

**PLANNING & DEVELOPMENT COMMITTEE**

**9 November 2023**

**REPORT OF: DIRECTOR PROSPERITY AND DEVELOPMENT**

**PURPOSE OF THE REPORT**

Members are asked to determine the planning application outlined below:

**APPLICATION NO:** 22/1252/10 (MF)  
**APPLICANT:** South Wales Police and Crime Commissioner  
**DEVELOPMENT:** Use of land for external police tactics training including external tactics equipment, maintenance access, landscaping, engineering and infrastructure works (in association with proposed police tactics facility at adjacent site within Bridgend County Borough, subject to separate planning application at Bridgend County Borough Council) (amended plans and supporting information received 09/08/23, 18/08/23 and 21/08/23).  
**LOCATION:** LAND TO THE SOUTH FELINDRE ROAD, PENCOED LLANHARAN  
**DATE REGISTERED:** 21/08/2023  
**ELECTORAL DIVISION:** Brynna and Llanharan

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**RECOMMENDATION:** Approve, subject to conditions.

**REASONS:** While greenfield in nature and outside of settlement limits, the application site lies within the employment land bank for Pencoed Technology Park and has a long history of planning permissions for employment use, benefiting from an extant outline consent. Furthermore, the proposed tactics facility is of both regional and national importance, being critical to national security. It will ensure that all firearms officers which attend are properly trained in tactics and firearms for the variety of incidents that may arise, and can do so within the local area generating economic growth and a number of employment opportunities. The principle of development is therefore considered acceptable.

It is accepted the proposed use will inevitably result in a degree of impact to the amenity standards currently enjoyed by occupiers of the closest neighbouring properties, but, on balance, it is not considered any potential impact would be significant enough to warrant refusal of the application, subject to appropriate conditions/mitigation.

Additionally, while the works would result in an alteration to the current character and appearance of the greenfield site, the development would be suitably contained from the open countryside to the north/east and would form an appropriate rounding off of the industrial estate in this location.

**It is also considered the impact of the scheme upon ecology and land drainage can be properly mitigated.**

**It is therefore considered the application complies with the relevant policies set out in the Local Development Plan and national guidance and is subsequently recommended for approval.**

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## **REASON APPLICATION REPORTED TO COMMITTEE**

3 or more letters of objection have been received from members of the public.

## **APPLICATION DETAILS**

Full planning permission is sought for the creation of a police tactics training facility at Pencoed Technology Park, Felindre. The site straddles the administrative boundaries of Rhondda Cynon Taf CBC (RCT) and Bridgend CBC (Bridgend) and therefore separate planning applications have been submitted to each Local Planning Authority (LPA) in respect of the relevant works proposed within each area.

The scheme within RCT and subject of this application proposes the change of use of a series of open fields currently used for grazing to an external police tactics training area, including some associated development. The external training area within RCT would be used in association with an indoor police tactics training centre that is proposed at the adjacent open fields within Bridgend (subject of a separate application currently being considered by Bridgend). As well as the main facility, the Bridgend area of the wider development site would also include most of the development's associated infrastructure such as access, parking, ancillary buildings, etc.

There is a limited amount of physical development proposed within RCT and subject of this application. No permanent buildings/structures are proposed within the RCT site, the fields would simply be used for outdoor training exercises in association with the adjacent main indoor facility within Bridgend, enabling officers to practice the skills learnt on tactical training equipment and outdoor areas.

The only physical development proposed at the RCT site is a small, mock train platform with carriages, located at the southern element of the plot. This feature would be enclosed to the north by a 2m high earth bund with 2m high acoustic fencing above and 3m high acoustic fencing at either side. The remainder of the RCT site would be used for 'open country' and 'cover and hide' exercises. Additional landscaping would be introduced throughout the site to provide enhanced screening and noise mitigation. An existing field access off the adjacent Felindre Road (east) would remain to allow for emergency access if necessary, but access to this external training area for exercises would be from the adjacent main facility within the wider development site (west).

It is advised that all aspects of training are undertaken throughout the year and in all weather conditions to replicate all potential operational deployments. As such, limited external lighting would be required at the mock platform but would only be used during training operations at that specific training area.

The applicant has advised that no live ammunition would be used externally at the outdoor training area within RCT. Officers/students would only use training ammunition outdoors, either 'simunition' which is essentially a paint round or blank rounds. Live ammunition would only ever be used within one of the dedicated internal live fire ranges at the indoor facility within the Bridgend area of the site. Externally, training is geared towards tactical awareness and the application of appropriate tactics rather than the physical use of firearms.

While the works proposed within Bridgend are outside of the control of RCT, and vice versa, both applications are intrinsically linked. The wider development could not go ahead unless both applications are approved. Therefore, while it is only the external training area and its potential impacts within RCT that is to be considered through this application, a brief outline of the development proposed within Bridgend is set out below to provide Members with an overview of the wider scheme:

A three-story building of modern design and finishing materials is proposed along the western boundary of the Bridgend site. It would comprise offices, warehouses, firing ranges, classrooms, plant areas, changing facilities, recreation facilities, stores and staff facilities. The training centre's off-street parking area would be sited at the north-eastern corner of this plot and various smaller ancillary buildings and landscaping located throughout. Several external training areas would also be sited within the Bridgend area, a street scene including several mock houses and mock roadway, a single decker bus and abseil / fast rope tower.

The training facility (whole site) would be open from 7am – 5pm Monday to Friday. The majority of staff would arrive prior to 7am with students arriving between 7.30am – 7.45am to commence training at 8am. Students would then leave the facility between 4pm – 4.30pm, with training staff leaving after 5pm. There would be approximately 150 students and permanent staff on site at any one time. It is noted however that some limited out of hours opening may be necessary if emergencies arise that require urgent tactic training before officers are deployed (instances where there is a major threat to life). It is advised that this would likely be less than 6 times a year based on previous events and that both LPAs would be advised of any such event within 72 hours of it occurring for monitoring purposes.

The applicant has detailed that the proposed tactics facility is of both regional and national importance, being critical to national security. It will ensure that all firearms officers which attend are properly trained in tactics and firearms for the variety of incidents that may arise; and while the facility would be used primarily by South Wales Police, Dyfed Powys Police and Gwent Police allowing officers of these forces to train

locally, it would also be available for use by any other constabulary from across the UK as necessary. There are currently only 6 existing facilities of this nature across the UK and this development would provide a much needed addition.

Finally, Members are advised that following initial comments from Natural Resources Wales (NRW) in respect of flooding (large areas of the site are located within a C2 flood zone), amended plans and relevant supporting information were received on 09/08/23, 18/08/23 and 21/08/23. The updated details relate largely to changes in ground levels and repositing of elements of the scheme within the Bridgend area of the site to remove them from or raise them above the flood zone.

Further ecology information was also submitted on 09/08/23 and 21/08/23 following initial concerns from NRW and the Council's Ecologist. As well as updated and additional surveys this also included an amended site location plan which sets out an area to the south of the RCT site, under the ownership of the applicant, for long term ecological mitigation.

Initial concerns were also raised by both RCT's and Bridgend's Public Health teams in respect of potential noise disturbance to the closest residential dwellings and Pencoed Cemetery. Consequently, updated noise impact assessments and other relevant supporting information such as details of acoustic barriers and a Noise Management Plan for External Firearms were received on 18/08/23.

## **SITE APPRAISAL**

The wider development site, both the plots within RCT and Bridgend, comprises several vacant fields that are currently used for grazing at the north-eastern extent of Pencoed Technology Park. Each of the fields are enclosed with mature trees / vegetation and are accessed off the adopted highway, Felindre Road, which forms the northern and eastern boundaries of the site. The Ewenni Fach runs through the centre of the site and forms the administrative boundary between RCT and Bridgend with the eastern element within RCT (subject of this application) and the western element within Bridgend (subject of a separate, concurrent application to Bridgend). The stream and its banks form the Ewenny Fach and associated Woodlands Site of Important Nature Conservation (SINC). Open countryside is located to the north and east of the site, although it is noted that several scattered residential and commercial properties are located in this area. Pencoed Cemetery is sited to the north-west and the wider Pencoed Technology Park is located immediately to the south and west, between the site and the nearby M4 Motorway approximately 400m away (south). Pencoed Technology Park is occupied by several large commercial/industrial units of varying design and scale and a number of vacant, undeveloped plots. The immediate office building to the south of the site is currently occupied by South Wales Police.

Much of the RCT element of the site is located within a C2 flood Zone, an area where there is potential for poor air quality to exist due to its close proximity of the M4 Motorway, and also both limestone and sand/gravel minerals resource areas. An

historic, undesignated moated homestead is also located at the north-eastern corner of the site.

## **PLANNING HISTORY**

Only the previous planning applications submitted at the RCT element of the wider development site are listed below:

06/0427 – Variation of condition to require permanent stopping up of highways prior to first occupation of the first building on the site; not prior to works commencing on site (as required by condition 11 imposed on outline planning permission 02/1850).

No decision, withdrawn by applicant, 24/05/06

05/1885 – Deletion of condition 12 (implementation of highway signalisation works at Felindre Road / A473 roundabout) and condition 33 (implementation of highway signalisation works at M4 Junction 35) as imposed on outline planning permission 02/1850.

Decision: Granted, 27/04/06

05/1884 – Variation of condition 1a (submission of reserved matters) as imposed on outline planning permission 02/1850.

Decision: Granted, 27/04/06

02/1850 – Erection of building for uses within Classes B1 and B2 of the Town and Country Planning (Use Classes) Order 1987, together with associated engineering and building operations and landscaping works.

Decision: Granted, 26/03/04

## **PUBLICITY**

39 of the closest neighbouring properties were individually notified of the application by letter. 5 notices were placed on and within the vicinity of the application site, and a notice was placed in the local press (Western Mail). This process was repeated following the submission of additional / amended details. Letters of objection have been received from 5 individuals, making the following comments (summarised):

- Concerns with the general use of firearms in close proximity of residential properties. Such a use is not appropriate near residential properties. The discharge of weapons is not a typical occurrence in such locations and will be distributing for surrounding residents, especially those with learning difficulties or disabilities. This type of use should be sited in a remote location away from any residential properties.
- The proposed use would result in significant noise disturbance to the nearest residential properties.
- The noise assessments submitted by the applicant are not objective and clearly weigh in favour of the applicant's proposals.

- The noise levels and considerations of the noise assessments are flawed and incorrect. Noise levels will exceed acceptable limits.
- Noise levels have been recorded at the boundaries of residential properties rather than within the curtilage and at the facades.
- The noise assessments have been carried out in accordance with recreational and sporting activities guidelines, e.g. clay pigeon shooting or sports stadiums, which is disingenuous. The proposed use has no resemblance to such uses.
- The noise level limits set out within the guidance used to produce the noise assessments would be exceeded. This demonstrates there would be an unacceptable impact to surrounding residents by way of noise disturbance.
- The noise assessments comment that the context of the site in close proximity of the M4 Motorway must be taken into account. The noise of gunfire is an emotive noise and should not be compared to ambient noise from road traffic.
- The need for the applicant to submit a noise management strategy with the application which details that local residents would have advance notice of training sessions, ways of complaining etc. clearly demonstrates that the proposed use would have a detrimental impact upon the nearest residents by way of noise disturbance.
- Noise from this development would affect existing surrounding businesses, including the use of holiday cottages at surrounding properties and a potential future wedding venue at one neighbouring property.
- Details have been submitted in respect of early engagement between the applicant and their acoustic consultants, by way of a scoping report which appears to suggest that acceptable noise levels may be difficult to achieve at this site based on research at a similar facility in Avon and Somerset.
- I previously worked 2 miles from a shooting range and the noise levels associated with that site caused me to develop migraine headaches so had to move away from that contract. I fear this proposed use in such close proximity of my property could impact further upon my health.
- It is understood that the existing tactics training centre is sited on an industrial estate in Bridgend. What is the need to move it to this location in close proximity of residential properties?

It is also noted that one objector commissioned their own noise consultant to assess the original noise reports submitted by the applicant. The rebuttal statement concludes that the noise information submitted by the applicant is lacking in detail, demonstrates that the proposed use would have a detrimental impact to the closest residential properties by way of noise disturbance, and that the mitigation measures set out by the applicant would not satisfactorily protect the amenities of the closest neighbouring residents.

Members are advised that this rebuttal statement relates only to the original noise information submitted by the applicant and that no further such submissions have been received following the several updates of the noise information throughout the application process, where residents have been reconsulted each time.

## **CONSULTATION**

Public Health and Protection – No objection subject to conditions.

Countryside, Landscape and Ecology – No objection subject to conditions.

Natural Resources Wales – No objection subject to conditions.

Flood Risk Management – No objection subject to condition.

Dwr Cymru Welsh Water – No objection subject to condition.

Highways and Transportation – No objection or conditions suggested.

Welsh Government Highways – No objection or conditions suggested.

Cadw – No objection or conditions suggested.

Glamorgan Gwent Archaeological Trust – No objection subject to condition.

South Wales Police – No objection or conditions suggested.

South Wales Fire and Rescue Service – No objection or conditions suggested.

National Grid – No objection or conditions suggested.

Wales and West Utilities – No objection or conditions suggested.

Bridgend County Borough Council – No objection subject to appropriate conditions being added to any consent restricting the use and hours of operation of the site and in respect to noise.

No other consultation responses have been received within the course of the application.

## **POLICY CONTEXT**

### **Rhondda Cynon Taf Local Development Plan (LDP)**

The current LDP's lifespan was 2011 to 2021. It has been reviewed and is in the process of being replaced. The Planning (Wales) Act 2015 introduced provisions specifying the period to which a plan has effect and providing that it shall cease to be the LDP at the end of the specified period. These provisions were commenced on 04 January 2016 but do not have retrospective effect. Therefore, the provisions do not apply to LDPs adopted prior to this date and plans adopted before 04 January 2016 will remain the LDP for determining planning applications until replaced by a further

LDP. This was clarified in guidance published by the Minister on 24 September 2020. Subsequently, the existing Plan remains the development plan for consideration when determining this planning application.

The site is located outside of the settlement boundary for Llanilid, but within the extents of the established Pencoed Technology Park which benefits from extant outline planning permission for commercial use.

Policy CS2 – sets out criteria for development in the Southern Strategy Area.

Policy CS10 – seeks to protect mineral resources in the County Borough.

Policy AW2 – supports development in sustainable locations which includes sites that are within the defined settlement boundaries, are accessible by a range of sustainable transport modes, have good access to key services and facilities, and would not unacceptably conflict with surrounding uses.

Policy AW4 – details the criteria for planning obligations including Section 106 agreements and the Community Infrastructure Levy (CIL).

Policy AW5 – sets out criteria for new development in relation to amenity and accessibility.

Policy AW6 – requires development to involve a high-quality design and to make a positive contribution to placemaking, including landscaping.

Policy AW7 – sets out criteria for development proposals that would impact upon sites of historic merit and archaeological importance.

Policy AW8 – sets out the criteria for the protection and enhancement of the natural environment.

Policy AW10 – does not permit proposals where they would cause or result in a risk of unacceptable harm to health and/or local amenity.

Policy AW 14 – safeguards minerals from development that would sterilise them or hinder their extraction.

## **Supplementary Planning Guidance**

- Design and Placemaking
- The Historic Built Environment
- Nature Conservation
- Planning Obligations
- Access, Circulation and Parking
- Employment Skills

## **National Guidance**

*In the determination of planning applications regard should also be given to the requirements of national planning policy which is not duplicated in the Local Development Plan, particularly where national planning policy provides a more up to date and comprehensive policy on certain topics.*



Planning Policy Wales Edition 11 (PPW) was issued on 24 February 2021 in conjunction with Future Wales: The National Plan 2040 (FW2040). PPW incorporates the objectives of the Well-being of Future Generations (Wales) Act into town and country planning and sets out Welsh Government's (WG) policy on planning issues relevant to the determination of all planning applications. FW2040 sets out the National Development Framework for Wales (NDF), WG's current position on planning policy at regional and national level, although it should form the basis of all decisions.

It is considered the proposed development is consistent with the key principles and requirements for placemaking set out in PPW; and is also consistent with the Well-being of Future Generations (Wales) Act's sustainable development principles through its contribution towards the Welsh Ministers' well-being objectives of driving sustainable development and building healthier communities and better environments.

It is also considered the proposed development is compliant with the NDF, with the following policies being relevant to the development proposed:

- Policy 1 – Where Wales will grow
- Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking
- Policy 33 – National Growth Areas – Cardiff, Newport and the Valleys

Other relevant national planning policy guidance consulted:

- PPW Technical Advice Note 5: Nature Conservation and Planning
- PPW Technical Advice Note 11: Noise
- PPW Technical Advice Note 12: Design
- PPW Technical Advice Note 15: Development and Flood Risk
- PPW Technical Advice Note 23: Economic Development
- PPW Technical Advice Note 24: The Historic Environment

## **REASONS FOR REACHING THE RECOMMENDATION**

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

Furthermore, applications that are not in accordance with relevant policies in the plan should not be allowed, unless material considerations justify the grant of planning permission.

### **Principle of the Proposed Development**

The application seeks full planning permission for the external training area element of a proposed wider police tactics training centre development that would straddle the

administrative boundaries of RCT and Bridgend (with the main building, infrastructure and associated facilities located at an adjacent plot within Bridgend).

The development would result in a state of the art facility that would allow 3 local police forces to undertake their necessary firearms training within the local area, as well providing facilities for all UK police forces if required, proving to not only be a development of regional importance but nationally also.

While the RCT element of the wider site is located outside of settlement limits, there would be very little development within this area, albeit the use would alter, and the site benefits from an extant outline planning permission for employment use, the wider Pencoed Technology Park development planning permission. It is therefore considered that the use of the site for future development and employment use has already been recognised and that this proposal would make use of vacant plots within the established business park, having significant economic benefits for both County Boroughs as a whole.

It is also considered that this edge of settlement location would be an appropriate siting for such development, away from urban areas and concentrations of residential properties. As such, while it is acknowledged there are several residential dwellings nearby, the proposal would result in little conflict with surrounding land uses which are largely commercial in nature (as set out in detail below).

Finally, while the site is located in both limestone and sand/gravel mineral resources regions, which Policy AW14 seeks to safeguard from any development that would unnecessarily sterilise them or hinder their extraction, any mineral extraction has already been sterilised at the site by the previous surrounding developments and the established employment use. As such there is no objection in this respect.

The development is therefore considered acceptable, in principle, subject to compliance with the other relevant material planning considerations set out below.

### **Neighbour Amenity**

The application site is located approximately 100m from the nearest residential dwellings (east/north-east). Given the separation distances and the very minor nature of the physical development works proposed at the RCT site, i.e. a mock train platform and associated acoustic screening, it is not considered there would be any physical detriment to the closest residential properties. Furthermore, it is not considered the development/use would result in any undue impact to the operation of the neighbouring industrial/commercial uses to the south/south-west located within the established Pencoed Technology Park.

It is acknowledged however that there would inevitably be a degree of impact to the amenity standards currently enjoyed by the occupiers of the nearest properties by way

of noise and disturbance due to the way the proposed use would operate, as set out by the objectors.

The main concerns in respect of noise will come from the use of firearms and raise voices during outdoor training sessions. All noise from the main building within Bridgend would be contained by the acoustic properties of the new building, being purpose designed for such use.

A list of firearms that could be used within the site has been provided with the loudest detailed being a revolver or AK47. However, it is noted that most training sessions do not involve the firing of any weapon, with external training geared towards tactical awareness and the application of appropriate tactics rather than the physical use of firearms. The majority of actual firearms deployment training would take place within the new building.

It is also noted that the mock train platform would only be used for specific modules, so only on limited occasions, with the mock roadway / buildings being the most extensively used facilities, both within Bridgend. It is advised the mock platform would be used a maximum of 60 times per annum and the fields for open country searching a maximum of 80 times per annum, with each session usually lasting between 5-20 minutes. Further, training sessions would only take place between 9am to 4pm on weekdays, unless an emergency use (significant threat to life) is needed outside of these hours which based on historic events, would be no more than 6 times per annum.

The applicant has acknowledged that impacts in terms of noise/disturbance would occur and has subsequently undertaken several surveys to identify any potential impacts and necessary mitigation measures, with the latest versions of the noise reports being submitted on 18/08/23. These documents include a Noise Management Plan for External Firearms, a Noise Impact Assessment, and also the introduction of acoustic bunds and fencing around the mock platform. The latest noise information was received following initial concerns raised by both RCT's and Bridgend's Public Health teams, as well as comments received from the objectors.

The Noise Management Plan for External Firearms sets out strict parameters for each area of the site and the firearms to be used, as well full details of how sessions would be managed, notification of the LPAs and surrounding properties before/after sessions and how feedback will be reviewed and complaints investigated.

The Noise Impact Assessment has been carried out based upon the guidance within 'CIEH Clay Target Shooting – Guidance on Noise', as advised by both the RCT and Bridgend Public Health teams as there is little to no other guidance in respect of this type of noise.

The document provides guidance based upon a noise parameter called the Shooting Noise Level (SNL). This SNL is calculated by the logarithmic average of the loudest

25 shots in a 30 minute period, not by the noise level of a single shot. The document highlights that research undertaken advises a guidance SNL of 55dB is generally considered acceptable at nearby residential noise receptors, but that this level has been limited and does not take account of the context of existing noise levels at any specific sites. The document states:

*“...annoyance is less likely to occur at a mean shooting noise level (SNL) below 55dB.”*

However, it also states:

*“For levels in between however, the extent of the annoyance varies considerably from site to site. Thus a level of, say, 60dB may be deemed acceptable at one site, but not at another.”*

The noise survey submitted by the applicant concludes that the typical existing  $L_{AF,max}$  noise level (very short duration loud noise events) on site and at the closest neighbouring residential dwelling, Velindre Farm approximately 100m to the east, is 60dB.

An objector has queried this background noise level commenting that the recordings were taken from the highway outside of Velindre Farm and not its façade, so is likely to be incorrect. The applicant has acknowledged this point and submitted further information which demonstrates that the existing mean average  $L_{AF,max}$  noise level at the façade of Velindre Farm is actually 58dB.

The applicant contends that the existing noise levels therefore provide justification that a higher level than the 55dB set out in the guidance is therefore appropriate for this site / proposed use; and that new noise events at 60dB  $L_{AF,max}$  would not be out of place in the context of the existing noise climate which is exposed to continual road traffic noise from the adjacent M4 Motorway and Felindre Road.

The supporting information goes on to set out that the majority of firearms noise impacts at the nearest residential properties will in any case be below the more conservative level of 55dB, with only the loudest events at the site, the firing of revolvers or AK47s which would only occur on rare occasions, achieving a predicted SNL value of 56dB at the nearest neighbouring property.

The supporting information therefore contends that any potential noise impacts would be in accordance with the relevant guidance and acceptable in amenity terms.

Public Health and Protection (PHP) have considered the relevant noise information and are content with the conclusions, advising the methodology of assessment is appropriate and results appear accurate.

PHP commented that there is some concern with regard noise and it is accepted a degree of noise / general disturbance will inevitably occur to the closest residents.

However, the reports demonstrate, with the introduction of the acoustic bunds/barriers and with conditions to restrict the use of the outdoor facility to that set out within the Noise Management Plan for External Firearms document, that any impact would not be so intrusive as to result in unacceptable impacts to the closest residential properties; especially with the context of nearby residents living adjacent to an industrial estate and the M4 Motorway which, as demonstrated by the noise reports, already result in a degree of noise and disturbance over and above that which would be generated by the proposed use.

Subsequently, PHP do not consider any potential impact would be significant enough to warrant an objection to the application.

PHP did however suggest a number of conditions be attached to any consent to ensure the mitigation measures set out within the application are implemented and retained in perpetuity, including areas where training exercises can be carried out; which firearms can be used; relevant future noise testing/monitoring; restriction of hours of operation and number of training sessions; and for use to be recorded for future monitoring purposes. It is considered that each of these conditions would be necessary to ensure any potential impact to the amenities of the closest residents would be minimised.

As well as the comments set out above, PHP also suggested a number of conditions be attached to any consent in relation construction noise, waste, dust and lighting. Whilst these comments are appreciated, it is considered that construction noise, waste, dust and lighting matters can be more efficiently controlled by other legislation available to the Council. Therefore, given the very minor nature of the development works proposed within RCT, it considered the conditions suggested in this respect are not necessary and an appropriate note highlighting them would be sufficient instead.

Finally, while any impacts to neighbouring properties within Bridgend are a matter for Bridgend to consider, Members are advised that Bridgend's Public Health team have no objection to the scheme, including any potential impacts to the neighbouring Pencoed Cemetery.

Subsequently, whilst the comments raised by the objectors are fully acknowledged and it is accepted that a degree of impact would occur to the amenity standards currently enjoyed by existing closest residents, subject to suitable mitigation and on balance, it is not considered any impact would be so detrimental as to warrant refusal of the application.

### **Character and Appearance**

As set out above, no permanent structures are proposed within RCT other than the mock train platform and carriages and associated acoustic screening. It is also noted that the existing mature trees and vegetation that form field boundaries would remain in place following development and that additional landscaping and planting would be

implemented throughout the site which would further screen it from outside views. Consequently, although the use would alter, the general character of the site would largely remain unchanged and it is not considered there would be any detrimental impact to the visual appearance of site or the surrounding area.

## **Ecology**

Several supporting reports have been submitted with the application in respect of ecology and biodiversity impacts, the latest of which being submitted on 21/08/23 following initial concerns from NRW and the Council's Ecologist.

Following consideration of the information Natural Resources Wales (NRW) commented that they while they have some concerns with the proposal, the information submitted is generally sufficient to demonstrate that the proposed development would not result in a detrimental impact to protected species. This is however subject to the mitigation and enhancement measures set out in the ecology reports being implemented on site and an appropriate external lighting scheme being installed. Conditions to these effects are suggested and are set out below.

The Council's Ecologist commented that the surveys have included adequate habitat and species assessment and are acceptable, noting that NRW are satisfied with potential dormouse/bats impacts and that great crested newt and reptiles appear to be absent from the site. Further, badger, otter, amphibians, hedgehog and breeding bird impacts appear to be limited in extent, but that precautionary mitigation will be needed which can be controlled via condition.

The Ecologist also noted however that the protection of the Ewenny Fach corridor is also a key habitat mitigation requirement and in terms of habitat mitigation and enhancement, the restoration and enhancement (through management) of floodplain grassland is considered to be a more significant and important ecological benefit/objective than the proposals submitted for woodland planting or natural tree regeneration. The latter measures appear to be part of the precautionary dormouse mitigation strategy and clearly a balance of delivery of floodplain grassland mitigation/enhancement against new woodland has to be satisfied. To realise this very effective grassland mitigation through grazing and/or cut and collect management will need to be secured for the retained floodplain grassland areas. It is consequently considered that further conditions, in addition to those suggested by NRW, should be added to any consent to ensure such mitigation and robust and effective delivery of long-term ecological provision is delivered, however generally the scheme is considered acceptable in biodiversity terms. It was also advised that a further condition should be added to any consent to ensure that an appropriate landscaping scheme that is compatible with the ecology mitigation measures is implemented on site. Conditions to these effects are set out below.

Therefore, subject to the imposition of suitable conditions to secure the implementation and long-term maintenance of the ecological mitigation measures, it is considered the proposal is acceptable in ecological and biodiversity terms.

## **Land Drainage and Flood Risk**

The significant majority of the site, both the RCT and Bridgend elements, is located within a C2 flood zone and is therefore at risk of flooding. The application is subsequently accompanied by several documents that relate to site drainage including a Drainage Strategy Report and Flood Consequence Assessment that identify the applicant's proposed intentions for the wider site's surface water drainage arrangements, which would consist of a SuDS surface water management strategy.

Following initial comments from Natural Resources Wales (NRW) amended plans and relevant supporting information has been received throughout the application process, with the latest versions received on 21/08/23.

Having assessed the information NRW noted that following development the RCT element of the site in close proximity of the Ewenny Fach and areas of the existing, neighbouring South Wales Police site (south, and within RCT) in close proximity of the Ewenny Fach would see an increase in flood depths of between 5-50mm during both the 1% (1 in 100 year) plus climate change annual probability fluvial flood event and the 0.1% (1 in 100 year) annual fluvial flood event, which raises some concern. However, no objections are raised as there would be no development within the external training area subject to flooding, and the FCA demonstrates that South Wales Police has confirmed that the area within their adjacent, existing site that would flood is unused and will never be developed in future as it forms the watercourse embankments and an area of woodland.

The Council's Flood Risk Management (FRM) team also have no objection to the scheme. It was noted however that the drainage information submitted focuses mainly on the development within Bridgend and that further information in respect of the proposed site drainage arrangements within RCT should be submitted for approval before any development commences, through the addition of a condition to any consent.

While these comments are acknowledged, there would be minimal development within the RCT element of the site and therefore little or no drainage works required here. Further, the entire development would be subject to separate SuDS approval from both Authorities which would ensure an appropriate drainage scheme is implemented across both elements of the site; as well as various flood mitigation measures which are considered acceptable by NRW. As such, it is not considered the condition suggested by FRM is necessary.

Finally, it is also noted that no objections were received from Dwr Cymru Welsh Water. It was commented that the site is crossed by a 500mm public combined sewer and

that no development should be carried out within 3m either side of the centreline; and that a condition is requested to restrict surface water from entering the public sewerage system. While these comments are appreciated, as no connection to the public sewerage network is required within the RCT site and surface water would be drained via sustainable drainage methods, subject of a separate consent, it is not considered this condition is necessary.

## **Highway Safety**

The Highways and Transportation section noted that the site access and parking provision would be within the administrative boundary of Bridgend and therefore any issues associated with this would be a matter for Bridgend to consider; and that the existing field access within RCT would be used for emergency access only which is acceptable. As such, there are no concerns in respect of highway safety from an RCT point of view.

## **Archaeology**

Cadw noted that the undesignated moated site at the north-eastern corner of the plot would be enclosed by an 800mm high stock and rabbit proof fence and would not be used for training purposes. Furthermore, while the proposed development may result in a very slight visual change in views from the nearest Scheduled Ancient Monument (SAM), Gadlys medieval moated domestic site approximately 700m to the east, the development would have no effect on the way the SAM is experienced, understood, and appreciated. Consequently, no concerns were raised or conditions suggested.

Glamorgan Gwent Archaeological Trust have however requested a condition be attached to any consent requiring the fence around the undesignated moated site be maintained in perpetuity to ensure protection of the feature. While these comments are noted, given the fence would have to be erected as part of the ecology mitigation and landscaping schemes controlled by other conditions any such condition would be duplication and therefore unnecessary.

## **Neighbour consultation responses**

Where the issues raised by the objectors are not addressed above, the following additional comments are offered:

- *Noise from this development would affect existing surrounding businesses, including the use of holiday cottages at surrounding properties and a potential future wedding venue at one neighbouring property.*

While these comments are noted and it accepted the proposed use would inevitably result in a degree of noise and disturbance to the nearest properties, as set out in detail above, it not considered any impact would be significant enough warrant refusal of the application.



- *Details have been submitted in respect of early engagement between the applicant and their acoustic consultants, by way of an early report which appears to suggest that acceptable noise levels may be difficult to achieve at this site based on research at a similar facility in Avon and Somerset.*

The document submitted by the objector appears to have been produced by the applicant's acoustic consultant and does set out that it may be difficult to achieve acceptable noise levels at this site. However, this document appears to be an early scoping report by the consultant to provide general information to the applicant before producing the necessary documents for the planning application. The document does not include any data, testing or assessment and does not form part of this application. It is only the supporting information to this application that is to be considered and as set out above, having considered the latest versions of the noise information submitted by the applicant, PHP have no objection to the scheme advising that any potential noise impact would be at acceptable levels.

- *I previously worked 2 miles from a shooting range and the noise levels associated with that site caused me to develop migraine headaches so had to move away from that contract. I fear this proposed use in such close proximity of my property could impact further on my health.*

While the objector's health issues are regrettable, there is no evidence to suggest the proposed development would negatively impact upon the health of the nearest residents.

- *It is understood that the existing tactics training centre is sited on an industrial estate in Bridgend. What is the need to move it to this location in close proximity of residential properties?*

Whether there is a 'need' to move the existing facility from one site to another is not a material planning consideration and cannot be taken into account during the determination of this application. It is noted however that South Wales Police have advised the existing site at Waterton Industrial Estate, Bridgend is no longer fit for purpose and there is no scope to improve that site to include the facilities necessary.

### **Community Infrastructure Levy Liability**

The Community Infrastructure Levy (CIL) was introduced in Rhondda Cynon Taf from 31 December 2014.

The application is for development of a kind that is not CIL liable under the CIL Regulations 2010 (as amended).

### **Conclusion**

Having taken account of all issues identified above, while it is accepted the proposed use will inevitably result in a degree of impact to the amenity standards currently enjoyed by occupiers of the closest residential properties, on balance and subject to appropriate conditions/mitigation, it is not considered any potential impact would be significant enough to warrant refusal of the application.

Furthermore, while the proposed use would result in an alteration to the current character of the greenfield site, the site would be suitably contained from the open countryside to the north/east and would form an appropriate 'rounding off' of the industrial estate in this location.

Finally, it is considered the impact of the scheme upon ecology and land drainage can be properly mitigated.

It is therefore considered the proposed development complies with the relevant local and national planning policies and is acceptable, subject to the conditions detailed below.

**RECOMMENDATION:** Approve, subject to conditions below.

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Sections 91 and 93 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the approved plans ref:

- Site Location Plan – Rhondda Cynon Taff – JFU-PDA-ZZ-00-DR-A-05-090 Rev. P03
- RCT Existing Site Plan – Topographical Survey – ZZ 00 DR 05 096 Rev. P03
- Proposed Site Plan – RCT – ZZ 00 DR 05100 Rev. P17
- Proposed Site Plan – ZZ 00 SK 20
- Strategic Landscape Plans (Enabling Works) – JFU-SOL-WX-XX-D-L-0001 Rev. PR11
- Strategic Landscape Plan (Enabling Works + Main Works Fencing) – JFU-SL-WX-XX-D-L-0002 Rev. PR12
- Green Infrastructure Masterplan – JFC-SOL-VX-XX-D-L-0003 Rev. PL01
- Enabling Works – Setting Out Plan – JFU-SOL-WX-XX-D-L-0008 Rev. C04
- Drainage Layout – JFU-BHP-XX-XX-DR-C-(50)001 Rev. P10
- Miscellaneous External Facilities 1 of 2 – JFU-PDA-ZZ-00-R-A-(05)102 Rev. P03

- Site Constraints Plan – JFU-BHP-XX-XX-DR-C-(60)001 Rev. P03
- Interim Site Levels Plan – JFU-BHP-XX-XX-DR-C-(60)003 Rev. P04
- Indicative Sections – Sheet 1 of 2 – JFU-BHP-XX-XX-DR-C-(60)004 Rev. P04
- Indicative Sections – Sheet 2 of 2 – JFU-BHP-XX-XX-DR-C-(60)005 Rev. P04

and documents received by the Local Planning Authority unless otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

3. The development hereby approved shall be carried out in accordance with the methods, recommendations and mitigation/enhancement measures set out in:

- Tactics & Training Facility - Noise Management Plan for External Firearms (V3.1)
- Soltys Brewster, 15 March 2023)
- Preliminary Ecological Appraisal (Thomson Environmental Consultants, August 2022)
- Extended phase 1 Habitat Survey (Thomson Environmental Consultants, March 2021)
- Bat Activity Survey (Thomson Environmental Consultants, November 2021)
- Hazel Dormouse Survey (Thomson Environmental Consultants, November 2021)
- Draft Dormouse Mitigation Strategy (Thomson Environmental Consultants, October 2022)
- Preliminary Ground Level Roost Assessment (Thomson Environmental Consultants, July 2021)
- Invasive Species Survey (Thomson Environmental Consultants, November 2021)
- Arboricultural Survey (Thomson Environmental Consultants, June 2021)
- Arboricultural Impact Assessment (Thomson Environmental Consultants, October 2022)
- Flood Consequence Assessment Rev. C (Ashfield Solutions Group, August 2023)
- Drainage Strategy Report (Bingham Hall Partnership Ltd, October 2022)
- Site Investigation Report (Integra Geotechnique, October 2022)
- Transport Assessment (Asbri Transport, October 2022)

- Travel Plan (Asbri Planning, October 2022)

Unless otherwise agreed in writing by the Local Planning Authority or otherwise to be approved and superseded by details required by any other condition attached to this consent.

Reason: To ensure compliance with the approved plans and documents and to clearly define the scope of the permission.

4. No development shall commence on site until an in-perpetuity Habitat and Species Mitigation, Enhancement and Compensation Management Plan to include all woodland, hedgerow, grassland, river corridor and any SuDS provisions within both the application site and the adjacent land to the south under the control of the applicant, within the blue line of approved plan ref. Proposed Site Plan – RCT (ZZ 00 DR 05100 Rev. P17), has been submitted to and approved by the Local Planning Authority. The plan shall include, but not be limited to:
  - i. Purpose, aim and objectives of the Plan.
  - ii. A review of the Plan's ecological (habitat and species) potential and constraints including trees, woodland, grassland, hedgerows and species.
  - iii. Details of the species and habitat mitigation and enhancement works, to include but not be limited to:
    - a. A plan figure of the habitat areas covered and details of specific features within that.
    - b. Management specifications for each habitat area and trigger dates for the commencement of delivery of action.
    - c. Management specifications for each priority species and group and trigger dates for the commencement of delivery of action.
    - d. Habitat and species monitoring and any species licensing requirements.
    - e. Ecologically sensitive tree and hedgerow management.
    - f. Provision and maintenance of bat and bird boxes.
    - g. Process of updating and reviewing the plan to reflect monitoring recommendations.
    - h. Process of annual consultation, reporting and plan review with the Local Planning Authority, to include RCT representation on a management committee.
    - i. Litter removal.
    - j. Invasive plant control.
    - k. Ecological, tree and history site interpretation and to include information boards and public engagement.
    - l. Personnel responsible for the work and contact details.

- m. Schedule of works and the process for rolling forward the works schedule.

The Plan shall be implemented on site in accordance with the approved details and be maintained/retained as such in perpetuity.

Reason: In the interests of biodiversity and the protection of the natural environment, in accordance with PPW and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 5. No development shall commence on site until a Landscape Ecological Management Plan (LEPM) for the provision, management and maintenance of the landscape and ecological features at the site has been submitted to and approved by the Local Planning Authority. The LEMP shall include, but not be limited to:

- i. Details of habitats, environmental and ecological features present or to be created at the site.
- ii. Details of the desired/target conditions of features (present and to be created) at the site.
- iii. Details of short and long-term management, monitoring and maintenance of new and existing environmental and ecological features at the site to deliver and maintain the desired condition.
- iv. Details of replacement measures should any environmental features die, be removed, or become seriously damaged or diseased at both pre and post establishment of habitats.
- v. Details of management and maintenance responsibilities.
- vi. Details of length of plan, the method to review and update plans (informed by the monitoring) at specific intervals as agreed.

The LEMP shall be implemented on site in accordance with the approved details.

Reasons: To ensure necessary landscape and environmental management measures are agreed prior to the development commencing and are implemented to ensure the site's landscape and environmental features are adequately managed long-term, in accordance with PPW and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

- 6. The development hereby approved shall not be brought into beneficial use until a comprehensive scheme of landscaping, which includes only native species, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To afford protection to local wildlife species, in accordance with PPW and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

7. All planting, seeding or turfing in the approved details of landscaping (referred to in Condition 6) shall be carried out in the first planting and seeding season following construction of the development being completed. Any trees or plants which within a period of five years from planting die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To afford protection to local wildlife species, in accordance with PPW and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

8. Prior to its installation, full details of any external lighting shall be submitted to and agreed in writing by the Local Planning Authority. The lighting details/plan should include, but not be limited to:
  - i. Details of the siting and specification of all external lighting to be used, including control measures to reduce light spill.
  - ii. Drawings setting out light spillage in key sensitive areas, based on a device maintenance of 1 (100%) for all luminaries to evidence that features will be subject to minimal light spillage (<1 lux).
  - iii. Details of lighting to be used during construction and/or operation.

The lighting shall be installed and retained as approved during construction and/or operation.

Reason: To ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of dormice, in accordance with PPW and Policy AW8 of the Rhondda Cynon Taf Local Development Plan.

9. The application site shall be used only for external police tactics training in association with the wider police tactics training facility to which this site forms a part thereof. At no time shall the site be used for any other operations associated with the police or any independent body/use within the same planning use class.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

10. The use of the site for external tactics training, in association with the wider police tactics training facility to which this site forms a part thereof, shall only take place between the hours of 09:00am to 16:00pm Monday to Friday. No external tactics training shall take place on weekends or Bank Holidays

unless it is needed in the case of emergency rehearsal where there is a major incident event and there is a major threat to life.

The use of the external training area for such emergency use shall take place no more than 6 times in any one 12 month period. A written statement from South Wales Police explaining why the emergency use was required in determining there was a 'major threat to life incident' and the date/time of when the facility was used outside of permitted hours shall be provided to the Local Planning Authority within 72 hours of its emergency use.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

11. The mock train platform and carriages shall be used for external training purposes, in association with the wider police tactics training facility to which this site forms a part thereof, no more than 60 days in any calendar year. A record of all external training sessions associated with the mock platform and carriages shall be kept by the applicant and made available on request by an authorised officer of the Council within 72 hours of that request.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

12. The open country search area shall be used for external training purposes, in association with the wider police tactics training facility to which this site forms a part thereof, no more than 80 days in any calendar year. A record of all external training sessions associated with the open country search area shall be kept by the applicant and made available on request by an authorised officer of the Council within 72 hours of that request.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

13. Firearms/weapons used as part of any external tactics training, in association with the wider police tactics training facility to which this site forms a part thereof, shall only be discharged within the designated areas set out on plan ref. Proposed Site Plan – RCT (ZZ 00 DR 05100 Re. P17) and Figures 5.1 (Shooting Zone for Simulation Rounds or Similar) and 5.2 (Shooting Zones for AK-47 or Revolver) of Tactics & Training Facility – Noise Management Plan for External Firearms (V3.1); and only firearms, weapons and

ammunition assessed within the Noise Impact Assessment (JFU-MAC-ZZ-XX-RP-Y-100, 16/08/23) shall be discharged on site.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

14. The Noise Impact Assessment (JFU-MAC-ZZ-XX-RP-Y-100, 16/08/23) and Tactics & Training Facility – Noise Management Plan for External Firearms (V3.1) document outline the conditions under which the noise modelling was carried out and the proposed operations of the site. At no time shall the activities on site deviate from the details set out within the approved documents.

Reason: For the avoidance of doubt as to the extent of this consent and to safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

15. No external tactics training shall take place on site until the acoustic bunds / barriers, as detailed within Noise Impact Assessment (Ph2) (6131/NIA1\_Rev1, 01 March 2022) and on plan ref. Proposed Site Plan – RCT (ZZ 00 DR 05100 Rev. P17, have been installed. The acoustic bunds / barriers shall remain in place and be maintained in good order in perpetuity. Should any part of the bunds/ barriers become seriously damaged they shall be repaired in good time with like-for-like materials, unless the Local Planning Authority gives written consent to any variation.

Reason: To safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

16. Within 1 month of beneficial use of the facility, the developer shall submit to the Local Planning Authority for approval a noise assessment undertaken by an independent acoustic consultant to demonstrate compliance with the noise levels set out in the Noise Impact Assessment (JFU-MAC-ZZ-XX-RP-Y-100, 16/08/23), the methodology of which shall first be agreed in writing with the Local Planning Authority.

Should noise levels not be in compliance with the details set out in the Noise Impact Assessment, then further mitigation measures shall be submitted to the Local Planning Authority for approval within 1 month of the noise survey being undertaken.



Any additional mitigation required as a result of the above shall be installed on site within 1 month of the date of agreement by the Local Planning Authority and a further noise assessment, using the agreed methodology, shall be undertaken and submitted to the Local Planning Authority for approval.

Reason: To safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.

17. Within 21 days from receipt of a written request of the Local Planning Authority, and following a complaint to the Local Planning Authority relating to noise emissions arising from the operation of any part of the application site, the site operator shall provide a written protocol for the assessment of the noise levels to the Local Planning Authority for approval. The written protocol shall be produced by an independent acoustic consultant.

Within 2 months of the protocol being approved by the Local Planning Authority the site operator shall provide to the Local Planning Authority the independent noise consultant's assessment, unless the Local Planning Authority gives written consent to any variation. The assessment shall include all data collected for the purposes of undertaking the compliance measurements and analysis and certificates of calibration of the equipment. Such data is to be provided in a format to be first agreed with the Local Planning Authority.

The assessment shall propose further noise mitigation measures should there not be compliance with the noise levels set out in Noise Impact Assessment (JFU-MAC-ZZ-XX-RP-Y-100, 16/08/23), and any additional mitigation required as a result of the above shall be installed on site within 1 month of the date of agreement by the Local Planning Authority and a further noise assessment, using the agreed methodology, shall be undertaken and submitted to the Local Planning Authority for approval.

Reason: To safeguard the levels of amenity enjoyed by neighbouring residential properties, in accordance with Policy AW5 of the Rhondda Cynon Taf Local Development Plan.