

DESIGN, ACCESS AND PLANNING STATEMENT

Motorway Related Service Area - Junction 37, M4

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1.0 | THE PROPOSAL - SUMMARY

The applicant proposes the development of a motorway related service area on land to the south of junction 37 of the M4. The main element of the development would be a petrol filling station (pfs) with associated electric vehicle charging (EVC) facilities.

The remainder of the site would be occupied by national fast food operators McDonalds, Starbucks and Greggs respectively. All would operate with drive-thru facilities and associated serving, seating and toilet facilities.

The retail operators would occupy separate, individually designed buildings with dedicated parking facilities provided in accordance with local standards.



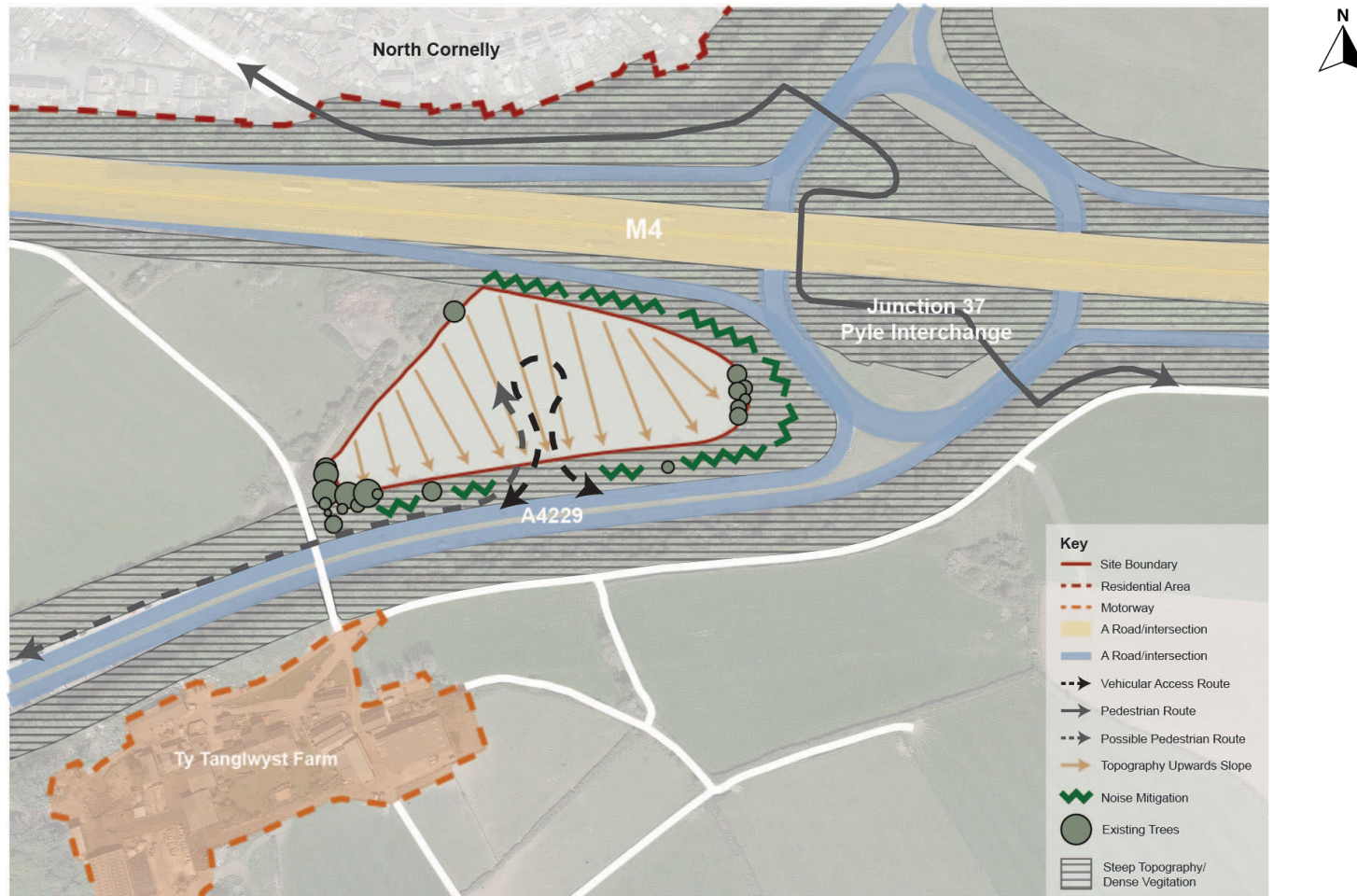
2.0 | THE SITE

The site is located on land to the south of the M4 motorway and the northernmost of the A4229 dualled carriageways, close to the Pyle Interchange at junction 37.

The access will be located off the northern carriageway of the A4229, featuring an entry and exit slip road for vehicles, and a footpath connecting the service station to the local pedestrian network.



2.1 SITE ANALYSIS



Site Analysis

2.2 SITE CONTEXT

Several large residential areas are located to the North including the villages of North Cornelly, Pyle and Kenfig Hill with the smaller residential settlement of South Cornelly located to the Southwest.

Farmland is located to the East, South and West of the surrounding roads, with a large dairy farm situated to the South across the A4229. A large quarry is also positioned slightly further away to the South of the site.



3.0 | PRE-APPLICATION CONSULTATION (PAC)

A formal pre-application was carried out with the local planning authority in 2022. The Council provided a written response in addition to Zoom meetings with officers. A copy of the PAC response is included as an appendix in the Transport Assessment.

In summary, the Council's response highlighted the relevant policies at national and local level. It was considered that the proposal was contrary to several provisions of the LDP particularly with regard to settlement, retail, countryside and transport policies.

The Council acknowledged that there are no specific policies within the LDP that relate to this type of development, and none was included in the draft policies of the reviewed LDP.

Concern was expressed that the development would only be accessible by private vehicles and would lead an increase in car-borne trip generation. The most accessible places were town centres, and policies directed that retail uses, such as proposed, should be directed to them.

There was also concern that the nature of the uses proposed were such that the scheme would become a destination in its own right, and would draw residents from Porthcawl and other settlements, increasing the incidence of car borne journeys.

Thus, the proposal did not draw a positive response from the Council. The Council considered that further justification would be required to demonstrate that there was an '**overriding need**' for this type of development in this specific, countryside location.

The replacement LDP was in its infancy at the pre-app stage and did not feature in the Council's response. However, the replacement LDP was adopted in March 2024 but contains no policies directly relating to development of the nature proposed, and it contains similar policies to those in the LDP in relation to settlement, retail, countryside and transport. Thus, the requirement to demonstrate an '**overriding need**' remains.

The PAC set out the plans and documentation that would be required to accompany any future planning application.



4.0 | PLANS AND DOCUMENTS

The application is accompanied by the following drawings:

- JTS-LAW-X-X-DR-039001_Site Location Plan
- JTS-LAW-X-X-DR-039002_Existing Site Plan
- JTS-LAW-X-X-DR-069001_Proposed Site Plan
- JTS-LAW-X-X-DR-069005_Proposed Site Plan and Footpath Connection

- 5128-001 – Proposed Contours and Long Sections of Access Road

- CC2507-CAM-XX-XX-DR-C-0500 – Proposed Drainage Strategy Plan (Overall)
- CC2507-CAM-XX-XX-DR-C-0501 – Proposed Drainage Strategy Plan (Sheet 1)
- CC2507-CAM-XX-XX-DR-C-0502 – Proposed Drainage Strategy Plan (Sheet 2)
- CC2507-CAM-XX-XX-DR-C-1500 – Proposed Catchment Plan

Starbucks:

- 3884-LJA-XX-00-DR-A-04010-P05-CORE OPTION – GF PLAN UK EXCLUDING SCOTLAND
- 3884-LJA-XX-RF-DR-A-04020-P05-CORE OPTION – GA ROOF PLAN
- 3884-LJA-XX-XX-DR-A-04031-P03-CORE OPTION – ENTRANCE CANOPY
- 3884-LJA-XX-XX-DR-A-05000-P08-CORE OPTION – EXTERNAL ELEVATIONS SHEET 1
- 3884-LJA-XX-XX-DR-A-05001-P08-CORE OPTION – EXTERNAL ELEVATIONS SHEET 2

McDonalds:

- 8242-SA-1738-P005 Proposed Elevations and Sections (NG100)
- 8242-SA-1738-SK01B Site Feasibility Layout (NG100)

Greggs:

- SXXXX STANDARD 1800 SQ FT DRIVE THRU ELEVATIONS
- SXXXX STANDARD 1800 SQ FT DRIVE THRU GA & DRAINAGE

Petrol Filling Station:

- JTS-LAW-X-X-DR-A-061100 Proposed Floor Plan – Petrol Filling Station
- JTS-LAW-X-X-DR-A-062100 Proposed Elevations – Petrol Filling Station

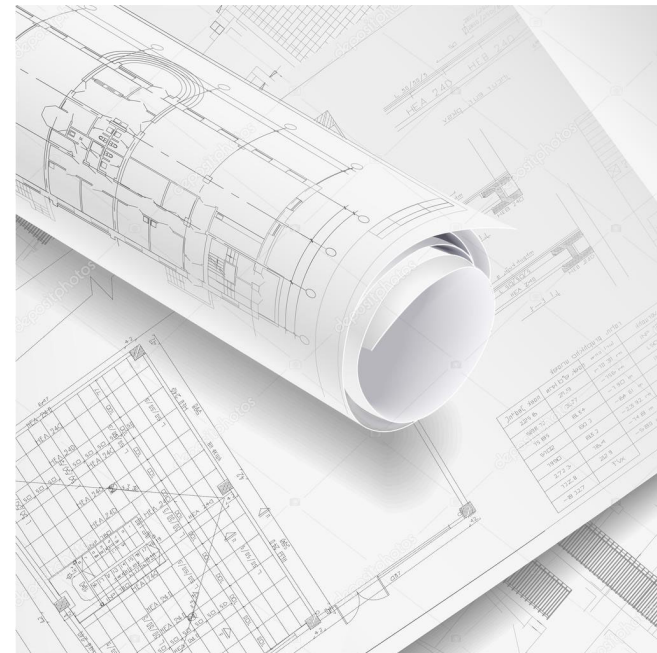
A series of studies/report have been produced, as recommended by the Council or as since required by Planning Policy Wales. In particular:

- Tree and constrains survey
- Landscape Concept Statement
- Ecological report/survey
- Green Infrastructure Statement
- Drainage Strategy Report
- Travel Plan Statement
- Transport Assessment (TA) Parts 1 and 2

In addition, an EVC statement has been produced setting out the background to electric vehicle recharging and the national policies relevant to the proposal.

This Design, Access and Planning Statement (DAPS) does not attempt to repeat or replicate the provisions of the other technical material produced.

With specific regard to access, its' design and position is the subject of a rigorous assessment in the TA. Thus, this aspect is not the subject of further detail in the DAPS.



5.0 DESIGN

5.1 DESIGN DEVELOPMENT

The proposed site layout was developed in conjunction with the Developer, Design Team and proposed occupiers.



Image 01 – Initial site layout to determine vehicle access and individual areas for development

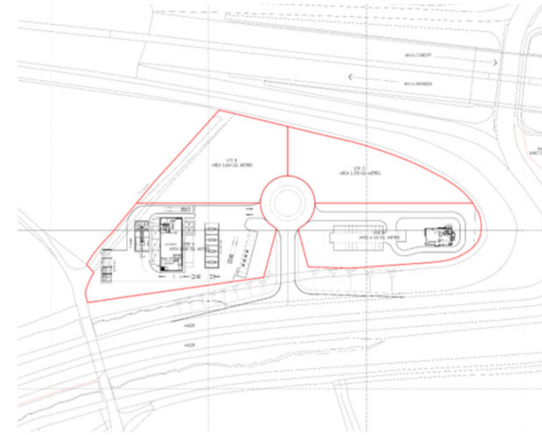


Image 02 – Detailed Petrol Filling Station and Fast Food outlet layouts imported

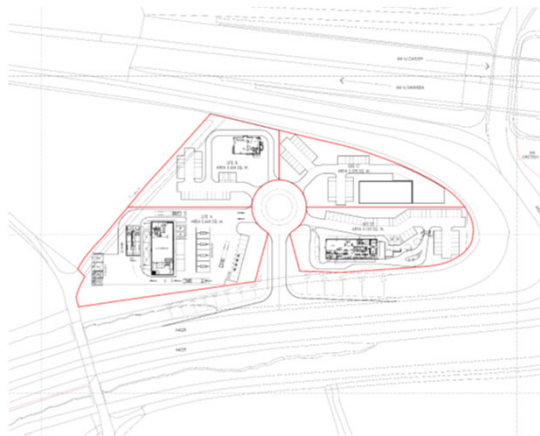


Image 03 – Developed site layout with building locations and parking layouts indicated



Image 04 – Developed site layout with landscaped areas added

5.2 PROPOSED SITE LAYOUT

The facility would be occupied by 4 major national and/or international operators in the retail field. They all have their specific corporate design requirements based on their vast operational experiences.

Accordingly, the buildings' design and external layouts reflect what has proved successful in operational terms and in terms of customer satisfaction on other similar sites.

Pedestrian and vehicular linkages provide the necessary communication between the different site operators.



6.0 | EMPLOYMENT AND COMMUNITY SAFETY

The service area would be open on a 24 hour basis and for 365 days a year.

A total of 125 people would be employed on a full/part-time basis equating to 78 full-time equivalent jobs. The jobs created here would be particularly attractive to the younger age group.

In view of the 24 hour nature of the operation the safety of staff and customers is essential.

Some of the security measures provided are understandably commercially confidential. However, CCTV cameras will be operational throughout the site, linked to local and national security services. Security staff would also be present at certain times of the 24 hour cycle.



7.0 | THE PLANNING JUSTIFICATION

The earlier references to the PAC revealed that the Council's initial negativity to the proposal stemmed from the fact that the site lay in countryside and that the Council was of the view that retail development was better directed to town centres. Thus, the proposal was at odds with its LDP policies.

However, it is considered there was a failure on the Council's part at PAC stage to give proper recognition to the fact that motorway related development such as this is inevitably located in countryside, away from town centres. It cannot be sited elsewhere, by definition, for entirely practical, geographical reasons.

This essential characteristic of such facilities as this was fully recognised by the Inspector conducting an appeal at St Clears Carmarthenshire (Ref APP/M6825/A/19/3240281 dated 18 February 2020) for a similar development on a site located adjacent to the South Wales strategic/trunk road network. He said:

I fully recognise the Council's concern to ensure that new development is sustainably located, relates well to the existing pattern of development and that the character of the countryside is protected from unnecessary development. However, in this case there is strong justification for the proposal, notwithstanding its location outside the defined development limit. The principal purpose of the development is to provide combined drive-through and eat-in refreshment facilities for travellers on the primary strategic A40 and A477 routes through south-west Wales. Both routes carry large numbers of holiday, tourism, commercial and other traffic and are of major importance to the regional economy. The appeal site location, where the A477 joins the A40, is an obvious potential location for such a facility; this is not disputed by the Council and it does not suggest that a preferable location exists elsewhere. I consider that the Council's opposition to the proposal based on its location outside the defined development limit is negated by the proposal's clear locational requirements linked to the strategic road network.

All motorway related service stations in South Wales at the time of their conception had two things in common. First, they were all in countryside, albeit that in some cases development has followed their construction. Secondly, they were all sited at interchanges acting as junctions with other major roads. This is unsurprising given that for most of its length throughout South Wales, the M4 was built in the countryside.

Thus, this proposal would be no different in this regard to the service facilities provided at Magor (J23A); Cardiff Gate (J30); Cardiff West (J33); Sarn (J36); Swansea West (J47) or Pont Abraham (J49). It would share common characteristics with all motorway-related service development along the length of the M4 in Wales.

All other service facilities have installed EVC facilities in the light of government policies and demand. In the light of national policy, it is the provision of the EVC facility at Pyle which is the main driving force for the development.

No provision is made for such development in either extant or emerging LDP policy. That is unsurprising given that the development is designed to meet a strategic need. Instead, the applicant relies on national policy in support of the scheme.

The most recent edition of Planning Policy Wales (Ed 12 Feb 24) provides that:

*The **Electric Vehicle charging strategy and action plan** set out the Welsh Government's approach to delivering the electric vehicle charging infrastructure needed by 2050, including renewable energy generation and storage. The need for a coordinated approach across sectors and the role the planning system can play in achieving this is recognised.*

To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development. Future Wales sets out the Welsh Government's (WG) requirements for the provision of electric vehicle charging points for non-residential development. (Paras 4.1.40 & 4.1.41).

Reference is made at paras 6.8 - 6.10 in the accompanying EVC statement to Welsh Government's EVC's strategy and its objectives. Since the publication of the Strategy, WG has produced its Action Plan (2021) for the delivery of EVC points across Wales. Its introductory paragraphs provide:

Welsh Government recognises its enabling role in delivering electric vehicle charging infrastructure and will work with all providers to address the low provision of charging infrastructure across Wales in comparison to other regions of the UK.

It is essential that the public and private sectors work together to make this strategy a reality.

There are clear commercial opportunities in the provision of electric vehicle charging.

Our goal is to ensure full national coverage which may necessitate commercially grouping locations of low and high return to achieve that aim.

THE PLANNING JUSTIFICATION - continued

The Action Plan includes a policy objective to enhance rapid charging on the strategic trunk road network. In particular, the action plan provides that WG will aim to deliver the provision of rapid charging **every 20 miles** on the strategic trunk road network of Wales by 2025. The strategic trunk road network includes the M4.

The action plan envisaged that delivery would be identified by WG, which would work with private sector and community-based groups to deliver public procurement exercises. The factors to be taken into account in identifying sites would include available locations; predicted demand; charging speeds and behaviours and grid connection capacity.

The Action Plan provided that '*certain locations will include provision of amenities and rest facilities for users..*'

The main benefit of implementing the policy objective of EVC facilities every 20 miles on the Trunk road Network was cited in the action plan as;

Improving access to rapid charging will give drivers in Wales confidence in undertaking long distance journeys in electric vehicles and encourage nationwide uptake. Local economic opportunities will benefit the Welsh economy.

The EVC Strategy and progress on the implementation of the WG Action Plan were subject of examination in 2023 by the Welsh Parliament's Climate Change, Environment, and Infrastructure Committee. This was a wide-ranging review, but with regard to the WG Action Plan's objective in relation to provision on Trunk roads the Committee was not satisfied that sufficient progress had been made.

The closest service areas to the proposed Pyle site are at Sarn to the east and Swansea West to the west. However, these are 26 miles apart, a distance in excess of the WG policy objective for the provision of ECV facilities on the trunk road network. Moreover, the interchanges at the Sarn and Swansea West service areas are particularly congested at peak periods.

West of Pyle the M4 runs through Port Talbot, Briton Ferry, Skewen, North Swansea and Morriston, areas which are all substantially built-up areas. None of the motorway interchanges on this route have sufficient land to provide a facility of the nature proposed. Thus, if the 20 mile WG objective for EVC facilities on this particularly long stretch of the M4 is to be achieved, the proposal presents the only realistic opportunity.

The facility is specifically directed to passing traffic already on the Highway network. In this respect, the Traffic Assessment, based on surveys at existing facilities, envisaged that approximately 90% of custom at the retail facilities at peak periods would be made up of drivers already on the highway network.

The WGs action plan recognised the part to be played by the commercial sector in providing EVC facilities and that certain locations will include provision of amenities and rest facilities for users. The proposal includes provision for eating and rest in addition to the EVC facilities. In view of the costs of development, the critical mass of retail development is necessary to fund the provision of EVC facilities. These may therefore be provided by the commercial sector as envisaged in WG's action plan.

The applicant accordingly concludes that the proposal is in accord with Welsh Government's policy objectives regarding the provision of essential services on its Trunk road network, and in accord with accepted protocols for the delivery of such services at no cost to the public purse.

Given this and the absence of alternative sites to facilitate the necessary provision the special circumstances exist to warrant giving more weight to the material considerations than to the provisions of extant and emerging LDP policies. It is therefore Welsh Government policy which points to the overriding need for the facility.