

# Bridgend County Borough Council

## Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr

Civic Offices, Angel Street, Bridgend, CF31 4WB / Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB



Natural Resources Wales  
Permitting Centre (Cardiff)  
Cambria House  
29 Newport Road  
Cardiff  
CF24 0TP

### Development Group / Grwp Datblygu

Email / Ebost: [planning@bridgend.gov.uk](mailto:planning@bridgend.gov.uk)

Direct line / Deialu Uniongyrchol: 01656 643177

Ask for / Gofynnwch am: **Mrs N Gandy**

Our ref / Ein cyf: **P/15/272/OBS**

Your ref / Eich cyf: **EPR/JB3993HS/A001**

**Date / Dyddiad: 18 May 2015**

f.a.o Mutluluk Williams

Dear Sir/Madam

### **P/15/272/OBS - CONSULTATION ON ENVIRONMENTAL PERMIT APPLICATION ( LAND AT TYLA LANE MERTHYR MAWR CF32 0LT**

I refer your request for observations on the above application received on 27 April 2015.

Natural Resources Wales are advised that Bridgend County Borough Council have no observations to make on the proposed permit application. The questionnaire has been completed as requested.

Please also see attached a letter from Suzy Davies AM.

Yours faithfully

for **TEAM LEADER - DEVELOPMENT CONTROL**



## Planning and Noise

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| Section 1 planning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                    |
| <b>Question 1</b><br>Are there any planning conditions relating to noise applicable to this site?<br><br>If yes, please enclose all relevant certificates with conditions and any advisory notes. If sound level conditions are specified, please enclose a map to enable us to find the monitoring points.                                                                                                                                                                                                                                 | YES (See attached) |
| <b>Question 2</b><br>Have any complaints been received alleging non-compliance with any planning conditions relating to noise within the past THREE years?<br><br>If yes, please provide the following information for each complaint:<br><b>Date, street name and postcode, noise source, action taken, outcome, comment.</b><br>(Under comment, please outline any non-noise related issue that might have increased the sensitivity of the complainant e.g. a new planning application, change of process or operator, major emergency). | NO                 |
| <b>Question 3</b><br>Have formal planning enforcement actions been taken for noise related conditions within the past THREE years?<br>Is there any outstanding planning enforcement action currently being undertaken?<br>If the answer to either part is YES, please provide all relevant information including dates, actions taken, outcomes and present position.                                                                                                                                                                       | NO                 |
| <b>Question 4</b><br>Have you monitored noise related planning conditions within the past THREE years?<br>If yes, please give details of the monitoring and the outcomes.                                                                                                                                                                                                                                                                                                                                                                   | NO                 |
| <b>Question 5a</b><br>Are there any noise sensitive developments for which planning consent has been granted or any areas zoned for noise sensitive developments that are likely to be adversely affected by noise from the installation.<br>If so, please provide relevant information.                                                                                                                                                                                                                                                    | /NO                |
| Section 2 statutory nuisance                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                    |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <p><b>Question 5b</b><br/>         Have any complaints been received alleging a noise nuisance within the past THREE years? If yes, please provide the following information for each complaint:<br/> <b>Date, street name and postcode, noise source, action taken, outcome, comment.</b><br/>         If there are a large number of complaints, a summary in substitute for individual complaint data would be useful.<br/>         (Under comment please outline any non-noise related issue that might have increased the sensitivity of the complainant e.g. a new planning application, change of process or operator, major emergency).</p> | NO           |
| <p><b>Question 6</b><br/>         Have you taken any informal or formal action taken in response to any noise complaints within the past THREE years?<br/>         Is there any outstanding enforcement action currently being undertaken? If the answer to either part is YES, please provide all relevant information including dates, actions taken, outcomes and the present position.</p>                                                                                                                                                                                                                                                      | NO<br><br>NO |
| Section 3 local noise initiatives                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |              |
| <p><b>Question 7</b><br/>         Are the premises in an area where there are local noise initiatives? If yes, we will seek further information.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | NO           |
| Section 4 private action                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |              |
| <p><b>Question 8</b><br/>         Is the Council aware of any action being taken by anyone against the present or previous operator about noise problems? If yes, please provide details.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                       | NO           |
| Section 5 permit conditions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |
| <p>Are there any specific points that the Council feel should be addressed in any permit issued by us? If yes, it would be helpful if you would provide a brief outline.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | YES          |

Please bring to our attention any matter you feel might be relevant to noise, including the effectiveness of any existing conditions.

#### Section 5

Noise limits imposed by planning permission need to be maintained

# Bridgend County Borough Council Cyngor Bwrdeistref Sirol Pen-y-bont ar Ogwr



Planning Reference No : **P/13/322/FUL**

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

## PERMISSION FOR DEVELOPMENT

To : **COASTAL OIL AND GAS LIMITED  
C/O MR OLIVER TAYLOR  
UNIT 9 BRIDGEND BUSINESS CENTR  
BRIDGEND  
CF31 3SH**

Whereas you did on the 29th April 2013 make application in writing for permission to develop, short particulars of the development being as follows:

Applicant Name : **COASTAL OIL AND GAS LIMITED**  
Development : **DRILL AN EXPLORATION BOREHOLE TO TEST THE DEVONIAN STRATA**  
Location : **LAND OFF TYLA LANE METHYR MAWR BRIDGEND**

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

### **CONDITIONS**

- 1** Noise levels associated with the development hereby approved shall not exceed the noise levels shown below at the nearest noise sensitive receptor:

| Period                              | Rating Noise Level (LAeq) |
|-------------------------------------|---------------------------|
| Daytime (07.00 hours - 19.00 hours) | 49.2dB (LAeq1hour)        |
| Evening (19.00 hours - 22.00 hours) | 44.5dB (LAeq1hour)        |
| Night (22.00 hours - 07.00 hours)   | 35.0dB (LAeq5mins)        |

Reason: In the interests of residential amenity.

- 2** No development shall commence until a scheme for the provision of temporary traffic management along the A48 and the lane serving the site during the site set up, drilling and site remediation works has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before and during such works.

Reason: In the interests of highway safety.

- 3** The existing access gates shall be set back not less than 10m from the nearside edge of the lane, with the access between the relocated gates and the lane surfaced in permanent materials prior to the commencement of the site set up operation.

Reason: In the interests of highway safety.

- 4** No development shall commence until details of facilities for wheel cleansing have been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided, as approved, before works commence on site and maintained in working condition throughout the site set up and drilling operations.

Reason: In the interests of highway safety.

- 5 No source of illumination shall be directly visible from any part of an adjacent highway.

Reason: In the interests of highway safety.

- 6 No development shall commence until a scheme for the provision of a turning area within the site has been submitted to and approved in writing by the Local Planning Authority. The turning area shall be retained within the site throughout the site set up and drilling operations 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 protection of the water environment, both during construction works and once the works are complete and including management responsibilities and a timetable of events, shall be submitted to and approved in writing by the local authority. The approved scheme shall be implemented in accordance with the approved timetable unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the water environment and to ensure exploration activities comply with the objectives in the Western Wales River Basin District, River Basin Management Plan.

- 8 No development shall commence until such time as a scheme to dispose of surface water has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: To protect the controlled waters in the vicinity of the proposed development.

- 9 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

- 10 No development shall commence on site until details and the design and location of all acoustic enclosures to be used on the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.

Reason: In the interests of residential amenity.

- 11 No work shall commence on site in connection with the approved development until details of a scheme for monitoring and controlling any dust which may arise directly or indirectly as a result of the works or from the movement of vehicles and plant within the site have been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented as agreed during the whole period of the operations connected with this development.

Reason: In the interests of the general amenities of the area.

- 12 No development shall commence on site until a scheme has been submitted showing details of any necessary widening of the field access has been submitted to and approved in writing by the Local Planning Authority. Should this work involve the removal of any of the adjacent hedgerow then a landscaping scheme shall be included with the scheme showing detail of the reinstatement of the hedgerow following the completion of the works hereby approved. Development shall be carried out in accordance with the approved scheme.

Reason: In the interest of visual amenity and protection of biodiversity.

- 13 No development shall commence on site until a restoration scheme has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include a timetable showing the phasing of restoration at the end of the drilling and testing stages including the final restoration details. The development shall be carried out in accordance with the approved scheme unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

- 14 All on-site operations shall cease and the site restored in accordance with the details approved under condition 13 within 12 months of the commencement of drilling operations unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of visual amenity.

**15 THE FOLLOWING ARE ADVISORY NOTES NOT CONDITIONS**

a) This application is recommended for approval because the development complies with Council policy and does not adversely affect highway safety, privacy or visual amenities nor so significantly harms neighbours' amenities as to warrant refusal. In addition, it is considered that the proposal would not result in any impact on any ecological features or sites or affect groundwater within the area.

b) The highway observations set out a favourable conclusion for the short term test drilling operation, however, this support may not be extended to any longer term gas production proposal which would be the subject of a separate planning application.

c) It is noted that works will be carried out within and adjacent to the highway and I will be advising the applicant to contact the Highway Network Manager.

d) The applicant is advised that they may be required to enter into a Section 59 Agreement for extraordinary maintenance liability (in accordance with the Highways Act 1980, to make certain the applicant can be held fully liable for any deterioration/damage of the highway and verges as a result of the drilling operation and/or large vehicles traversing along the route serving the site.

e) The developer should make every effort to ensure surface water from any permanent surface drains onto adjacent porous surfaces, thereby reducing the demand on the drainage system. Alternatively, the developer may wish to explore the use of permeable materials, although compacted chippings would not be considered acceptable as they are likely to be dragged onto the highway to the detriment of highway and pedestrian safety. As a result of the above, impermeable surfacing such as concrete or tarmacadam extending across the full width of the access and parking/turning areas should not be considered as a first option.

f) Rainwater run-off shall not discharge into the highway surface-water drainage system. Failure to ensure this may result in action being taken under the Highways Act 1980.

g) Prior to the commencement of any works under Section 199 of the Water Resources Act 1991 the applicant must submit to us a completed WR11 form to provide additional information on the methods of drilling and casing to be employed at this location.

h) It is noted that the developer intends to undertake 'pump tests to indicate the permeability and suitability of the strata...' The abstraction of groundwater for this purpose is currently exempt from requiring a licence from NRW, provided the water is not used for any other purpose prior to being discharged, e.g:

- Dust suppression
- Gas extraction
- Use in process

If the developer intends to use the water prior to its discharge an abstraction licence may be required.

- i) The applicant is advised that there are 2 licensed groundwater abstractions in the vicinity at Tonn Farm (less than 1 km away) and Lafarge Aggregates (over 2km away).
- j) In order to reduce the risk to controlled waters it is important that soil is stored in accordance with DEFRA guidance and the site access route and compound area are appropriately surfaced to prevent polluting run off.
- k) With regard to the removal of waste material generated as a result of the proposal, post use drilling muds are a notoriously difficult waste to dispose of/recover, especially those composed of bentonite clay. NRW strongly recommend that an output for this waste be sourced prior to its generation on site.
- l) If any controlled waste is to be removed off-site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.
- m) If any waste is to be used on site, the applicant will be required to obtain the appropriate exemption or authorisation from Natural Resources Wales.

Dated : 12th December 2014

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 relates to residential development requiring street naming you need to contact 01656 643136

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](http://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.



cc JPA ✓  
Done

## Suzy Davies AM / AC

Welsh Conservative Assembly Member for South Wales West  
Aelod Cynulliad Ceidwadwyr Cymreig De Orllewin Cymru

1A Station Hill, Bridgend. CF31 1EA

Eich cyf / Your ref:  
Ein cyf / Our ref: **SD/CV/**  
**Thursday, 14 May 2015**

**Ffôn/Tel: 01656 646432**  
**Ffacs/Fax: 01656 645329**  
**e-bost/email: suzy.davies@wales.gov.uk**

Planning Dept.  
BCBC  
Angel Street  
Bridgend  
CF31 4WB



Dear Sir/Madam ,

Re: **P/15/272/OBS**

APLETTER - forward to NRW.

- Suzy Davies AM.

**LAND OFF TYLA LANE MERTHYR MAWR BRIDGEND CF32 0LT**

In February this year the Welsh Government announced a 'moratorium' on fracking in Wales. On 27 February 2015 the UK Government announced the outcome of the St David's Day process, including that onshore oil and gas licensing should be devolved to Wales.

The Minister Carl Sargeant has written to all Local Authorities asking them to inform him of any fracking applications.

The Infrastructure Act 2015 now require the MPA and NRW to provide certain assurances before DECC can issue consent. These assurances include the exclusion of hydraulic fracturing activity within protected groundwater source areas. Also a requirement for methane levels in the groundwater to be monitored 12 months prior to any hydraulic fracturing.

The area which Coastal Oil and Gas has Petroleum Exploration and Development Licence consent is known to be an area of extremely high radon concentrations.

Yours sincerely,

**Suzy Davies AM / AC**

Office of Suzy Davies AM / Swyddfa Suzy Davies AC  
Welsh Conservative Assembly Member for South Wales West / Aelod Cynulliad Ceidwadwyr Cymreig De Orllewin Cymru  
Shadow Minister for Tourism, Culture, Heritage & Welsh Language /  
Gweinidog yr Wrthblaid dros Dwristiaeth, Diwylliant, Treftadaeth a'r Iaith Gymraeg

SCANNED

