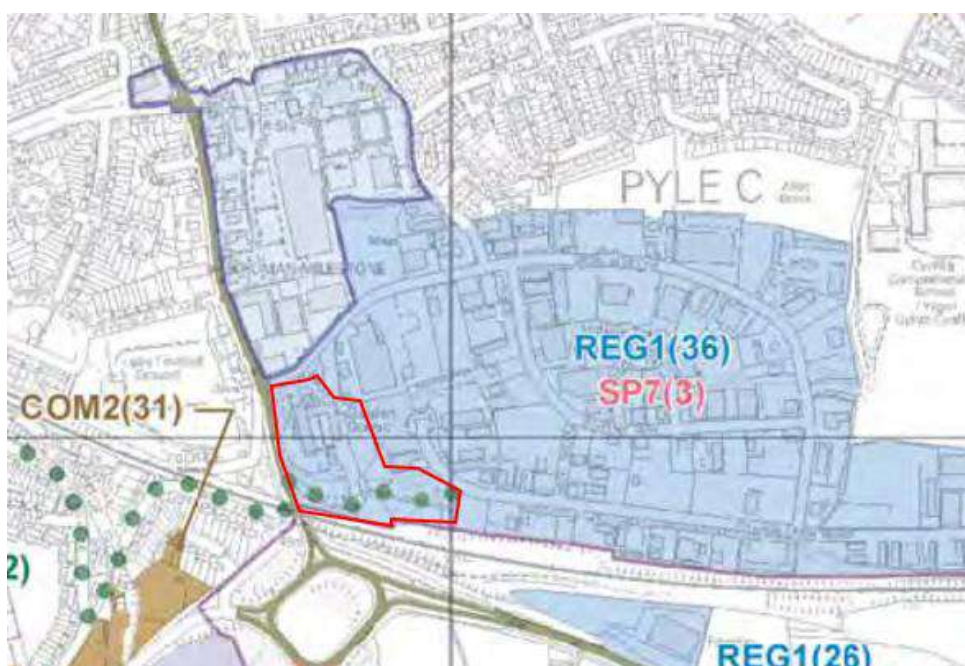
Boutique, Priory Kitchens, Leaf Interiors and Maidenhead Aquatics, amongst others. The proposed concession units would be adjacent to the Garden Centre entrance (the U-shaped building), on the southeastern side of the building, with the Maidenhead Aquatics units being redeveloped as part of the proposals.

- 2.6 The garden centre benefits from two car parking areas, one L-shaped car park between the main building within the site and the highways of Heol Mostyn / A48. The second, larger car park is located to the east of the proposed units.
- 2.7 Access to the wider site is gained from two vehicular entrances, one from Heol Mostyn to the north and another from Village Farm Road from the east. The access from Heol Mostyn provides the vehicular ingress and egress for customers, whereas the western access from Village Farm Road is currently utilised as ingress and egress for large HGVs and deliveries to the businesses within the site.
- 2.8 The application site is conveniently located to bus stops which are located 300 to the north opposite Asda and 360m south-west of the application site on Bryn-Yr-Orsaf Road. These bus stops are served by bus services X1 & 63 which give half hourly services to and from Swansea, Bridgend, Porthcawl and Talbot Green.
- 2.9 Furthermore, Pyle train station is located 420m to the west of the application site and so is within convenient walking distance of the application site, which provides direct linkages to Port Talbot, Bridgend and the wider rail network.

Designations and Constraints

LDP Proposals Map

- 2.10 The application site falls within the administrative boundaries of Bridgend County Borough Council and so the Development Plan for the purposes of the determination of this Planning Application is the *Bridgend Local Development Plan 2006 – 2021* (adopted September 2013) ('LDP')
- 2.11 The LDP Proposals Map shows that the Garden Centre site is located within the settlement limits of the Key Settlement of Pyle. In addition, the site falls within the designated Employment Site REG1 (36) Village Farm Industrial Estate.



- 2.12 The LDP Proposals Map shows the location of the identified Pyle District Centre, being identified in the purple line with light purple shading directly to the north of the application site.

Other Site Constraints

- 2.13 A search of the other potential site constraints has identified as follows:

Site Constraints	Comment
Phosphates	The Welsh Government Data Map Wales shows that the site is not within a catchment area for a Special Area of Conservation which has unacceptably high level of phosphates.
Flood Risk – Development Advice Map	The NRW TAN 15 Development Advice Map shows the application site is within Flood Zone B, which are areas known to have flooded in the past. This is addressed within the Flood Consequence Assessment which accompanies the application and Section 5 of this report.
Flood Risk – Flood Map for Planning for Wales	The NRW Flood Map for Planning for Wales shows the site as being within Flood Zone 1, so is at little or no risk of flooding.
Coal Mining	The Coal Authority mapping system shows that the site is not within a Coal Mining Development High Risk Area
Ecological Designations	The NRW Interactive Map viewer does not identify any ecological designations within the application site.
Heritage	The site contains no Listed Buildings, non-designated heritage assets and is not within a Conservation Area. The nearest designated heritage asset is Grade II Listed Pyle Road Overbridge. Given the distance separation and intervening land, the proposals are considered to not impact this heritage asset or its setting.
Landscape	The site is not within a Special Landscape Area and has no landscape designations under the Local Development Plan.
Green Wedge / Green Belt	The application site is not located within a Green Belt or Green Wedge
Predictive Agricultural Land Classification	The predictive agricultural land classification for the site is Urban.

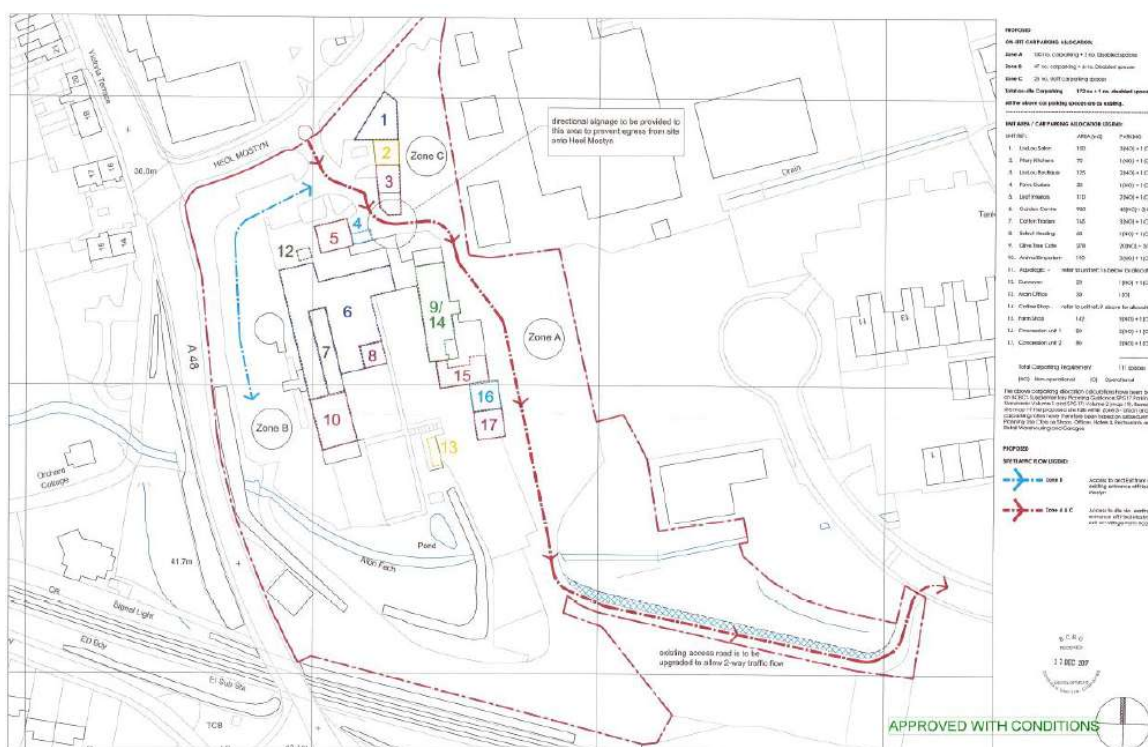
- 2.14 The above assessment of the site constraints identifies that the main site constraint in the determination of the planning application will be flood risk. This constraint is addressed in further detail in Section 5 of this Statement.

Planning History

- 2.15 The following planning applications are those which are considered to be most relevant to the current proposals submitted under this planning application.

Application Reference No.	Description of Development	Decision	Decision Date
P/17/816/FUL	Redevelopment and extension for extended coffee shop/restaurant area, farm shop, kitchen area, toilets and 2 new concession retail units	Granted	26/04/2018
P/99/533/OUT	Redevelopment of retail outlet to class A1 food store fast food unit, petrol car wash, parking	Withdrawn	22/08/1996

- 2.16 The most relevant of the above applications is the approval for the redevelopment and extension of the coffee shop / restaurant area, creation of a farm shop and two new concession retail units granted in April 2018. Provided below is the approved site layout plan for this development, which shows the expanded restaurant area as units 9/14 with the farm shop (unit 15) and the 2 x 80 sqm retail concession units adjoining to this (units 16 & 17).



Site Layout Plan Approved – Application Reference P/17/816/FUL

- 2.17 The above development has been part implemented at the site, with the expanded restaurant completed and unit 15 developed and occupied by Maidenhead Aquatics. Units 16 / 17 have not been developed out and so the proposed development is effectively for an additional 2 retail concession units beyond the existing extant consent, with the size of proposed unit 2 representing the same floor area as approved units 16 & 17 combined. The development would also entail the removal of the Maidenhead Aquatics unit and this would be replaced by an enlarged entrance and cashier counters.
- 2.18 The above application was approved on the basis that the vehicular access arrangements into the site be amended, so that customers or visitors parking in the eastern car park (Zone A above) would be required to exit via the Village Farm Road access when leaving the site.
- 2.19 The primary reason behind this requirement was due to the intensification of use of the site and the potential for increase in conflicting traffic at the narrow point of the internal access road. The secondary reason was to reduce the number of vehicular movements turning left out onto Heol Mostyn, due to the capacity and traffic issues at the junction of this road and the A48.
- 2.20 The highways implications of the scheme are addressed in further detail in Section 5 of this Statement.

The Proposed Development

- 2.21 This application seeks full planning permission for the erection of four retail concession units at the Garden Centre. As outlined in the planning history above, the extant planning permission reference P/17/816/FUL has granted planning permission for two additional concession units (units 16 & 17) which total 160 sqm which have not yet been developed at the site.

2.22 The proposed development seeks to provide four additional concession units within the wider Garden Centre curtilage. The need had arisen as the existing concession units are at 100% capacity and the applicant has been able to enter into heads of terms with Lakeland, Bonmarche and Pavers Shoes who would be willing to take on the additional units should planning permission be granted.

2.23 Provided below is the proposed site plan for the application site which shows how the additional four retail concession units would be provided.



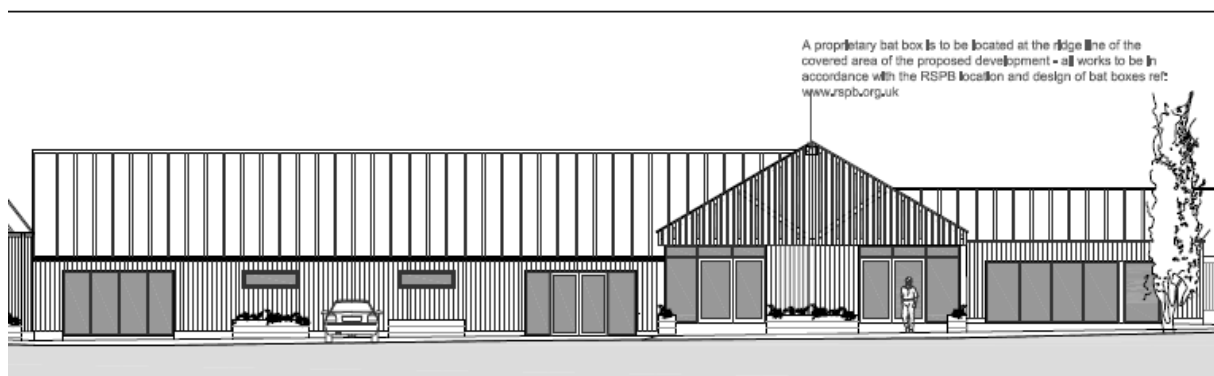
2.24 The floor plans which accompany the application also show that the scheme would result in the alteration to the existing entrance into the restaurant to provide a new segregated entrance and exit and also a new area for the cashier and tills. This would entail the redevelopment of the existing Maidenhead Aquatics unit, which would be incorporated into the new enlarged entrance and cashier area.

2.25 The proposed four additional units will provide the following floor areas:

Unit	Floor Area
Unit 1	279m ²
Unit 2	167m ²
Unit 3	167m ²
Unit 4	167m ²

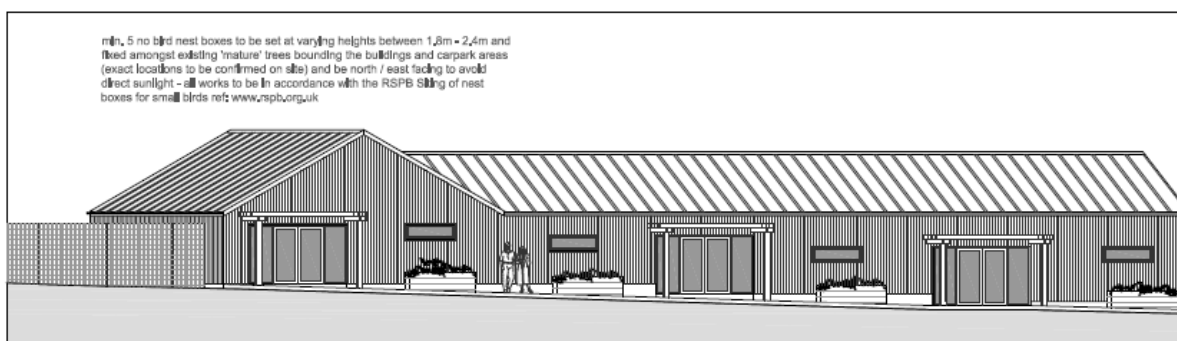
2.26 The proposed units would be erected from vertical treated timbers which would be stained grey to match the appearance of the existing main garden centre building. The design of the revised entrance to the garden centre would include a pitched roof canopy with hit and miss timbers gable end and pitched roof.

2.27 Unit 1 would be attached to the southern edge of the revised entrance with a single entrance doorway. The design would have a pitched roof to match the existing garden centre and would be made from steel and translucent polycarbonate cladding which would be coloured light grey to match the existing.



Proposed Elevations – Revised Garden Centre Entrance and Unit 1

- 2.28 Units 2, 3, 4 would be cranked on an approximate 45 degree angle back towards the car park, in order to break up the massing of the building, provide architectural interest and best follow the line of the woodland to the rear.
- 2.29 The design of units 2 and 3 would have pitched roofs to match Unit 1, whereas unit 4 would have a gable end design, again to break up the massing and provide architectural interest.
- 2.30 All of the units would be provided with aluminium external doors and windows which would be double glazed and powder coated anthracite grey.



Proposed Elevations – Units 2 - 4

- 2.31 After the proposed development the car parks will provide the following levels of parking provision.

Car Park	Parking Spaces	Disabled Parking Spaces	Total
Main Car Park	115	5	120
Lower Car Park	11	5	16
Total	126	10	136

3. Pre-Application Advice

- 3.1 On 14th July 2021 a request for non-statutory pre-application advice was submitted to Bridgend Country Borough Council, which sought the advice of the Local Planning Authority for a masterplan extension to the garden centre.
- 3.2 A copy of the pre-application advice covering statement and the plans submitted are provided as **Document 1**. The Council's advice was sought in relation to a comprehensive redevelopment of the application site, but also works to culvert the watercourse to the south of the site and the use of the servicing yards and associated brownfield land to provide additional retail units.
- 3.3 The wider redevelopment of the garden centre was proposed to be brought forward in four stages of development, which were as follows:

Phase	Development
1	▪ The development of 2 x 185m² concession units (which would supersede the 2 x concession units approved under application reference P/17/816/FUL); ▪ The culverting of the existing watercourse through the site to the north of the existing HGV access road; ▪ The partial demolition of LouLou Boutique to allow the internal access road to be widened to accommodate the width of two cars; and ▪ The extension of the garden centre to provide an enhanced ecological area.
2	▪ Creation of a goods-in area for the collection of bulky goods and online orders; ▪ An amended HGV storage and delivery area, with revised HGV delivery route and access; ▪ Enlargement of eastern car park and ▪ New refuse storage area.
3	▪ The development of 3 x 185m² retail concession units.
4	▪ The development 1 x 370m² retail concession unit and a farm shop / café.

- 3.4 Following the submission of the pre-application enquiry a site visit was held on 25th August 2021 that was attended by the applicant, Simply Planning and Council Officers from planning, highways and drainage. The advice provided by Officers was given verbally and the main comments raised during the site visit were as follows:

- The principle of further retail development within the Garden Centre was considered acceptable, as the Council have previously accepted the site is within retail use. Furthermore, no retail impact assessment would be required to accompany the planning application;
- The site visit took place whilst the highway improvement works between Heol Mostyn and A48 were in progress. Highways Officers raised concerns about the existing layout of the garden centre and considered that further works were required in order to address the priority flow of vehicles entering the site.
- Highways Officers also noted that the previous application required vehicles to exit the garden centre via Village Farm Road due to the narrow width of the internal access road between Lou Lou's Boutique and Leaf Interiors, which did not let two cars pass simultaneously. Therefore, it was agreed that this pinch point was required to be enlarged to allow vehicles to enter and exit onto Hoel Mostyn after the expansion of the garden centre;

- The Drainage Officer raised a concern about the flooding implications associated with culverting over the existing watercourse and advised that further engagement with Natural Resources Wales ('NRW') was required in relation to these works and a Flood Consequences Assessment would be required to support the full planning application.
- 3.5 Following the site meeting with Council Officers on 25th August 2021, the scheme has been substantially revised and no longer entails the culverting of the watercourse to create the enlarged development plateau within the Garden Centre.
- 3.6 As outlined in Section 2 above, the scheme has now been reduced to provide only four retail concession units and so is a reduction of one retail concession unit, bulky good collection area, enlarged car park and revised HGV delivery area, compared to the proposals presented at pre-application stage.

4. Relevant Planning Policy

- 4.1 This section of the Planning Statement outlines the principle national and development plan policies that are relevant to the determination of this application.
- 4.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 4.3 In the context of this application, the Development Plan for Bridgend County Borough Council (BCBC) comprises the BCBC Local Development Plan 2013 (LDP), adopted in September 2013, and Future Wales 2040, adopted February 2021.
- 4.4 Material considerations include Planning Policy Wales (Edition 11, February 2021) (PPW), associated Technical Advice Notes (TANs) and BCBC Supplementary Planning Guidance (SPGs).

Planning Policy Wales (Edition 11)

- 4.5 Planning Policy Wales Edition 11 (PPW) was published on 11th February 2021 and this sets out the land use planning policies of the Welsh Government. The primary objective of PPW11 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 (WBFG Act) and other key legislation.
- 4.6 The WBFG Act places a duty on public bodies to carry out sustainable development. This is not a new concept for the planning system as the principles of sustainable development have been at the heart of planning policy since PPW was first published in 2002. However, the concept has been expanded under the WBFG Act and it requires an improvement in the delivery of all four aspects of well-being: social, economic, environmental and cultural.
- 4.7 Paragraph 1.17 of PPW confirms that a plan led approach is the most effective way to secure sustainable development and that:

“Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated.”

- 4.8 Chapter 2 of PPW introduces the concept of ‘Placemaking’ and paragraph 2.1 states the following:

“Everyone engaged with or operating within the planning system in Wales must embrace the concept of placemaking in both plan making and development management decisions in order to achieve the creation of sustainable places and improve the well-being of communities.”

- 4.9 PPW also defines placemaking as the following:

“Placemaking” is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense.

Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.”

4.10 Paragraph 2.13 of PPW 11 states that:

“The plan-led system underpins the delivery of sustainable places. To ensure all development plans and decisions taken by the planning system work together to deliver sustainable places. The 5 Key Principles (see Figure 4) represent a guiding vision for all development plans, including the NDF.”

4.11 Figure 4 of PPW11 provides the key planning principles which are as follows:

- *Growing our economy in a sustainable manner;*
- *Making best use of resources;*
- *Facilitating accessible and healthy environments;*
- *Creating and sustaining communities;*
- *Maximising environmental protection and limiting environmental impact.*

4.12 In providing context for the first key principle, growing our economy in a sustainable manner, PPW 11 states the following under figure 4 of page 17:

“The planning system should enable development which contributes to long term economic well-being, making the best use of existing infrastructure and planning for new supporting infrastructure and services. Communities, national and local government, businesses, and the third sector must work together to take a long term view, integrating and aligning priorities through greater collaboration to achieve sustainable economic benefits for all in line with the well-being goals.”

4.13 In providing context for the fourth key principle, creating and sustaining communities, PPW 11 states the following under figure 4 of page 17:

“The planning system must work in an integrated way to maximise its contribution to well-being. It can achieve this by creating well-designed places and cohesive rural and urban communities which can be sustained by ensuring the appropriate balance of uses and density, making places where people want to be and interact with others. Our communities need the right mix of good quality/well designed homes, jobs, services, infrastructure and facilities so that people feel content with their everyday lives..”

4.14 Paragraph 2.17 of PPW 11 states:

“In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes.”



- 4.15 On page 22 of PPW11 it advises that planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. The economic considerations which are key factors in the assessment process include the numbers and types of long term jobs expected to be created or retained; and how the proposal would support the achievement of a more prosperous, low carbon, innovative and resource efficient Wales.
- 4.16 In Paragraph 3.46 of PPW11 it advises that locational and site choices will also need to be made within the context of an understanding of both economic and market conditions.
- 4.17 Paragraph 3.55 outlines that previously developed land should be used in preference to greenfield sites where it is suitable for development.
- 4.18 Overall, it is our view that the proposals are fully consistent with the principles established within PPW and the development meets a number of the national sustainable placemaking outcomes contained within national planning guidance, in particular, the need to grow our economy in a sustainable manner.

Future Wales – The National Plan 2040

- 4.19 The National Development Framework 'Future Wales- The National Plan 2040' (NDF) was published on 24th February 2021. This document sets a framework for planning the change and development in Wales over the next two decades.
- 4.20 It is considered that the following policies of Future Wales are relevant to the determination of this planning application. Where required the Policy wording and implications of the Policy will be outlined and addressed in Section 5 of this Statement:
- Policy 1 – Where will Wales Grow;
 - Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking;
 - Policy 6 – Town Centre First; and
 - Policy 12 – Regional Connectivity;

Local Planning Policy

Bridgend County Borough Council Local Development Plan 2013

- 4.21 The Bridgend County Borough Council Local Development Plan ('LDP') covers the period 2006 to 2021. It was adopted in September 2013 and comprises the statutory Development Plan for Ceredigion. The emerging Local Development Plan is still at an early stage and therefore, the 2013 Plan remains the statutory Local Development Plan.
- 4.22 It is considered that the following policies of LDP are relevant to the determination of this planning application. Where required the Policy wording and implications of the Policy will be outlined and addressed in Section 5 of this Statement:
- Policy PLA1 – Settlement Hierarchy and Urban Management;
 - Policy SP2 – Design and Sustainable Place Making;
 - Policy PL4 – Climate Change and Peak Oil;

- Policy SP3 – Strategic Transport Planning Principles;
- Policy PLA11 – Parking Standards;
- Policy SP4 – Conservation and Enhancement of the Natural Environment;
- Policy ENV6 – Nature Conservation;
- Policy SP9 – Employment and the Economy;
- Policy REG1 – Employment Sites;
- Policy REG2 – Protection of Identified Employment Sites; and
- Policy SP10 – Retail and Commercial Hierarchy.

5. Matters at Issue

5.1 Having set the planning context against which the proposals should be judged in the preceding section, we now consider the proposal for full planning permission for the development of four retail concession units and revised garden centre entrance against that guidance, alongside any other relevant considerations. We consider the main material considerations to be as follows:

- Principle of Development;
- Visual Amenity and Placemaking;
- Highways Impacts / Sustainability;
- Flood Risk;
- Ecology; and
- Trees and Landscaping.

5.2 The above main material considerations are considered and addressed in more detail below.

Principle of Development

5.3 The application site falls within the settlement limits of the Key Settlement of Pyle and within the designated Employment Site REG1 (36) Village Farm Industrial Estate.

5.4 Paragraph 3.1.16 of the LDP defines the roles of the main settlements as having a have a strong employment function with an existing concentration of business and a good variety of retailing and community services that meet the needs of the settlement and the surrounding area. The main settlements represent some of the largest centres within the County Borough in terms of employment, population, economically active people and retail and community service provision.

5.5 The proposed development would be within the settlement limits for Pyle and would assist in enhancing the retail offer available within the settlement. The key material considerations relating to the principle of development are as follows:

- a. The development of additional retail space outside of the identified District Centre; and
- b. The use of designated employment land to provide additional retail units.

5.6 We have considered the principle of development in relation to the above key policies of Future Wales and the LDP in further detail below.

Retail Impacts

5.7 As outlined in section 4 above, in July 2021 the applicant sought pre-application advice from the Local Planning Authority on a site wide masterplan extension to the Garden Centre which included for more retail concession units and a larger expansion area than the current proposal.

5.8 At the site meeting with Council Officers it was agreed that no retail impact assessment would be required to accompany this planning application, given the existing use of the garden centre and that the Council have previously accepted the expansion of this for additional retail units.

- 5.9 Since the provision of this advice Future Wales has been adopted and forms part of the Development Plan for the determination of this planning application. Policy 6 of this relates to Town Centre First approach and this Policy states that:

“Significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. They should have good access by public transport to and from the whole town or city and, where appropriate, the wider region. A sequential approach must be used to inform the identification of the best location for these developments and they should be identified in Strategic and Local Development Plans.”

- 5.10 The key word in the above Policy is ‘significant’ as new retail development which isn’t significant in nature is not required to follow the town centre first approach outlined within Policy 6 of Future Wales. Future Wales does not define a threshold which identifies the scope or size of development which must be considered significant and follow the town centre first approach.

- 5.11 Welsh Government has produced additional guidance in the form of the ‘A Guide to Future Wales: Frequently Asked Questions’ with edition 2 of this published in February 2021, to help assist with the implementation of the Policies of Future Wales. As part of this guidance further advice is provided on the definition of ‘significant’ in the context of Future Wales Policy 6, which states as follows:

“No. This is for the LPA to determine based on their knowledge of their local area. The meaning of the term ‘significant’ will vary in different parts of Wales and relate to the scale, role and function of settlements.

SDPs and LDPs can set out what development they consider to be significant in the context of their areas and how this may vary between different settlements. In determining whether a development is of a significant scale (in advance of relevant SDP/LDP policies) LPAs should consider the scale of the new development in the context of the settlement and/or area it is to be located in and whether it is wider than local in nature. This could include consideration of the potential number of visitors and the likely distances from which visitors will be drawn.

- 5.12 As such, the key considerations are whether the LPA consider the scale of the new development in the context of the settlement and / or area of Pyle and whether it is wider than local in nature. In this context, we do not consider that the additional four retail concession units meets the threshold to form ‘significant’ retail development.

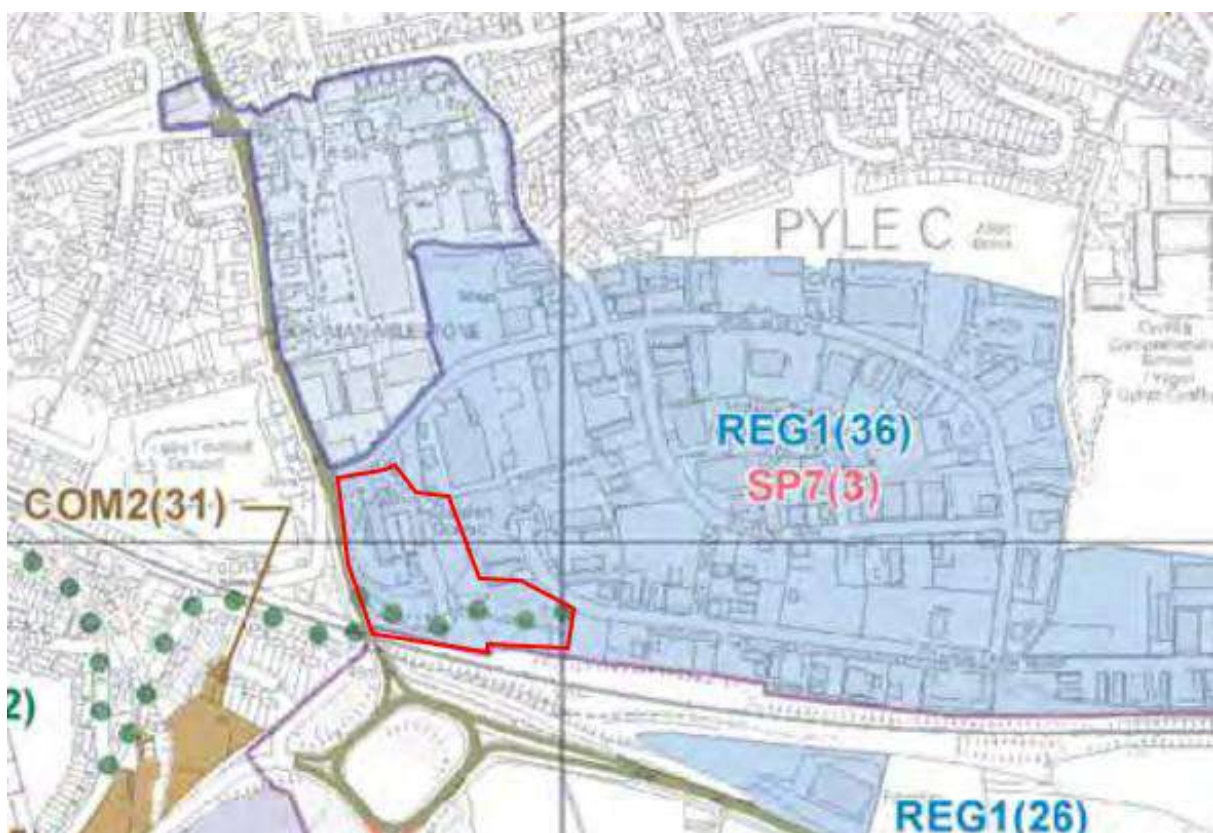
- 5.13 Of key importance is that whilst the scheme entails the creation of four retail concession units, it would also involve the loss of the existing Maidenhead Aquatics retail concession unit, which would be given over to the revised site entrance and enlarged cashier area. Furthermore, the site also benefits from extant consent for the erection of the 3,000 sq ft concession unit, which is the equivalent size of proposed unit 2. Therefore, the scheme is only developing two additional retail concession units, beyond those already at the site or which could be developed under extant planning permissions. Therefore, we do not consider that the development meets the ‘significant’ threshold under Policy 6 of Future Wales.

- 5.14 The key retail related policy contained within the LDP is Policy SP10 ‘Retail and Commercial Hierarchy’. This Policy states that new retail, commercial and appropriate employment developments will be focused according to the identified hierarchy, with Pyle being identified as a District Centre. Policy SP10 continues to state:

“New retail, office, other commercial and leisure developments shall be of a scale appropriate to the centre within which they are located, and should contribute to or sustain the vitality and attractiveness of that centre within the local retail hierarchy.

New out-of-centre retail and office development should be developed as a result of an identified need and sequential test of sites and should not be of a scale and type which would adversely affect the vitality, viability and attractiveness of the retailing and commercial centres.”

- 5.15 Paragraph 4.3.18 of Planning Policy Wales (Edition 11 – February 2021) re-iterates the above requirement and states that the Welsh Government operates a ‘*town centres first*’ policy in relation to the location of new retail and commercial development and that LPAs should adopted this approach in decision making.
- 5.16 PPW 11 continues in paragraph 4.3.19 to outline that if a suitable site or building to meet identified need is not available within a retail and commercial centre, then consideration should be given to edge of centre sites and then out-of-centre sites.
- 5.17 During pre-application discussions with Council Officers it was confirmed that a Retail Impact Assessment would not be required to support the planning application. However, we outline below that the proposals follow the approach outlined in national and local planning policy, by using an edge of centre location to deliver the proposed development.
- 5.18 Provided below is extract from the LDP Proposals Map, which shows the location of Pyle Garden Centre in red.



LDP Proposals Map

- 5.19 The LDP Proposals Map shows the location of the identified Pyle District Centre, being identified in the purple line with light purple shading directly to the north of the application site. A copy of this map has been imposed on an aerial image below.



District Centre Overlayed on Aerial Image

- 5.20 The above map shows that the identified District Centre is very limited in retail provision. The main retail provision in the district centre is the Asda supermarket. The remaining provision is the row of shops at the northern-west end of the district centre, which provides a convenience store, barbers, pet shop, post office and takeaway, amongst others. In addition, a pocket of warehouse style, retail units are located to the north of the application site. This contains a Greggs, home furniture shop, DIY garden centre and antiques shop, amongst others.
- 5.21 Outside of the above retail provision, the rest of the district centre is given over to assembly and leisure uses, including the Pyle Life Centre and Dizzy's Castle Soft Play Area, with a large areas of the District Centre being covered by residential dwellings facing on the A48 and B4281.
- 5.22 Given the diverse nature of uses and disjointed nature of the District Centre, with the retail uses being set in two small clusters and a supermarket, which is separated by housing, there is no available sites within the centre that are available for the expansion of the retail provision within the town.
- 5.23 In terms of sequential preference, Pyle Garden Centre is immediately adjoining the District Centre and already is already in retail use. As such, this site is clearly an edge-of-centre site and is considered to be the most sequentially preferable site, for the expansion of the town's retail offering. Given that the existing site is already adjoining an existing cluster of retail uses, the site would also make a logical rounding off of the District Centre, as it does not fall within an 'employment' use i.e., Use Class B, so is more in character with the adjoining District Centre than the employment area.
- 5.24 Given the above, it is considered that the proposed development of the additional retail concession units at the Garden Centre would not undermine the vitality and viability of the District Centre. The proposed uses would clearly not compete with the main Supermarket, or larger retail warehousing units to the north. The units would be of similar sizes to those at the north-western corner of the district centre i.e. at the junction between the A48 and B4281. However, these units cater for the basic day-to-day needs of local residents such as hairdressers, post-office, convenience store etc. The proposed retail concession units would cater to a different market and would offer more units for the sale of goods, with the likely occupiers being Lakeland,

Bonmarche and Pavers Shoes, so would offer a further expansion of the town's retail offering, without undermining the existing retailing offering within the town.

- 5.25 Therefore, we consider that the development would comply with the requirements of Policy SP10 of the LDP, in relation to the impacts of the development on the existing District Centre.

Use of Employment Land

- 5.26 The application site forms part of the designated Employment Site REG1 (36) Village Farm Industrial Estate. Policy REG1 of the LDP relates to 'Employment Sites' and this states that land is allocated and protected for employment development falling within the specified uses at a number of allocated sites. This includes the Village Farm Industrial Estate, where the land is protected for B1, B2 and B8 uses.
- 5.27 The existing Garden Centre is already a quirk of the employment land allocation. The land within the site is already being used for A1 purposes, as it forms a retail use for the sale of plants, gardening equipment, etc. with a number of concession stores that operate as A1 uses. Therefore, the existing site is already being used for non-employment land uses.
- 5.28 Further to the above, the land where the extension to the garden centre is proposed is already being used as existing concession units or as part of the Unique Woodwork business, who operate as an A1 retailer. Therefore, the land is already in A1 use.
- 5.29 The existing garden centre is a significant employer between the garden centre and the other businesses within the site. Therefore, although the expansion of the garden centre will not provide B Use buildings, the additional retail concession units will provide an additional 30 full-time jobs at the site, with this evidence being based on information provided from the future occupiers. As such, the proposals would make better use of the existing previously developed land to provide additional jobs within the demise of the garden centre. Furthermore, given the existing parking arrangements for the garden centre, it would not be possible to bring this land into a separate employment land use.
- 5.30 In summary, whilst we appreciate and accept that the land falls within the designated employment area, there are a number of significant material considerations which make the proposed expansion of the garden centre acceptable.
- 5.31 The first being that the application site is already being used as part of the garden centre, so forms a retail use of the land. The second is that the existing land is only accessible through the garden centre and the vehicular access to this is not suitable for intensification of use for additional highways movements associated with a further employment land use.
- 5.32 The final consideration is that the proposed development would make best use of an existing brownfield site, by intensifying its use and provide new retail units, that would themselves generate a substantial number of new jobs and employment.
- 5.33 This position was previously accepted by the Council in the determination of application reference P/17/816/FUL. A copy of the Committee Report for this application is provided as **Document 2** and states as following on Page 51:

"The proposal is not strictly considered to be compliant with Policies REG1 (36) and REG2 of the Local Development Plan (2013). However, given that Pyle Garden Centre is an established retail facility and has operated as an A1 use class for a significant period of time without detriment to the allocated and identified employment site, the proposal is considered to be an appropriate form of development in this location which is in close proximity to the defined Pyle Retail Centre."

- 5.34 Given the above, we consider that the use of the land for the provision of the additional retail concession units should be considered an acceptable use of employment land. Therefore, we consider that the development of the site to provide additional retail concession units and the enlarged site entrance is acceptable in principle.

Design and Placemaking

- 5.35 Policy SP2 (Design and Sustainable Placemaking) states that all developments should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment. They should do this by meeting 15 identified criteria which includes:
- Having a design of the highest quality possible, whilst respecting and enhancing local character and distinctiveness and landscape character;
 - Being of an appropriate scale, size and prominence; and
 - Using land efficiently by: being of a density which maximises the development potential of the land whilst respecting that of the surrounding development; and having a preference for development on previously developed land over greenfield land.
- 5.36 The proposed development seeks to provide four retail concession units within the application site. The majority of the existing site is being utilised by Unique Woodwork Limited and the context of the site is a number of timber framed buildings and open workshops, which are used for the storage and sale of these products. The remainder of the land is a service yard for the building and used to display goods for sale by the business.
- 5.37 The remainder of the application site is being occupied by the Maidenhead Aquatics retail concession unit and the existing main entrance into the garden centre. The proposals will see the demolition / adaptation of the existing Maidenhead Aquatics unit and existing garden centre entrance, the development of four retail concession units and the creation of a redeveloped garden entrance and cashier area.
- 5.38 The existing main entrance into the garden centre is taken from the car park and the existing building lacks any legibility to the user, as to where the main entrance into the garden centre is located. This is the result of a number of expansions and alterations to the garden centre since it first opened. The current proposal will provide a new entrance canopy which will improve the legibility of the building and provide a well articulated entrance, with the use of hit-and-miss boarding to create an interesting design feature to demarcate the entrance to the garden centre.
- 5.39 The existing Maidenhead Aquatics unit is of substandard appearance and is located adjoining to the existing garden centre building. The proposed replacement unit will utilise pitched roofs and materials to match the existing building, to ensure a more cohesive appearance to the finished development.
- 5.40 Units 2, 3 & 4 have been designed so that their principal elevations are angled at 45 degrees from the main garden centre building. This helps to create architectural interest, breaks up the massing of the building and also best follows the tree line to the rear of the site.
- 5.41 The design of these units is again using materials to match the existing building, with units 2 & 3 having a pitched roof, with lower ridgeline, to match the existing garden centre. The southern end of unit 4 is provided as a gable end with T-shaped roof structure intersecting the roof structure for proposed unit 3. This again helps to break up the massing of the building and ensures a variance in the design of the development when viewed from the car park.

- 5.42 In terms of the impacts of the development on the streetscene, the application site is located at the southern end of the garden centre and so the new buildings will not be readily visible from the public domain. Furthermore, the views from the A48 will be largely obscured by the intervening woodland, which will be retained as part of the development.
- 5.43 The proposals will also result in the removal of the various sheds and structures associated with the existing woodwork business. This is enclosed by fencing and when combined with the scattered nature of the buildings within the site, provides a poor appearance when viewed from the garden centre car park.
- 5.44 Therefore, it is considered that the proposals would result in a significant enhancement in the appearance of the garden centre and also the new development would not be readily visible from the public domain. As such, the proposals are considered to comply with Policy SP2 of the LDP accordingly.

Highways Impacts and Sustainability

Highways Impacts

- 5.45 Policy SP3 of the LDP relates to ‘Strategic Transport Planning Principles’ for development within Bridgend and this Policy states that:

“All development proposals should promote safe, sustainable and healthy forms of transport through good design, enhanced walking and cycling provision, and improved public transport provision.”

- 5.46 As outlined in the Planning History in section 2 above, Planning Permission was granted in April 2018 under application reference P/17/816/FUL for the redevelopment and extension of the garden centre for extended coffee shop/restaurant area, farm shop, kitchen area, toilets and 2 new concession retail units.
- 5.47 A copy of the Committee Report and Decision for this application is provided as **Documents 2 & 3** respectively. Condition 5 of Decision Notice reference P/17/816/FUL is as follows:

5. No development shall commence until a scheme of directional / no exit signage at the Heol Mostyn entrance, one-way signage between units 3 & 4 and no entry signage at the Village Farm Rd exit has been submitted to and approved in writing by the Local Planning Authority. The signage scheme shall be implemented before the development is brought into beneficial use and retained in perpetuity.

- 5.48 Conditions, 6, 7 & 8 of the Decision Notice also required further alterations to the internal access road and pedestrian footpaths within the application site. The above conditions have not been discharged to date.
- 5.49 The Officer Report for the application noted that at peak period times the junction between A48 and Heol Mostyn operated at overcapacity. As such, the previous application proposed the one-way system, with vehicles entering from Heol Mostyn and existing from Village Farm Road, to help reduce this congestion.
- 5.50 At the time the applicant was willing to enter into this arrangement, as the garden centre layout had a significant pinch point between the Leaf Interiors and Lou Lou’s Boutique concession units, meaning that two cars could not conveniently pass, without a disruption to highways traffic.
- 5.51 Since the determination of the above application, there has been two significant alterations to material circumstances, which has led to the removal of the need for the one-way system within the application site, which are:
- (a) The signalisation of the junction between Heol Mostyn and the A48;
 - (b) The partial demolition of Lou Lou’s boutique to enlarge the internal access road, which allows two lane vehicle carriageway and the introduction of a pedestrian footpath.

- 5.52 The proposed development seeks to provide the retail concession units and also revise the site entrance, but will retain both ingress and egress from Heol Mostyn for garden centre customers.
- 5.53 The planning application is supported by a Transport Statement which has been prepared by WSP which considers the impacts of the development on trip generation in the surrounding highway network in section 5.4. This has shown that the resultant trip generation on the surrounding highway network created by the development, during peak hours, would be minimal.
- 5.54 The potential increase in trips in the AM network peak is 3 vehicles, which increases to 8 vehicles in the PM (16:00-17:00) period. These figures are potentially an overestimate as many of these trips may well be already visiting the centre, with the new concessionary units resulting in longer stays rather than new trips.
- 5.55 Therefore, the Transport Statement concludes that the proposed development would have an acceptable impact on the highways network and, given the mitigation works undertaken both within the site and on the adjoining highway network, it is considered that previously proposed one-way network is no longer required to accommodate the existing garden centre and the proposed retail concession units.

Parking

- 5.56 Policy PLA11 of the LDP relates to Parking Standards and this policy states that all development will be required to provide appropriate levels of parking, which should be in accordance with the adopted parking standards.
- 5.57 The adopted parking standards are included within Supplementary Planning Guidance 17: Parking Standards Volumes 1 & 2. Based on site map 19 contained within the SPG, the proposed site falls within Zone 3 and included within Table 5.3 of the Transport Statement is the parking provision required for the garden centre, which is based on both the existing uses within the garden centre and also the proposed development.
- 5.58 This has determined that based on the adopted parking standards, the maximum parking requirements for all existing and proposed uses amounts to 125 parking spaces, which equates to 105 ordinary parking spaces and 20 disabled parking spaces.
- 5.59 The existing garden centre benefits from two main parking areas, the main upper car park (in front of the proposed garden centre entrance) and the secondary lower car park would provide 126 parking spaces and an additional 10 disabled parking spaces.
- 5.60 Therefore, the proposed development will continue to provide in excess of the maximum adopted parking standards after the completion of the proposed development.
- 5.61 During pre-application discussions with Highways Officers, concerns were expressed over the levels of parking and whether this was sufficient for the operation of the garden centre. However, these are already in excess of the maximum parking standards and so complies with the Policies of the LDP accordingly.
- 5.62 The Transport Statement also identified that additional motorcycle and cycle storage is required to be provided to accommodate alternative means of transport. It is considered the full details of this could be secured by way of a suitably worded condition, with the proposed cycle store shown next to the revised site entrance.
- 5.63 Therefore, it is considered that the proposed development complies with Policy PLA11 of the LPD accordingly, given the levels of on-site parking provision that will be retained.

Sustainable Transport

- 5.64 As outlined above, Policy SP3 requires new development proposals to promote the use of sustainable and

healthy transport measures, including walking, cycling and use of public transport provision.

- 5.65 Section 4 of the Transport Statement outlines the accessibility of the site by sustainable transport methods and the nearby Active Travel network. Figure 4.1 of the Transport Statement identifies the walking radius of 400m, 800m and 1.2km which equates to walking times of approximately 5, 10 & 15 minutes. This identifies that the vast majority of Pyle, South Cornelly and Kenfig Hill is within 15 minutes walking distance from the garden centre.
- 5.66 Figure 4.2 also considers a cycling radius of 1.5km, 3km and 5km from the garden centre, with a 5km radius being the equivalent of an approximate 15 minute cycle. This shows that Porthcawl, Cefn Cribwr and the western edges of Bridgend would also be within a easy cycling distance, albeit it is acknowledged that the topography of some areas might cause issues with cycling to and from the garden centre in the north-eastern direction of Kenfig Hill & Cefn Cribwr.
- 5.67 In relation to the surrounding Active Travel Network, there are also proposed integrated active travel routes that give direct linkage to the proposed site (INM-PY-9). This is a shared use upgrade of the existing active travel route from Village Farm Industrial Estate to the North Cornelly Commercial Centre (via INM-PY-17), which has a medium priority status.
- 5.68 The application site is conveniently located to bus stops which are located 300m to the north opposite Asda and 360m south-west of the application site on Bryn-Yr-Orsaf Road. These bus stops are served by bus services X1 & 63 which give half hourly services to and from Swansea, Bridgend, Porthcawl and Talbot Green, amongst others.
- 5.69 Furthermore, Pyle train station is located 420m to the west of the application site and so is within convenient walking distance of the application site, which provides direct linkages to Port Talbot, Bridgend and the wider rail network.
- 5.70 As such, the site is sustainably located within suitable walking and cycling distance of the nearby main settlements. Furthermore, the site is well served by nearby public transport hubs and Active Travel routes. Therefore, the proposal is considered to promote the use of sustainable and healthy transport measures, in accordance with Policy SP3 of the LDP.

Flood Risk

- 5.71 Policy PLA4 of the LDP relates to '*Climate Change and Peak Oil*' and this policy states that all development proposals will be required to make a positive contribution towards tackling the causes of, and adapting to the impacts of Climate Change and Peak Oil issues. The means of achieving this include criteria 7) which is as follows:
- "Avoiding or minimising the risk from flooding and/ or adapting to the increased risk of flooding, coastal erosion and warmer annual mean temperatures."*
- 5.72 In Section 2 of this report it has been identified that the application site falls within Flood Zone B on NRW's Technical Advice Note 15 Development Advice Map ('DAM'). It should also be noted that the application site falls under Flood Zone 1 of the Flood Map for Planning for Wales ('FPfP') which is due to be adopted in June 2023.
- 5.73 As the Development Advice Map is the currently adopted flood risk map for the determination of planning application in Wales, JBA have been appointed by the applicant and have completed a Flood Consequences Assessment ('FCA') which supports this planning application.
- 5.74 The FCA confirms that, as the area of the proposed development lies outside of the 1 in 1000 year flood

extent as demonstrated by both the DAM and the FMfP, the justification test does not apply. However, the FCA shows, for the sake of completeness, that the proposed development would meet all the requirements set out within the justification test.

- 5.75 Section 4 of the FCA assesses the risk to the proposed development from sources of flooding and the summary of flood risk in table 4-1 confirms the only onsite presence is from rivers, as the site is located in an area of low flood risk from rivers.
- 5.76 The FCA includes the present day 1 in 1000 year flood extent and confirms this does not encroach into the areas of the proposed development. In accordance with TAN 15 and development in DAM Zone B, if site levels are greater than the extreme flood level, there is no need to consider fluvial flood risk further. The FCA also concludes that the site is not at risk of flooding from surface water, groundwater, sewers or reservoirs.
- 5.77 As the proposed development is unlikely to be affected by flooding there is no requirement to incorporate freeboard levels into the finished floor levels (FFLs) of the design. However, as a precaution against the residual risk of peak rainfall intensities in excess of the subsurface drainage network, it is recommended that FFLs are raised at least 150mm above surrounding ground levels, which will be incorporated into the design of the development.
- 5.78 Consequently, JBA conclude that on the grounds of flood risk, the proposed development meets the requirement set out in TAN 15 and the aims of Planning Policy Wales. As such, the proposed development complies with Policy PLA4 of the LDP also.

Ecology

- 5.79 Policy ENV6 of the LDP relates to ‘*Nature Conservation*’ and states that proposals for development or redevelopment will be required to avoid or overcome harm to nature conservation assets and/or species of wildlife which may be either resident, in-situ or which can be demonstrated to have frequented habitats within the site on a migratory basis.
- 5.80 The planning application is supported by a Preliminary Ecological Assessment by JP Ecological Services. This was informed by a site visit by the ecologist to the site on 10th October 2022.
- 5.81 The site visit confirmed that within the area currently enclosed for the use by concessions stands, the dominance of artificial surfaces with small areas of sparse vegetation had low conservation value. Little additional survey effort is deemed necessary to clarify the use of the enclosed concessions area by any protected/priority species.
- 5.82 As such, the assessment confirmed that it is not deemed likely that the habitats within the enclosed concessions area represent a key resource to any protected/priority species.
- 5.83 A few strands of Himalayan Balsam were identified within the site and the ecologist recommended a further preliminary roost assessment for bats within the trees and structures within the site and wider badger survey. The additional survey work is being completed in January 2023 and will be submitted for consideration upon completion.
- 5.84 The proposed development has been designed with compensatory mitigation measures with a minimum of five bird boxes and one bat box included as part of the development.
- 5.85 Given the limited findings of any ecological interest within the application and once the proposed mitigation measures are secured by way of a suitably worded condition, it is considered that the proposed development would have an acceptable impact on nature conservation assets and would not unacceptably harm any protected species or their habitat, in accordance with Policy ENV6 of the LDP.

Trees and Landscaping

- 5.86 Policy ENV6 of the LDP relates to '*Nature Conservation*' and states that proposals for development or redevelopment will be required to, in the first instance, retain, conserve, restore or enhance, where possible, any trees. The Policy advises that where this isn't possible suitable mitigation or compensatory measures will be required.
- 5.87 The application site contains a number of trees with trees also adjoining to the edges of the site also. As such, the planning application is supported by a Pre-Development Tree Survey and Assessment, prepared by Tirlun Design Associates Ltd.
- 5.88 The submitted plans show that four trees along the frontage of the site will be required to be removed, which are identified in the tree survey as T5 – T8. The survey has identified T6 – T8 as U category trees and recommended their removal accordingly. The remaining tree to be removed is a C-category *Acer pseudoplatanus*, which is considered to be of low quality and value.
- 5.89 The submitted proposed plans show that the trees T9 & T10 are C-category trees and would not be impacted by the development. It is also noted that other groups of trees are located to the rear of the application site, but these are sited on a significantly lower ground level than the application site, so would not be impacted by the development and weren't surveyed accordingly.
- 5.90 The remaining trees within and adjoining to the site will be retained and it is considered that the proposals would ensure that suitable arboricultural impacts will occur, in accordance with Policy ENV6 of the LDP.

6. Conclusion

- 6.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the Development Plan and that determination shall be made in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 The proposed development accords with the development plan and should, therefore, be granted consent without delay. We say this for the following reasons:
- The proposed development seeks the expansion of the existing garden centre, so the land is previously development land already in A1 use and will continue to be in this Use Class after the completion of the development;
 - The proposed concession units would not undermine the vitality and viability of the adjoining District Centre of Pyle;
 - The development would provide a significant employment opportunity, by creating 30 new full-time positions within the retail concession units;
 - The garden centre is sustainably located, within convenient walking and cycling distance of a number of key settlements and is also very well served by public transportation links;
 - The proposed development would have an acceptable impact, in terms of traffic generation, upon the local highway network;
 - The creation of the signalised junction at the Heol Mostyn / A48 junction and the removal of the pinch-point by the reduction in the size of Lou Lou's boutique, has removed the need for the creation of the one-way system required under previous planning application at the site;
 - The resultant level of parking provision will meet the Council's adopted parking standards;
 - The development would have an acceptable impact in terms of highway and pedestrian safety;
 - The Flood Consequence Assessment has shown the site to be free of flood risk and suitable for development;
 - The proposed design of the retail concession units would match the current garden centre and result in an enhancement in the appearance of the site generally; and
 - The site is free from any ecological or arboricultural constraint which would prevent development.
- 6.3 Paragraph 2.17 of PPW states *"In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver development that address the national sustainable placemaking outcomes."*
- 6.4 Paragraph 2.20 of PPW confirms that a development will not be required to demonstrate they can meet all the national sustainable placemaking outcomes. However, we consider that the development would meet the following national sustainable placemaking outcomes:
- Foster economic activity;
 - Vibrant and dynamic;

- Make best use of natural resources;
- High quality and built to last;
- Prioritises the use of previously developed land and existing buildings;
- Accessible by means of Active Travel and public transport;
- Not car dependent;
- Minimises the need to travel; and
- Convenient access to goods and services.

- 6.5 Given the compliance of the scheme with meeting a number of the key national sustainable placemaking outcomes, we consider the development raises no conflict with PPW11 to an extent where it could be a considered a material consideration to determine the application other than in accordance with the Development Plan.
- 6.6 In conclusion, the proposals are considered to comply with the policies of the Development Plan, when taken as a whole. In addition, the proposals are in accordance with the national planning guidance contained within PPW11. We consider that there are no material considerations which deem that the application should not be determined in accordance with the development plan.
- 6.7 As such, in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, we consider that planning permission should be approved for the proposed development.



Pyle Garden Centre, 2 Heol Mostyn, Village farm
Industrial Estate, Pyle, Bridgend, CF33 6BJ

Planning Statement

Document 1

Pre-Application Enquiry Statement and Plans



Development Control
Bridgend County Borough Council
Civic Offices
Angel Street
Bridgend
CF31 4WB

14th July 2021

Dear Sir / Madam,

Town and Country Planning Act 1990
Request for Non-Statutory Pre-Application Advice
Pyle Garden Centre, 2 Heol Mostyn, Village Farm Industrial Estate, Pyle, Bridgend, CF33 6BJ

Simply Planning Limited (SPL) are instructed on behalf of our client, Pyle Garden Centre Ltd, to seek non-statutory pre-application advice from the Local Planning Authority in relation to a comprehensive masterplanning exercise for the extension to the existing garden centre.

We enclose with this pre-application advice request the following information:

- Site Location Plan – Dwg Ref: 1721-P08 Rev B (Architectural Design South Wales)
- Proposed Site Layout – Dwg Ref: 1721-P10 Rev B (Architectural Design South Wales)
- Proposed Phasing Plan – Dwg Ref: 1721-P11 (Architectural Design South Wales)
- Highways Pre-Application Technical Note (Capita)

The requisite fee for the processing of the pre-application enquiry (to include a meeting and written response) will follow via BACS Transfer upon confirmation of the fee from the Council.

Owing to the current situation regarding COVID-19, we would welcome the pre-application meeting to be undertaken at the site in person with Officers. We can provide outdoor seating and arrangements if this would be acceptable to Council Officers.

Site Context and Planning Background

This pre-application advice request relates to Pyle Garden Centre, which is located on the Village Farm Industrial Estate, Pyle, which is located approximately 7.5km north-west of Bridgend. Pyle is identified as part of the 'Pyle / Kenfig Hill / North Connolly' Main Settlement within the Bridgend Local Development Plan 2006-2021 (adopted September 2013).

The site is dual fronted and faces onto the highway of the A48 to the west with Heol Mostyn along the northern boundary of the site. The southern boundary line of the site is bordered by a railway line, with the wider Industrial Estate to the east.

The overall land within the ownership of the of the Garden Centre extends to approximately 3 hectares and is shown in detail on the Site Location Plan which accompanies this application. This replicated below for ease of reference.



Site Location Plan

Contained within the site is the main U-shaped building, which contains the existing garden centre and restaurant / café. The building is currently set over split levels with the main section of the garden centre being set on a significantly lower level than the restaurant / café, which fronts onto the main car park in the eastern portion of the site.

Also contained within the site are six retail concession units which includes the Lou Lou Boutique, Priory Kitchens, Leaf Interiors and Maidenhead Aquatics, amongst others.

The site has two vehicular entrances, one from Heol Mostyn to the north and another from Village Farm Road from the east. The access from Heol Mostyn provides the vehicular ingress and egress for customers, whereas the western access from Village Farm Road is currently utilised as ingress and egress for large HGVs and deliveries to the businesses within the site.

The garden centre benefits from two car parking area, one L-shaped car park between the main building within the site and the highways of Heol Mostyn / A48, respectively. The second, larger car park is located to the east of the café building and this has been recently expanded to provide addition car parking capacity within the site. A total of 181 parking spaces with 9 disables spaces are currently provided within the site.

The larger car park is accessed via an internal access road between the Leaf interior and Lou Lou Boutiques concession units. It is acknowledged that the access road narrows in width between these buildings, so that two cars cannot pass each other through the pinch point in the road.

To the south of the existing cluster of buildings and the north of the HGV access road is an existing watercourse. This is set at a lower ground level than the adjoining buildings, with an existing culvert providing access from the eastern car park to the southern parcel of land within the site.

The land to the south of the watercourse is currently used as a service yard area to serve the garden centre, with materials stored on this land. This land also accommodates a significant bund of spoil, which is partially covered with vegetation.

The proposals map of the LDP shows that the site is within the settlement limits of the Key Settlement of Pyle. In addition, the site falls within the designated Employment Site REG1 (36) Village Farm Industrial Estate.

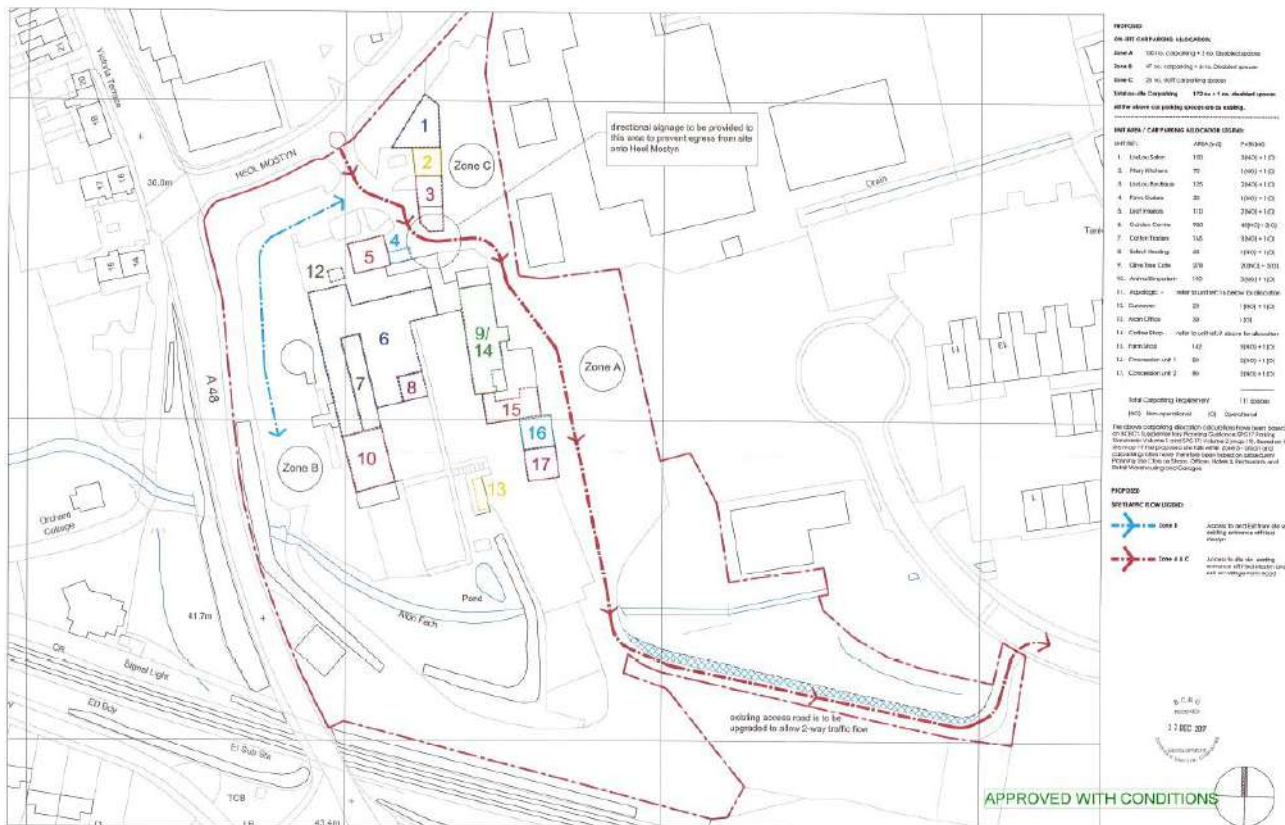
The site is located within Flood Zone A and is at little or no risk of flooding. The site has no other landscape, ecological or historical constraints that would prevent development.

Planning History

The following planning applications are those which are considered to be most relevant to the current proposals submitted under this pre-application enquiry.

Application Reference No.	Description of Development	Decision	Decision Date
P/17/816/FUL	Redevelopment and extension for extended coffee shop/restaurant area, farm shop, kitchen area, toilets and 2 new concession retail units	Granted	26/04/2018
P/99/533/OUT	Redevelopment of retail outlet to class A1 food store fast food unit, petrol car wash, parking	Withdrawn	22/08/1996

The most relevant of the above applications is the approval for the redevelopment and extension of the coffee shop / restaurant area, creation of a farm shop and two new concession retail units granted in April 2018. Provided below is the approved site layout plan for this development, which shows the expanded restaurant area as units 9/14 with the farm shop (unit 15) and the 2 x 80 sqm retail concession units adjoining to this (units 16 & 17).



Site Layout Plan Approved – Application Reference P/17/816/FUL

The above application was approved on the basis that the vehicular access arrangements into the site be amended, so that anyone parking in the eastern car park (Zone A above) would be required to exit via the Village Farm Road access when leaving the site. The primary reason behind this requirement was due to the intensification of use of the site and the potential for increase in conflicting traffic at the narrow point of the internal access road. The secondary reason was to reduce the number of vehicular movements turning left out onto Heol Mostyn, due to the capacity and traffic issues at the junction of this road and the A48.

The Proposed Development

This pre-application enquiry seeks the advice of the Local Planning Authority in relation to a multi-phase extension to the garden centre, to provide an extended car park, additional concession units, goods-in area, farm/shop / café and revised HGV delivery area and access.

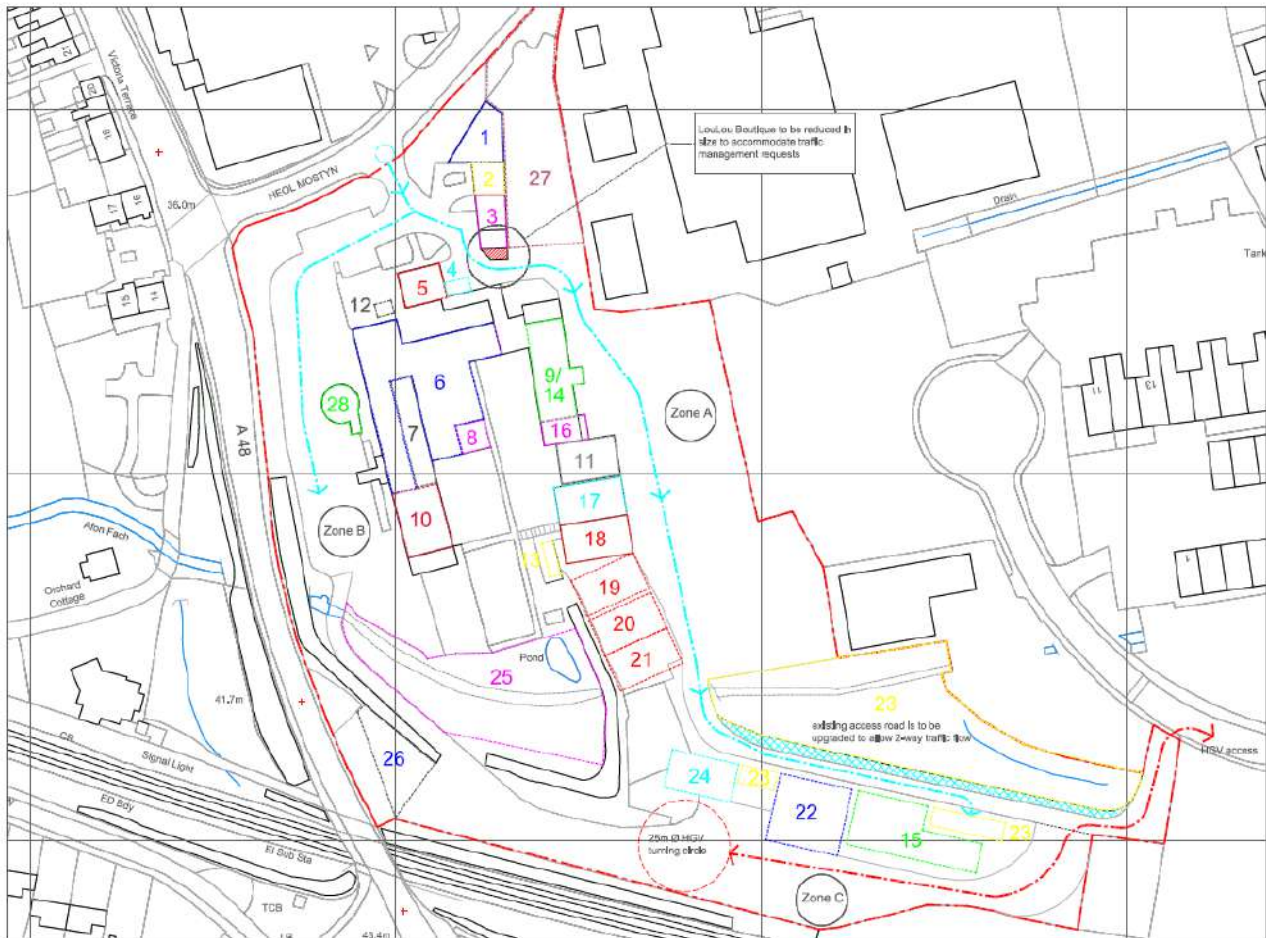
The masterplan has been drawn up to address a number of existing limitations with the site, which we consider to be as follows:

- The significant underutilisation of the large brownfield area between the existing buildings and railway line;
- The need to provide improved pedestrian linkages between the areas of the garden centre on separate ground levels;
- The need to provide enhanced car parking facilities;

- d) To remove the 'pinch-point' within the internal access road and to remove the need for future customers to exit via the HGV entrance;
- e) The desire to provide a drive-up collection point for compost and online collection orders;
- f) The enhancement of the ecological area adjoining the garden centre, to provide an extension to the garden centre for outdoor seating / education of local students; and
- g) The wish to retain the extant permission for a farm shop in a new location within the site.

Given the above, the masterplan proposes a four-phase development which has been designed with the above key matters in mind. The phases of development would be as follows:

Phase	Development
1	• The development of 2 x 185 sqm concession units (which would supersede the 2 x concession units approved under application reference P/17/816/FUL); • The culverting of the existing watercourse through the site to the north of the existing HGV access road; • The partial demolition of LouLou Boutique to allow the internal access road to be widened to accommodate the width of two cars; and • The extension of the garden centre to provide an enhanced ecological area.
2	• Creation of a goods-in area for the collection of bulky goods and online orders; • An amended HGV storage and delivery area, with revised HGV delivery route and access; • Enlargement of eastern car park and • New refuse storage area.
3	• The development of 3 x 185 sqm retail concession units.
4	• The development 1 x 370 sqm retail concession unit and a farm shop / café.



Proposed Site Masterplan

In addition to the above, we are aware of the major housing allocation being proposed at the 'Land East of Pyle', which is identified within the replacement LDP Preferred Strategy as having the potential to provide 1,500 new homes during the next plan period.

This potential major housing development would be closely located to our site and we understand the issue of pedestrian connectivity along the eastern side of the A48, as the pavement narrows to substantially less than 2 metres over the Grade II Listed bridge and beyond to the north.

The masterplanning exercise has considered how the development of our site could work in conjunction with the major housing allocation to the south and a strip of land adjoining the western edge of our site would be safeguarded for the expansion of the width of the footway. We have also made initial contact with the landowners of the allocation to the south to discuss a potential sale / option over this land for the allocation to deliver the required pedestrian connectivity improvement measures.

Key Material Considerations

Principle of Development

The application site falls within the settlement limits of the Key Settlement of Pyle and within the designated Employment Site REG1 (36) Village Farm Industrial Estate.

Paragraph 3.1.16 of the LDP defines the roles of the main settlements as having a have a strong employment function with an existing concentration of business and a good variety of retailing and community services that meet the needs of the settlement and the surrounding area. The main settlements represent some of the largest centres within the County Borough in terms of employment, population, economically active people and retail and community service provision.

The proposed development would be within the settlement limits for Pyle and would assist in enhancing the retail offer available within the settlement. The key material considerations relating to the principle of development are as follows:

1. The development of additional retail space outside of the identified District Centre; and
2. The use of designated employment land to provide additional retail units.

We have considered the principal of development in relation to the above key policy of the LDP in further detail below.

Retail Impacts

The key retail related policy contained within the Local Plan is Policy SP10 'Retail and Commercial Hierarchy'. This Policy states that new retail, commercial and appropriate employment developments will be focused according to the identified hierarchy, with Pyle being identified as a District Centre. Policy SP10 continues to state:

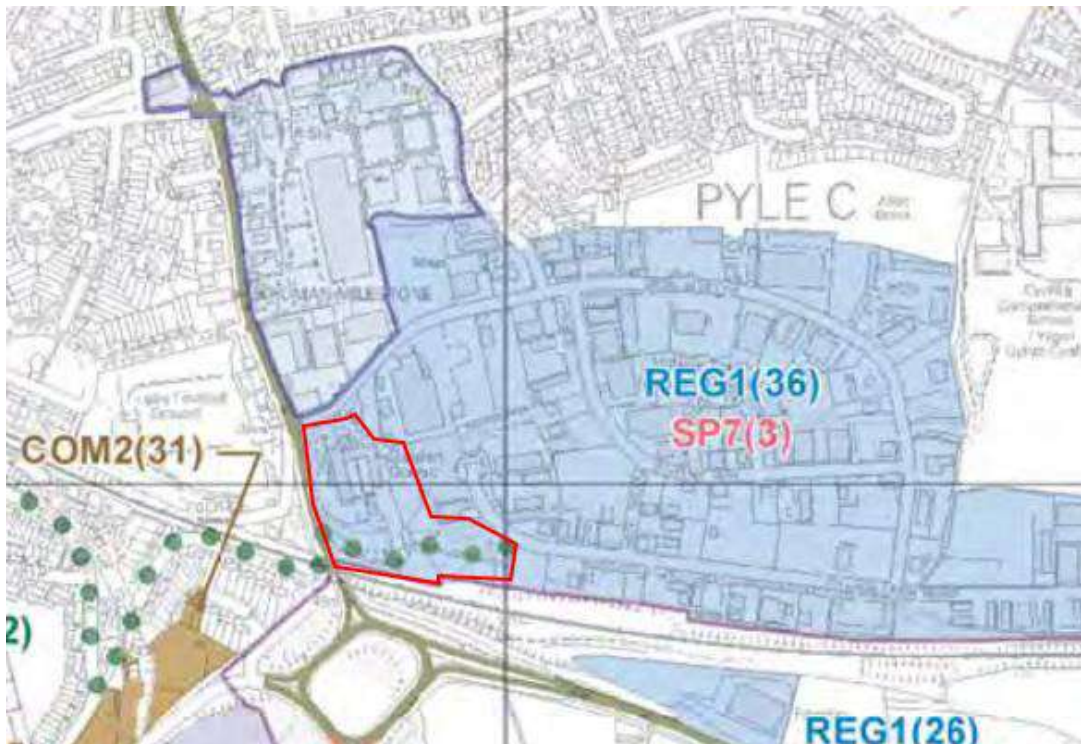
"New retail, office, other commercial and leisure developments shall be of a scale appropriate to the centre within which they are located, and should contribute to or sustain the vitality and attractiveness of that centre within the local retail hierarchy.

New out-of-centre retail and office development should be developed as a result of an identified need and sequential test of sites and should not be of a scale and type which would adversely affect the vitality, viability and attractiveness of the retailing and commercial centres."

Paragraph 4.3.18 of Planning Policy Wales (Edition 11 – February 2021) re-iterates the above requirement and state that the Welsh Government operates a 'town centres first' policy in relation to the location of new retail and commercial development and that LPAs should adopted this approach in decision making.

PPW 11 continues in paragraph 4.3.19 to outline that if a suitable site or building to meet identified need is not available within a retail and commercial centre, then consideration should be given to edge of centre sites and then out-of-centre sites.

Provided below is extract from the LDP Proposals Map, which shows the location of Pyle Garden Centre in red.



LDP Proposals Map

The LDP Proposals Map shows the location of the identified Pyle District Centre, being identified in the purple line with light purple shading directly to the north of the application site. A copy of this map has been imposed on an aerial image below.



District Centre Overlayed on Aerial Image

The above map shows that the identified District Centre is very limited in retail provision. The main retail provision in the district centre is the Asda supermarket. The remaining provision is the row of shops at the northern-west end of the district centre, which provides a convenience store, barbers, pet shop, post office and takeaway, amongst others. In addition, a pocket of warehouse style, retail units are located to the north of the application site. This contains a Greggs, home furniture shop, DIY garden centre and antiques shop, amongst others.

Outside of the above retail provision, the rest of the district centre is given over to assembly and leisure uses, including the Pyle Life Centre and Dizzy's Castle Soft Play Area, with a large areas of the District Centre being covered by residential dwellings facing on the A48 and B4281.

Given the diverse nature of uses and disjointed nature of the District Centre, with the retail uses being set in two small clusters and a supermarket, which is separated by housing, there is no available sites within the centre that are available for the expansion of the retail provision within the town.

In terms of sequential preference, Pyle Garden Centre is immediately adjoining the District Centre and already is already in retail use. As such, this site is clearly an edge-of-centre site and is considered to be the most sequentially preferable site, for the expansion of the town's retail offering. Given that the existing site is already adjoining an existing cluster of retail uses, the site would also make a logical rounding off of the District Centre, as it does not fall within an 'employment' use i.e., Use Class B, so is more in character with the adjoining District Centre than the employment area.

Given the above, it is considered that the proposed masterplan expansion of the Garden Centre would not undermine the vitality and viability of the District Centre. The proposed uses would clearly not compete with the main Supermarket, or larger retail warehousing units to the north. The units would be of similar sizes to those at the north-western corner of the district centre i.e., at the junction between the A48 and B4281. However, these units cater for the basic day-to-day needs of local residents such as hairdressers, post-office, convenience store etc. The proposed retail concession units would cater to a different market and would offer more units for the sale of goods, such as the existing Cotton Trader, Maidenhead Aquatics, Lou Lou Boutique, etc. and so would offer a further expansion of the town's retail offering, without undermining the existing retailing offering within the town.

Therefore, we consider that the development would comply with the requirements of Policy SP10 of the LDP, in relation to the impacts of the development on the existing District Centre.

Employment Impacts

The application site forms part of the designated Employment Site REG1 (36) Village Farm Industrial Estate. Policy REG1 of the LDP relates to '*Employment Sites*' and this states that land is allocated and protected for employment development falling within the specified uses at a number of allocated sites. This includes the Village Farm Industrial Estate, where the land is protected for B1, B2 and B8 uses.

The existing Garden Centre is already a quirk of the employment land allocation. The land within the site is already being used for A1 purposes, as it forms a retail use for the sale of plants, gardening equipment, etc. with a number of concession stores that operate as A1 uses. Therefore, the existing site is already being used for non-employment land uses.

Further to the above, the land where the extension to the garden centre is proposed is already being used as ancillary space to the garden centre. The land in question is used as the current goods-in yard, where deliveries are

loaded and un-loaded and also used for open storage associated with the garden centre. Therefore, this land will be required for continued use by the Garden Centre for the coming years, otherwise it will not have a suitable service yard for the business to operate from for a site of this size.

That said and as outlined above, the existing use of this brownfield land is clearly being underutilised. The access to the southern yard area is via a small vehicular crossing over the existing watercourse. Therefore, the proposals would see the water course culverted, as has been done throughout the Village Farm Industrial Estate to the east, to create an uninterrupted plateau of land between the existing garden centre buildings and the railway land to the south. This would vastly improve the potential for this land and unlocks it to provide additional parking, additional retail units and an improved service yard access and arrangement.

At present, it is not possible for this land to be used to provide further employment land uses. It is landlocked from the remainder of the employment land allocation, by the Garden Centre itself. Any vehicular access to this site would be required to come through the garden centre using the HGV access from Village Farm Road and this is not suitable for a vehicular access with conflicting vehicular movements between HGVs accessing the Garden Centre and the vehicular traffic attempting to use this entrance if any new employment use buildings were erected on this land.

The existing garden centre is a significant employer between the garden centre and the other businesses within the site. Therefore, although the expansion of the garden centre will not provide B Use buildings, the expanded garden centre, additional retail concession units and farm shop / café would generate a significant number of new jobs, which would be a material consideration in the determination of the future application.

In summary, whilst we appreciate and accept that the land falls within the designated employment area, there are a number of significant material considerations which make the proposed expansion of the garden centre acceptable. The first is that the land in question is already being used as ancillary to the garden centre, so forms a retail use of the land. Regardless of the outcome of the proposed masterplan, the business will require this land to be continued to be used ancillary to the garden centre and so it will not become available for employment use for the long-term foreseeable future. The second is that the existing land is only accessible through the garden centre and the vehicular access to this is not suitable for intensification of use for additional highways movements, especially if the garden centre is required to divert exiting customers through this access only. The final consideration is that the proposed development would make best use of an existing brownfield site, by intensifying its use and provide new retail units, that would themselves generate a substantial number of new jobs and employment.

Given the above, we consider that the use of the land for the expansion of the garden centre should be considered an acceptable use of employment land. We will also be making representations to the replacement Local Plan public consultation to seek the inclusion of the land within the District Centre and its deletion from the designated Employment Land. Therefore, we consider that the principle of development for the masterplan and the expansion of the garden centre is acceptable in principle.

Highways Impacts

The applicant benefits from an extant planning permission for the creation of a farm shop and the erection of additional retail concession units at the site (ref: P/17/816/FUL). This planning permission was granted on the basis that the highways movements through the site be amended to a one-way systems for the main eastern car park.

This would entail customers entering from the Heol Mostyn vehicular access and then exiting onto Village Farm Road. However, this arrangement would cause an increase in conflicting vehicular movements between HGVs entering the site and customers. In addition, from a commercial perspective for the applicant, it would be less attractive to customers to have to drive through the industrial estate to return back to the junction with the A48.

The requirement for the creation of the one-way system were two-fold, which are as follows:

1. The narrowing of the internal access road between the Lou Lou's Boutique and Leaf Interiors, which prevents two cars passing through this 'pinch-point'; and
2. The lack of capacity at the junction between A48 and Heol Mostyn, causing issues with car exiting from the Heol Mostyn exit.

To address the first issue, phase 1 of the proposed masterplan includes the partial demolition of the Lou Lou's Boutique store. This demolition will allow for the internal access road to be widened, so that two cars can pass each other, ensuring that a suitable internal access road can be provided between the main eastern car park and the Heol Mostyn vehicular access.

By addressing the pinch-point within the site, the main issue with the internal vehicular access route will be addressed and safe and suitable vehicular access can be provided for the circulation of vehicles within the site.

In relation to the second issue, Captia Redstart have been appointed to provide a highways note associated with the proposed masterplan expansion. This highways note demonstrates in Table 1 that the new signalised junction at the A38 and Heol Mostyn will work significantly better with signalisation, than when the previous planning application for the additional concession units was submitted in 2017. It also confirms that the proposed development is not envisaged to generate a significant increase in traffic and the access junction into the garden centre will be designed to ensure queuing out onto the highway from the garden centre will not occur.

The above comments and summary by Capita would be fully evidenced by a Transport Statement that would be submitted to support the full planning application at the site.

The proposed masterplan would also provide an extension to the eastern car park, which would form part of the second phase of development. The applicant has already recently extended this car park to provide sufficient capacity and the existing parking provision is for 181 parking spaces of which 9 are disabled.

Table 2 within the Highways Technical Note undertakes an assessment of the existing units and proposed development against the parking standards required under Supplementary Planning Guidance Document 17. This demonstrates that the proposed masterplan would require a maximum of 154 parking spaces, to be in accordance with the Council's adopted parking standards. The existing site provides in excess of this, but this is primarily to offer parking choice dependent on whether the customers visit the main garden centre or retail concessions.

The proposed masterplan will also provide 6% capacity of the required parking spaces as disabled i.e., 9 parking spaces that are currently provided. In addition, Table 3 of the Highways Note identifies that a total of 46 cycle spaces would be required to comply with the Council's adopted standard. The proposed masterplan will accommodate these additional parking spaces within the development, within a location that will be shown on the proposed site

plan during the submission of the planning application. The same will also occur for motorcycle parking, where 9 motorcycle parking spaces will also be shown on the proposed site plan.

In conclusion, we consider that the revised internal layout can provide an internal access road that will allow two cars to pass and for a suitable pedestrian footway to be provided. This will address the concerns from the previous application and, when combined with the new signalised junction between the A48 / Heol Mostyn, will ensure that the existing main vehicular access into the site can be retained for ingress and egress, without causing unacceptable harm to highway or pedestrian safety.

Ecological Impacts and Drainage

The application site proposes the culverting of the existing watercourse to create the level plateau within the site. The full planning application will be supported by a phase one ecological survey to demonstrate that the development would not impact a protected species or its environment.

In addition, a drainage consultant has been appointed to assist with the development and we shall be seeking a pre-application enquiry from the Council's SAB team to demonstrate how the site will be drained in a manner which would allow for SAB Approval to be granted.

Summary and Conclusions

The proposals represent an opportunity to bring forward a much needed an extension to the garden centre that would provide an additional retail offering for Pyle and provide additional employment to the local community. The site is located at the edge of the existing District Centre and there are no sequentially preferable sites that are available within the District Centre to deliver the expansion of retail offering being proposed.

The existing site is already being used as ancillary to the garden centre and will not be available for employment use, as the disaggregation of the service yard from the garden centre would undermine its future operation. When added to the lack of suitable vehicular access that could be withstand an intensification of use to provide employment units, it is clear that the land where the proposed expansion would occur is not available or suitable for employment land use.

Overall, we consider the proposals do not give rise to any significant planning issues which could not be addressed in the forthcoming planning application and we look forward to discussing the proposal with you in due course. Given the nature of the proposals, we would suggest that we a socially distanced site visit is completed and we could then have the pre-application meeting outside at the garden centre, if this would be acceptable to the Council.

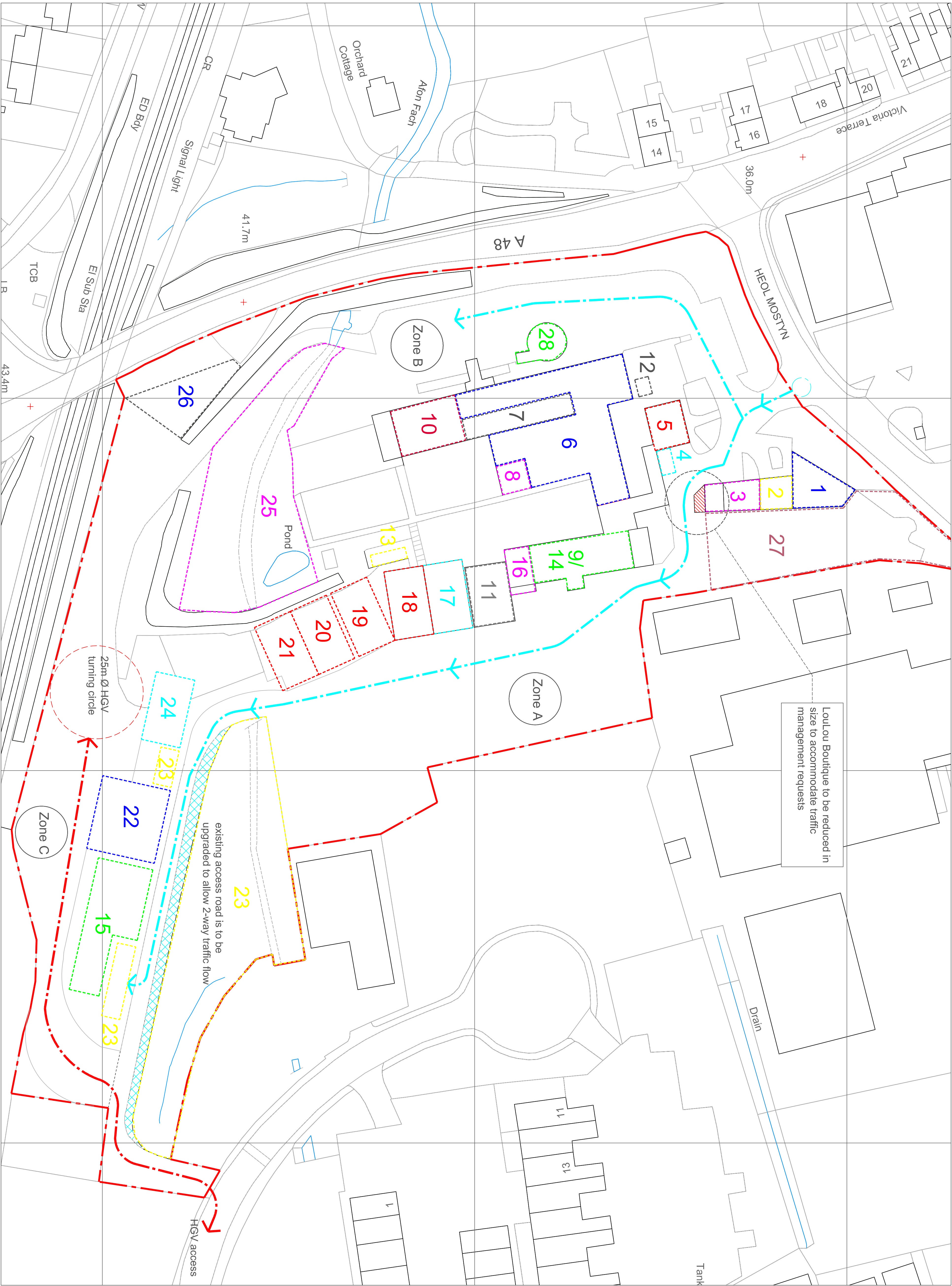
In the interim, if there is any further information required to inform the pre-application process, then please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Alex'.

Alex Smith

Director



PROPOSED

ON-SITE CAR PARKING ALLOCATION:

Total on-site Carparking 181 no + 9 no. disabled spaces

All the above car parking spaces are as existing.

UNIT AREA / CAR PARKING ALLOCATION LEGEND:

UNIT REF:	AREA (m2)	PARKING
1. Loulou Salon	150	3(NO) + 1(O)
2. Plooy Kitchens	70	1(NO) + 1(O)
3. Loulou Boutique	125	2(NO) + 1(O)
4. Paws Galore	25	0(NO) + 1(O)
5. Leaf Interiors	110	2(NO) + 1(O)
6. Garden Centre	950	48(NO) + 3(O)
7. Cotton Traders	165	3(NO) + 1(O)
8. Select Heating	60	1(NO) + 1(O)
9. Olive Tree Cafe	278	20(NO) + 1(O)
10. Animal Emporium	190	3(NO) + 1(O)
11. Maidenhead Aquatics	170	3(NO) + 1(O)
12. Duroven	20	0(NO) + 1(O)
13. Main Office	30	1(O)
14. Coffee Shop - refer to unit ref. 9 above for allocation		
15. Farm Shop / Coffee	430	11(NO) + 2(O)
16. Entrance / WC	70	
17. Concession unit 1	185	3(NO) + 1(O)
18. Concession unit 2	185	3(NO) + 1(O)
19. Concession unit 3	370	7(NO) + 2(O)
20. Concession unit 4	185	3(NO) + 1(O)
21. Concession unit 5	185	3(NO) + 1(O)
22. Concession unit 6	370	9(NO) + 2(O)
23. Additional parking areas		TBC
24. Goods in / Collection	200	
25. Extension to Garden Centre / Wellbeing		
26. Refuse Area		
27. Wall 2 Wall Wines	95	2(NO) + 1(O)

Total Carparking Requirement 154 spaces

(NO) Non-operational (O) Operational

The above carparking allocation calculations have been based on BRC's Supplementary Planning Guidance SPG17 Parking Standards: Volume 1 and SPG17: Volume 2 (pnp 19). Based on the site map 19 the proposed site falls within Zone 3 - Urban and carparking ratios have therefore been based on subsequent Planning Use Class i.e. Shops, Offices, Hotels & Restaurants and Retail Warehousing and Garages

OTHER ON-SITE PARKING PROVISIONS:

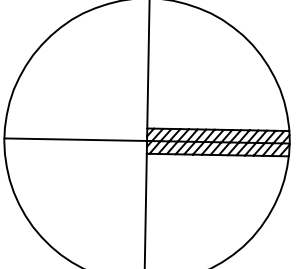
Motorcycles - 9/no
Bicycles - 48/no
To be located within extended carpark area

PROPOSED

SITE TRAFFIC FLOW LEGEND:

Zone A & B Access to and exit from site via existing entrance off Heol Mostyn

Zone C HGV access to and from Village Farm Road



block plan

PLANNING
UNIT ALLOCATION PLAN - PROPOSED

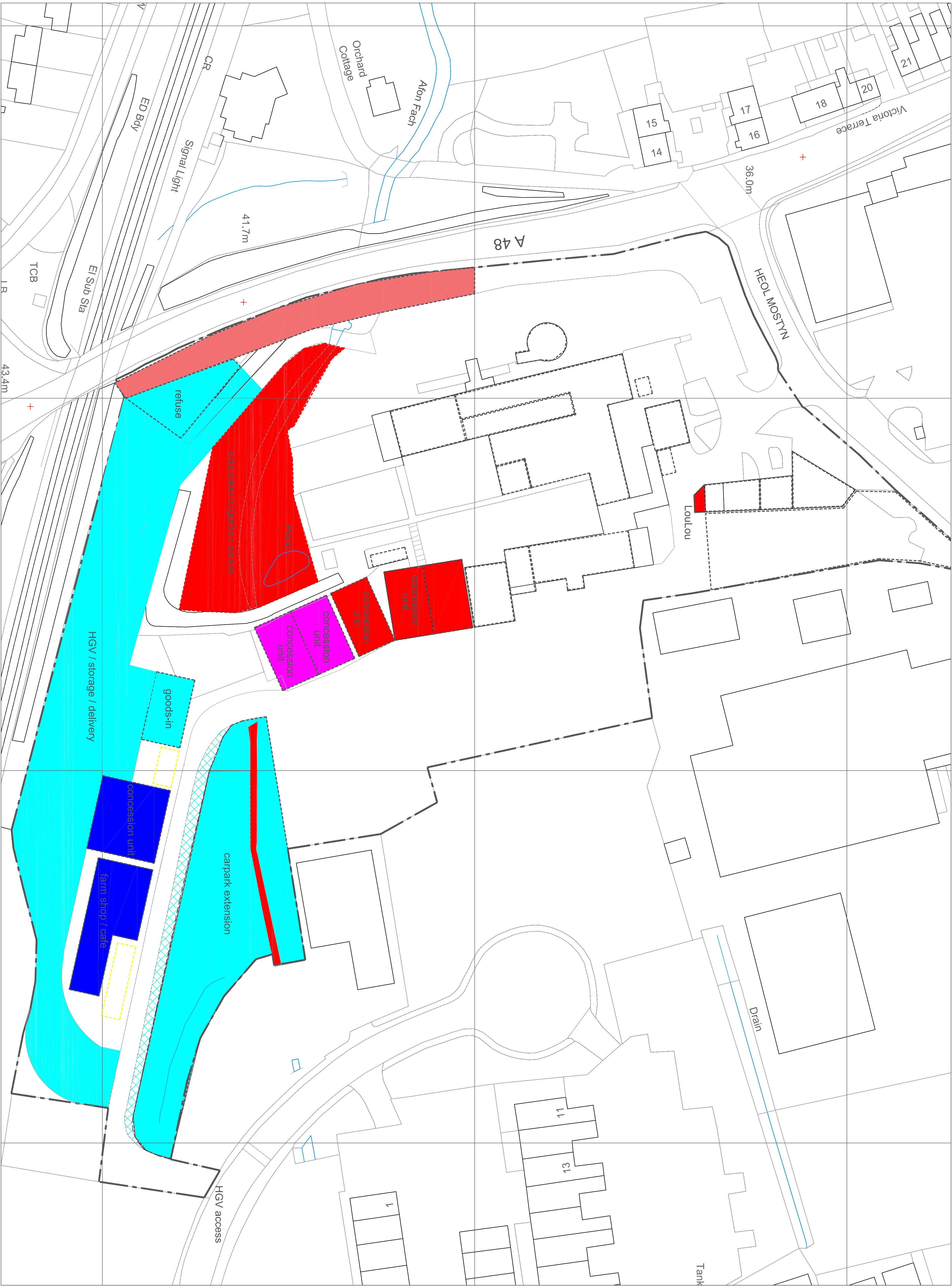
DRAWING NO. 1721-P10 / SCALE 1:500 @ A1

29.11.2017 / REV/B



ARCHITECTURAL DESIGN
(SOUTH WALES)

The Innovation Centre
Bridgend Science Park
Technology Drive
Bridgend
CF31 3NA
t. 01656 656767 / m. 077886822912
e. info@ad-sw.co.uk



PHASING PLAN - PROPOSED

PHASE 1

- 1. LouLou boutique - reduce size
- 2. 3no. 185m² concession units
- 3. Extend Garden Centre (south west corner)
- 4. Culvert work to stream / brook

PHASE 2

- 1. HGV access
- 2. Goods-in unit
- 3. Storage yard
- 4. Refuse area
- 5. Extend carparking areas

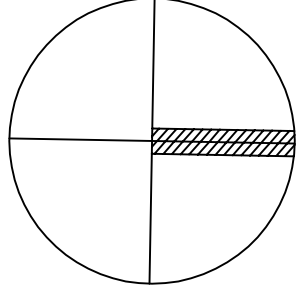
PHASE 3

- 1. 2no 185m² concession units

PHASE 4

- 1. 1no 370m² concession unit
- 2. Food farm shop
- 3. Cafe

Area safeguarded for potential sale for expansion of adjoining footway



PLANNING
PHASING PLAN - PROPOSED

DRAWING NO. 1721-P11 / SCALE 1:500 @ A1
29.11.2017 / REV:

ARCHITECTURAL DESIGN
(SOUTH WALES)

The Innovation Centre
Bridgend Science Park
Technology Drive
Bridgend
CF31 3NA
t. 01666 656767 / m. 07789682912
e. info@ad-sw.co.uk

block plan



Pyle Garden Centre, 2 Heol Mostyn, Village farm
Industrial Estate, Pyle, Bridgend, CF33 6BJ

Planning Statement

Document 2

Planning Committee Report – App Ref. P/17/816/FUL

REFERENCE: P/17/816/FUL

APPLICANT: Pyle Garden Centre 2 Heol Mostyn, Pyle, CF33 6BJ

LOCATION: Pyle Garden Centre 2 Heol Mostyn Pyle CF33 6BJ

PROPOSAL: Redevelopment and extension for extended coffee shop/restaurant area, farm shop, kitchen area, toilets and 2 new concession retail units

RECEIVED: 26th September 2017

SITE INSPECTED: 16th October 2017

DESCRIPTION OF PROPOSED DEVELOPMENT

This application seeks full planning permission for the redevelopment of the eastern edge of the application site to include an extension to the building, at Pyle Garden Centre, Pyle.

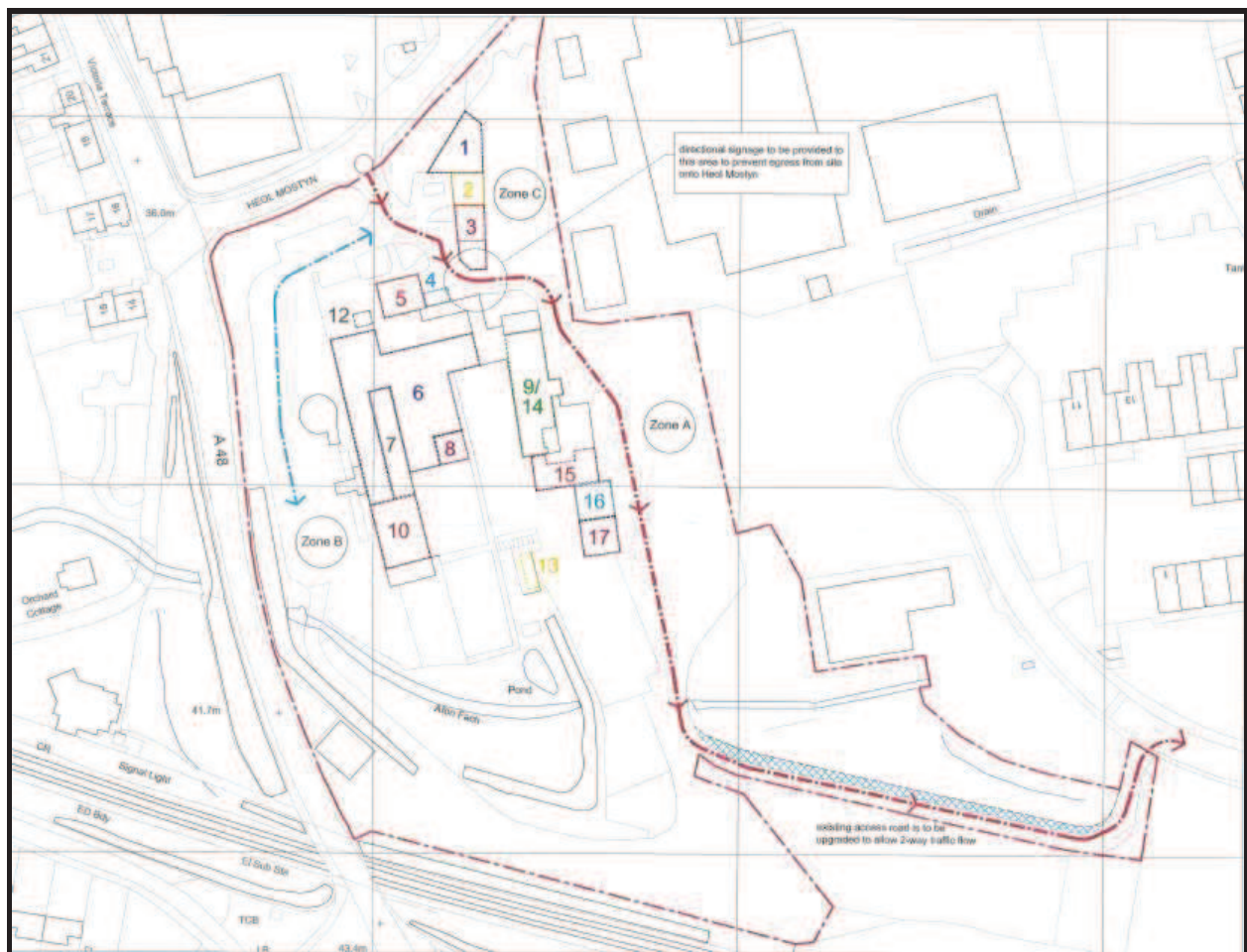


Figure 1

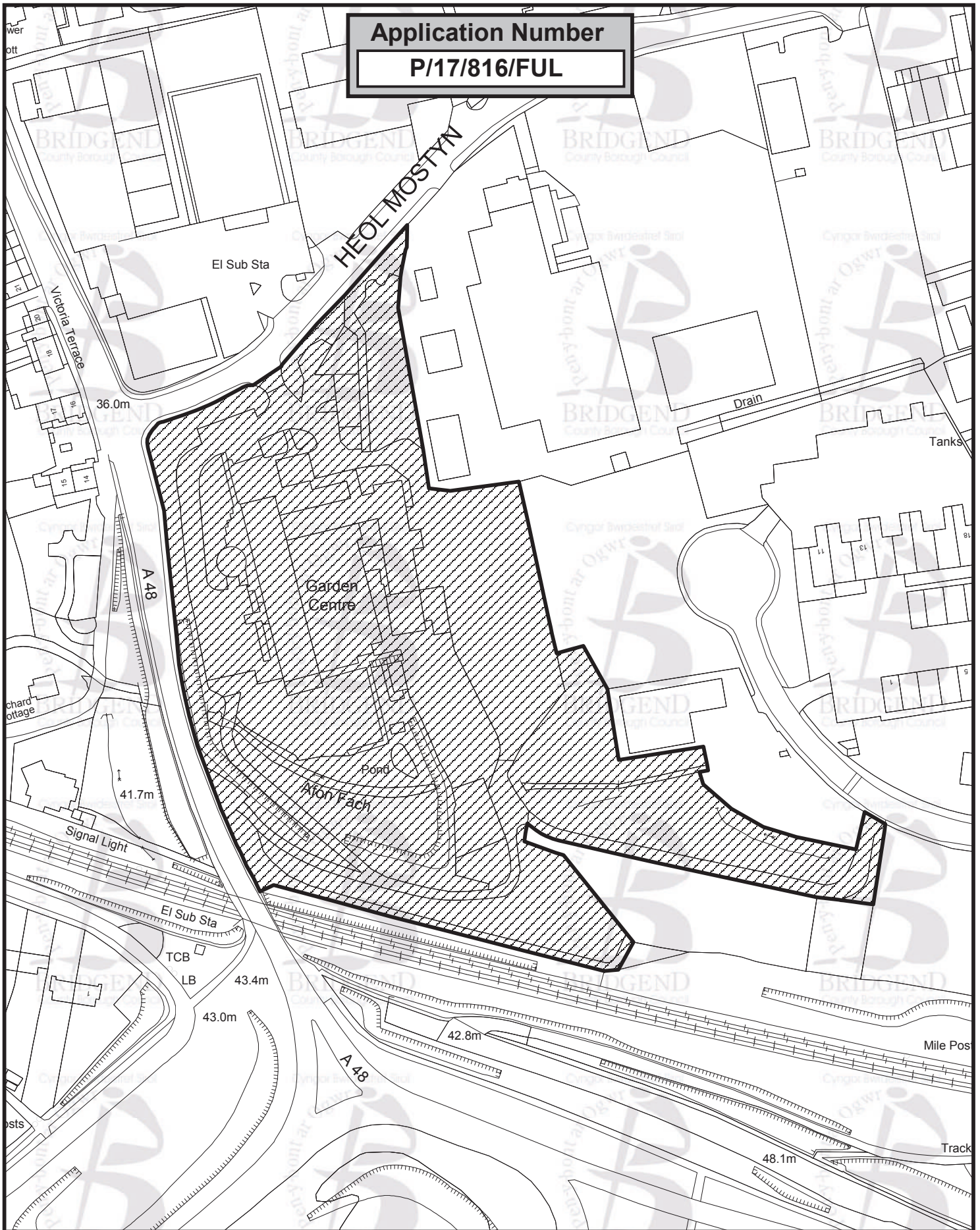
The redevelopment comprises an extension to the eastern section of the building to extend the existing 'Olive Tree Restaurant' area and provide toilet facilities. A coffee shop with delicatessen will replace the existing 'Animal Emporium' and 'Aqualogic'.

In addition, two concession retail units are proposed to be erected which will operate within an A1 use class. The units are positioned on the eastern section of the existing building, and are proposed to measure 20 metres in width, 10 metres in depth and 5.6 metres in maximum height.

The east-facing elevation of the building will be finished in vertical treated timber stained in a grey colour, and will have a light grey polycarbonate cladded roof, as shown below:

Application Number

P/17/816/FUL



Page 48

Scale 1:1,750

Date Issued:
20/04/2018

Development-Mapping
Tel: 01656 643176

Mark Shephard

Corporate Director-Communities

Communities Directorate,
Bridgend County Borough
Council, Civic Offices,
Angel Street,
Bridgend CF31 4WB.

O/Drive/Plandraw/new MI layouts/
Committee DC Plan

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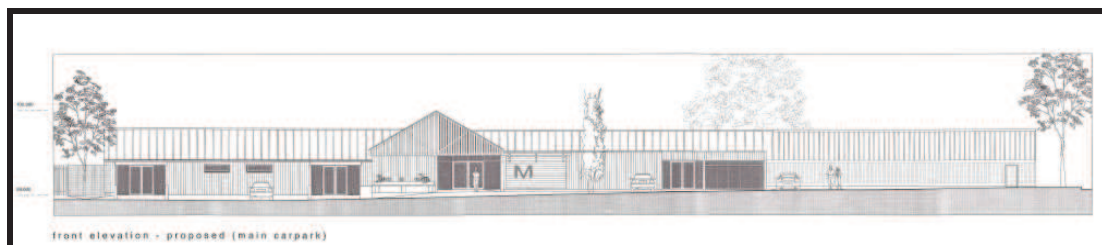


Figure 2

In addition to the above, the application proposes to erect a storage building in the south western corner of the application site. The building will serve as a 'goods in' storage facility, and will measure 10.5 metres in width, 12.5 metres in depth and 5.2 metres in maximum height. It will be finished with powder coated box-profile steel sheeted elevations and a cladded polycarbonate steel roof.

The application also proposes an alteration to the internal vehicular and pedestrian circulation of the application site by introducing a one-way system. The existing car park located to the east of the garden centre, as shown by 'Zona A' in Figure 1 above, will be extended, and an exit for vehicles will be created onto Village Farm Road.

SITE DESCRIPTION

The application site lies within the Main Settlement of Pyle, as defined by Policy PLA1 of Bridgend County Borough Council's adopted Local Development Plan (2013). It is situated at the western-most point of Employment Site REG1 (36) *Village Farm Industrial Estate* which is allocated and protected for employment development falling within B1, B2 and B8 uses, and lies approximately 20 metres to the south of the Retail and Commercial Centre of Pyle.

The site's western boundary lies adjacent to the A48 bypass road, whilst being positioned approximately 965 metres to the north of the M4 motorway. It is currently accessed via Heol Mostyn, which runs adjacent to the northern boundary of the application site.

The site comprises a relatively large garden centre complex with car parking allocation. The main building is 'horseshoe' shaped, and is predominantly occupied by the garden centre, which utilises 1,165 square metres of floor space. As shown in the diagram below, there are various ancillary uses currently operating within the main 'n' shaped building and in a separate unit to the north. Each unit is identified in the table below:



Unit Name	Area (m²)
1. LouLou Salon	150
2. Priory Kitchens	70
3. LouLou Boutique	125
4. Paws Galore	25
5. Leaf Interiors	110
6. Garden Centre	1165
7. Cotton Traders	165
8. Select Heating	60
9. Olive Tree Café	145
10. Animal Emporium	190
11. Aqualogic	110
12. Dunraven	20
13. Main Office	30

The garden centre can be accessed from the existing entrances on the north, east and western elevations, from the three separate car parking areas.

The eastern area is set above the main garden centre, as the land slopes from west to east.

RELEVANT HISTORY

Application Reference	Description	Decision	Date
P/99/533/OUT	Redevelopment of retail outlet to class A1 foodstore fast food unit, petrol car wash, parking	Withdrawn	15/06/2001

PUBLICITY

This application has been advertised through direct neighbour notification and the erection of a site notice. The application was also advertised in the Glamorgan Gem newspaper published on 23rd November 2017.

No representations have been received within the consultation period which expired on 11th January 2018.

CONSULTATION RESPONSES

CONSULTEE	COMMENTS
Countryside Management 12 th October 2017	The applicant should submit a method statement so that the works proceed in a lawful manner that would not undermine protected species.
Land Drainage 12 th October 2017	Recommends the inclusion of the suggested planning conditions in view of the limited information submitted with the planning application.
Dŵr Cymru Welsh Water 16 th October 2017	No objection subject to the imposition of the recommended informative notes.
Public Protection 20 th October 2017	Advises the use of the 'unforeseen contamination' condition in accordance with CIEH best practice.
Transportation, Policy and Development 19 th April 2018	No objection subject to the inclusion of the recommended planning conditions.

RELEVANT POLICIES

The relevant policies and supplementary planning guidance are highlighted below:

Policy PLA1	Settlement Hierarchy and Urban Management
Policy SP2	Design and Sustainable Place Making
Policy SP3	Strategic Transport Planning Principles
Policy PLA11	Parking Standards
Policy ENV5	Green Infrastructure
Policy ENV6	Nature Conservation
Policy REG1	Employment Sites
Policy REG2	Protection of Identified Employment Sites

In addition, the Council has adopted a Supplementary Planning Guidance Note relating to Safeguarding Employment Sites (SPG21 – 17th June 2015). The SPG is a material

consideration in the determination of all planning applications for development which results in the loss of allocated employment land for non 'B Class' uses.

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:

Planning Policy Wales Chapter 3	Making and Enforcing Planning Decisions
Planning Policy Wales Chapter 4	Planning for Sustainability
Planning Policy Wales Chapter 7	Economic Development
Planning Policy Wales Chapter 10	Retail and Commercial Development
Planning Policy Wales TAN 4	Retail and Commercial Development
Planning Policy Wales TAN 12	Design
Planning Policy Wales TAN 23	Economic Development

APPRAISAL

This application is presented to the Development Control Committee as it does not fully accord with the criterion of Policy REG1 (36) of the LDP. Although applications for planning permission should be determined in accordance with the adopted Local Development Plan (2013), there are material considerations in this case that outweigh the policy conflicts which are considered in detail below.

PRINCIPLE OF DEVELOPMENT

Planning Policy Wales (Edition 9)(2016) stipulates at paragraph 7.1.3 that:

“the planning system should support economic and employment growth alongside social and environmental considerations within the context of sustainable development. To this end, the planning system, including planning policies, should aim to ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses. Local planning authorities should aim to facilitate the provision of sufficient land required by the market, except where there are good reasons to the contrary”.

The application site is located within *Village Farm Industrial Estate* which is allocated and protected for employment development falling within B1, B2 and B8 uses under Policy REG1 (36) of the Local Development Plan (2013).

Policy REG2 is intended to protect identified employment sites from proposals which result in the loss of existing or proposed employment (B1, B2 or B8) land or buildings on sites identified in Policy REG1. Exceptions will need to be justified on the following grounds:

- “1. In appropriate locations, a limited number of those uses regarded as complementary and/or ancillary to the main use of the land for industrial purposes; or*
- 2. In appropriate locations, those sui generis employment uses which are suitable located on employment land”.*

The proposal is not strictly considered to be compliant with Policies REG1 (36) and REG2 of the Local Development Plan (2013). However, given that Pyle Garden Centre is an established retail facility and has operated as an A1 use class for a significant period of time without detriment to the allocated and identified employment site, the proposal is considered to be an appropriate form of development in this location which is in close proximity to the defined Pyle Retail Centre.

Whilst not strictly operating within a B1, B2 or B8 use class, Pyle Garden Centre generates an

employment facility within the Main Settlement of Pyle. The current proposal would introduce 14 full-time and 7 part-time roles, in addition to those existing, helping to promote the local economy.

The continued use of the application site for non B1, B2 or B8 uses will not fundamentally alter the nature of the *Village Farm Industrial Estate*, and as such it is argued that the economic benefits of the scheme outweigh the requirements of Policies REG1 (36) and REG2. The development is therefore considered to be acceptable.

DESIGN

Planning Policy Wales (Edition 9)(2016) (PPW) at paragraph 4.11.9 stipulates the following:

“the visual appearance of proposed development, its scale and its relationship to its surroundings and context are material planning considerations”.

Policy SP2 of the Local Development Plan (2013) stipulates that *“all development should contribute to creating high quality, attractive, sustainable places which enhance the community in which they are located, whilst having full regard to the natural, historic and built environment”.* Design should be of the highest quality possible, and should be appropriate in scale, size and prominence.

The proposed extension to the eastern section of the building, whilst large, represents an improvement to the existing facility (shown in the photographs below), and will enhance the slightly dilapidated area of the application site. In addition, this area is not highly visible from public vantage points.



The proposal is considered to be of an appropriate prominence within the application site, and will not be so detrimental to the visual appearance of the application site or wider industrial estate to warrant a refusal on such grounds. Therefore, the extension is considered to be appropriate from a design perspective, compliant with criterion (3) of Policy SP2 of the Local Development Plan (2013).

The erection of a building to provide a storage facility in the south western corner of the application site is considered to be a modest form of development that will not detract from the character or appearance of the area, in accordance with Policy SP2 of the Local Development Plan (2013). The building will not be visible from public vantage points, and is therefore considered to be of an appropriate prominence. The materials are designed to

AMENITY

Given the location of the additional retail units, the proposed development is not considered to impact the existing levels of amenity, and as such, no concerns are raised.

HIGHWAYS

The Transportation, Policy and Development Section acknowledge that, at peak periods, the junction of the A48 and Heol Mostyn operate at overcapacity, causing congestion on the A48. However, whilst the proposal may increase traffic on the highway network, it is considered not to have a material impact, given that trips are likely to take place outside of the peak periods.

The number of vehicular trips to the extended restaurant, coffee shop facility and retail concession units proposed is unlikely to increase the overall number of movements to and from the garden centre, as the trips would form part of a wider linked trip by existing customers. Customers already visiting the garden centre are likely to visit the extended restaurant, coffee shop facility and retail concession units proposed, and the amount of trips generated solely for the purpose of visiting the extended and new facilities are likely to be minimal and would be non-material to the highway network.

Notwithstanding the above, it is acknowledged by the applicant that congestion on the local highway network is a concern of The Highway Authority, and as such, has proposed a one-way system through the application site. Currently, the access to the site is off Heol Mostyn, where vehicles currently enter and exit the site. The proposed one-way system will see vehicles enter the site off Heol Mostyn, and exit via a new access point on the eastern boundary of the site, adjacent to Village Farm Road. It is considered that the one-way system will ensure pedestrians and vehicles do not come into conflict, which furthermore provides the benefit of removing the high risk of queuing out on the highway from the garden centre.

Subject to the imposition of the recommended planning conditions, the Transportation, Policy and Development Section consider that the proposal is acceptable from a highway safety perspective.

LAND DRAINAGE

The application is considered to be acceptable in terms of drainage subject to the imposition of a planning condition which recommends that no development shall commence on the site until a scheme which outlines a comprehensive and integrated drainage system is submitted to the Local Planning Authority.

ECOLOGY

In this instance, the Countryside Management Officer considered that it would not be necessary to request the submission of surveys in respect of protected species. It was recommended that the applicant be reminded of their legal requirements to consider wildlife on the development site, through the use of an informative note.

The Countryside Management Officer recommended that consideration be given to the provision of nest boxes within the development for bat and bird species. The applicant has demonstrated the inclusion of bat and bird boxes within the proposed area of development, and within the trees adjacent to the proposed extension. The incorporation of bat and bird boxes provides summer roosting opportunities for bats and would enhance the environmental sustainability of the development through the promotion of the resilience of ecosystems.

As such, the proposal is considered to be compliant with Policies ENV5 and ENV6 of the Local Development Plan (2013) which seeks to enhance Green Infrastructure and Nature Conservation, and is acceptable from an ecological perspective.

WELLBEING OF FUTURE GENERATIONS (WALES) ACT 2015

Section 3 of the Act 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 will be no significant or unacceptable impacts upon the achievement of wellbeing goals/objectives as a result of the proposed development.

CONCLUSION

The proposed development is considered to be appropriate in this location, despite being located within the allocated employment site under Policy REG1 (36) of the Local Development Plan. The economic benefits of the proposed scheme are considered to outweigh any policy conflicts, particularly given that Pyle Garden Centre has operated within an A1 use class for a significant period of time without detriment to the allocated and identified employment site.

The design of the proposal is considered to comply with Policy SP2 of the Local Development Plan (2013), and will offer the opportunity to improve the existing slightly dilapidated structure on the eastern side of the 'horseshoe' shaped building.

No concerns are raised which relate to neighbour amenity, and subject to the imposition of the recommended planning conditions, the proposal is considered to be acceptable from a land drainage and highway safety perspective.

The application is therefore recommended for approval.

RECOMMENDATION

That the Development Control Committee GRANT the proposed development, subject to the following condition(s):-

1. The development shall be carried out in accordance with the following drawing numbers:
 - "1721-PO8" received on 26th September 2017;
 - "1721-P01" received on 26th September 2017;
 - "1721-P04" received on 26th September 2017;
 - "1721-P07 A" received on 20th October 2017;
 - "1721-P05 A" received on 20th October 2017;
 - "1721-P06 A" received on 20th October 2017;
 - "1721-AC" received on 30th October 2017;
 - "1721-P10" received on 22nd December 2017.

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

2. Prior to the commencement of development, a method statement which outlines the timing of the works and demonstrates that they will not undermine protected species shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: In the interests of protected species and biodiversity.

3. Prior to the commencement of development, 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, must be submitted to and approved in writing by the Local Planning Authority. The approved scheme must be implemented prior to the beneficial use of the development.

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

4. No development shall commence until a scheme for the provision of 111 off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

5. No development shall commence until a scheme of directional / no exit signage at the Heol Mostyn entrance, one-way signage between units 3 & 4 and no entry signage at the Village Farm Rd exit has been submitted to and approved in writing by the Local Planning Authority. The signage scheme shall be implemented before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety.

6. No development shall commence until a Traffic & Delivery Plan has been submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicles movements to the store shall be made in accordance with approved Traffic & Delivery Plan once the development is brought into beneficial use and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

7. No development shall commence until a scheme for the provision of a pedestrian footway from Heol Mostyn linking to the entrance and a pedestrian footway / shared use path linking the Village Farm Rd access to the entrance has been submitted to and approved in writing by the Local Planning Authority. The footpath shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety and to promote sustainable travel modes to the development as part of the Active Travel (Wales) Act 2013.

8. No development shall commence until a scheme for the revised vehicular entrance off Heol Mostyn, to narrow the width of the bell mouth, which will ensure vehicles do not exit onto Heol Mostyn has been submitted to and approved in writing by the Local Planning Authority. The revised vehicular access shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety and the free flow of traffic.

9. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

British bats and their breeding sites and resting places are protected by law through UK legislation under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an absolute offence to damage or destroy a breeding site or resting place (sometimes referred to as a roost, whether the animal is present at the time of not), intentionally or recklessly obstruct access to a place used for shelter and protection, or deliberately capture, injure, kill, or disturb a bat/bats.

Under the Wildlife and Countryside Act 1981 (Section 1) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built.

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.

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 Dŵr 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.

The applicant may need to apply to Dŵr 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 confirm to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dŵr Cymru Welsh Water's maps of public sewers because they were originally privately owned and transferred into public ownership by nature of the Water Industry (Schemes for Adoption or Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dŵr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dŵr Cymru Welsh Water has rights of access to its apparatus at all times.

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 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 the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to the Local Planning Authority.

Any topsoil (natural or manufactured) or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to the Local Planning Authority in advance of its importation.

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 the Local Planning Authority in advance of its importation.

MARK SHEPHARD
CORPORATE DIRECTOR COMMUNITIES

Background Papers

None



Pyle Garden Centre, 2 Heol Mostyn, Village farm
Industrial Estate, Pyle, Bridgend, CF33 6BJ

Planning Statement

Document 3

Decision Notice – App Ref. P/17/816/FUL

Planning Reference No.: **P/17/816/FUL**

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

PERMISSION FOR DEVELOPMENT

To:

Architectural Design (South Wales)
1A3 The Innovation Centre
Technology Drive
Bridgend
CF31 3NA

Whereas you did on the 26 September 2017 make application in writing for permission to develop, short particulars of the development being as follows:

Applicant Name : **Pyle Garden Centre**

Development : **Redevelopment and extension for extended coffee shop/restaurant area, farm shop, kitchen area, toilets and 2 new concession retail units (FURTHER PLANS RECEIVED 22-12-17)**

Location : **Pyle Garden Centre 2 Heol Mostyn Pyle CF33 6BJ**

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

CONDITIONS

1. The development shall be carried out in accordance with the following drawing numbers:
 - "1721-PO8" received on 26th September 2017;
 - "1721-P01" received on 26th September 2017;
 - "1721-P04" received on 26th September 2017;
 - "1721-P07 A" received on 20th October 2017;
 - "1721-P05 A" received on 20th October 2017;
 - "1721-P06 A" received on 20th October 2017;
 - "1721-AC" received on 30th October 2017;
 - "1721-P10" received on 22nd December 2017.

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

2. Prior to the commencement of development, a method statement which outlines the timing of the works and demonstrates that they will not undermine protected species shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved.

Reason: In the interests of protected species and biodiversity.

3. Prior to the commencement of development, 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, must be submitted to and approved in

writing by the Local Planning Authority. The approved scheme must be implemented prior to the beneficial use of the development.

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

4. No development shall commence until a scheme for the provision of 111 off street parking spaces has been submitted to and agreed in writing by the Local Planning Authority. The parking area shall be completed in permanent materials with the individual spaces clearly demarcated in permanent materials in accordance with the approved layout prior to the development being brought into beneficial use and shall be retained for parking purposes in perpetuity.

Reason: In the interests of highway safety.

5. No development shall commence until a scheme of directional / no exit signage at the Heol Mostyn entrance, one-way signage between units 3 & 4 and no entry signage at the Village Farm Rd exit has been submitted to and approved in writing by the Local Planning Authority. The signage scheme shall be implemented before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety.

6. No development shall commence until a Traffic & Delivery Plan has been submitted to and agreed in writing by the Local Planning Authority. All servicing and delivery vehicles movements to the store shall be made in accordance with approved Traffic & Delivery Plan once the development is brought into beneficial use and retained thereafter unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

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Reason: In the interests of highway safety and to promote sustainable travel modes to the development as part of the Active Travel (Wales) Act 2013.

8. No development shall commence until a scheme for the revised vehicular entrance off Heol Mostyn, to narrow the width of the bell mouth, which will ensure vehicles do not exit onto Heol Mostyn has been submitted to and approved in writing by the Local Planning Authority. The revised vehicular access shall be implemented in permanent materials before the development is brought into beneficial use and retained in perpetuity.

Reason: In the interests of highway safety and the free flow of traffic.

9. * THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS

This application is recommended for approval because the development complies with Council's policy and guidelines and does not adversely affect privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal.

British bats and their breeding sites and resting places are protected by law through UK legislation under the Conservation of Habitats and Species Regulations 2010 which implements the EC Directive 92/43/EEC in the United Kingdom and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000). This legislation makes it an absolute offence to damage or destroy a breeding site or resting place (sometimes referred to as a roost, whether the animal is present at the time or not), intentionally or recklessly obstruct access to a place used for shelter and protection, or deliberately capture, injure, kill, or disturb a bat/bats.

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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 confirm to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption" - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's maps of public sewers because they were originally privately owned and transferred into public ownership by nature of the Water Industry (Schemes for Adoption or Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. The applicant may contact Dwr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

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 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 the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to the Local Planning Authority.

Any topsoil (natural or manufactured) or subsoil to be imported shall be assessed for

chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to the Local Planning Authority in advance of its importation.

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 the Local Planning Authority in advance of its importation.

Dated: **26 April 2018**

Signed:



CORPORATE DIRECTOR COMMUNITIES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

n. The developer shall notify the Planning Department on 01656 643155 / 643157 of the date of commencement of development or complete and return the Commencement Card (enclosed with this Notice).

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

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



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